

# OFFICIAL RECORD OF PROCEEDINGS

Wednesday, 10 June 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 CHAN KAM-LAM, S.B.S., J.P.

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 LAU WONG-FAT, G.B.M., G.B.S., 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 TIMOTHY FOK TSUN-TING, G.B.S., J.P.

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

THE HONOURABLE ABRAHAM SHEK LAI-HIM, S.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 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 JEFFREY LAM KIN-FUNG, S.B.S., J.P.

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

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

THE HONOURABLE LEUNG KWOK-HUNG

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

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

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

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.

**PUBLIC OFFICERS ATTENDING:**

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

THE HONOURABLE MICHAEL SUEN MING-YEUNG, G.B.S., J.P.  
SECRETARY FOR EDUCATION

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 TSANG TAK-SING, J.P.  
SECRETARY FOR HOME AFFAIRS

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

PROF THE HONOURABLE K C CHAN, S.B.S., J.P.  
SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY

THE HONOURABLE MRS CARRIE LAM CHENG YUET-NGOR, J.P.  
SECRETARY FOR DEVELOPMENT

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

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

THE HONOURABLE MRS RITA LAU NG WAI-LAN, J.P.  
SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT

**CLERKS IN ATTENDANCE:**

MS PAULINE NG MAN-WAH, SECRETARY GENERAL

MRS CONSTANCE LI TSOI YEUK-LIN, ASSISTANT SECRETARY  
GENERAL

MRS JUSTINA LAM CHENG BO-LING, ASSISTANT SECRETARY  
GENERAL

## 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>
Industrial Training (Clothing Industry) Ordinance (Amendment of Schedule 1) Order 2009.....	118/2009
Air Pollution Control (Specified Processes) (Amendment) Regulation 2009 .....	119/2009
Land Survey (Fees) (Amendment) Regulation 2009 .....	120/2009
Airport Authority Ordinance (Map of Restricted Area) (Amendment) Order 2009.....	121/2009

## ORAL ANSWERS TO QUESTIONS

**PRESIDENT** (in Cantonese): Questions. First question.

### Measures to Promote Gender Equality

1. **MS EMILY LAU** (in Cantonese): *President, regarding the work of implementing gender mainstreaming and promoting gender equality, will the Executive Authorities inform this Council:*

- (a) *given that the authorities have, since 2002, applied the Gender Mainstreaming Checklist to 30 policy and programme areas which are of relevance to women, and provided training on gender mainstreaming to over 4 000 civil servants, whether the authorities have any plan to apply the Checklist to all other policy and programme areas as well as provide relevant training to all politically appointed officials and directorate civil servants; if they have, of the details; if not, the reasons for that;*
- (b) *given that the work target of at least 25% for each gender for the purpose of appointing non-official members of advisory and*

*statutory bodies had been attained at the end of 2005, whether the authorities have any plan to raise this target; if they have, of the details; if not, the reasons for that; and*

- (c) *given that the authorities have, since 2003, set up in all bureaux and government departments a network of Gender Focal Points (GFPs), most of whom being directorate officers, to assist the Government in promoting gender mainstreaming and offer suggestions, of the number of meetings held in the past three years between these GFPs and the bureaux concerned, the suggestions they have made and how such suggestions have been implemented?*

**SECRETARY FOR LABOUR AND WELFARE** (in Cantonese): President,

- (a) Since 2002, the Administration has, with the assistance of the Women's Commission (WoC), applied the Gender Mainstreaming Checklist (the Checklist) to 30 policy or programme areas which are of relevance to women. The Checklist was developed by WoC to facilitate government officials to take into account the perspectives and needs of the two genders in the formulation of policies and programmes. This is to ensure that women and men have equitable access to, and benefit from, society's resources and opportunities, thus promoting women's advancement and fostering gender equality and harmony in the long run. Apart from adopting the Checklist, officers from a number of bureaux and departments have also applied the gender mainstreaming concept in the course of their work, taking into account the needs and perspectives of both genders. The Administration will continue to apply the Checklist to more policy areas and promote the gender mainstreaming concept.

For gender mainstreaming to become an integral part of the policy formulation and service delivery processes, we consider it crucial to first develop a better understanding and awareness of the concept across the civil service. To enhance civil servants' understanding of and sensitivity to gender-related issues, we have been providing training to civil servants at different levels to equip them with the relevant knowledge and skills in applying gender mainstreaming to their work. Such training has covered a broad spectrum of staff from directorate officers involved in policy formulation to front-line

officers engaged in service delivery. To date, over 4 000 civil servants of various grades and ranks have attended different classroom gender-related training. We have also arranged a briefing on gender mainstreaming for Principal Officials and Heads of Departments.

- (b) In making appointments to advisory and statutory bodies (ASBs), the Administration aims to secure the services of the most suitable persons to meet the requirements of the board or committee concerned. In making appointments, we will consider a host of factors including a candidate's ability, expertise, experience, integrity and commitment to public service; the functions and nature of the board or committee concerned; and the gender balance, and so on. For statutory bodies, the appointing authorities will also take into account the relevant statutory requirements. In considering the above factors, the appointing authorities aim to achieve the objective that the composition of ASBs could broadly reflect the interests and views of the community and that the principle of appointment by merit can be upheld.

According to information provided by Home Affairs Bureau, the overall women's participation rate in ASBs was 27.6% as at April this year, which has already achieved the 25% gender benchmark target. For certain ASBs relating to such sectors or professions with the majority of their practitioners being male; or with mainly male candidates recommended by the relevant professional bodies or institutions; or with the term of appointment of their members lasting for a few years, the appointing authorities will only have the opportunity to raise the women's participation rate further when making new appointments. As a result, the Administration does not have plans to further raise the gender benchmark at present.

To encourage and promote women's participation in community affairs, the appointing authorities will continue to adopt various measures to identify and cultivate more women to participate in the work of ASBs, including conveying the message to professional bodies or institutions that the Administration is making efforts in enhancing women's participation rate in ASBs.

- (c) In the past three years, we have held six formal meetings and one workshop with the GFPs. We have also maintained contact and communication with them in our daily work. The suggestions made by the GFPs and their implementation are as follows:

First, GFPs suggested providing tailor-made training courses for officers of different departments and grades to suit their particular needs. Last year, we provided customized courses for Social Work Officers, Social Security Officers and newly appointed Administrative Officers, aiming at enhancing their gender sensitivity and understanding of gender mainstreaming;

Second, with the assistance and impetus of the GFPs network, some departments and grades (for example, the Customs and Excise Department and the Administrative Officer Grade) have incorporated gender-related training into their mainstream training programmes;

Third, on the advice of the GFPs, we launched a web-portal on gender mainstreaming in January this year for reference by all civil servants. To enhance understanding of gender mainstreaming across the civil service, the web-portal provides information about the concept and its application and hyperlinks to useful websites. It also sets out nearly 40 examples of different policy or programme areas that have applied gender mainstreaming, with quite a number of the examples contributed by the GFPs;

Forth, to introduce the basic concept of gender mainstreaming and promote the web-portal, we have also, on the advice of the GFPs, prepared a leaflet for reference by all civil servants. The leaflet was distributed to all Legislative Council Members on 27 March 2009; and

Finally, WoC is reviewing and revising the Checklist to make it more user-friendly. The GFPs have provided a lot of useful advice on ways to improve the Checklist. WoC is modifying the design of the Checklist based on the comments of the stakeholders and the GFPs.

**MS EMILY LAU** (in Cantonese): *President, the Secretary said that for gender mainstreaming to become an integral part of the policy formulation and service delivery processes, it is crucial to first develop a better understanding and awareness of the concept across the Civil Service.*

*President, I have pointed out in my main question that since 2002, the Government has provided training to 4 000 people. But the Secretary also said that 4 000 people had received training in his reply earlier. That means there is no increase in the number of trainees. I have also asked in my main question whether or not training has been provided to politically appointed officials and directorate civil servants. President, in his reply, the Secretary said that a briefing on gender mainstreaming has been arranged for them. So, does this mean that the Administration has neither the sincerity nor interest in enhancing the decision-makers' awareness of gender mainstreaming in order to promote the concept across the board in the Government? Will the Administration admit that a mistake has been committed? And will such training be provided as soon as possible?*

**SECRETARY FOR LABOUR AND WELFARE** (in Cantonese): *President, I thank Ms LAU for her supplementary question. In fact, 4 000 civil servants who have received training is an aggregate figure. When the concept was promoted in 2002, no civil servant had ever received training on that. But after our endeavour in the past few years, a certain number of civil servants would participate in the formal training every year. Besides, 4 000 is the latest number instead of the number of people in 2002. Please do not have any misunderstanding about it.*

Furthermore, we attach great importance to the high-ranking civil servants who are responsible for decision-making, especially the Principal Officials and the Heads of Departments at directorate level. They must have a clear understanding of the concept. Therefore, a briefing has been held for these high-ranking colleagues and the message will be brought home to them continuously through other channels such as websites and e-mails from time to time. I would like to emphasize that we adopt a two-pronged approach. By the first prong, regard will be given to officials who are responsible for policy formulation as they must have understanding in the concept and their sensitivity must be enhanced. By the other prong, grass-roots civil servants who provide services at the front line are also required to understand the concept. They

should know what to do in practice. Therefore, by adopting a two-pronged approach, we will ensure that civil servants at both the upper and lower levels will co-ordinate with each other in order to give full play to their roles.

**MS EMILY LAU** (in Cantonese): *The Secretary has not answered my question as to why high-ranking officials need not receive any training.*

**SECRETARY FOR LABOUR AND WELFARE** (in Cantonese): President, as I have pointed out clearly just now, the whole concept has been explained clearly to the high-ranking officials in a briefing. Just now I have also mentioned that a leaflet has been prepared and distributed to all Members. Do Members recall that Ms LAU also raised a question on the issue at the special meeting of the Finance Committee in March? The leaflet is actually very useful because the concept has been explained very clearly in very simple terms. There are also theory, practice and background information explaining why importance is attached to gender mainstreaming and how it is implemented. Specific examples are also given so that a clear picture is presented. We will continue to work hard in this aspect.

**MR CHEUNG MAN-KWONG** (in Cantonese): *President, according to the second paragraph of part (b) of the main reply, the overall women's participation rate in ASBs achieved the 25% gender benchmark four years ago. But four years later, the rate has only increased to 27.6%, representing an increase of 2.6% compared with the lowest benchmark. Does this show that the so-called gender equality policy of the Government is a mere window-dressing policy without any intention to substantially increase the women's participation rate in ASBs? Why is the Government reluctant to raise such a miserable 25% benchmark? What is the Government afraid of? Is the so-called gender equality policy only a policy to pay lip service?*

**SECRETARY FOR LABOUR AND WELFARE** (in Cantonese): I thank Mr CHEUNG for his concern in this aspect. The main reply has clearly brought out a message, that is, we have undoubtedly achieved the target of 25%. But we hope that women's participation rate can improve and this is also our goal. However, the fact that this benchmark has not been raised at this stage does not mean that we will not continue to work hard. It is only because of some

technical problems that we have to see clearly and decide whether a review is necessary later.

As Members will understand, owing to the professional nature of some organizations or advisory bodies, plus the fact that members of the industry are mostly male, and some institutions or agencies will nominate and recommend their own candidates, so there is not much room for the Government's appointment. Moreover, the term of appointment of some members lasts for a few years. We think that there should be more room for appointment and we should encourage more colleagues in different departments, especially the appointing authorities, to make more efforts to identify and cultivate female talents. So, we have begun at the district level (including the District Councils) to encourage them to put more efforts on promoting female leadership in order to encourage more people to take part in social affairs, especially serving in our advisory bodies. Mr CHEUNG, we will continue to work hard.

**DR MARGARET NG** (in Cantonese): *President, from the Secretary's main reply, we can see that apart from a mention of the women's participation rate of 27%, there is little mention about any result achieved after a number of meetings. From the perspective of an outsider, we have the impression that gender mainstreaming has sparingly been implemented. Has the Secretary reviewed the effectiveness of these meetings? Is it necessary to modify the leaflet? Has any review of the effectiveness been conducted by the Secretary?*

**SECRETARY FOR LABOUR AND WELFARE** (in Cantonese): President, I thank Dr NG for her supplementary question. In fact, we have held six formal meetings and one workshop. If Dr NG would like to know some simple examples illustrating how people have benefited from our work such as how the relevant policy has been put into practice by front-line work, I can cite some examples which are also detailed in the leaflet. It would be very worthwhile for Members to spend five minutes reading it.

The first example is about the male and female toilets under the purview of the Food and Environmental Hygiene Department. The ratio between male and female toilets has increased from 1.5 to 1 to 2 to 1, in special response to the different needs of men and women. The second example comes from the police. The policewomen's bullet-proof vests are specially designed, having taken into

account their needs. In respect of the service revolvers, the grips of their service revolvers are shorter for their convenience use. These are the suggestions by front-line staff who have made reference to the Checklist. Regarding the new Government Headquarters at the Tamar site, including the design of the new Legislative Council Building, we are also considering providing more areas and facilities for breast-feeding mothers. In addition, family changing rooms, which are provided in swimming pools under the Leisure and Cultural Services Department, are specifically designed for families. In addition, regarding the Government Headquarters at the Tamar site, apart from the facilities provided in the future, we have also noted that reflective materials should be avoided for paving the floor as a measure for protecting women in particular. This shows how meticulous we have been as we have noticed the avoidance of reflective materials for paving the floor. Our front-line colleagues, be they architects or engineers, will also take into account the needs of women. These are the results we have achieved through intensive training.

I have collected many other examples, which will not be elaborated here. One of them is the publicity programmes on electrical appliances. To enable more women to watch these programmes, we have arranged that they be broadcast in the evening only.

**PRESIDENT** (in Cantonese): Which part of your supplementary question has not been answered?

**DR MARGARET NG** (in Cantonese): *My supplementary question is about government policy. To enhance the high-ranking officials' awareness of gender mainstreaming is to ensure that they will take gender mainstreaming into account when introducing policies. But the Secretary, in his reply, has only mentioned the relevant facilities. He has not answered what result has been achieved by gender mainstreaming and what kind of review has been conducted.*

**SECRETARY FOR LABOUR AND WELFARE** (in Cantonese): I have in fact answered the question and my reply is very clear. This policy, which has been confirmed and highly regarded by the Government, is realized in the work of the front-line staff who will adopt the relevant measures in the implementation of the policy. The workflow is actually driven by the policy. If the policy has not

been changed, how can the target be achieved by the workflow preceding it? To put it simply, the increase in the ratio of female toilets must be due to the fact that importance has been attached to this as a result of the policy, thus being reflected in the front-line work. So, I would like to tell Dr NG that the two are inter-related.

**MR FREDERICK FUNG** (in Cantonese): *I would like to ask a follow-up question about the second paragraph of part (b) of the main reply concerning ASBs. Hong Kong is governed by two groups of people only, that is, the high-ranking government officials and members of the ASBs. I do not agree with the Secretary's remark that the issue is not dealt with for the time being because of some technical problems and a review of this would be carried out later. It is precisely because these are technical problems that the Government can deal with the issue in a technical manner. It is because according to another government policy, no ASB member can sit on more than six ASBs and no ASB member can be appointed for a term longer than six years. The Government can calculate the approximate timing as to when the term of each male and female member will expire. Since technically speaking, there is such a target, the Government can consider whether more women should be appointed to replace the incumbent members when their term has expired. The reluctance of the Government in making such a calculation reflects that the Government has no intention to raise the women's participation rate in ASBs. Since this policy has been formulated four years ago, the reluctance of the Government to deal with the matter by adopting a technical approach shows that the principle held by the Government in reality is not to deal with it. Is this true?*

**SECRETARY FOR LABOUR AND WELFARE** (in Cantonese): President, Mr FUNG, we are absolutely determined to deal with this problem. Otherwise, the participation rate of women would not have risen rapidly from 25% in January 2004 to 27.6% in the end of 2005 and reached our target. Some of technical problems I have just mentioned are beyond our control. Take a very simple example. The ratio of male in some institutes, such as those concerning the construction industry, is really higher due to the nature of the profession. We have done our best to identify suitable female engineers and appoint them as members, in the hope that the situation will be changed. All these factors are beyond our control. If nomination by the institute concerned is not required, we will make the appointment on our own. But in some cases, it has stipulated that

recommendation be made by the institute. We have urged them to pay attention to this issue and in my main reply, I have also urged them to provide more opportunities to women for participation.

In fact, a central register has been kept by Home Affairs Bureau, with the aim of encouraging more women to take part. Among the 28 000-odd people in the register, only 6 000-odd are women. We will continue to encourage more women to put their names in the register. They can provide us with more information by filling in a form. Self recommendation is absolutely welcome. After receiving the information, which will be kept in strict confidentiality, we will identify those who are interested in participating in social affairs and then liaise with them. They can participate in social affairs through various channels, such as the district councils. Meanwhile, we have also provided a female leadership training network which serves as a start-up for participation by women.

In fact, the work is done in both directions. For those organizations which are controlled by the Government, we will certainly fully consider women's participation. But for those outside and are not controlled by the Government, nomination by the institutions concerned will be required. There is also a certain limitation due to the nature of certain professions. These are the technical problems I refer to and they have nothing to do with our determination. We are determined to facilitate more participation from women in order to achieve a better balance.

**MR FREDERICK FUNG** (in Cantonese): *The Secretary has not answered my supplementary question. Just now I .....*

**PRESIDENT** (in Cantonese): Please state your follow-up question clearly.

**MR FREDERICK FUNG** (in Cantonese): *My follow-up question is that, according to the government policy, each member can serve a six-year term and sit on six ASBs only. The Government can calculate the expiry date of the term of each member. The example cited by the Secretary such as in construction .....*

**PRESIDENT** (in Cantonese): Please state your follow-up question.

**MR FREDERICK FUNG** (in Cantonese): *Does the Secretary have any determination in appointing more women to replace the incumbent members upon expiry of their term according to this formula? Does the Secretary have the determination to make such a calculation?*

**PRESIDENT** (in Cantonese): The Secretary has already said that he has the determination. Secretary, do you have anything to add?

**SECRETARY FOR LABOUR AND WELFARE** (in Cantonese): Thank you, Mr FUNG. We have indeed considered the "six-six rule". As I said just now, we will absolutely not give up the opportunity if there is any room for that because, in our opinion, women's participation is necessary and the concept of the Checklist is also worth promoting and it is also due to our high regard for women. As for the civil servants, apart from the measures I have just mentioned, they can simply gain access to self-learning materials from the website by the end of this year. We hope that this matter can be kick-started across the board.

**PRESIDENT** (in Cantonese): We have spent more than 20 minutes on this question. Last supplementary question.

**MS LI FUNG-YING** (in Cantonese): *President, in part (c) of the main question, Ms LAU pointed out that in the past three years, the authorities have set up the system of GFPs in all bureaux and departments. What has the Government done in this regard? It seems that the Secretary has not answered the question. Besides, on the advice of the GFPs, some tailor-made training programmes are provided. Are these training programmes the means by which an aggregate of 4 000 people have been trained since 2002 as the Secretary has just said?*

**SECRETARY FOR LABOUR AND WELFARE** (in Cantonese): I thank Ms LI for her question. The GFPs are very important as they have genuinely played a bridging role. The example of service revolver with a shorter grip which I

have just mentioned is proposed by the front-line staff and that helps enhance their morale and operation. The GFPs will also advise on the most effective way that these proposals can be implemented in reality. Hence, their role is bidirectional.

Besides, in the Checklist, there are suggestions on how the system can be further improved or refined so as to facilitate the application of the Checklist. Therefore, the GFPs have in fact maintained very close communication with us and played an important role.

**PRESIDENT** (in Cantonese): Which part of your supplementary question has not been answered?

**MS LI FUNG-YING** (in Cantonese): *President, the Secretary has not answered my supplementary question. Part (c) of the main question is about whether meetings have been held between the GFPs and the relevant bureaux and departments instead of about those six meetings which have been held between the Secretary and the GFPs in three years. President, the Secretary has not answered this part of my question.*

**SECRETARY FOR LABOUR AND WELFARE** (in Cantonese): President, we have 72 GFPs in various departments and bureaux, of whom 64 are directorate officers belonging to the management level. Certainly, they will maintain internal communication. Take the tailor-made training programmes as an example, the Social Welfare Department (SWD) and Customs and Excise Department have integrated these programmes into their training. Hence, the civil servants of these two departments need not receive training at the central level of the Government. As the induction courses for the Customs Officers and Administrative Officers (including colleagues in the SWD) have included the relevant training, they can have a full understanding of the issue, their sensitivity and awareness will also be enhanced when the training is completed. These are their contributions and the communication role that they have performed.

**PRESIDENT** (in Cantonese): Second question.

## Monitoring of Operation of Travel Industry Council of Hong Kong

2. **MR PAUL TSE** (in Cantonese): *Under the Travel Agents Ordinance (Cap. 218), a travel agent must be a member of the Travel Industry Council of Hong Kong (TIC) for it to be granted a licence to operate travel agency business. In recent years, many travel agents have relayed to me their discontent with the operation of TIC (including "black box" mode of operation and abuse of public resources for private use). They have also said that they cannot effectively monitor TIC's use of the substantial public resources. In this connection, will the Government inform this Council:*

- (a) *which government department and official are responsible for monitoring the operation, appointment of management staff and financial matters of TIC, as well as through what mechanism the monitoring is carried out; whether the government department concerned had audited the accounts of TIC in the past five years; if it had, of the results; if not, whether it will conduct the relevant audits expeditiously; whether the Government had conducted in the past five years any value for money audit in respect of the economy, efficiency and effectiveness of the operation of TIC; if it had, of the results and whether the results had been announced; if not, whether it will conduct the relevant audits expeditiously;*
- (b) *given that the Board of Directors of TIC had earlier requested all observers to sign a confidentiality undertaking to ensure that the discussions at the meetings of the Board of Directors and its committees would not be divulged, whether the Commissioner for Tourism, being an observer of the Board of Directors of TIC, has signed the confidentiality undertaking; if so, of the reasons for that; whether the Government has assessed the impact and constraints posed by such a confidentiality undertaking on the powers and responsibilities of the Commissioner for Tourism; and*
- (c) *whether it has set up any mechanism to review regularly the appointment of the chairman and directors of TIC and their discharge of duties (including evaluating whether they have effectively exercised the powers conferred by the relevant legislation to regulate travel agents, tour escorts and tour guides in an open, fair and impartial manner); if so, of the review results; if not, whether it will conduct such a review expeditiously?*

**SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT** (in Cantonese): President, incorporated under the Companies Ordinance in 1988, the Travel Industry Council of Hong Kong (TIC) is a trade body for travel agents. It carries out industry regulatory work in accordance with its Memorandum and Articles of Association. Under the Travel Agents Ordinance (Cap. 218), all licensed travel agents in Hong Kong have to be members of TIC. TIC's Board of Directors (the Board) is responsible for its operation and use of resources. The Board comprises the chairman who comes from the trade and 28 directors, of whom eight are TIC Association Member representatives, another eight are elected by member travel agents at the annual general meeting (AGM), while the rest are non-trade independent directors appointed by the Secretary for Commerce and Economic Development (SCED). TIC decided to increase the number of non-trade independent directors from eight to 12 in November 2007, with a view to bringing in more experience and knowledge from other sectors on the one hand, and enhancing the transparency of TIC's operations on the other. The new arrangement was implemented in January 2008.

Under the principles of self-regulation and trade self-discipline, TIC seeks to ensure independence, impartiality and transparency when carrying out its work and discharging its functions.

- (a) The Tourism Commission is responsible for monitoring TIC's work and the cost-effectiveness of its use of resources. Under the Travel Agents Ordinance, each year TIC shall submit to SCED estimates of its income and expenditure in respect of the next financial year. TIC will, in accordance with the requirements of the Companies Ordinance, prepare annual accounts (including statement of income and expenditure, balance sheet, and cashflow statement) for audit every year. The audited statements of account will be presented for endorsement by TIC members at the AGM. Since TIC does not receive subvention from the Government, it is not subject to the Audit Commission's examination, nor the Commission's value-for-money audit. TIC has been specified as a "public body" since 1990 under the Prevention of Bribery Ordinance and is subject to its regulation.

Apart from attending meetings of the Board and its various committees, representatives of the Tourism Commission also maintain close communication with TIC on the development of the

tourism market, issues affecting the trade, the operating environment of travel agents, trade practices, tourist protection, as well as the financial position of TIC, and so on, and provide advice and assistance to support TIC's regulatory work and promote the effective use of resources.

- (b) Discussions at TIC meetings often involve commercial or personal information on individual travel agents, employees or tourists, as well as other sensitive information. Improper disclosure of such information may infringe on the rights of the parties concerned, bringing legal risks to the regulatory work. Therefore, all members of the Board and its committees have to observe the confidentiality undertaking, and observers are no exception. Representatives of Tourism Commission attend TIC Board and various Committee meetings as observers or members. They also need to comply with relevant meeting rules and confidentiality requirements, and sign the confidentiality undertaking. The confidentiality undertaking however does not affect the Tourism Commission's monitoring and policy work. The Tourism Commission also frequently meets with representatives of TIC or maintain liaison through correspondence with a view to safeguarding the interests of the travel trade and the public.
- (c) TIC is incorporated under the Companies Ordinance. The composition and terms of reference of the Board are governed by TIC's Memorandum and Articles of Association. The Constitution/By-law Committee of TIC, which is convened by an independent director with a majority of its members being non-trade independent persons, carries out reviews of the set-up, functions and responsibilities from time to time to ensure that TIC's operations evolve with time and public expectations. Proposals for constitutional changes are submitted to the Board for consideration, followed by decision through voting at the AGM. Changes to certain clauses (such as those related to membership criteria, membership and other fees, penalty for non-compliance, TIC Appeal Board, and TIC composition and election) have to be approved by SCED.

**MR PAUL TSE** (in Cantonese): *President, the reply is nothing but a piece of officialese full contradictions. But owing to the constraints of the rules, I can only target at part (a) of the main reply.*

*I am not sure whether the Secretary is aware of the fact that in 1992, when the then Secretary for Trade and Industry moved the Second Reading of the Travel Agents (Amendment) Bill 1992 to set up the Travel Industry Compensation Fund, the TIC was authorized to charge levies, including a Fund Levy and a Council Levy, which would go to the TIC to help finance its operation. At that time, the Secretary for Trade and Industry had made a pledge to the Legislative Council. For the sake of accuracy, I would like to read it out direct from the record: "To ensure the proper use of the Council Levy, a set of rules have been agreed with the TIC. They include: first, the TIC may only retain reserves up to a limit; secondly, the TIC must submit its annual estimates to the Financial Secretary; thirdly, the TIC will be subject to independent value-for-money audits."*

*This is a very clear commitment and I do not understand why the Administration always maintains that the TIC is beyond the Audit Commission's purview on the pretext it has not received any government subvention. It is right that the TIC is not subject to the Audit Commission's examination. But since the Government has undertaken to authorize the TIC to collect levy for its operating expenses, there must be proper regulation. Why has the Government failed to honour its pledge that there would be proper regulation and value-for-money audits would be conducted after such authorization? Even though audits are not performed by the Audit Commission, an independent body can be appointed to carry out the task. I hope the Secretary will answer this supplementary question: Does she have no knowledge of the fact or does she deliberately keep the Legislative Council in the dark? Will she make any remedy in this regard?*

**SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT** (in Cantonese): The TIC, as a corporation, is required to carry out its governance duties in accordance with the Companies Ordinance. As for value-for-money audits, I am sure that it has to meet the statutory requirements when preparing its financial report every year, including the obligation to ensure the powers vested in it under section 32 of the Travel Agents Ordinance be exercised in a proper

manner. In the TIC, there are more than 12 independent individuals, many of them can serve as independent directors to monitor the TIC's operation, given their auditing and accounting background. In addition, under a standing mechanism, the TIC is also required to submit a financial report to me in my capacity as the SCED every year. We will scrutinize the financial report in respect of the next financial year in a very prudent and careful manner before it is approved. Therefore, a mechanism has been put in place and the TIC is also duty-bound to ensure that the levy collected is used in a thrifty and appropriate manner.

**PRESIDENT** (in Cantonese): Has your supplementary question not been answered?

**MR PAUL TSE** (in Cantonese): *My question is about value-for-money audits. I wonder whether the Secretary does not understand my question or deliberately evades my question. The fact that some members are accountants does not mean that there is value-for-money audit.*

**SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT** (in Cantonese): President, I think the ultimate purpose of value-for-money audits or any other form of audits is undoubtedly to ensure that the use of financial resources by the TIC is in compliance with the requirements of its functions. Therefore, I believe the TIC would be most happy to consider how to ensure the proper use of resources if there are views in the trade that improvement or enhancement of accountability is necessary.

**MR PAUL TSE** (in Cantonese): *This is a pledge of the Government, not an issue which the TIC is willing to give consideration or not. The Government is obliged to do so.*

**PRESIDENT** (in Cantonese): Mr TSE, this is not a debate. I believe the Secretary has answered your supplementary question already.

**MR CHIM PUI-CHUNG** (in Cantonese): *President, in her main reply, the Secretary said that the TIC was very effective in carrying out its work. If this is the case, why do members in the trade have such strong views? Does the Secretary have any intention to modify government policies related to the TIC so that it can live up to the expectations of the trade?*

**SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT** (in Cantonese): President, as a trade body, the TIC should listen to the views of stakeholders in the trade and take follow-up actions accordingly. So, in my opinion, it should ensure its proper operation and the protection of consumer interests, on the premise that the development of the trade is not subject to any constraint. At the same time, it should be able to give a full picture of its operation. Therefore, at the AGM or committee meetings, all members should have the equal rights to express their views on its operation which will be followed up and considered by the Board of Directors.

**PRESIDENT** (in Cantonese): Which part of your supplementary question has not been answered?

**MR CHIM PUI-CHUNG** (in Cantonese): *President, my question is about the attitude of the Government. The Secretary is not duty-bound to give explanation on behalf of the TIC. What changes have been made to the government policies concerning the TIC? As the trade has voiced a lot of discontent, does the Government not hear it?*

**SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT** (in Cantonese): President, the Government has in fact maintained very close liaison with the TIC in respect of its work because the Government's policy is to ensure the healthy development of the tourism industry while protecting the interests of consumers. For this reason, we can see that a self-improvement mechanism has been put in place by the TIC which has also maintained dialogue with us. For instance, as I mentioned in the main reply, the number of independent directors has increased from eight to 12. This process has reflected the Government's commitment to introduce independent lay members in order to ensure that the

TIC's operation is in line with the interests of the trade as a whole and the public. This is also a final decision which cannot be reached without the participation of the Government.

**MR FRED LI** (in Cantonese): *President, this is a perennial issue indeed. The Secretary has reiterated time and again that the number of independent directors has increased from eight to 12. But she has not told us that the other 17 directors are trade representatives, meaning that 60% of them come from the trade. Meanwhile, it is expressly provided that the TIC's chairman should come from the trade. In this regard, the Estate Agents Authority is entirely different because its chairman must be a lay member and over 70% of its members are also lay members. Why are two entirely different approaches adopted? How can the Government avoid our criticism that the TIC, as a trade body and registered company, is to be regulated by its own members? Does the Government still maintain that such a situation should be allowed? Why does the Government not appoint a relatively independent statutory body to regulate the whole travel trade?*

**SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT** (in Cantonese): President, when setting up the mode of regulation for the travel trade, the Administration has conducted a very extensive consultation before coming up to the decision that such a mode be adopted. Self-discipline and self-regulation by the trade are not necessarily bad because members of the trade have better understanding of the operation of the trade. More importantly, we can strike a better balance. Moreover, the introduction of independent persons as independent directors of the TIC tallies with our objective of encouraging companies to enhance corporate governance.

As to whether the chairman should come from the trade, as I understand it, the issue has been recently discussed and the Government has adopted an open attitude. If the trade, through consultation, has learned that there are views among members that the relevant provision may be modified, I believe the TIC will certainly take follow-up actions and accept members' views so as to keep abreast with the times. It will then hold discussions on the matter and make a decision. However, the Government does not have any established position in respect of the requirement that the chairman must be a trade representative.

**PRESIDENT** (in Cantonese): Which part of your supplementary question has not been answered?

**MR FRED LI** (in Cantonese): *President, I have simply pointed out the situation that the TIC is regulated by its own members. Does the Government insist that this is a reasonable approach?*

**PRESIDENT** (in Cantonese): Secretary for Commerce and Economic Development, do you have anything to add?

**SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT** (in Cantonese): President, it all depends on how you would describe it. On the one hand, it can be described as a situation where the TIC is regulated by its own members. But from another perspective, if the TIC is managed by laymen, they can hardly understand its normal operation. More importantly, there must be a mechanism to ensure that the decisions made by the TIC in implementing its monitoring and regulatory work command credibility, support of the trade and acceptability of the community (especially the consumers who use the service). Therefore, its decisions are subject to an appeal mechanism, which will determine how to ensure the professionalism of the trade, what penalties be imposed on irregularities and what follow-up actions be taken. These are the functions of the TIC and they are highly transparent because every decision will be disclosed and the parties concerned are also entitled to making an appeal. Therefore, the mechanism has functioned well as a whole and the operational needs will be reviewed from time to time in order that modifications can be made. Therefore, we believe the current regulatory work of the Government in ensuring that the TIC's operation is in line with the original intent of its formation has run very smoothly.

**DR SAMSON TAM** (in Cantonese): *President, in her main reply, the Secretary points out that the arrangement of appointing four additional independent directors with a view to bringing in more experience and enhancing the transparency of the TIC was implemented in January 2008. However, according to part (b) of the main reply, these independent persons need to comply with the confidentiality requirements in respect of the discussions at the meetings.*

*That means four additional people will know what has been discussed at the meetings. May I ask the Secretary what mechanism or measure can enhance the public transparency of the TIC's decision-making process as a whole?*

**SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT** (in Cantonese): President, I thank Dr TAM for his supplementary question. In fact, we have to continuously monitor the work of the TIC through various channels and this is precisely an important part of it. By adding independent persons to the TIC can certainly ensure that its operation will take care of various quarters instead of the operation of the trade alone. But in the discussion of individual cases, especially those involving whether there are irregularities in the practice of individual travel agents, it is inappropriate to make any disclosure before a decision is made, as I have mentioned in the main reply. But after a decision has been made by the TIC, the relevant details will become public information, the public will then know that a travel agent has been penalized because of irregularities. Meanwhile, there is also a fair mechanism for the travel agent concerned to make an appeal and submit its defence. The operation of this mechanism is very reasonable and warrants our support.

**PRESIDENT** (in Cantonese): There are six Members waiting their turn to ask questions. But as we have spent more than 20 minutes on this question, I can only allow one more supplementary question from a Member.

**MISS TANYA CHAN** (in Cantonese): *President, I would also like to ask a question about transparency. Apart from reiterating that a decision will be made after scrutiny and an opportunity of appeal will be provided to the parties concerned, the Secretary has not given an answer to what mechanism for enhancing transparency has been put in place by the Administration. I believe this is the right of the parties concerned and this is their minimum and absolute right. I believe a lot of discussion will be conducted by the TIC at the decision-making level or under the circumstances that no commercially sensitive information is involved. Why is this part of discussions prohibited from disclosure to the public or the trade so that the trade will at least know what considerations have been made by the TIC's? Has the Government put in place any mechanism to enhance the transparency of the TIC in order to improve the relationship between the TIC and the trade?*

**SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT** (in Cantonese): I would like to add that we have been working towards enhancing the transparency. Let me cite an example. In January this year, the TIC decided to introduce a new measure under which all decisions made at its meetings and all summaries of reports would be uploaded on its website for public reference. If there are some discussions which may have impact on all members, including guidelines or issues which may affect members, all relevant information will be uploaded on its website for its members' information and compliance. In my opinion, all these show that the TIC is taking appropriate measures to carry out its functions and enhance the transparency of its operation.

**PRESIDENT** (in Cantonese): Members who are concerned about this issue may follow up on other occasions. Third question.

### **Energy Saving and Emission Reduction Plan to be Implemented by the United States for New Vehicles**

3. **MR FREDERICK FUNG** (in Cantonese): *President, it has been reported that the United States will implement in 2012 an energy saving and emission reduction plan for vehicles. The fuel efficiency standard which is applicable to new vehicles sold in the United States will be raised gradually from the current standard of 25 miles per gallon (that is, around 10.6 km per litre) to 35.5 miles (that is, around 15.1 km per litre) in 2016. It is estimated that the United States will save 1.8 billion barrels of oil and reduce greenhouse gas emissions by 900 million metric tons between 2012 and 2016. In this connection, will the Government inform this Council:*

- (a) *whether it has proactively found out the details of the aforesaid plan; whether it will assess the implications of the plan in the future development and application of energy saving vehicles, and if the plan will result in vehicles with lower energy efficiency being dumped at places (for example, Hong Kong) where the standard concerned is lower;*
- (b) *according to the estimation of the authorities, what benefits in terms of energy saving and emission reduction can be brought about by implementing the aforesaid new standard in Hong Kong; and*

- (c) *whether the authorities will, in the light of the aforesaid plan, gradually raise the energy saving and emission reduction standards applicable to vehicles for sale locally, so as to prompt vehicle manufacturers to engage themselves more actively in the research and development of environment-friendly vehicles (such as hybrid models and those propelled solely by electric power), and prompt vehicle owners to choose to use these environment-friendly vehicles, with a view to achieving reduction in emission and roadside air pollution; if it will not, of the reasons for that?*

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): President, I thank Mr Frederick FUNG for his question.

- (a) and (b)

We have been monitoring closely the development in major automobile manufacturing regions (including the United States, European Union and Japan) in promoting more fuel efficient vehicles. On 19 May 2009, the United States announced a plan to require the vehicles sold by each vehicle manufacturer to achieve an average fuel economy of 35.5 miles per gallon (that is, around 15.1 km per litre) by 2016. The proposed requirements do not set fuel economy standards for individual vehicle models.

We have noticed that the International Council on Clean Transportation (ICCT), headed by former Chairman of the California Air Resources Board, has analysed the fuel economy and emission reduction programme for motor vehicles to be implemented in the United States in 2012 and published its findings on its website. According to the analysis, the fuel efficiency target (that is, 15.1 km per litre) for new vehicles to be sold in the United States in 2016 as set by the United States Government is still about 20% lower than the average fuel efficiency (that is, about 18 km per litre) of new vehicles of Japanese and European makes sold in 2008. Currently, motor vehicles sold locally are mainly of Japanese and European makes. As newly registered motor vehicles in Hong Kong are required to meet the European Union or Japanese emission standards, Hong Kong has benefited from the relatively more fuel efficient vehicles produced by European and Japanese automobile

manufacturers. The United States Government's new measures will not result in the local market being glutted with vehicles of lower fuel efficiency.

- (c) It is our standing policy to adopt the most stringent international vehicular emission standards as far as practicable and introduce appropriate energy conservation requirements. To this end, we will keep a close watch over the latest developments in vehicle supply sources (including Europe and Japan) and assess the feasibility of introducing relevant measures in Hong Kong where appropriate. Although the United States Government's new fuel economy target does not match the average fuel efficiency of the vehicles produced by European and Japanese car manufacturers, this measure can help promote the development of more fuel-efficient vehicles.

All along, we encourage vehicle owners to use environment-friendly vehicles. Starting from 1 April 2007, the Government has been offering a 30% reduction in First Registration Tax of newly registered environment-friendly petrol private cars, subject to a cap of HK\$50,000 per vehicle. As at end May 2009, we approved 7 548 tax reduction applications, representing about 11% of all newly registered motor vehicles. In comparison with conventional Euro IV petrol vehicles, environment-friendly petrol private cars emit about 50% less hydrocarbons and nitrogen oxides, consume about 40% less fuel, and hence emit about 40% less carbon dioxide.

At present, the local market has 29 models of environment-friendly petrol private cars meeting the tax reduction requirements, including nine hybrid models — an over 100% increase over the pre-implementation figure. We will continue to encourage vehicle suppliers to offer more choices of environment-friendly petrol private cars to the public.

In recent years, the performance of electric vehicles' battery has become mature and improved significantly. As electric vehicles do not have exhaust emission, the wider use of electric vehicles can greatly improve roadside air quality and reduce exhaust emission which will benefit pedestrians and shop owners. The Financial Secretary announced in this year's Budget a host of measures to promote the use of electric vehicles in Hong Kong, which include

extending the waiver of First Registration Tax on electric vehicles for five years till end March 2014, promoting the setting up of vehicle battery charging facilities, and setting up a steering committee under the leadership of the Financial Secretary to make recommendations on strategy and specific measures for promoting the wider use of electric vehicles. Separately, to foster collaboration with electric vehicle manufacturers, the Government has signed a Memorandum of Understanding with Mitsubishi Motors Corporation and Nissan Motor Co. Ltd. respectively. Discussions with other electric vehicle manufacturers are also underway to actively explore the feasibility of co-operation in promoting electric vehicles.

**MR FREDERICK FUNG** (in Cantonese): *President, about the general direction, I agree with the Government's promoting the use of electric vehicles. However, there are four very important points about the use of electric vehicles: firstly, the perfection of electric vehicle technologies; secondly, the quantities of electric vehicles; thirdly, their prices; lastly, the adequacy of vehicle battery charging facilities. On these four points, it is stated in the last paragraph of the Secretary's main reply that a steering committee under the leadership of the Financial Secretary will be set up to discuss the relevant issues. I would like to ask if the steering committee will expeditiously put forward a timetable and implement the measures. If it will, when will it do so? There are just five years to go before 2014 and there is really not much time. How will the Government cause the emergence in Hong Kong of a large number of electric vehicles within these five years?*

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): I thank Mr FUNG for his supplementary question. The steering committee has already started working, and our work for the time being is to try to find out more about the progress in the development of electric vehicles by different vehicle manufacturers in various parts of the world. If electric vehicle manufacturers will produce and promote the sales of such vehicles very soon, we would really hope that Hong Kong will be a market for them. Not long ago, we visited various places in the world where such manufacturers were located, and we discovered that there were currently few vehicle manufacturers engaged in the large-scale production of electric vehicles. At present, we have introduced from Japan an electric vehicle for trial use, and we have taken a step forward. In the

future, besides looking for different electric vehicles to be introduced to Hong Kong — Mr FUNG's remarks are absolutely right — we will also pay attention to other coupling facilities such as vehicle battery charging facilities and the overall systems. Therefore, Members may have recently noticed that a power company and a carpark management company in Hong Kong have made the preparations. If a certain number of electric vehicles will be introduced to Hong Kong in the future, one of the issues concerns how to improve the vehicle battery charging facilities in carparks. And, looking further, apart from vehicle battery charging, we are also interested knowing more about the research and development of other electric vehicle systems. The steering committee will pay attention to that.

**MR FRED LI** (in Cantonese): *President, the Government has done a lot in respect of environment-friendly hybrid vehicles and energy saving. I would like to ask the Government: as there are still many private cars that are more than 10 years old running on the roads in Hong Kong and they still emit a lot of pollutants, will the Government ..... the Government has all along encouraged the development of new environment-friendly vehicles and these vehicles are exempted from First Registration Tax. But, if people still own these old vehicles ..... the Government has given tax concessions to encourage vehicle owners to give up old vehicles and switch to new vehicles. Will it be more effective to work concurrently in these two areas rather than working in one area only? Quite a number of people still own vehicles that are 10 years old, and vehicles that are more than 10 or 11 years old are still running on the roads and creating pollution problems. Why does the Government not think of ways to eliminate these vehicles as quickly as possible?*

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): President, I would like to thank Mr Fred LI for his suggestion. There are currently some 500 000 vehicles in Hong Kong but there are not too many private cars. Taking an overview of the modes of transport used, nearly 90% of people use public transport. So, it is our policy to target more polluting vehicles. In the past, the Government made more efforts in the early phasing out of commercial vehicles. Therefore, as Members may recall, we earmarked \$3.2 billion for implementing the commercial vehicle replacement scheme because the use and emission of commercial vehicles accounted for a very large share of the total while private cars emitted relatively less. Even so, the Government is currently promoting more environment-friendly vehicles through incentive schemes. Moreover, I have just mentioned in parts (b) and (c) of my main reply that, through these

incentive schemes, vehicle owners replacing their vehicles will gradually be prompted to choose to use vehicles that have reduced emissions, and that are more energy saving and more fuel efficient.

**MR CHAN KIN-POR** (in Cantonese): *I wish to ask a question about the last paragraph of the main reply; we all know that purely electric vehicles are still under some technical constraints, for example, the vehicle battery charging device need to be replaced very soon after frequent use, and the mileage and speed will be limited after each charge. Will the Government consider the use of hybrid vehicles propelled by fuel and electric power in line with the relevant development?*

(A man in the public gallery stood up and took out a mask and some sheets of paper. Four security staff walked up to the man and stopped him, but he tore these sheets of paper, and threw them and the mask off the railing of the public gallery)

**PRESIDENT** (in Cantonese): Staff members, please remove him from the public gallery immediately.

(The security staff surrounded the man. He took out a paper cutter and confronted the security staff)

**PRESIDENT** (in Cantonese): Staff members, please remove him immediately.

(The man still confronted the security staff)

**PRESIDENT** (in Cantonese): I now announce that the meeting will be suspended.

11.58 am

Meeting suspended.

12.03 noon

Council then resumed.

**PRESIDENT** (in Cantonese): We will continue to deal with the third question. Mr CHAN Kin-por, please ask your supplementary question again.

**MR CHAN KIN-POR** (in Cantonese): *All right. I would like to ask a question about the last paragraph of the main reply. We all know that purely electric vehicles still have many technical problems to be solved, for example, the vehicle battery charging device requires replacement because of easy ageing, and the mileage and speed of the vehicle will be limited after each charge. Will the Government conduct a study on hybrid vehicles propelled by fuel and electric power, and to what extent is this possible?*

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): President, besides electric vehicles, we will also conduct a study on other hybrid vehicles just mentioned by Mr CHAN as well. Basically, we can see that the Government has a technically neutral attitude towards the current tax concessions for environment-friendly vehicles, that is, if some vehicles adopt certain energy saving technologies or if they can reduce emissions, we will encourage their use. We have also noticed that, in the course of the development of electric vehicles, that is, the gradual development from the necessary engines and ancillary electric power to fully electric vehicles, there are actually other types of vehicles and we will pay attention to these as well.

**DR RAYMOND HO** (in Cantonese): *Hong Kong is a densely populated place with over 500 000 vehicles running on the roads, but we only have 1 100 km of roads. There is also a high density of buildings; therefore, vehicle exhaust emissions have great impacts on our air quality. The Secretary has referred to the United States vehicle emission standards, that is, the average fuel efficiency, which is 20% lower than those of Japanese and European vehicles. Will the Government consider setting a requirement that imported vehicles must meet the European Union standards so as to safeguard our air quality?*

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): President, I thank Dr Raymond HO for his supplementary question. At present, regarding vehicle imports, there is stringent control on rear or exhaust emissions, and the standards we adopted are basically similar to the European Union standards. We have stringent standards in this connection. Regarding energy efficiency, we can see that even the United States, European Union or Japan use a basket of measures. I have pointed out in part (a) of my main reply that the requirements do not set fuel economy standards for individual vehicle models but an average fuel economy of all the vehicles of automobile manufacturers and sellers. In my view, this measure may not be applicable to Hong Kong because the Hong Kong market is relatively small and individual importers do not import a large number of vehicles. Thus, it may not be reasonable to consider an average fuel economy. Conversely, we adopt incentive measures; if the exhaust emissions and energy efficiency of vehicles are superior to vehicles in the same class, we will offer a reduction in the First Registration Tax as an incentive. We find that vehicles currently imported and used in Hong Kong are generally satisfactory in terms of energy saving and emission reduction. Hence, we adopt this incentive measure now.

**MR JEFFREY LAM** (in Cantonese): *President, the Secretary has said that the performance of the batteries of electric vehicles has become mature and improved significantly. But according to my understanding, the batteries currently used by electric vehicles have shorter service lives. If frequent replacement is required, it will not be environment-friendly. Can the Secretary tell us more about the service lives and the prices of the relevant batteries at present?*

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): President, I will give my explanations in two parts. About electric vehicles, for example, the vehicle model for trial use jointly introduced by the Government and a Japanese vehicle manufacturer recently — the vehicle model is now at a testing stage and large-scale production has not officially commenced — the information provided by the manufacturer shows that, the battery has a service life of five to 10 years. Some hybrid vehicles in the market also have battery devices. As far as I know, some vehicle manufacturers offer maintenance for 10 years. Such are the service lives of the batteries for two types of vehicles in the market at present. Certainly, concerning the use of electric vehicles, the durability of batteries is a very important factor. The weight and prices of the batteries will affect the

prevalence and popularity of electric vehicles in the future. The development in this respect is temporarily dependent on whether electric vehicles would be extensively produced within a short period of time (in the next three to five years). I believe that an important factor of the question asked by Mr LAM concerns the service lives and prices of batteries. With respect to environmental protection, we will be mindful of how electric vehicles should be introduced.

**DR SAMSON TAM** (in Cantonese): *President, I believe many people will pay attention to whether the future introduction of electric vehicles will cause inconvenience or the problem of inadequate coupling facilities. That is why many people have doubts or adopt a wait-and-see attitude. As the Government owns quite a number of vehicles, has it any plans for government departments to take the lead to use electric vehicles extensively?*

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): President, I thank Dr TAM for his supplementary question. In respect of vehicle use, the Government has all along wanted to introduce environment-friendly vehicles. Regarding the recent policy on encouraging the use of electric vehicles, as the Financial Secretary has already stated in the Budget, when the electric vehicle technology has matured, the Government will go one step further and actively contact vehicle manufacturers and introduce electric vehicles into our market for trial use. We do not only want to introduce these vehicles but we also want Hong Kong to become a market using the new generation technology of electric vehicles in the future. There will be worries as Dr TAM has just pointed out; will the public accept a new product? We will also take into consideration the issues of battery charging and battery prices just raised by Mr LAM.

As a matter of fact, the Government is now using a small number of electric vehicles, and I also mentioned in this Council in the past that the Government currently had around 90 electric vehicles, though the use could not be said to be extensive. The number included some electric motorcycles with rechargeable batteries used by the police. I found during a recent inspection that they were operating normally. If the electric vehicle technology becomes mature and production officially commences in the future, the Government will be interested in the more extensive use of these vehicles, and it will consider the suitability of these vehicles for government departments. Of course, we cannot possibly rely on the Government as the only user; in promoting electric vehicles,

we hope that — if the technology is applicable to Hong Kong — more vehicle manufacturers or system providers will consider Hong Kong as a place for research, development and promotion, and that we would do a better job together in line with our environmental policy.

**PRESIDENT** (in Cantonese): Last supplementary question.

**MR KAM NAI-WAI** (in Cantonese): *President, the Secretary has just talked about subsidizing the phasing out of commercial vehicles. Actually, only some hundred million dollars out of the \$3 billion or so have been spent, and we have noticed that the scheme is not very successful. Recently, the Democratic Party has carried out an "abolishing black pig buses campaign". We checked the carbon monoxide level in bus emissions at a bus terminal in Central, and we found that the level was more than 7 ppm per hour. In fact, emissions of up to 5 ppm already have impacts on the public. I would like to ask if the Government will consider subsidizing the abolition of these buses with a relatively high emission level. As we all know, there are still some 1 800 pre-Euro and Euro I buses running in the urban areas, will the Government consider abolishing these buses?*

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): I am thankful to Mr KAM Nai-wai for his supplementary question. So far, under the \$3.2 billion vehicle replacement scheme, some 10 000 vehicles have been replaced, which account for around 20%, and the response is worse than originally expected. There may be many different reasons including the unfavourable economic situation which makes vehicle owners hesitate. At this time, we will consider what we should do next? As I pointed out at a meeting of the Panel on Environmental Affairs in the past, if we merely relied on one incentive subsidy scheme and did not have other measures, for example, more deterring measures, I was not sure if we could achieve the objective of upgrading vehicle fleets in the long run. Concerning buses, we hope that a review would be conducted in connection with the air quality objective review to be conducted soon. Members may recall that we have discussed how to implement the upgrading schemes for other vehicle types including buses; the matter will also be considered in the course of the present consultation.

**PRESIDENT** (in Cantonese): Fourth question.

### **Traffic Congestion Along Link Roads to Aberdeen Tunnel**

4. **MR CHEUNG HOK-MING** (in Cantonese): *President, some residents on Hong Kong Island have complained to me about the serious traffic congestion along the link roads at the northern exit of the Aberdeen Tunnel, especially at the road section around the interchange between Wong Nai Chung Road and Queen's Road East. They say that it usually takes 20 minutes for vehicles to get through that road section on Saturday afternoons, making it difficult for passengers to estimate their travelling time. In this connection, will the Government inform this Council:*

- (a) *of the respective average vehicular traffic per hour at the aforesaid road section during peak hours and non-peak hours;*
- (b) *whether it has assessed what help the commissioning of the MTR West Island Line (WIL) and South Island Line (SIL), as well as the Central-Wan Chai Bypass (CWB) will be in solving the traffic congestion on Hong Kong Island (especially at the aforesaid road section); if it is of little help in respect of the aforesaid road section, what long-term solutions are available; and*
- (c) *of the short-term measures to alleviate the traffic congestion at the aforesaid road section?*

**SECRETARY FOR TRANSPORT AND HOUSING** (in Cantonese): President, the traffic volume of the Aberdeen Tunnel recorded over the past few years remained quite stable with insignificant changes. That said, traffic condition at the Aberdeen Tunnel and its exit link roads is affected by various factors, including ad hoc traffic incidents or accidents, traffic condition at the Hung Hom Cross-Harbour Tunnel (Cross-Harbour Tunnel) entrance on Hong Kong Island, lane changing on Wong Nai Chung Road northbound near Queen's Road East and traffic condition in Causeway Bay. According to the observation of the Transport Department (TD), traffic in Causeway Bay is also quite busy at noon time on Saturdays, and this may cause delays to the traffic from the exit of the Aberdeen Tunnel to Wang Nai Chung Road.

My replies to the three parts of the question are as follows:

- (a) According to the latest information from the TD, the peak periods of the Aberdeen Tunnel exit towards the road section at the interchange between Wong Nai Chung Road and Queen's Road East are normally from 7 am to 9 am during weekdays and from 9 am to 2 pm on Saturday. During these peak periods, the average throughput is around 900 vehicles per hour. Since non-peak periods cover most of day time and night time, and traffic throughput varies significantly during different periods, it is difficult to state a representative average throughput figure.
- (b) The proposed SIL (East), WIL and CWB will play an important role in relieving traffic congestion along the road sections of many busy districts on Hong Kong Island.

The SIL (East) will provide a fast, convenient and reliable means of public transport between South Horizons and Admiralty. It will bring about significant transport and economic benefits to the community when completed. At present, travelling by road-based transport from South Horizons to Admiralty takes about 25 to 45 minutes during rush hours. It will take about 9 minutes on SIL (East) in future. Upon completion, the railway is expected to divert 7% of peak hour traffic from the Aberdeen Tunnel to railway, and will help reduce road traffic volume during peak periods, including the traffic flow of Aberdeen Tunnel and its link roads. It will also provide an alternative option for commuters.

The examination of the SIL (East) project is at the final stage. We will spare no efforts in completing the remaining work on assessment of the project proposal. We expect that the project will be gazetted in mid-2009 for formal commencement of statutory consultation and the process of resolving objections. Construction of SIL (East) is expected to start in 2011 for commissioning by 2015. We will continue to press ahead with the project for early construction and completion in compliance with the statutory procedures.

The WIL will provide a fast, convenient and reliable means of public transport between Sheung Wan and Kennedy Town. It will extend the MTR network to Kennedy Town to enable residents in the Western District to have direct access to MTR service, saving time for interchange from road transport to the railway network. Upon commissioning of the WIL, we expect that some passengers currently using road-base transport modes will switch to this new railway line. This will help ease the traffic pressure on various major roads on Hong Kong Island.

The CWB, which provides a trunk road connecting the eastern and western parts of Hong Kong Island, will divert part of the cross-district traffic away from other east-west roads in Central and Wan Chai, such as the Connaught Road Central/Harcourt Road/Gloucester Road Corridor, Hennessy Road and Queen's Road East. The traffic burden on these roads will therefore be eased and traffic congestion along the northern shore of Hong Kong Island be significantly relieved. Upon the completion of the CWB, junctions along Hennessy Road and Queen's Road East will have more spare capacity in meeting traffic needs in Wan Chai and Causeway Bay which will indirectly help improve the traffic flow of the Aberdeen Tunnel northbound. We are seeking funding allocation from the Legislative Council for this project. Subject to the approval of funding, we plan to commence construction work in end 2009.

We will continue to monitor closely the overall traffic situation of Hong Kong Island, and study feasible long-term measures to further improve our road networks and alleviate traffic congestion.

- (c) As for short-term measures, the Hong Kong Area Traffic Control Centre of the TD has put in place specific arrangements for traffic light signals around the interchange between Wong Nai Chung Road and Queen's Road East during peak periods. Besides, road traffic condition is constantly monitored by the closed circuit television system, with traffic signal phasings suitably adjusted in response to changes in traffic condition as well as traffic needs, so as to prevent traffic queues from extending to the Aberdeen Tunnel as far as possible. A Journey Time Indication System has also been installed at Canal Road Flyover northbound near the exit of Aberdeen Tunnel to display the estimated journey time to Kowloon via the three road

harbour crossings. The information helps motorists estimate the time required for travelling to the destination, and the congestion situation ahead, thus enabling them to choose an optimum driving route and avoid entering the congested section as far as possible.

The TD will also continue to work with the police in monitoring closely the traffic condition in the area and formulate appropriate traffic improvement measures. In the event of ad hoc incidents or accidents, the Emergency Transport Co-ordination Centre of the TD will monitor the traffic condition of the Aberdeen Tunnel and its connecting road network closely. The Centre will liaise with the police, franchise bus companies and the tunnel operator as needed, and implement such contingency measures as diversion of routes for franchise buses and public light buses, with a view to resuming normal traffic and transport service as soon as possible. The Centre will also disseminate emergency traffic information to the public through mass media and other channels.

**MR CHEUNG HOK-MING** (in Cantonese): *President, the Secretary mentioned in the main reply that upon the completion of the SIL, the time required for residents of South Horizons to travel from South Horizons to Admiralty would be reduced from 25 to 45 minutes to 9 minutes. However, even if the project progresses on schedule, the railway will only be completed by 2015. Moreover, the Legislative Council has by now received many opposing views, particularly on certain elevated sections. The public requests that certain elevated section be relocated underground in the form of tunnel. May I ask the Secretary of the length of delay caused if such change is to be adopted? If no change will be made, what measures will the Secretary put in place to ease the worries of the public?*

**SECRETARY FOR TRANSPORT AND HOUSING** (in Cantonese): We are now at the consultation stage. As I mentioned in the main reply, we expect that the official statutory procedures of the project will be carried out in the middle of this year. At the present stage, we will by all means improve the existing proposals and try to bring it to perfection. As for the elevated sections, the arrangement is indeed subject to a number of restrictions. Earlier, we have given a very detailed explanation at the Subcommittee on Matters Relating to

Railways, stating the major factors affecting the arrangement as set out below. First, during the construction period, the entire area, particularly the typhoon shelter and the peripheral area, will be greatly affected, for the typhoon shelter and certain major fairways will be closed most of the time. As we explained earlier, the enclosed-submerged method has to be used. In other words, walls have to be built first, water will be extracted, and then the tunnel at the shallower level will be built. After that, the project will continue. For this reason, the fairway and the operation of the typhoon shelter on the whole will be seriously affected. Besides, there may be delay in the project. As I explained at the time, the project may be delayed for one year or more, depending on the construction method adopted. For this reason, we now wish to adopt an enhanced method. Take the section near Yue On Court as an example. That section has now been changed from elevated mode to enclosed mode, and part of the section will be submerged in the tunnel. If it is practicable, we will by all means adopt this while taking into account the feasibility of the approach in terms of geological conditions and railway design. At the present stage, we will continue listening to views as far as possible, and before the commencement of the statutory procedure, we will definitely do our level best to improve the existing plan.

**MS CYD HO** (in Cantonese): *The traffic condition over there is extremely unsatisfactory. However, apart from trying to solve the problem by developing transport network, the authorities should at the same time take into account the overall development of the district, examining whether the planning will attract too much traffic flow. Take Hopewell Centre II as an example. According the assessment on traffic flow, during a certain period, there will be an increase of 500 vehicles per hour. We notice in part (a) of the main reply of the authorities that there are 900 vehicles per hour at present. In addition, among the vehicles attracted by Hopewell Centre II, how many vehicles will pass through Queen's Road East and enter the interchange, which will further worsen the situation?*

*President, I surely hope that the traffic assessment criteria set by the authorities on every development project can be expanded from a small area district to a larger area. May I ask whether the authorities plan to alter the criteria it adopted in traffic assessment, so that developers concerned must co-operate with the authorities in solving the traffic problems faced by the district, or at least not to worsen the traffic condition there?*

**SECRETARY FOR TRANSPORT AND HOUSING** (in Cantonese): President, procedures have surely been put in place at present to deal with these problems. For instance, when an application is submitted to the Town Planning Board, more often than not, it should be supported by a report on traffic assessment, and the TD will fulfil its gatekeeper role properly. Actually, comprehensive assessment on the impact produced will be carried out on the development volume during the construction period, as well as on certain traffic management measures. As for the additional vehicles brought about by the development of Hopewell Centre II, it represents 2% of the existing traffic throughput between Queen's Road East and Wong Nai Chung Road. It is estimated that the additional vehicles will not have a significant bearing on the road section we are now focusing on.

**MS CYD HO** (in Cantonese): *The Secretary's reply is inaccurate. I hope the Secretary can provide accurate information. Though she has given a reply, the information provided is inaccurate, because .....*

**PRESIDENT** (in Cantonese): Ms HO, the objective of the question time is not for Members to point out that the reply of the Secretary is inaccurate. I believe the Secretary has already answered your supplementary question. I may perhaps ask the Secretary whether she will provide you with the information you consider accurate after the meeting.

**MS CYD HO** (in Cantonese): *President, I think the Secretary should not skirt my supplementary question. She just rose and spoke for one minute, but failed to focus on my supplementary question and provide some accurate information. There is no such mechanism at present for that. How can she provide the wrong information?*

**PRESIDENT** (in Cantonese): Though you consider the figures provided by the Secretary in her reply unsatisfactory, I believe the Secretary has already answered your supplementary question. Please be seated. Secretary, do you have anything to add?

**SECRETARY FOR TRANSPORT AND HOUSING** (in Cantonese): President, the information I provided earlier is on the additional traffic throughput brought about by Hopewell Centre II, which represent 2% of the throughput at the interchange between Queen's Road East and Wong Nai Chung Road. The figure is provided by the TD, and I believe it is accurate.

**MS CYD HO** (in Cantonese): *The Secretary has not answered my supplementary question at all, for .....*

**PRESIDENT** (in Cantonese): Please repeat which part of your supplementary question the Secretary has not answered.

**MS CYD HO** (in Cantonese): *Alright. May I ask the authorities whether it plans to alter the traffic impact assessment to expand the coverage from a small area to a larger area?*

**PRESIDENT** (in Cantonese): Please be seated. Secretary, please reply.

**SECRETARY FOR TRANSPORT AND HOUSING** (in Cantonese): President, decision will be made according to the different requirements of individual development projects. If the development project does not necessarily have a bearing on a larger area, we think it may not be necessary to impose such a requirement. Suitable requirements will be imposed according to the needs of individual projects.

**MISS TANYA CHAN** (in Cantonese): *President, many residents of the Southern district know well that the serious traffic congestion in Causeway Bay or the Aberdeen Tunnel at present is indeed caused by a large-scale development project in Causeway Bay, the Time Square. The development has brought serious congestion to the tunnel during peak hours, which is unexpected. May I ask, for cases where the estimated traffic throughput stated in the traffic impact assessment report submitted earlier varies substantially with the actual situation*

*upon the completion of the entire development project, has the Government put in place a review or accountable mechanism, or whether remedial measures will be implemented?*

**SECRETARY FOR TRANSPORT AND HOUSING** (in Cantonese):

President, during the entire approval process, the figures definitely are not provided by the developers alone. The traffic impact assessment report mentioned by me earlier, for instance, is monitored by the TD. The TD will consider whether the assessment is appropriate basing on the throughput and the development concerned. It will also take into account other needs, for instance, the implementation of certain traffic management measures or other measures and the number of parking spaces to be provided, and so on. All these issues have to be considered in the traffic impact assessment. However, Members should know that the Causeway Bay district as a whole should not be regarded as one single development project, there are other developments in the district, and we may be talking about the impact caused by the development after a decade or two. At the present stage, I think we should adopt a positive attitude towards the incident. A project is now underway to examine the feasibility of linking the entire Causeway Bay district with pedestrian zones or pedestrian subways, so as to deal with the problem of traffic throughput or air quality with positive measures. With regard to this project, it is hoped that certain proposals can be submitted to the District Council for discussion within this year.

**MISS TANYA CHAN** (in Cantonese): *President, the Secretary has not answered exactly whether accountability will be ensured. According to the reply given by the Secretary earlier, the traffic impact assessment report should include certain new projects taking place between the completion of the buildings and the conduction of the assessment, for those projects may also bring about some traffic impact. My follow-up question is: Upon the completion of a project, if substantial difference is found between the actual situation and the assessment in the report, will the authorities do anything to ensure accountability?*

**SECRETARY FOR TRANSPORT AND HOUSING** (in Cantonese): I believe in the approval process, the requirements should not be altered repeatedly after

the approval is granted. It is impossible. However, if new development projects are added in future, where traffic impact assessment has to be conducted, the latest figures should definitely be used. This is actually the approach we always adopt.

**MR KAM NAI-WAI** (in Cantonese): *President, it is mentioned in part (c) of the main reply that short-term measures have been adopted, which merely include the specific arrangements for traffic light signals around the interchange near Queen's Road East. Members all know that the traffic congestion at the interchange is not only affecting that interchange, but causing traffic congestion in Causeway Bay, Happy Valley, Aberdeen and even the Cross-Harbour Tunnel. I heard the Secretary mention earlier certain short-term measures, which include pedestrian zone. May I ask the Secretary, will an overall review be conducted? Will an assessment on the traffic throughput and pedestrian flow be conducted on Causeway Bay, Happy Valley and Wan Chai as a whole, with a view to providing some specific measures to alleviate the traffic congestion?*

**SECRETARY FOR TRANSPORT AND HOUSING** (in Cantonese): President, actually, other short-term measures have also been put in place, and they are not mentioned because we do not want to make the main reply too lengthy. For instance, we propose the addition of a westbound carriageway to the Victoria Park Road at the section near the Excelsior Hotel to alleviate traffic congestion along the westbound carriageway of Gloucester Road at Causeway Bay. If necessary, further traffic management measures, such as the control on loading and unloading area and the improvement of the interchange and so on, will continued be carried out. I would like to point out that we keep reviewing the overall traffic conditions in Causeway Bay and Happy Valley. For this reason, we take the initiative to put up the proposal of establishing pedestrian zones and constructing pedestrian subways in Causeway Bay and Happy Valley. In addition, certain new projects involving trunk roads, such as the CWB and the railway line, will alleviate the traffic congestion in the districts markedly. Therefore, we will monitor the situation closely. In future, from now until 2017, the short-term measures I mentioned earlier will be implemented, and certain projects that have been much awaited for will be implemented. By then, we will review the overall situation. This would be a more proper approach to take.

**MR LEUNG KWOK-HUNG** (in Cantonese): *According to Article 105 of the Basic Law, the SAR Government may acquire private property, but surely on the premise of sufficient justification. Despite repeated discussions, the culprit of the traffic congestion on Hong Kong Island is the Cross-Harbour Tunnel. Members all know that whenever we have to pass by the Cross-Harbour Tunnel, we will have to put up with the traffic congestion. Every motorist knows that. May I ask the Secretary whether the authorities will buy out the Eastern Harbour Crossing (EHC) and the West Harbour Crossing (WHC)? In other words, will the Government acquire all the bridges and tunnels with a view to tackling the problem of the uneven distribution of traffic flow once and for all?*

**SECRETARY FOR TRANSPORT AND HOUSING** (in Cantonese): President, reviews of various aspects are now underway. The issue of buying out is complicated, and we definitely will not rule out such a possibility. We are now giving thorough consideration to the problem, examining what can be done in terms of the traffic flow, as well as on the legal front and even the structural and organization front. As I said in my earlier reply, if a comprehensive assessment is to be done, it will not only cover the three tunnels, for the link roads are also of great importance. For this reason, the CWB now under the examination of the Legislative Council will on the whole play a very crucial role. At present, with respect to most of the East-West traffic flow, the problem is due to the congestion of many trunk roads. If the problem is solved, it will offer a solution to many congestion problems. The congestion at the Aberdeen Tunnel is of the same nature, which is caused by the congestion along the slip roads. Therefore, the problem must be dealt with in a holistic manner.

In response to Mr LEUNG Kwok-hung's supplementary question, his proposal is one of the options we will consider, but since the buying-out approach involves the use of public money, we must act cautiously. How can we ensure that public money is properly spent? Is the effect, in economic and traffic terms, of the buying out option commensurable with the cost of the buy-out? Is it value for money? We have to examine it cautiously, for when we apply for funding from the Legislative Council, Members will expect us to present the effect concerned in quantifiable terms.

**PRESIDENT** (in Cantonese): Which part of your supplementary question has not been answered?

**MR LEUNG KWOK-HUNG** (in Cantonese): *No, she has not answered my supplementary question. Actually .....*

**PRESIDENT** (in Cantonese): Mr LEUNG, you can only repeat the part that the Secretary has not answered, and a debate should not be started.

**MR LEUNG KWOK-HUNG** (in Cantonese): *I did not start a debate.*

**PRESIDENT** (in Cantonese): Please repeat the part of your supplementary question that has not been answered by the Secretary.

**MR LEUNG KWOK-HUNG** (in Cantonese): *My supplementary question is that since the SAR Government has issued so many ..... it is going to issue bonds now .....*

**PRESIDENT** (in Cantonese): Mr LEUNG Kwok-hung, I heard clearly just now that you ask the Secretary .....

**MR LEUNG KWOK-HUNG** (in Cantonese): *I have forgotten to say .....*

**PRESIDENT** (in Cantonese): Will the SAR Government buy out the EHC and the WHC?

**MR LEUNG KWOK-HUNG** (in Cantonese): *The Secretary said in reply that .....*

**PRESIDENT** (in Cantonese): The Secretary has already answered that.

**MR LEUNG KWOK-HUNG** (in Cantonese): *She said she did not know whether the authorities had the money to do the buy-out, and whether the buy-out was a good option. I think it is most proper to support the buy-out by issuing bonds.*

**PRESIDENT** (in Cantonese): I believe the Secretary has already answered the question on whether the Government will buy out the EHC and the WHC and the factors to be considered.

**MR LEUNG KWOK-HUNG** (in Cantonese): *But I am dissatisfied with her answer.*

**PRESIDENT** (in Cantonese): We have spent more than 20 minutes on this question. Fifth question.

### **Caring of Trees**

5. **MISS TANYA CHAN** (in Cantonese): *Following the recent spate of accidents of tree collapsing which occurred one after the other in various districts of Hong Kong, causing injuries to members of the public and property losses, some members of the community requested that the Government to step up its work of inspection and caring of trees. In this connection, will the Government inform this Council:*

- (a) *whether it has assessed the average age of the trees on Government lands other than country parks; if it has, of a breakdown of such figures by District Council district; whether the Government will step up its work of inspection and caring of trees in areas where the trees are relatively old on average and where pedestrian or vehicular flow is relatively high; if it will, of the details; if not, the reasons for that;*
- (b) *whether at present it has guidelines on the locations, soil quality, growing space, intervals and tree species in respect of planting trees on Government lands; if so, of the details, as well as whether it will*

*review the guidelines; if it will, of the details; if not, the reasons for that; if it has no guidelines, the reasons for that; whether the Government will consider afresh enacting legislation on trees to provide for the caring of trees; if it will, of the details; if not, the reasons for that; and*

- (c) *whether at present it has guidelines on and procedures for the registration and selection of contractors for outsourced tree caring work, as well as matters related to the tendering exercises; if so, of the details; whether the Government, when outsourcing tree caring work, requires the contractors to fully comply with all the Government's internal technical circulars and guidelines relating to the caring and management of trees; if so, how the Government monitors the contractors' compliance with the guidelines; if not, of the reasons for that; whether contractors will be penalized if they have damaged trees in the course of the outsourced work, and what responsibility they have to bear?*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): President, Government has been vigorously promoting greening through active planting and proper maintenance and preservation of trees and other vegetation, with a view to providing a better living environment. In view of the recent public concern about tree preservation and public safety, Government has formed a Task Force, which is led by the Chief Secretary for Administration and comprises representatives from the Development Bureau, Environment Bureau, Home Affairs Bureau and Transport and Housing Bureau, and the execution departments responsible for tree maintenance under the existing "Integrated Approach". The Task Force is undertaking a comprehensive review of the institutional framework and division of responsibilities in tree management within Government, the existing legislations on tree management, deployment of resources, and staff training and equipment, and will provide recommendations on areas for improvement. It is scheduled that the Task Force will complete the review and submit the report by end June.

As the review is ongoing, my replies to the Honourable Tanya CHAN's question today are given based on the current situation and do not reflect the possible conclusions and recommendations that may be made by the Task Force

after the review. On the three sections of the question, my replies are as follows:

- (a) In view of the large tree population in Hong Kong, there are tens of thousands of trees along roadsides, in public housing estates and government facilities and on Government land even if the trees in country parks are excluded. As we have not conducted a comprehensive survey of such large quantity of trees, we cannot provide information on the age of these trees, no matter on territorial basis or on district basis. However, each of the departments concerned will make appropriate arrangement in the tree inspection and maintenance work, taking into account the actual situation including the condition of the tree and where the tree is located. For example, for the trees listed on the Register of Old and Valuable Trees, the Leisure and Cultural Services Department (LCSD) will carry out detailed inspection of those under its jurisdiction at least twice a year and will undertake appropriate follow-up and maintenance. As for the trees in areas with high pedestrian or vehicular flow, including parks, public housing estates, roadsides and recreational sites of country parks, the departments concerned will step up inspection, monitoring and maintenance as appropriate and will make proper arrangement for those trees with poor health condition, trees of larger size or older age. Moreover, extra tree inspections will be conducted and maintenance will be provided for damaged trees after typhoons to reduce safety hazard to the public.
- (b) The predecessor of the Works Branch of the Development Bureau (that is, the then Works Branch of the Environment, Transport and Works Bureau) issued in 2004 the Cyber Manual for Greening (the Manual) which covers reference materials on the design, planting and caring of trees and other vegetation, including information on the planting objectives, planting sites, soil quality, plant species and planting methods, and so on, and provides policy and technical guidance to the departments involved in greening. Other than making reference to the Manual, relevant departments have also put in place in-house guidelines to meet their specific operational needs. As for the selection of plant species, there is a wide array of species available for the Government's greening projects. Designers will make a choice in the light of the design concept and environmental

factors, such as the micro-climate of the planting area, soil quality, visual impact, traffic flow and landscape features within the planting areas, whether the species can help protect the slope from soil erosion, the estimated construction cost, the maintenance requirements as well as the views of District Councils and local communities. We will review and update the guidelines on the Manual from time to time. In the review of the Task Force led by the Chief Secretary, updating and standardization of guidelines is one of the topics being studied.

On the question of whether it would be necessary to have legislation on trees, there are at present a number of relevant ordinances that are applicable to the protection of trees on Government or private land (including Forests and Countryside Ordinance, Country Parks Ordinance, Crimes Ordinance, Theft Ordinance, Summary Offences Ordinance and Public Health and Municipal Services Ordinance). Besides, Government has implemented a series of administrative measures to ensure the proper protection and management of trees on Government land. For private land, Government has included tree preservation clauses in land leases since the 1970s. The Task Force led by the Chief Secretary will also review again the need and rationale for making legislation on trees.

- (c) To ensure that Government's outsourced greening works are up to the required standard, relevant bureaux/departments have set up their respective lists of contractors for greening works. For example, all works departments should employ the contractors on the List of Approved Specialist Contractors for Landscape Works maintained by the Works Branch of the Development Bureau for carrying out greening works. Relevant contractors must meet the criteria for approval or the technical and management requirements laid down by the authorities before they are listed as approved contractors.

In implementing the tree transplanting and maintenance work, the approved contractors shall comply with the technical specifications stipulated in the works contract. These technical specifications are drawn up with reference to the technical circulars and guidelines relevant to tree transplanting and maintenance and also based on the specific job requirements.

During the contract period, the departments concerned will regulate the contractor's work by inspecting, monitoring and vetting the contractor's report according to the terms of the contract. In case the contractor fails to comply with the contract provisions resulting in any damage or destruction of trees, he will be held liable in accordance with the terms of the contract, such as providing appropriate remedial measures or carrying out compensatory planting. According to the contractor's management guidelines issued by relevant authorities, contract management staff should also take sanction against the contractor by issuing written warnings or reporting the contractor's unsatisfactory performance in the performance appraisal. The contractor's chance of success in bidding for future public works contracts may therefore be affected.

**MISS TANYA CHAN** (in Cantonese): *President, first of all, I wish to thank the Secretary for attending the Council meeting today. Members can see from the main reply that many parts of this question are related to the Leisure and Cultural Services Department (LCSD) which is under the Home Affairs Bureau, but I cannot see any representative from the LCSD who attends today's meeting. This is really a pity.*

*The present situation is mentioned in the last paragraph of part (a) of the main reply. It is said that "extra tree inspections will be conducted and maintenance will be provided for damaged trees after typhoons to reduce safety hazard to the public." However, as far as we know, a new situation has emerged, that is, as the season for typhoon and rain is approaching, the LCSD sets a new guideline for cutting those trees which pose immediate and potential safety hazard. May I ask why the Administration makes such an abrupt change in the tree maintenance work during the review, which has completely and fundamentally changed the policy on the caring of trees before determining what is right and what is wrong?*

*In addition, will the Bureau keep the trees which have been cut off or have withered, so that tests can be conducted to find out the cause of the impediment to the healthy growth of these trees, and it may learn from these experiences and avoid making the same mistake of planting certain species in certain districts again in future?*

**PRESIDENT** (in Cantonese): I seem to have heard at least two supplementary questions raised by you. Which one do you wish the Secretary to answer?

**MISS TANYA CHAN** (in Cantonese): *In this case, I will not raise the latter supplementary question. My question is, under the new measures, will the authorities submit a study report on the causes of the demise of these trees after cutting them down, and will it make comparisons between the preceding and subsequent reasons? Will it review the existing tree-planting policy?*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): I wish to thank Miss CHAN for raising the supplementary question. If the supplementary question of Miss CHAN makes us feel that LCSD should provide a great deal of information, then I believe the Secretary for Home Affairs will also be happy to attend the meeting. In January this year, I have responded to another oral question about trees, which was also raised by Miss CHAN. On that occasion, two policy secretaries had attended the meeting to respond to Miss CHAN's question.

Miss CHAN mentioned the recent shortened procedure on the cutting or removing of some of the trees which pose immediate hazard to the public, there is actually no contradiction to the review exercise which is underway. The starting points of the two are the same, that is, in view of the forthcoming rainy and typhoon season, instead of waiting for the decision to be made by the bi-weekly meeting of the Task Force on the reports submitted by the front-line staff, LCSD proposed this streamlined procedure at the end of May. However, I can assure Miss CHAN that the decision to remove or cut down trees is made by the regional manager of the LCSD who has the relevant experience.

In response to Miss CHAN's question about whether the authorities will submit a report explaining the reasons upon the completion of the relevant work, in fact, not only LCSD will do that, if the relevant works division under the Works Branch faces similar situations which require the immediate removal of certain trees in order to protect public safety, the relevant works division will also submit a report to explain the decision and the prevailing condition of the trees subsequently.

**MISS TANYA CHAN** (in Cantonese): *In fact, the Secretary only gave a partially correct answer. She pointed out that those with immediate hazard .....*

**PRESIDENT** (in Cantonese): Which part of your supplementary question has not been answered?

**MISS TANYA CHAN** (in Cantonese): *The Secretary has not answered why those trees were quickly dealt with by way of the streamlined procedure even though they only pose potential hazard to the public, because my supplementary question involves two types of trees.*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): I hope Miss CHAN can have confidence in our front-line staff and experts. Because of natural climatic changes, there will be rain and typhoon at any time, and potential hazard may easily turn into immediate hazard. Therefore, our staff should make the judgment in order to protect public safety.

**MRS SOPHIE LEUNG** (in Cantonese): *I am very pleased to see that part (b) of the main reply contains a number of considerations. I have learned from someone who knows much about trees that more than two decades ago, as greening works were urgently needed in certain districts, a number of less tough tree species were planted, some of which were very likely to fall some 20 years later even in mild windy situations, such as a species called "Acacia". I am very pleased that we are now paying particular attention with much enthusiasm to the issue of tree species, and some tougher tree species which have a lifespan of 100 years have now been selected.*

*May I ask the Secretary whether some tree species are removed because they are less tough species, and sooner or later they have to be cut down? It is a rather common phenomenon in many big cities that trees are planted initially for greening purposes, but all of them will be replaced if anything goes wrong with them.*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): Mrs LEUNG's supplementary question has pinpointed the fact that it was not enough to talk about the maintenance of trees only in our current review. We must talk about the reasons for the planting of these trees, because if we have not dealt carefully with the tree species, soil, or whether there is enough soil for the growth of trees, future problems will arise when we wish to strike a balance between the caring of trees and public safety. Therefore, it is an important part in our review.

**MR TAM YIU-CHUNG** (in Cantonese): *President, in fact, members of the public are concerned about whether the LCSD's district manager has sufficient experience to determine whether there is a need to quickly remove the trees with suspected problems. They consider that sometimes when these district managers are under pressure, they may fear that these trees will cause injuries to members of the public if they collapse, therefore these trees will be cut down so that they will not be liable for incidents of people killed by falling trees. As a result, trees were felled excessively. How can public misapprehensions be allayed?*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): President, the LCSD currently has the largest number of experts who possess the knowledge and experience in arboriculture, and as many as 40 staff are certified arborists of the International Society of Arboriculture. Therefore, as I have said just now, even the decision to remove trees under a streamlined process has to be made by the district managers who have the professional knowledge and experience in trees preservation.

**MR ALAN LEONG** (in Cantonese): *President, this group of managers used to be doing virtually nothing in the past, but now after the Chief Secretary for Administration has launched a review, they then suddenly decide to cut down all the trees. In this regard, President, the public and us are very much concerned about whether this will overdo in righting the wrong and kill those trees in good health? May I ask the Secretary are there ways to assure us that the authorities will not fell those trees which can originally be restored to health?*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): I wish to thank Mr LEONG for his concern about trees in Hong Kong. As I have said, with regards to the maintenance and management of trees, our principle is to protect public safety. Of course, everybody cares about trees, our colleagues will not arbitrarily cut down trees which do not pose any hazard to the public. Not only has the supervisory branch accumulated considerable experiences, our front-line staff, experts and managers behind them have also provided a lot of advice, and I believe that we will try to make the most appropriate decisions on these tasks.

**DR PAN PEY-CHYOU** (in Cantonese): *In congested old urban areas, it is actually quite difficult to plant trees. I have consulted some experts on that. They pointed out that Hong Kong's roads were too narrow, thus not much space was available for planting trees. Secondly, there are countless underground pipelines, power lines and optical fibres beneath the road surface, the planting process may easily damage all of them, even the growth of tree roots in future will also damage these facilities. In these cases, when the trees continue to grow, it is also rather difficult to take care of their trunk and branches. Tall trees grown on narrow streets are likely to pose hazard to the public in bustling urban areas.*

*The tree experts I know asked: have the authorities ever considered the wider use of containers in tree plantations? Of course, these types of trees are shorter than those planted in soils, but their flowers are larger than those potted flowers grown in urban areas. As to trees planted in containers, first, they will be easier to manage; second, they are not susceptible to environmental impacts, they can also be replaced, and the landscape of the city can be changed when they are replaced .....*

**PRESIDENT** (in Cantonese): Please be concise in raising your supplementary question.

**DR PAN PEY-CHYOU** (in Cantonese): *My question is whether the Government will consider planting more plants grown in containers?*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): President, regarding the situation described by Dr PAN, all departments concerned will use some containers or the so-called "planter boxes" to plant trees. However, this is also a dilemma, because recently I have received a complaint relating to that. There is a new project in a street in Tsim Sha Tsui with a high pedestrian flow, roadside planning is required according to the land lease and planning requirements. But as Dr PAN has said just now, since there are so many underground utility pipelines, the project cannot be completed. As a result, the developer made use of some large containers as tall as 1 m to plant some big trees. It has caused immediate public responses as members of the public pointed out that pedestrian access was affected. Therefore, I wish to respond to Dr PAN's supplementary question that this is one of the planting methods which can be considered, but we must strike a balance between the landscape and whether it will cause obstructions to pedestrian access.

**MR CHAN HAK-KAN** (in Cantonese): *President, I can see from part (c) in the main part that the Government said that it would outsource some of the tree caring work, but I am concerned whether these contractors possess adequate professional qualifications in tree pruning. President, I have this classic photo of a tree which has been arbitrarily pruned. We can see that the entire tree canopy and leaves were cut, and this is the so-called tree pruning.*

*May I ask the Secretary, what professional qualifications do the current contractors hold? Do they possess the international qualifications of certified arborists just like the LCSD staff as mentioned by the Secretary? If trees are pruned arbitrarily by contractors, will their contracts be immediately terminated? Because if they have their contracts renewed in the next tender exercise, I reckon that all the trees in Hong Kong will suffer the same fate.*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): As to Mr CHAN's supplementary question, with respect to the current circumstances, regardless of the approved contractors for greening works under the Works Branch, or the approved contractors for greening works under the Housing Authority, according to our requirements, under what circumstances will they be put on the list? Technically speaking, the minimum requirement is that they should have at least one staff member who has horticulture experience and has received horticultural training, which is a lower standard when compared with the international certified

arborist training that I have mentioned earlier, and this is something the Task Force has to review with regards to the training matters. As regards the concerns of Mr CHAN in respect of substandard performance of contractors in trees trimming work, I have indicated in the main reply that we will take follow-up actions in accordance with the terms of the contract.

**PRESIDENT** (in Cantonese): We have spent more than 21 minutes on this question. Last oral question.

### **Incidents of Objects Being Thrown from a Height onto Pedestrian Precincts**

6. **MR LAU KONG-WAH** (in Cantonese): *President, in the past six months, three incidents of corrosive fluid being thrown from height onto the Mong Kok Pedestrian Precinct occurred one after another, causing injuries to dozens of passers-by. Such incidents not only posed serious threats to the safety of members of the public and tourists, but also dealt a blow to the business of the shops nearby. In this connection, will the Government inform this Council:*

- (a) *of the respective numbers of reports on incidents of objects being thrown from height onto pedestrian precincts in the past three years and the resultant casualties, together with the detection rates and the heaviest penalty imposed on the convicted persons;*
- (b) *what measures had been implemented by the authorities to address the problem of objects being thrown from height onto pedestrian precincts in the past five years; of the criteria adopted by the authorities for deciding whether or not to install closed-circuit television (CCTV) systems, commonly called "sky eyes", for pedestrian precincts, as well as the installation process and the time normally required; and*
- (c) *whether or not the authorities will provide additional resources to the District Councils (DCs) concerned to tackle the problem of objects being thrown from height onto pedestrian precincts and help the nearby buildings (in particular, those old buildings that have not formed owners' corporations) enhance their security and improve the quality of building management?*

**SECRETARY FOR SECURITY** (in Cantonese): President,

- (a) For 2006 and 2007, the police have maintained only the overall figures on incidents of objects dropped from height onto the street, and have not kept separate statistics on incidents of objects being thrown from height onto pedestrian precincts. However, in 2008, there was one report on objects being thrown from height onto a pedestrian precinct. The case involved corrosive fluid being thrown onto the Mong Kok Pedestrian Precinct in December 2008 and 46 people were injured in the incident. Two further incidents of corrosive fluid being thrown from height onto the Mong Kok Pedestrian Precinct occurred in May and June this year respectively, with a total of 56 people being injured. At present, the police are still investigating into these three cases and no arrest has been made so far.
- (b) The police all along have attached great importance to incidents of objects being thrown from height. To prevent such incidents, the police organize publicity and public education activities on an ongoing basis, and arrange School Liaison Officers to advise students of the harm and serious consequences of throwing objects from height. Members of the public as well as students are urged not to commit such an offence. As regards law enforcement, the police will refer all cases of objects being thrown from height causing injuries to passers-by to their criminal investigation units for follow-up. In the course of investigation, the police will take the initiative to contact caretakers of the buildings located near the crime scenes and, depending on the circumstances of each case, conduct door-to-door visits to residents and shop operators in the buildings concerned to collect information relating to those cases. Depending on the post-event circumstances, the police will also step up patrols in the vicinity of the crime scenes and remind beat officers to pay particular attention to suspicious persons, in order to protect the safety of the public.

The installation of CCTV systems in public places has implications on personal privacy and needs to be handled with care. At present, the Hong Kong Police Force has not installed any CCTV systems in public places (including pedestrian precincts) on a permanent basis

for the purpose of maintaining public order. The Government will gather the views put forward by the DCs on the handling of the problem of objects being thrown from height and examine ways to tackle the issue.

As regards the installation of a CCTV system in the Mong Kok Pedestrian Precinct by the Yau Tsim Mong District Council (YTMDC), taking into account the heavy pedestrian flow of the pedestrian precinct concerned and the previous incident of corrosive fluid being thrown from height, the YTMDC agreed in December last year to install a CCTV system in that pedestrian precinct and set up the Working Group on Mong Kok Pedestrian Precinct (the Working Group) to follow up the issue. Government departments, including the Yau Tsim Mong District Office (YTMDO), the Hong Kong Police Force and the Electrical and Mechanical Services Department (EMSD) were invited to join the Working Group. Moreover, the YTMDO and the YTMDC immediately started to identify suitable locations for the installation of the CCTV system, seek advice from the Department of Justice and the Office of the Privacy Commissioner for Personal Data, formulate guidelines for the operation of the CCTV system and hold a public consultation forum. The EMSD conducted a tendering exercise soon after the District Facilities Management Committee under the YTMDC had approved funding in March this year. The CCTV system began operation in early June this year. The entire project, from the setting up of the Working Group to the commencement of operation of the system, took about six months.

- (c) The District Offices (DOs) have always encouraged and assisted owners in their respective districts in adopting good and effective building management practices and enhancing building management (including building security). Apart from assisting owners in forming owners' corporations, the DOs also encourage owners to form residents' organizations (for example, owners' committees and mutual aid committees) and engage management companies or personnel, with a view to enhancing building security and promoting effective building management. On publicity and education, the DOs, in collaboration with the DCs and the District Fight Crime

Committees, have organized publicity and public education activities on a continuous basis to enhance the awareness of residents and shop operators in their respective districts, thereby stepping up building security. The DOs also play an active role in organizing various building management courses and seminars in collaboration with the DCs and the organizations concerned for owners of buildings, with a view to promoting good and effective building management.

The DOs will continue encouraging owners, including those of the buildings in the vicinity of pedestrian precincts, to form corporations and other residents' organizations and adopt good building management practices. At the same time, the DOs will more proactively invite owners of the buildings in the vicinity of pedestrian precincts to participate in the abovementioned publicity and public activities, so as to raise their security awareness and drive them to enhance the security measures of their buildings. The Government will, if necessary, provide additional resources to step up the efforts made in this area of work.

**MR LAU KONG-WAH** (in Cantonese): *President, given that the culprit has committed the same act time and again, members of the public wish that the police can crack these cases as soon as possible. That said, regarding the installation of the so-called "sky eyes" in Mong Kok, may I ask the Secretary whether or not he considers the installation to be a rather protracted process since the installation has taken half a year to be completed? Moreover, despite the completion of the installation, the scope of surveillance is apparently too narrow. At present, some sources of information have even revealed that even though the "sky eyes" may have captured something, the video image may be too blurred to be viewed clearly. For that reason, will the Secretary conduct a review of the entire policy on the installation of the "sky eyes" and introduce some immediate revision?*

**SECRETARY FOR SECURITY** (in Cantonese): *President, to my knowledge, the YTMDC will carry out a review of the whole system subsequent to its operation for a period of time.*

The latest case that happened in early June of course gives us a good opportunity to examine whether or not any improvements on the location and operation of the "sky eyes" are needed. Moreover, as Mr LAU Kong-wah has pointed out just now, we will forward our views to the Working Group on any improvements that should be made.

**MR CHEUNG MAN-KWONG** (in Cantonese): *President, first, I wish to say that the Democratic Party is in full support of the police's tracking down of the culprit.*

*Given that this culprit has flouted the laws of Hong Kong by hurling down bottles containing corrosive fluid onto the Mong Kok Pedestrian Precinct on three occasions — I do not know whether or not it is the same person who did these acts, the three attacks had caused injuries to 100 people. The police, despite their best endeavours and the installation of the "sky eyes", appear to be at their wits' end. For the meantime, cracking these cases is the greatest expectation held by members of the public. May I ask the Government what other effective means have been devised by the Government, in addition to conducting surveillance through the "sky eyes", stepping up patrols and offering rewards, so as to build the public's confidence in the ability of the Government to bring the culprit to justice and ensure the safety of members of the public?*

**SECRETARY FOR SECURITY** (in Cantonese): President, the latest case and the two other cases that happened earlier have been referred to the Regional Crime Unit of Kowloon West for investigation to be conducted on all fronts. As Mr CHEUNG Man-kwong also highlighted just now, there indeed exist difficulties in the investigation of cases of this nature. What are the difficulties? The main reason is that these cases are committed in a manner comparable to waging the so-called "guerrilla warfare". First, it is difficult to locate witnesses; second, the culprit committing this kind of cases usually bears no relationship with the victims whereas in cases of assault, murder or cases of other nature, there may usually be clues to the relationship between the victims and the assailants. However, in the present cases, the culprit may very likely have no relationship with the victims.

For that reason, there indeed exist some difficulties in the course of investigation. That said, I can assure Members before this solemn Council that

the police are making the best endeavours to carry out investigation on all fronts and I have confidence in our Police Force.

Subsequent to these incidents, first, the police will carry out investigation at full speed. As I have just said, the police will continue to conduct door-to-door questionnaire surveys with shop operators and residents in the vicinity of the crime scenes and try to locate witnesses. It was reported on yesterday's newspapers that some members of the public apparently had seen some suspicious persons. Moreover, we will check over the access records of the nearby buildings and view the videotapes of the CCTV systems installed at the shops located in the vicinity, so as to ascertain whether or not those systems had captured the situation on the street. This would help us in finding the clues.

In relation to the latest case, the police will go to the crime scene with Government chemists at daybreak tomorrow to conduct a test of hurling bottles of corrosive fluid by way of reconstruction and carry out an analysis afterwards. At the same time, we will input the collected data into the supercomputer of the police, so as to ascertain whether or not these three cases are interrelated or share any common features.

In the meantime, the police will continue to set up surveillance points at height and step up ground patrols, with a view to preventing the further commission of the crime by the culprit. In addition, the police have set up a 24-hour hotline for members of the public to make contact with them should they have any information in this regard.

In relation to this case, the police have offered a reward amounting to \$300,000 and the respective rewards offered for the three cases make up a total of \$900,000. As Mr CHEUNG Man-kwong has pointed out earlier, we still have no knowledge of whether these cases were committed by a single culprit, a syndicate or some so-called "copycats" who imitated the crime. That said, we will not rule out any possibilities. Instead, we will enhance our efforts in several areas of work. First, we will make the best endeavours to track down the culprit; second, we will enhance the deployment of police officers in that district, so as to prevent the further occurrence of comparable incidents.

**DR MARGARET NG** (in Cantonese): *President, members of the public are of course highly concerned about these incidents because such incidents have*

*bearings on the safety in public places. President, as I listen all along, the Secretary apparently has not mentioned whether or not the authorities have tried to understand in the course of investigation the motives of the culprit. He indicated that it was difficult to conduct investigation into cases of this nature for the reason that there exists no direct relationship between the culprit and the victims. That said, what are the culprit's motives for doing these acts? It is highlighted in the main question raised by Mr LAU Kong-wah that such incidents have dealt a blow to the business of the shops nearby. Has it come to the understanding of the authorities that these cases are deliberately committed for the purpose of causing panic, so that someone may practise blackmail? In other words, lawless elements committed such cases in a well-planned manner. In relation to the motives of the culprit, how much information has been obtained by the police? Will the possession of knowledge about the culprit's motives facilitate the investigation into these cases?*

**SECRETARY FOR SECURITY** (in Cantonese): To date, although we have not possessed any evidence or even clues that are sufficient to bring the culprit's motives to light, the availability of such evidence or clues will allow us to narrow down the scope of our investigation. Precisely for this reason, we will not rule out any possibilities. At present, many conjectures prevail in society, for example, the pedestrian precinct in question is so noisy from the morning to the evening that some residents are discontented with this environment and that is why they hurl objects onto the street. Other suggestions relate to the recent police's clampdown on vice establishments in that district. Will it be that such cases were committed by criminal syndicates in order to cause panic? We will not exclude any possibilities but will conduct investigation on all fronts.

Having said that, during the police's reconstruction at the crime scenes, psychologists from the Police Force were deployed to the scene to carry out inspection and provide a so-called criminal psychological profile of the culprit based on their experience in the investigation of crime and handling of criminals, so as to analyse his motives for committing the crime. Such assessments will only be carried out by those psychologists in the Police Force who possess substantial experience in conducting investigation. From the results of the assessments, we wish to identify a direction for our investigation. However, up to now, we have not got hold of any concrete evidence.

**PRESIDENT** (in Cantonese): Which part of your supplementary question has not been replied to?

**DR MARGARET NG** (in Cantonese): *President, my supplementary question centres particularly on the motives of the culprit and the possibility that lawless elements committed such cases for the purpose of blackmail. If this is the case, obviously, questions relating to this aspect should be raised to shop operators in the course of conducting investigation with them. President, however, the reply given by the Secretary apparently has not addressed this part of my supplementary question. May I ask the Secretary whether or not he has any additional comments to make in this regard?*

**SECRETARY FOR SECURITY** (in Cantonese): President, as I have said just now, we have conducted door-to-door questionnaire surveys with residents and even shop operators subsequent to the occurrence of these cases. Up to the present, no shop operators have indicated to us that they have been intimidated or received intimidation letters.

**MS STARRY LEE** (in Cantonese): *President, the culprit's commission of the same act time and again has caused considerable panic in society. We hope that the police can crack these cases as soon as possible. Apart from holding this expectation, members of the public also wish to have an idea as to whether or not the laws of Hong Kong have rendered sufficient deterrence such that the culprit may become aware of the possible consequences that follow his further acts of hurling objects from height or his being arrested. I hope the Secretary can take this opportunity to speak to Members on this point. Even though the past detection rates of cases involving throwing objects from height were not high and the maximum penalty stipulated in the Summary Offences Ordinance is only a fine of \$10,000 and a prison term of six months, if these criminals are really apprehended, what laws with deterrent effect are in place, so that the Secretary or the authorities can tell the Hong Kong public of the penalty that the culprit deserves?*

**SECRETARY FOR SECURITY** (in Cantonese): President, throwing objects from height in fact amounts to a serious offence. Section 29 of the Offences

Against the Person Ordinance (Cap. 212) specifies the offence of throwing corrosive fluid with intent to inflict grievous bodily harm, that is "Any person who unlawfully and maliciously puts or lays at any place, or casts or throws at or upon or otherwise applies to any person, any corrosive fluid or any destructive or explosive substance, with intent in any of such cases to burn, maim, disfigure, or disable any person or to do some grievous bodily harm to any person, shall, whether any bodily injury is effected or not, be guilty of an offence triable upon indictment, and shall be liable to imprisonment for life."

Yesterday, the Commissioner of Police also stated that this offence was very serious. For that reason, I would like to take this opportunity to reiterate that members of the public should refrain from imitating the act of throwing corrosive fluid from height.

**PRESIDENT** (in Cantonese): Seven Members are waiting for their turn to ask supplementary questions. Obviously, this issue has aroused the concern of a number of Members. That said, given the time restraint, I can only allow one Member to raise the last supplementary question.

**MR JAMES TO** (in Cantonese): *President, all along, I have had much confidence in the police because I am aware of their excellent performance when compared with other law-enforcing agencies in Asia and even around the world. Subsequent to the first case, I answered in the affirmative in response to the reporters' question of whether or not I had confidence in the ability of the police to break the case. After the second case, I still indicated my confidence in the police because I knew they had deployed additional manpower for this purpose. However, now that the third case has happened, the Secretary has only repeatedly referred to case reconstruction, psychologists, surveillance at height and laboratory tests. In the light of this, I cannot but ask this question: What else can be done? What can be done by members of the public to help? Or, in what way can the Secretary prove — now that the third incident of this kind has happened — that the Police Force really has the ability to crack these cases and, as the Chief Executive remarked, will dedicate all its efforts to this end, and that it is not like what is being done now, that is, the Police Force is apparently still at its wits' end, despite the fact that within two or three days subsequent to the*

*occurrence of the third incident, five teams of police officers from the Regional Crime Unit were formed and all those from the Police Tactical Unit of Kowloon West were mobilized? Is the Police Force really at its wits' end?*

**SECRETARY FOR SECURITY** (in Cantonese): President, my view is identical to Mr James TO's, that is, now that this kind of incident has happened for the third time, and is it really too much? In fact, one such incident is already too many. However, I can assure Mr James TO that the police have all along remained persevering in their efforts to conduct investigation into these several cases and are now doing so at full speed. What I wish to say is that to date, I still have confidence in the Police Force. I hope Mr James TO can adopt the same attitude as mine, that is, to have confidence in the Police Force, and allow police officers some time.

**PRESIDENT** (in Cantonese): Which part of your supplementary question has not been replied to?

**MR JAMES TO** (in Cantonese): *In the view of the Secretary, what can be done by members of the public? In other words, in his view, what can be done by all members of the public in the meantime? Because an appeal made by him to the public at this time will be effective.*

**SECRETARY FOR SECURITY** (in Cantonese): President, as I have said, why is it so difficult to carry out investigation into these cases? One of the reasons is that we have not located any witnesses. I wish to take this opportunity to make this appeal: If members of the public have any information on these cases, please contact us by calling the 24-hour police hotline at 2761 2401.

Today, the press has reported and in particular, some editorials have commented that the "sky eye" device is actually inferior to human eyes. Given that Hong Kong has a population of several million, if members of the public have any information in this regard or have witnessed any suspicious persons, please contact the police at the earliest opportunity.

**PRESIDENT** (in Cantonese): This is the end of the oral questions session.

## **WRITTEN ANSWERS TO QUESTIONS**

### **Six Economic Areas Identified by Task Force on Economic Challenges**

7. **MR IP WAI-MING** (in Chinese): *President, at its fourth meeting held on 3 April this year, the Task Force on Economic Challenges (TFEC) agreed to study how to further develop the six economic areas where Hong Kong has enjoyed clear advantages, namely testing and certification, medical services, innovation and technology, cultural and creative industries, environmental industry, and educational services. In this connection, will the Government inform this Council:*

- (a) of the respective percentage shares of the aforesaid economic areas in the Gross Domestic Product (GDP), as well as the number of people they employed, in each of the past three years;*
- (b) whether the Government will implement preferential policies on land, taxation, training of manpower resources and attracting talent, and so on, so as to develop these economic areas; if it will, of the details; and*
- (c) of the anticipated number of jobs which can be created following the development of each economic area?*

**FINANCIAL SECRETARY** (in Chinese): President, the Chief Executive established the TFEC in October last year to continually monitor and assess the impact of the financial tsunami on local and global markets, and provide timely evaluation of its impact on the local economy and our major industries.

The Government will continue to adhere to the strategy of "stabilizing the financial system, supporting enterprises and preserving employment" to implement various short and medium-term measures and policies to combat the impact of the financial tsunami on the Hong Kong economy, our industries and the employment market. In addition to the measures announced in this year's Budget, the Financial Secretary announced on 26 May a new round of relief measures to strengthen our efforts to combat the financial crisis, alleviate the

pressure faced by our people as a result of the financial crisis and prepare for an economic recovery.

Another major objective of the TFEC is to propose specific options for the Government and business community to address the challenges, and help us turn crisis into new business opportunities and enhance our competitiveness. This will lay a more solid foundation for the sustained development of our economy in future. The financial tsunami has led us to examine closely what other new economic areas Hong Kong should continue to support and develop in addition to the traditional ones.

After its Fourth Meeting held on 3 April 2009, the TFEC proposed six economic areas where Hong Kong has good potential for further development as the priority areas for focused study. They are testing and certification; medical services; innovation and technology; cultural and creative industries; environmental industry; and educational services. Response to the three parts of the question is as follows:

- (a) For cultural and creative industries, the estimated share of value added to GDP (in percentage) for 2005, 2006 and 2007 are 3.7%, 3.7% and 3.9% respectively, and the number of persons engaged in the industries in 2005, 2006 and 2007 are 162 470, 170 050 and 172 490 respectively.

Comprehensive figures on the individual share of the GDP and employment figures for the rest of the economic areas identified by the TFEC are however not readily available. Based on the available information, it is noted that the ratio of the total consumption expenditure to GDP in 2007 for medical services and educational services are at 4.3% and 4.6% respectively, whereas for innovation and technology, the ratio of total business technological innovation expenditure to GDP in 2007 is 1.0%.

The Census and Statistics Department is compiling the relevant statistics which will be released as and when available.

- (b) To further explore room for the development of the economic areas and related implementation issues, the Central Policy Unit has organized a series of focus group discussions from late-April to mid-May with participation of trade representatives, academia,

researchers, TFEC members and government officials. In the light of the views expressed at the focus group discussions, we are further studying what the Government can do to make best use of the advantages enjoyed by these industries to facilitate their development, for instance, through policy, legislation and provision of land and other resources, and so on.

We will consolidate the views received and report them to the TFEC at its next meeting for further consideration. The Government will carefully study and consider the views of the community and the TFEC before making a decision on the order of priority, and specific policies and measures for the development of these industries, with a view to drawing up a development blueprint suitable for Hong Kong as soon as possible.

- (c) We believe that the six economic areas have development potential and will give rise to substantial synergy among each other. They will support Hong Kong's other economic pillars, promote the development of Hong Kong into a knowledge-based economy, benefiting the employment market as a whole. However, as the policy and measures to develop the six economic areas are to be finalized, we have not yet had any estimate of the number of jobs which can be created following the development of each economic area at this stage.

### **Fuel Clause Charge**

8. **MR JEFFREY LAM** (in Chinese): *President, according to the new Scheme of Control Agreements (SCAs) which the Government signed with CLP Power Hong Kong Limited and Hongkong Electric Company Limited (the two power companies) respectively, the basic tariff of the two power companies was lowered from October last year and January this year respectively. Yet, the fuel clause charge (FCC) included in the tariff of the two power companies was raised. In this connection, will the Government inform this Council:*

- (a) *of the respective monthly prices (including the free-on-board prices, the cost-insurance-and-freight prices and the freight charges involved) of the fuel costs of the two power companies last year;*

- (b) *given the decrease in the international coal prices in the past six months, whether the Government will discuss with the two power companies how to adjust the FCC in a more timely manner;*
- (c) *whether it knows if there will be room for reduction in the FCC next year as estimated by the two power companies; if there will be room for reduction, of the extent; and*
- (d) *of the authorities' new measures to monitor the FCC and tariff adjustments of the two power companies effectively, as well as those to enhance the transparency of the tariff mechanism?*

**SECRETARY FOR THE ENVIRONMENT** (in Chinese): President,

(a) and (b)

The new SCAs with CLP Power Hong Kong Limited (CLP) and the Hongkong Electric Company Limited (HEC) came into effect on 1 October 2008 and 1 January 2009 respectively. The two power companies also lowered their average Basic Tariffs by 10% and 19% respectively on the same dates as the commencement of the SCAs and agreed to substantially reduce their Tariff Stabilization Fund balances within this year.

On the other hand, as the average coal prices in the market rose in 2008 and were significantly higher than those projected by the two power companies during the 2008 Tariff Review carried out at the end of 2007, the Fuel Clause Accounts of CLP and HEC accumulated deficit balances of about \$800 million by the end of September 2008 and \$1 billion by the end of December 2008 respectively. To avoid accumulating even larger deficit balances in the Fuel Clause Accounts, CLP increased its FCC by 5.9 cents/kWh to 11.8 cents/kWh on 1 October 2008 while HEC raised its FCC by 14.9 cents/kWh to 25.4 cents/kWh on 1 January 2009. As regards the actual free-on-board prices, the cost-insurance-and-freight prices and the freight charges of the fuel used by the two power companies in last year, the data involved are commercially sensitive information to the two power companies and hence the companies have indicated that the information cannot be disclosed to the public.

International coal prices have fallen in the past six months. Nevertheless, as the current deficit balances in their Fuel Clause Accounts still remain at a high level, the two power companies may not be able to lower their FCCs in the near future.

- (c) Regarding the FCC levels of the two power companies for next year, the Government will continue to monitor the respective companies' updated projections of coal prices and Fuel Clause Account balances during the annual Tariff Review to be conducted by the end of this year. If there is indeed room for FCC reductions, the Government will discuss with the two power companies regarding the magnitude of such adjustments.
  
- (d) Pursuant to the SCAs, the two power companies cannot make any extra profit or return under the Fuel Clause Account mechanism. The SCAs stipulate that fuel cost is to be borne by consumers. Basic Tariff includes a standard fuel cost as agreed between the Government and the two power companies. The power companies have the right to recover from or return to the consumers, by means of a charge or a rebate from time to time, the difference between the actual fuel cost and the standard fuel cost. The Government has been closely monitoring coal price movement in the market and its consequential impact on the Fuel Clause Account balances of the two power companies. In the annual Tariff Review, the Government will also engage an independent energy consultant to review the respective companies' fuel price projections to ensure that they are in line with the trend movement of fuel prices in the international market and that the projections are set at a reasonable level. Through the above mechanism, the Government can ensure that the FCC levels of the two power companies are reasonable.

As regards the monitoring of electricity tariffs, pursuant to the SCAs, the Government will review carefully the data provided by the two power companies in the annual Tariff Review. The Government will take into account a number of factors including electricity demand and sales, operating costs, fuel prices, capital investments, measures to control cost and increase productivity, updated balances in the Fuel Clause Accounts and Tariff Stabilization Funds, affordability of the consumers and permitted return, and so on, to ensure that the public can enjoy reliable, safe and efficient electricity

supply at reasonable costs. In addition, the two power companies will brief the Energy Advisory Committee and the Panel on Economic Development of the Legislative Council on their proposed tariff adjustments, and provide explanations and justifications for the changes in each tariff component. If required, the two power companies will also provide necessary supporting data, for example projected coal prices and Fuel Clause Account balances for the next year, so as to enhance transparency and ensure that the public understand the reasons and justifications for the tariff adjustments.

### **Challenges Faced by Hong Kong as a Maritime and Logistics Centre**

9. **MRS REGINA IP** (in Chinese): *President, according to several items of statistical information, eight of the world's top 10 ports with the highest container throughput are in Asia, which are Singapore, Shanghai, Hong Kong, Shenzhen, Busan, Guangzhou, Ningbo-Zhoushan and Qingdao, in descending order of throughput ranking. The consolidated container throughput of Shanghai and that of the Pearl River Delta (PRD) (that is, Shenzhen and Guangzhou) soared by 148% and 142% respectively in 2008 as compared to those in 2003, while that of Hong Kong rose by 20% only. There have been comments that with the rapid growth of the mainland economy in recent years, the demand for inbound and outbound freight services is enormous, but Hong Kong has failed to seize the opportunity to acquire a bigger market share. In addition, the State Council has recently approved the plan to develop Shanghai as an international shipping centre. Hence Hong Kong's position as a maritime and logistics centre is facing increasingly tough challenges. In this connection, will the Government inform this Council:*

- (a) how Hong Kong will compete with the other container ports in the PRD Region;*
- (b) whether it will inject resources to construct a logistics park to consolidate Hong Kong's position as an ideal import and export centre for critical parts (such as high-tech proprietary products); and*
- (c) given that the container port industries of Hong Kong's neighbouring regions are booming, whether the Government has, in the light of the latest assessment, changed its position that it is*

*necessary to build Container Terminal No. 10 (CT10), and when the Government will make a decision, in order not to delay or affect the development of southwest Tsing Yi?*

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

- (a) The Hong Kong and PRD ports serve the same cargo hinterland. Having regard to the Outline of the Plan for the Reform and Development of the Pearl River Delta (2008-2020), we will endeavour to push ahead with the co-ordination in port development between the two places, such that a clear division of work and positioning will benefit both and wasteful duplication of resources could be avoided. Yet amid co-ordination between Hong Kong and the PRD ports, there is also competition.

Despite the proliferation of port facilities in the PRD, some of the PRD cargoes still choose to route through Hong Kong due to our comprehensive and frequent liner shipping schedules, free port status, efficient customs procedures, and convenience in intermodal transport system. In the course of maintaining our competitive advantages in these aspects, we will strengthen the competitiveness of Hong Kong Port (HKP) by ensuring that the necessary port and related facilities would be provided in a timely manner. These include feasibility study for the development of CT10 at Southwest Tsing Yi, and taking forward the project in dredging the Kwai Tsing Container Basin and its approach to cater for the next generation of container ships. We will also strive to lower the cost for the movement of cargoes between Hong Kong and the PRD.

- (b) Mainland is posing keen competition to us with its certain competitive advantages, for example, in cost. Moreover, as a result of the global financial crisis, there has been a significant drop in the trading and freight activities worldwide. Our logistics sector, like their counterparts in other economies and other industries, are operating in a very difficult business environment.

In the face of the challenges, Hong Kong should expand its cargo hinterland and sharpen its competitive advantages in providing

tailor-made logistics services and solutions to complicated tasks. On the hardware, for example, the construction of the strategically important Hong Kong-Zhuhai-Macao Bridge would soon commence. We shall also work closely with the mainland authority on the macro level to achieve better division of work, reasonable layout and complementarities in port and airport development.

In view of the uncertain global economic situation, the Government has to take into account Hong Kong's and the global economic trend and outlook in deciding on the way forward for the Lantau Logistics Park, including the scale and timing of the proposed development. This is to make sure that public resources are used in a cost-effective way in the development of the logistics sector. In parallel, we would continue to make available more land for both long-term and short-term logistics use as far as possible. We shall also continue to work closely with the sector to promote e-logistics and to provide professional training courses to the industry to enhance the efficiency and competitiveness of our services.

- (c) The Study on Hong Kong Port Cargo Forecasts 2005-2006, which was released last year, has taken into account the supply of port facilities in South China. It projects that the total container throughput of HKP would continue to have modest and steady growth. It also expects that Hong Kong will need the first new container berth by 2015 at the earliest. As advance works would have to be undertaken for developing a new container terminal and it would take time to comply with the statutory requirements, we have expedited the study on the feasibility of developing CT10 at Southwest Tsing Yi.

The relevant preliminary feasibility study and environmental impact assessment commenced in March 2009 and are scheduled for completion in early 2011. The Administration will conduct consultation on the development programme and site selection based on the findings and recommendations of the study. As the development of a new container terminal requires long lead time, in the course of the study, the Administration will in parallel monitor the changes in Hong Kong cargo throughput, with a view to working out the optimal timing for providing the new berths.

**Accessibility of Shek Kip Mei Health Centre**

10. **MR WONG YUK-MAN** (in Chinese): *President, I often receive complaints from elderly people and concern groups pointing out that it is very tiring and inconvenient for patients to go to the Shek Kip Mei Health Centre (SKMHC) for consultation. Since there is no escalator connecting SKMHC, which is located on a slope, patients need to climb an open-air staircase of almost 100 steps to reach there. Moreover, the lack of barrier-free access in SKMHC has also caused inconvenience to wheelchair users and elderly people with limited mobility. In this connection, will the Government inform this Council:*

- (a) of the number of attendances of SKMHC in each of the past five years, together with a breakdown by whether the patients were "60 or above";*
- (b) whether it knows the number of patients who fell down and were injured at the staircase outside the entrance of SKMHC in each of the past five years;*
- (c) whether it will consider building escalators connecting SKMHC; if it will, of the timetable; if not, the reasons for that;*
- (d) whether it will consider building a cover for the aforesaid staircase, so that patients will not be tormented by the scorching sun and lashing rain; if it will, of the timetable; if not, the reasons for that; and*
- (e) whether it will consider providing barrier-free access in SKMHC (including building a wheelchair access at the entrance of SKMHC), so as to facilitate wheelchair users and elderly people with limited mobility to seek consultation; if it will, of the timetable; if not, the reasons for that?*

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

- (a) In the SKMHC, there are a general out-patient clinic (GOPC) and a chest clinic managed by the Hospital Authority (HA) and the*

Department of Health (DH) respectively. The attendances of the GOPC in the SKMHC in the past five years are as follows:

<i>GOPC</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>
Aged 0-59	17 399	16 609	14 450	15 806	17 132
Aged 60 or above	25 255	26 120	20 564	22 114	23 167
Total Attendances	42 654	42 729	35 014	37 920	40 299

The attendances of the chest clinic in the past five years are as follows:

<i>Chest Clinic</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>
Total attendances	60 382	60 789	57 848	58 679	52 161

Since the patient records of the chest clinic have not been fully computerized, we are unable to provide within a short period of time the statistic of attendance by age groups in the past five years through manual search.

- (b) According to records of the DH and HA, no patient had fallen down and were injured at the staircase outside the entrance of SKMHC in the past five years.

(c) to (e)

To facilitate access to SKMHC by wheelchair users, DH and the Architectural Services Department (ASD) plan to install a stairlift in front of the entrance of SKMHC. ASD will commence the works as soon as possible. It is expected that the stairlift will come into operation in August 2010.

Moreover, staff of the SKMHC will assist the elderly, people with mobility difficulties and wheelchair users in entering or leaving the clinics. Those in need can seek assistance from the staff by pressing the electric bell installed near the staircase in front of the entrance of SKMHC.

The Food and Health Bureau will, in conjunction with the HA and DH, continue to explore other feasible measures to facilitate access to SKMHC by the elderly, wheelchair users and others in need.

**Regulatory System for Drugs**

11. **MR ANDREW CHENG** (in Chinese): *President, regarding the regulatory system for drugs, will the Government inform this Council whether:*

- (a) it has found out if the drugs produced by Hong Kong pharmaceutical manufacturers with Good Manufacturing Practice (GMP) certification may be sold in the European Union and the United States; whether it knows if the drugs produced by the pharmaceutical manufacturers with GMP certification by the authorities in Australia, Japan, Singapore or other Asian countries may be sold in EU;*
- (b) it will study enhancing the GMP guidelines in Hong Kong to set their standards not lower than those in Australia and Singapore; if it will, of the details and the relevant timetable; if not, the reasons for that;*
- (c) the authorities recognize the GMP certification issued by the mainland authorities of the national and provincial levels; if so, of the authorities' measures to ensure that the GMP guidelines are strictly followed, and whether they know if the authorities in EU, Australia, the United States, Japan and Singapore recognize such certifications; and*
- (d) findings of bioequivalence evaluation studies on generic drugs (that is, non-patent drugs) have to be provided to prove that their efficacy and safety are the same as those of the original brand name drugs before they are registered in Hong Kong; if not, how the authorities ensure that the generic drugs reach the efficacy and safety standards of the original brand name drugs; whether they know if the EU, Australian and Singaporean authorities have adopted the same relevant measures as those in Hong Kong?*

**SECRETARY FOR FOOD AND HEALTH** (in Chinese): *President, starting from 2002, all local pharmaceutical manufacturers have to comply with the "Good Manufacturing Practices" set by the Pharmacy and Poisons Board. Our replies to each part of the question are as follows:*

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- (a) Drugs produced by pharmaceutical manufacturers with GMP certificates can apply for registration for sale with the relevant authorities in the European Union or the United States. As far as we understand, the European Union authority has not put in place a mechanism for direct recognition of GMP certificates issued by authorities of other countries or regions.
- (b) The Review Committee on Regulation of Pharmaceutical Products (Review Committee), chaired by the Permanent Secretary for Food and Health (Health), was set up by the Food and Health Bureau in March this year to undertake a comprehensive review of the existing regulatory regime for the control of pharmaceutical products, which includes, *inter alia*, the GMP standards required of the pharmaceutical manufacturers. A working group chaired by the Director of Health was also set up by the Department of Health (DH) to put forward proposals on the updating of the GMP scheme and on the enhancement of pharmacovigilance. The working group has commissioned an overseas expert consultant to conduct relevant study and make reference to the experience of overseas regulatory authorities. It is expected that the work of the Review Committee and the working group will be completed by the end of this year.
- (c) Where a drug produced on the Mainland is to be registered in Hong Kong, documents to prove the quality of that drug have to be submitted in the registration application. Currently, the GMP certificate issued by the State Food and Drug Administration (SFDA) is a recognized document, but GMP certificates issued by provincial authorities are not regarded as recognized documents. Should there be queries on the GMP certificate submitted by the applicant, the DH would approach the SFDA for confirmation of the validity of the certificate to ensure that the registered pharmaceutical product is manufactured by a GMP manufacturer approved by the Mainland.

We do not have the relevant information on whether the European Union countries, Australia, Japan and Singapore will accept GMP certificates issued by the mainland authorities as supporting proof for applications made for drugs to be sold in these countries.

- (d) From our understanding, bioequivalence tests have to be conducted for some generic drugs (that is, non-patent drugs), in particular those with a narrow therapeutic index (that is, there is little difference between the therapeutic dose and the poisonous dose of these drugs) if they are registered in European Union countries, Australia and Singapore.

At present, bioequivalence tests are not mandatory requirements for the registration of generic drugs in Hong Kong. In accordance with the Pharmacy and Poisons Ordinance, all drugs, including generic drugs, must meet the relevant requirements regarding safety, efficacy and quality before the Pharmaceuticals Registration Committee (PRC) under the Pharmacy and Poisons Board will grant approval for their registration. To strengthen the regulation of the safety, efficacy and quality of generic drugs, the PRC has decided to introduce in phases bioequivalence tests as the requirements of registration of these generic drugs.

### **Banning Sale and Breeding of Pets with Genetic Defects in Hong Kong**

12. **MR FRED LI** (in Chinese): *President, some concern groups on animal interests have recently told me that some people who lack expertise in pedigrees and breeding of animals breed animals with genetic defects for sale as pets. People who buy such animals have to bear the high costs of curing animals, and the animals concerned also endure pain due to genetic diseases. It has been reported that the European Union had already stipulated that cats known as Scottish Folds should not be bred because of their genetic defects, and Japan had also stipulated that animals suffering from genetic diseases must not be bred. Moreover, the concern groups have also pointed out that the trading of animals on the Internet is becoming prevalent, but such activities are not subject to any regulation. In this connection, will the Government inform this Council whether:*

- (a) *it will make reference to the practice of foreign countries and ban the breeding and sale of animals with genetic defects as pets in Hong Kong; if so, of the details; if not, the reasons for that;*
- (b) *it will set up a database to keep information on common genetic diseases and other illnesses among the animals being kept as pets, so*

*as to enable the public to get hold of the relevant information before making a decision on buying or adopting animals, as well as avoid subsequent abandonment of the animals by the public due to animals' illnesses, which causes community problems; and*

- (c) *it will regulate animal trading activities on the Internet; if so, of the details; if not, the reasons for that?*

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

- (a) Pet shops in Hong Kong are already prohibited from selling sick animals, as required under the conditions of the licences issued under statute. Before making a decision on keeping a pet, members of the public may consult a registered veterinary surgeon so as to make the most suitable choice.

Whether an animal develops a hereditary disease or a common disease has no definite correlation with its species. Animals of the same species may not suffer from the same hereditary disease. In the case of Scottish Fold, according to the relevant literature, not all cats of this species suffer from symptoms of joint diseases. Only those with homozygous mutation in the genes will suffer from serious Osteochondrodysplasia. In fact, there is currently no international convention concerning the control over the breeding of animals with hereditary diseases, nor is there a clear trend in relation to whether such breeding is subject to regulation.

Generally speaking, it is difficult to predict the outcome of animal breeding precisely. As such, the Agriculture, Fisheries and Conservation Department (AFCD) has no plans to ban the breeding of particular species or types of animals, but will continue to keep in view relevant international developments.

- (b) For the protection of public health and animal welfare, all animal traders, including animal breeding facilities and pet shops, are required to hold an animal trader licence issued by the AFCD and strictly observe the licensing conditions and the Code of Practice. As mentioned in part (a) of the reply, whether an animal develops a hereditary disease or a common disease has no definite correlation

with its species. As such, providing a database on hereditary diseases and common diseases is not the most effective and reliable way to help the public decide which species are suitable for them to keep. Instead, the public should seek the advice of registered veterinary surgeons with regard to the health condition of the pets. In fact, the public may arrange for registered veterinarians to conduct health checks on pets prior to formal purchase. We understand pet shops generally provide such convenience for their customers.

We believe the most effective way to prevent people from abandoning animals is to bring home the message of responsible pet ownership. The AFCD has been endeavouring to promote responsible pet ownership through various channels and at different levels, including broadcasting Announcements of Public Interest on television and radio and putting up posters on public transport. The AFCD has also produced promotional leaflets, posters and souvenirs for free distribution to the public. The AFCD had also organized an animal welfare roving exhibition in April this year. We must point out that according to the Rabies Ordinance (Cap.421), any person who does not properly control his/her dogs or abandons animals commits an offence. In the past three years, 570 such cases were prosecuted.

- (c) Under the Public Health (Animals and Birds) (Animal Traders) Regulations (Cap. 139B), regardless of whether such sale is conducted through the Internet, a person shall not carry on business as an animal trader otherwise than under a licence and in accordance with the licensing conditions, or else he/she would be liable to prosecution. Such licensing conditions mainly include requiring dogs for sale to be vaccinated and licensed with the AFCD (or be implanted with microchip as required by the AFCD), and animal traders must provide suitable space for the animals. Even though pet owners are not required to apply for a licence and hence not subjected to the requirements in the licensing conditions, the AFCD will conduct in-depth investigation if any suspicious cases are found. Prosecution will be instituted when there is sufficient evidence. There have already been 22 cases of successful prosecution regarding illegal sale of animals in the past three years, three cases of which involved sale through the Internet.

**Standardized Care Need Assessment Mechanism for Elderly Services**

13. **MR LEUNG KWOK-HUNG** (in Chinese): *President, the Social Welfare Department (SWD) has implemented the Standardized Care Need Assessment Mechanism for Elderly Services (Standardized Assessment) since November 2000. As at 28 February 2009, 147 550 cases had been referred to the Mechanism for assessment. Among these cases, assessment was completed for 134 770 cases, with 12 780 cases remaining. In this connection, will the Government inform this Council:*

- (a) among the aforesaid cases for which assessment had not been completed, of the number of those in which the applicants had given up their turn for assessment, and whether it knows their reasons for that;*
- (b) among the above referrals, of the number of applicants who passed away while waiting for assessment;*
- (c) of the average waiting time for assessment and the number of accredited assessors, broken down by the District Council districts in which the applicants reside;*
- (d) whether it has any plan to increase the number of accredited assessors; if so, how many accredited assessors will be increased in each district and of the implementation date; and*
- (e) of the mechanism for arranging priority assessment for applicants in emergency cases, the total number of applicants who have received priority assessment so far, and the means to enable the public to be aware of such a mechanism directly?*

**SECRETARY FOR LABOUR AND WELFARE** (in Chinese): President, my reply to Mr LEUNG Kwok-hung's question is as follows:

- (a) and (b)

Since November 2000, the SWD has implemented the Standardized Assessment to assess the long-term care needs of elders. From the implementation of the Standardized Assessment to end February 2009, altogether 134 770 assessment cases were completed, with

another 449 elders waiting to be assessed or awaiting the assessment results. At present, an assessment can be arranged within eight to 10 days on average.

The 10 000 or so cases mentioned in the question are not cases waiting to be assessed. These cases do not require assessment because of various reasons, including, among others, applications withdrawn by elders; applicants had to stay in hospitals for treatment or passed away while receiving treatment; or inaccurate contact information provided by applicants which makes the SWD unable to arrange assessments for them. The SWD has not compiled separate statistics for cases caused by the reasons set out above.

- (c) Under the existing mechanism, elders in need may apply to receive the Standardized Assessment through various designated social service units under the SWD, non-governmental organizations or the Hospital Authority. Upon receipt of referrals from the abovementioned service units, the Standardized Care Need Assessment Management Offices (Elderly Services) of SWD (SCNAMO) will immediately arrange accredited assessors to conduct assessments for the applicants. It takes, on average, eight to 10 days for SCNAMO to complete an assessment from the date of receiving a referral. The time required for completing an assessment in different districts is more or less the same.

As at end April 2009, there were a total of 1 902 accredited assessors throughout the territory. The number of accredited assessors, broken down by the five SCNAMO districts, is as follows:

<i>SCNAMO Districts</i>	<i>Number of Accredited Assessors</i>
Hong Kong Island	450
Kowloon East	370
Kowloon West	315
New Territories East	380
New Territories West	387
Total:	1 902

- (d) Since the introduction of the Standardized Assessment in 2000, the SWD has been organizing training courses for assessors on a regular basis, with a view to increasing the number of accredited assessors. Altogether 92 training courses have been organized so far. In

2009-2010, the SWD will organize five more training courses for assessors, providing 125 training places which will be evenly allocated among the five SCNAMO districts.

- (e) As mentioned above, it takes, on average, eight to 10 days for SCNAMO to complete an assessment from receiving a referral. For applicants with special or urgent need for assessment, the referral unit can make an immediate request to the SWD. SCNAMO can arrange assessment for the applicant as early as within the same day. The SWD has not compiled statistics on the number of urgent assessment cases.

### **Assistance to Mental Patients who Have Returned to Community**

14. **MS MIRIAM LAU** (in Chinese): *President, on 29 May this year, a man suspected to have a mental illness seizure was alleged to have chopped a three-year-old toddler to death, while the toddler's father was also chopped and seriously injured. It is learned that this was the sixth wounding case involving mental patients in the past 11 months and also the third fatal case involving mental patients since May this year. The authorities have indicated that the existing policy on the treatment of mental patients is to allow patients with stable conditions to return to the community and be controlled by medications and followed up by health care staff and social workers. Yet, the policy cannot give a 100% guarantee that similar incident will not occur. It has been reported that about 140 000 out of the 150 000 mental patients in Hong Kong are currently living in the community, but the number of health care staff and social workers providing the relevant support services is inadequate. In this connection, will the Government inform this Council:*

- (a) *whether it will re-examine the policy of allowing mental patients to return to the community; if so, of the details; if not, the reasons for that;*
- (b) *whether it has assessed if the existing manpower and resources for providing follow-up services to mental patients after their discharge and return to the community are adequate; whether the authorities have set the ratios of discharged mental patients to psychiatrists, nurses and medical social workers stationed in hospital; if so, of the details; if not, the reasons for that;*

- (c) *given that the authorities have indicated that the Working Group on Mental Health Services (Working Group), chaired by the Secretary for Food and Health, is reviewing the mental health policies in Hong Kong and will complete its report as soon as possible, but the Working Group has not reported on the work progress since its establishment in 2006, of the number of meetings held by the Working Group so far, as well as the work progress, the review direction and outcome; and*
- (d) *given that the review of the Rehabilitation Programme Plan in Hong Kong completed by the Rehabilitation Advisory Committee in 2007 has set out strategic directions for the development of rehabilitation services including those for ex-mentally ill persons, whether the Working Group will correspondingly expedite the progress in reviewing the mental health policies and set a timetable for completing the report; when the authorities will fully implement the medical and rehabilitation programme for mental patients?*

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

- (a) In general, most mental patients have no propensity for violence and only a very limited number of them have been involved in serious violent cases. For mental patients living in the community, their life may be affected by various factors, such as employment, community life and family relationship. As such, even if they are provided with sufficient medication and regular follow-up support services, such as community psychiatric outreach service, the conditions of individual patients may still undergo unforeseeable changes. The recent incident involving a mental patient is grievous.

According to the research findings and the accumulated experience of international and local experts in psychiatry, allowing the early discharge of mental patients in stabilized condition to receive rehabilitation service in the community can facilitate their rehabilitation and reduce the chance of relapse of their illness. It is therefore the international trend to focus on community and ambulatory services in the treatment of mental illness. Under this direction, the Hospital Authority (HA) has in recent years kept its in-patient psychiatric services under review and launched various

new programmes to enhance its community psychiatric services. These programmes (such as the Early Assessment and Detection of Young Persons with Psychosis (EASY) and the Extending Care Patients Intensive Treatment, Early Diversion and Rehabilitation Stepping Stone (EXITERS)) aim to progressively allow more suitable psychiatric patients to receive treatment in the community, thereby enhancing their prospect of re-integration into the community after rehabilitation. The HA and psychiatric experts constantly review the details and arrangements regarding the implementation of the policy in light of the needs of mental patients for treatment and rehabilitation in the community.

- (b) The HA, the Social Welfare Department (SWD) and non-governmental organizations have been working closely together on the provision of rehabilitation service to discharged mental patients.

The HA provides medical rehabilitation and community psychiatric services for discharged patients to facilitate their rehabilitation and re-integration into society. These services are delivered mainly through its integrated and multi-disciplinary community psychiatric teams comprising psychiatrists, community psychiatric nurses, clinical psychologists, medical social workers, occupational therapists, and so on. The range of services provided includes risk management, home visit, telephone consultation and follow-up service. On the other hand, community psychiatric nurses of the HA follow up on the discharged patients through regular visits to patients' home, half-way house or other residential places to monitor the progress of their treatment or rehabilitation. In addition, medical social workers stationed by the SWD in HA psychiatric hospitals and specialist out-patient (SOP) clinics provide counselling service as well as financial and housing assistance to discharged patients and their families to help them deal with various problems arising from their illness.

In recent years, the HA has enhanced the support for mental patients who are about to be discharged or newly discharged and for their families through various programmes. Since 2001, the HA has launched the EXITERS to provide intensive rehabilitation training for long stay mental patients so as to facilitate their early discharge and integration into the community. The scheme also provides

follow-up and support services to discharged patients. In 2008-2009, the HA has set up community psychiatric support teams in Kowloon West Cluster and New Territories East Cluster to provide support for frequently readmitted psychiatric patients through a case management approach so that effective follow-up care can be provided in a timely manner.

In addition, the Government has allocated an additional recurrent funding of \$38.66 million to the HA since 2009-2010 to implement new initiatives to strengthen mental health services, including the implementation of the Recovery Support Programme for discharged mental patients in the community. The programme provides community support to needy discharged mental patients through a case management approach and involves an additional recurrent expenditure of \$23.6 million. Besides, the HA will set up triage clinics at the psychiatric SOP clinics in five hospital clusters (Hong Kong East, Kowloon East, Kowloon West, New Territories East and New Territories West), involving an additional recurrent expenditure of \$6.8 million, to provide consultation services for new patients triaged as routine cases at psychiatric SOP clinics.

Meanwhile, the SWD also provides funding to non-governmental organizations to support the provision of a range of community support services to mental patients. These community support services, which include residential care service, the Community Mental Health Link, Community Rehabilitation Day Services, Community Mental Health Care Programme, and Resource and Service Centres for families of the ex-mentally ill, aim to help discharged mental patients build up their interpersonal network and acquire daily life skills, and so on.

As regards manpower, the HA has employed additional psychiatric staff in recent years to strengthen the support for various mental health services. For example, the number of psychiatrists in the HA has increased from 212 in 2000-2001 to 288 in 2008-2009. The number of psychiatric nurses has also increased from 1 797 to 1 880 during the same period. The number of psychiatric medical social workers has increased from 166 in 2005-2006 to 197 in 2008-2009.

The HA and SWD will conduct manpower planning for mental health services in the light of staff wastage and new service

programmes. The HA will continue to work with the Hong Kong College of Psychiatrists to strengthen the training of psychiatrists. As regards nurses, the HA will also actively recruit nursing staff from graduates of university psychiatric nursing programmes and former psychiatric nurses who have left service in recent years.

The establishment of the HA's health care staff and the SWD's social workers for the provision of mental health services, including in-patient, SOP and community outreach/support services, is worked out on the basis of service demand and operational needs. Mental health services are delivered using an integrated and multi-disciplinary approach to allow flexibility in the deployment of human resources. The HA and SWD have no fixed manpower ratios of patient to psychiatrist, psychiatric nurse or medical social worker in the delivery of the services.

(c) and (d)

The Working Group set up by the Food and Health Bureau is chaired by me and comprises professionals providing medical and rehabilitation services to mental patients, academics, representatives of the Labour and Welfare Bureau, HA and SWD. The purpose of the Working Group is to assist the Government in reviewing existing mental health services. This is a long-term and ongoing process.

The Working Group has set up a sub-group, which is tasked to study in-depth the demand for mental health services and the relevant policy measures. The sub-group is co-chaired by two members of the Working Group and comprises professionals from the health care and social welfare sectors. The sub-group has drawn up a preliminary framework on the objectives and directions of the mental health policy in Hong Kong. The three expert groups under the sub-group are now studying the service needs of three different age groups (adults, adolescents and elders) with a view to making proposals for service improvement in the relevant areas. The Working Group, sub-group and expert groups have held a total of 13 meetings so far.

Since mental illness is a complex health problem and mental health services cover both health care and rehabilitation services, I will work closely with the Secretary for Labour and Welfare and adjust or enhance the services in response to service needs. The long-term

development of mental health services will be considered and formulated under the overall framework of the health care reform.

In the short and medium term, we will allocate additional resources on prevention, medical treatment and rehabilitation services to further improve our mental health services and enhance the community support for mental patients, so as to facilitate their early recovery and re-integration into the society. From 2001-2002 to 2008-2009, the Government has provided an additional recurrent funding of \$250 million to the HA and \$86.3 million to the SWD to support a number of initiatives to improve the treatment and rehabilitation services for mental patients, including various community support services.

### **Vetting and Approving of Entry Applications by Authorities**

15. **MS AUDREY EU** (in Chinese): *President, it has been reported that Mr ZHOU Yongjun, a leader of the June 4th democracy movement who has permanent residency in the United States, was arrested in Shenzhen by the mainland police on his way from United States to the Mainland via Hong Kong last year. He was formally arrested by the mainland police for "financial fraud" in early May this year. Regarding the vetting and approving of entry applications by the authorities, will the Government inform this Council:*

- (a) *whether the Government of the Hong Kong Special Administrative Region has any role to play in the arrest of Mr ZHOU Yongjun, including notifying the mainland authorities of Mr ZHOU's arrival at Hong Kong;*
- (b) *of the reasons for refusing the entry of Mr Jens GALSCHIOT, a sculptor from Denmark who created the Pillar of Shame, and Mr WANG Dan, Mr WANG Chaohua, Mr WANG Juntao and Mr YANG Jianli, who are democracy activists, and whether any political consideration was involved; and*
- (c) *of the number of visitors who were refused entry each month since January 2008 by the authorities in the course of performing the work to "prevent the entry of undesirable persons", the nationalities of these visitors and the reasons for refusing their entry?*

**SECRETARY FOR SECURITY** (in Chinese): President,

- (a) We do not comment on individual cases. All criminal judicial co-operation with or mutual legal assistance in criminal matters provided to any other jurisdictions must be in compliance with the Basic Law and the laws of the Hong Kong Special Administrative Region.
- (b) We do not comment on individual cases. Entry of visitors may be refused on grounds of different individual circumstances, such as "not in possession of valid travel document"; "use of forged travel document"; or "purpose of visit in doubt". In processing each entry application, the Immigration Department acts in accordance with the law and the prevailing policy, taking into account all relevant factors and the individual circumstances of each visitor in deciding whether to allow or refuse entry.
- (c) From January 2008 to May 2009, a total of 52 128 visitors were refused entry:

*Monthly figures*

2008				2009	
January	3 208	July	3 353	January	2 871
February	2 688	August	3 487	February	2 665
March	2 877	September	3 370	March	2 898
April	3 147	October	3 622	April	2 732
May	3 068	November	3 198	May	2 638
June	3 100	December	3 206	Total	52 128

*Nationalities (by country's geographical region) and Circumstances*

	<i>Mainland China</i>	<i>Asia Pacific (other than mainland China)</i>	<i>Africa</i>	<i>Americas</i>	<i>Europe</i>	<i>Total</i>
Not in possession of valid travel document	7 399	6 437	335	142	184	14 497
Use of forged travel document	484	294	91	18	20	907
Purpose of visit in doubt	28 258	7 272	983	152	59	36 724
Total	36 141	14 003	1 409	312	263	52 128

**Family Council and Related Advisory Committees**

16. **MR ABRAHAM SHEK:** *President, the Family Council was established in 2007 with the terms of reference to discuss and promote core family values and harmonious relationships among family members. The Family Council recommended that it should form a closer alliance with the Elderly Commission, Women's Commission (WoC) and Commission on Youth, and make more concerted efforts to help enhance support services for families. In this connection, will the Government inform this Council:*

- (a) of the work schedule of the Family Council and the aforesaid three Commissions, and how each of them interfaces with the existing consultative framework and government departments concerned;*
- (b) of the details of and the latest progress in the promotion of family-friendly work practices in the business community as pledged in the 2008-2009 policy address by the Chief Executive, and the latest progress in the related work areas of the three Commissions; and*
- (c) whether the Government will establish an inter-departmental mechanism to assess the possible impact on families of any new policy; if so, of the details; if not, the reasons for that?*

**SECRETARY FOR HOME AFFAIRS:** President,

- (a) The Elderly Commission is tasked to provide advice to the Government on the formulation of a comprehensive policy in caring for elders, including matters relating to the care, housing, financial security, health and medical, psychological, employment and recreational needs of the elderly. The WoC is tasked to take a strategic overview on women issues; develop a long-term vision and strategy for the development and advancement of women; advise the Government on policies and initiatives which are of concern to women, and assist the Government in implementing the United Nations Convention on the Elimination of All Forms of Discrimination against Women and other international instruments related to women. The Commission on Youth advises the

Government on matters pertaining to youth development. It provides advice to relevant bureaux and government departments so that the interests of young people can be taken into account in the design of relevant policy and service programmes. It also commissions research studies on different aspects of youth matters.

As an advisory body to the Government, the Family Council provided a high-level platform for discussion of major issues from the family perspective and strategic directions and priorities on family-related policies. The provision of services to support families would continue to be delivered by different relevant service providers. The Family Council has identified family core values, discussed ways to achieve a pro-family environment and made recommendations on better synergy of work between the Council and the three Commissions.

While the three Commissions would continue to perform the roles in relevant sector-specific areas, they would form a closer alliance with the Family Council and make more concerted efforts to help enhance support services for families. To facilitate communication and co-operation between the Council and the three Commissions, the Chairpersons of these Commissions had been appointed as *ex officio* members of the Family Council with effect from 1 April 2009.

The Family Council will continue to work with relevant stakeholders to further promote and publicize family core values in a sustainable manner, identify ways to enhance effectiveness and co-ordination of family education in particular parental education, and ways to foster pro-family measures.

- (b) The Labour Department (LD) has been actively promoting direct and frank communication between employers and employees to discuss employment conditions and work arrangements. We have further encouraged employers to put in place employee-oriented good people management measures including family-friendly employment practices (FFEP).

Making the workplace family-friendly is a shared responsibility of the entire society. As part of our ongoing work in promoting good

people management measures, the LD has been acting as a facilitator in encouraging employers to adopt FFEP with a view to assisting employees fulfil work and family responsibilities simultaneously.

Major ongoing publicity efforts of the LD include:

- Organizing seminars/briefings to promote FFEP and related good people management practices;
- Promoting FFEP to human resources practitioners and trade representatives of employers and employees through the network of 18 Human Resources Managers Clubs in various trades and nine industry-based tripartite committees; and
- Staging roving exhibitions at various locations throughout the territory to widely publicize FFEP and increase public awareness on the subject.

As an initiative to promote FFEP, the LD published 20 newspaper supplements weekly between July and November 2008 to showcase exemplary examples in the implementation of FFEP as well as other good people management measures, with a view to enhancing public awareness and encouraging the wider adoption of such practices. Furthermore, the LD has uploaded an electronic version of the supplements onto the LD's website to facilitate public viewing and consolidated the supplements into a booklet for distribution in February 2009.

In 2009-2010, the LD will continue to promote good people management practices through different publicity activities. In addition to our regular initiatives, we plan to produce a video on FFEP to deepen public understanding on the subject and encourage the wider adoption of such practices at the workplace.

On the other hand, the WoC collaborated with the LD in October 2008 to engage small and medium enterprises (SMEs) in collecting their best practices in Family-friendly Employment Policies and Practices. The WoC will publish a leaflet to share their experience

with other stakeholders, especially SMEs employers. The leaflet is expected to be released by September 2009.

- (c) The Government is committed to including the family as a factor to consider in its policy-making process. Different bureaux and departments are therefore encouraged to look into the family perspective in the policy-making process, and demonstrate good awareness and sensitivity and balance such considerations against other policy objectives and considerations. Bureaux and departments have to keep regular review on whether their policies have given proper regard to the family core values and impact on families.

### **Teacher Relief Grant for Aided Schools with Incorporated Management Committees**

17. **MR CHEUNG MAN-KWONG** (in Chinese): *President, at present, the Government provides Teacher Relief Grant (TRG), for appointing supply teachers, to aided schools with incorporated management committees (IMCs) established. The Education Bureau uses 2.5 man-days a year per teacher as the basis for calculating the amount of grant to be provided, and schools are no longer required to apply for reimbursement of expenses of hiring supply teachers on an accountable basis. However, some members of IMCs have relayed to me that the amount of grant is often insufficient to meet the actual demand, which exerts pressure on both the schools and the teachers because the schools have to meet the shortfall themselves and teachers who have fallen ill refrain from taking sick leave. In this connection, will the Government inform this Council:*

- (a) *of the differences in the authorities' policies on provision of supply teacher grant respectively to aided schools with IMCs and those without; the highest, lowest and average amounts of supply teacher grant provided respectively to these two types of schools in each of the past three school years and the current school year so far, broken down by the number of classes in the schools;*
- (b) *whether it is aware of the situation of schools meeting the shortfall themselves because TRG is insufficient to meet the actual demand; if so, of the number of primary schools and secondary schools involved*

*and the shortfall; whether the Government will help schools solve the problem, such as providing additional grant, so as to assist schools in maintaining the quality of teaching;*

- (c) of the justification for using 2.5 man-days a year per teacher as the basis for calculating the amount of TRG, and whether the authorities will make adjustment in response to actual demand; and*
- (d) whether it has plan to review the implementation of TRG; if it has, of the details?*

**SECRETARY FOR EDUCATION** (in Chinese): President,

- (a) Aided schools which have yet to establish incorporated management committees (non-IMC schools) may claim reimbursement from the Education Bureau on a case-by-case basis for the appointment of daily-rated supply teachers to replace teachers on the establishment who have been approved to take leave for three days or more but less than 90 days. At the same time, these schools may also opt to freeze not more than 10% of their teaching establishment and claim the Substitute Teacher Grant (STG) for employing teachers, providing staff training and procuring services, and so on. In case of teachers taking approved leave for 90 days or more, these schools may apply to Education Bureau for reimbursement for hiring temporary teachers on monthly term.

As for IMC schools, Education Bureau provides them with the TRG for appointment of supply teachers to replace teachers on approved leave lasting less than 30 days. The TRG may also include an optional cash grant for schools which opt to freeze up to 10% of their teaching establishment permanently or temporarily for employing teachers, providing staff training, and so on. In other words, these schools no longer need to apply for reimbursement for appointment of supply teachers on a case-by-case basis if the leave period is less than 30 days. For leave periods longer than 30 days, the reimbursement arrangement for IMC schools is the same as that for non-IMC schools.

In sum, the provision of the TRG for IMC schools aims to provide schools with greater flexibility in deploying their resources and to simplify the administrative procedures for appointment of supply teachers. With more financial support and greater autonomy, these schools may appoint supply teachers, procure education-related services or employ staff to meet their needs. They are no longer required to apply to Education Bureau for reimbursement of supply teachers to replace teachers on leave for less than 30 days on a case-by-case basis. The provision of the TRG will not affect teachers' entitlement to sick leave or other approved leaves since all aided schools are required to grant leave to teachers in accordance with the provisions under the Code of Aid.

The amount of grants on supply teachers disbursed to IMC and non-IMC schools in the past three financial years are set out at the Annex.

- (b) According to the latest (that is, 2006-2007 school year) consolidated financial statements, about 10% of all IMC schools experienced shortfalls in the TRG. These schools have exercised the funding flexibility they enjoyed by deploying other recurrent grants to cover the related expenses.

In addition, according to the report of a three-year (from 2005-2006 to 2007-2008 school years) consultancy study commissioned by Education Bureau on the implementation and operation of IMCs, over 90% of the schools surveyed recorded surpluses in the TRG in the 2007-2008 school year.

Under the existing mechanism, if a teacher needs to take approved leave for 30 days or more, the school can still apply to Education Bureau for reimbursement for appointment of supply teachers. Education Bureau has also put in place a special arrangement to allow schools to retain TRG surplus up to three times the annual provision in the relevant year. In addition, in case of financial difficulties, schools may contact the School Development Officers of the Regional Education Offices to work out a feasible solution.

- (c) The annual recurrent cash grant under TRG is calculated according to the following formula: "2.5 man-days x the number of teachers on the approved teaching establishment x the daily rate of pay for supply teacher". The "2.5 man-days", being one of the bases for calculating the annual recurrent cash grant, is determined according to the average annual expenditure on daily-rated supply teachers of aided schools in the past. In 2008, Education Bureau had examined the average annual expenditure on daily-rated supply teachers of aided non-IMC schools in the previous three years and found it appropriate to adopt "2.5 man-days" as the basis for calculating the annual recurrent cash grant.
- (d) Education Bureau has been keeping in view the implementation of TRG. The School Development Officers of Regional Education Offices will continue to advise schools on various aspects concerning the use of TRG, including prudent use of surplus and exercising funding flexibility, and so on. They will provide assistance and take appropriate follow-up actions in light of the special circumstances of individual schools.

Annex

Amount of Grants on Supply Teachers  
Disbursed to Aided Schools in the Past Three Financial Years

*Aided Secondary Schools*

2006-2007

<i>No. of Classes</i>	<i>Aided Non-IMC Secondary Schools<sup>(1)</sup></i>			<i>Aided IMC Secondary Schools<sup>(2)</sup></i>		
	<i>Maximum Amount</i>	<i>Minimum Amount</i>	<i>Average Amount</i>	<i>Maximum Amount</i>	<i>Minimum Amount</i>	<i>Average Amount</i>
18 or below	\$207,034	\$1,726	\$80,386	\$135,035	\$13,562	\$73,247
19 - 24	\$284,448	\$3,288	\$79,052	\$184,977	\$62,338	\$99,228
25 - 30	\$490,745	\$3,452	\$127,420	\$357,756	\$86,303	\$129,045
31 or above	\$510,179	\$17,682	\$137,209	\$161,104	\$98,786	\$140,809

2007-2008

<i>No. of Classes</i>	<i>Aided Non-IMC Secondary Schools<sup>(1)</sup></i>			<i>Aided IMC Secondary Schools<sup>(2)</sup></i>		
	<i>Maximum Amount</i>	<i>Minimum Amount</i>	<i>Average Amount</i>	<i>Maximum Amount</i>	<i>Minimum Amount</i>	<i>Average Amount</i>
18 or below	\$546,214	\$7,635	\$113,839	\$86,794	\$21,940	\$54,809
19 - 24	\$290,192	\$10,714	\$112,496	\$327,052	\$97,783	\$164,092
25 - 30	\$461,894	\$2,306	\$137,025	\$383,602	\$49,022	\$204,714
31 or above	\$425,395	\$11,307	\$153,548	\$294,106	\$123,975	\$184,362

2008-2009

<i>No. of Classes</i>	<i>Aided Non-IMC Secondary Schools<sup>(1)</sup></i>			<i>Aided IMC Secondary Schools<sup>(2)</sup></i>		
	<i>Maximum Amount</i>	<i>Minimum Amount</i>	<i>Average Amount</i>	<i>Maximum Amount</i>	<i>Minimum Amount</i>	<i>Average Amount</i>
18 or below	\$286,408	\$40,110	\$140,106	\$108,199	\$74,921	\$87,999
19 - 24	\$547,473	\$20,071	\$148,260	\$477,660	\$36,918	\$200,354
25 - 30	\$558,127	\$4,516	\$160,672	\$533,877	\$42,173	\$242,650
31 or above	\$486,261	\$7,406	\$181,754	\$450,399	\$127,500	\$242,095

*Aided Primary Schools*

2006-2007

<i>No. of Classes</i>	<i>Aided Non-IMC Primary Schools<sup>(1)</sup></i>			<i>Aided IMC Primary Schools<sup>(2)</sup></i>		
	<i>Maximum Amount</i>	<i>Minimum Amount</i>	<i>Average Amount</i>	<i>Maximum Amount</i>	<i>Minimum Amount</i>	<i>Average Amount</i>
18 or below	\$319,865	\$1,940	\$79,601	\$212,350	\$18,454	\$58,170
19 - 24	\$321,637	\$9,139	\$141,972	\$208,387	\$50,748	\$84,168
25 - 30	\$415,938	\$16,816	\$176,320	\$372,854	\$60,634	\$125,648
31 or above	\$547,792	\$31,635	\$208,854	\$235,944	\$68,543	\$153,409

2007-2008

No. of Classes	Aided Non-IMC Primary Schools <sup>(1)</sup>			Aided IMC Primary Schools <sup>(2)</sup>		
	Maximum Amount	Minimum Amount	Average Amount	Maximum Amount	Minimum Amount	Average Amount
18 or below	\$366,305	\$1,406	\$86,514	\$236,706	\$21,426	\$83,129
19 - 24	\$420,448	\$11,792	\$137,843	\$342,246	\$57,159	\$131,457
25 - 30	\$448,193	\$9,842	\$171,135	\$350,978	\$74,783	\$176,569
31 or above	\$719,617	\$43,119	\$273,164	\$406,351	\$84,728	\$200,098

2008-2009

No. of Classes	Aided Non-IMC Primary Schools <sup>(1)</sup>			Aided IMC Primary Schools <sup>(2)</sup>		
	Maximum Amount	Minimum Amount	Average Amount	Maximum Amount	Minimum Amount	Average Amount
18 or below	\$440,361	\$2,457	\$99,985	\$274,707	\$24,169	\$98,341
19 - 24	\$390,836	\$10,647	\$159,038	\$463,354	\$62,038	\$182,950
25 - 30	\$442,441	\$23,849	\$222,881	\$543,916	\$81,101	\$221,357
31 or above	\$702,806	\$91,441	\$312,927	\$356,365	\$219,943	\$263,762

Notes:

- (1) It includes reimbursements for appointment of daily-rated supply teachers and STG claimed by non-IMC schools.
- (2) It includes the TRG (covering the annual recurrent cash grant and the optional cash grant) and reimbursements for appointment of daily-rated supply teachers to replace teachers on leave for 30 days or more disbursed to IMC schools. In addition, as TRG is disbursed to a school in September in the school year following the establishment of its IMC, provision for supply teacher disbursed in the period from April to August in the year in which a school sets up its IMC is not shown in the figures that are compiled on a financial year basis in the table.

### Lump Sum Grant Reserves

18. **MR CHEUNG KWOK-CHE** (in Chinese): *President, regarding the 162 non-governmental organizations (NGOs) funded under the Lump Sum Grant (LSG) subvention mode in the 2008-2009 financial year for providing welfare services, will the Government inform this Council whether it knows the respective amounts of cumulative reserves of each organization at the end of the 2007-2008 and 2008-2009 financial years (year-end reserve amount), expressed as*



**SECRETARY FOR LABOUR AND WELFARE** (in Chinese): President, generally speaking, the LSG reserves of NGOs are generated from staff turnover, service streamlining and re-engineering, organizational restructuring and successful bidding of new services, and so on. The situation varies from NGO to NGO. Individual NGO's LSG reserve level needs to be looked at with reference to its overall financial position and service structure. It would be misleading to consider only individual NGO's cumulative LSG reserve as a percentage of its recurrent subvention and take that as an indicator of the financial situation of an NGO. A more useful benchmark for the sector as a whole would be the cumulative reserve of all the NGOs on LSG.

As at 31 March 2008, the cumulative reserve of the 162 NGOs on LSG is estimated at about \$2.2 billion. A breakdown of the reserve banding is at Annex. We do not have the requested details available in the format specified. As NGOs on LSG are required to file their Annual Financial Reports by October following the end of each financial year, the Social Welfare Department (SWD) does not yet have information on their reserves in the 2008-2009 financial year.

To enable NGOs on LSG to accumulate sufficient resources to achieve financial viability in the long run and to honour their contractual commitment to their Snapshot Staff<sup>1</sup>, SWD did not claw back the reserves of these NGOs in respect of the 2004-2005 to 2006-2007 financial years, though the amount might have exceeded the normal cap, that is, 25% of the annual operating expenditures of the NGOs. It should be noted that LSG reserves can only be spent on designated services and activities in all circumstances.

<sup>1</sup> These are staff on the recognized establishment of NGOs' subvented service units as at 1 April 2000. Their terms and conditions of employment are guaranteed provided that they remain employed by the same NGO and have not been regraded or promoted to another rank.

Annex

### 162 NGOs on LSG

#### Reserve Position as at 31 March 2008

<i>LSG Reserve as a % of Operating Expenditure</i>	<i>No. of NGOs</i>
Over 40%	49
35% to less than 40%	8
30% to less than 35%	18
25% to less than 30%	12
20% to less than 25%	15

<i>LSG Reserve as a % of Operating Expenditure</i>	<i>No. of NGOs</i>
15% to less than 20%	15
10% to less than 15%	7
5% to less than 10%	5
Less than 5%	33
Total	162

Note:

The above LSG reserve position is based on the latest Annual Financial Reports submitted by NGOs. It includes the NGOs' reserves in respect of the 2004-2005 to 2006-2007 financial years, which are not subject to the normal cap of 25%.

### **Impacts of Financial Tsunami and Influenza A (H1N1) Epidemic on Various Industries**

19. **DR LAM TAI-FAI** (in Chinese): *President, it is learned that the downturn of the global economy due to the financial tsunami and the worldwide spread of the Influenza A (H1N1) epidemic have resulted in a substantial reduction in the number of visitors to Hong Kong, and hence the relevant industries such as tourism, hotel, catering, exhibition and retail have been hard hit. In this connection, will the Government inform this Council:*

- (a) *of the number of visitors to Hong Kong in each of the past 12 months, broken down by the type of visitors (including business and sightseeing) and their region of origin (overseas and mainland China);*
- (b) *whether it has assessed the extent to which the aforesaid industries have been affected in the past three months by the financial tsunami and the Influenza A (H1N1) epidemic; if it has, of the details; if not, the reasons for that;*
- (c) *whether it has assessed the business situation of the aforesaid industries and the unemployment rates concerned in this month and the next six months (especially June, July and August) under the impact of the Influenza A (H1N1) epidemic; if it has, of the outcome; if not, the reasons for that;*

- (d) *whether it has studied implementing new measures to alleviate respectively the operational difficulties of the aforesaid industries and unemployment among people engaged in the industries concerned; if it has, of the details; if not, the reasons for that;*
- (e) *whether it will request travel agencies, schools and other relevant organizations to stop organizing study tours for local students to go to countries with major outbreaks of Influenza A (H1N1) (for example, Mexico, the United States and Japan) during the summer holidays this year, so as to reduce the chances of students getting infected; and*
- (f) *as it is expected that the Fifth East Asian Games, which will take place in December this year, will attract a large number of overseas and mainland visitors to Hong Kong to attend events of the Games, whether the authorities have formulated any contingency plan (including under what situations the various events will be stopped) in respect of the Influenza A (H1N1) epidemic; if it has, of the details; if not, the reasons for that?*

**SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT** (in Chinese): President,

- (a) Figures on the monthly mainland and overseas visitor arrivals in 2008-2009 by purpose of visit obtained from the Departing Visitor Survey conducted by the Hong Kong Tourism Board (HKTB) are set out at Annex.

The survey results for April and May 2009 are being processed and hence a detailed breakdown is not available.

- (b) The actual impact of the global economic recession caused by the financial crisis and Influenza A (H1N1) on the travel and related trades is yet unclear. In comparison with 2008, the performance of the travel, hotel, catering and retail sectors have recorded a reduction to varying extent, as shown below:

For tourism, the overall visitor arrivals in April and May 2009 were at 2 439 490 and 2 026 365 respectively, with an increase of 0.8%

and a decrease of 13.5% compared to the same period in 2008. The cumulative visitor arrivals for January to May 2009 totalled 11 869 568, representing a year-on-year drop of 1.4%.

For hotels, the average hotel occupancy rate from January to April 2009 was 79%, which was lower than the 84% recorded in the same period in 2008. The decrease was more pronounced in high tariff hotels (-9%) as against moderately-high tariff hotels (-5%) and medium tariff hotels (-1%). The rental for hotel accommodation from January to April 2009 was 16.3% lower than that for the same period in 2008.

For catering, according to the preliminary data for the first quarter of 2009, the total revenue of the trade recorded a year-on-year increase of 1.5% in value, but a slight drop of 1.8% in volume after discounting price changes.

For retail, with the rebound of the local stock and property markets as well as the performance of inbound tourism in April, retail sales fared better in April. The total amount of sales dropped by 5.5% year-on-year. The rate of reduction was the same as that for the first quarter but significantly lower than that of 9.2% in March.

- (c) Given the uncertainty in the development of Influenza A (H1N1), it is difficult to accurately assess its impact on various trades and the overall economy at this stage. It is clear though that the threat of Influenza A (H1N1) has introduced further changeability to the already critical global economic situation. We will continue to closely monitor the development of Influenza A (H1N1) and its impact on the economy. Apart from the uncertainty associated with Influenza A (H1N1), entry of new graduates into the labour market in the coming few months will also exert pressure on the job market.
- (d) The Government is very concerned about the impact of the global financial crisis and Influenza A (H1N1) on the travel and related trades. To assist enterprises in coping with the financial crisis, the Government introduced a package of relief measures in end 2008, including the Special Loan Guarantee Scheme (SpGS), which aims at helping enterprises in Hong Kong secure loans to address the

liquidity issue. On 26 May the Financial Secretary announced a series of new relief measures, including extending the application period for SpGS, raising the loan guarantee ratio from 70% to 80%, doubling the loan ceiling for each enterprise from \$6 million to \$12 million, and doubling the amount that can be used for revolving credit facilities from \$3 million to \$6 million. The maximum guarantee period will also be extended from three to five years. We believe that these measures will further assist the trades in securing loans from lending institutions to help them tide over the difficult times.

To provide relief to the trades most affected by the financial crisis and Influenza A (H1N1), the Financial Secretary also proposed a one-year licence fee waiver for the transport, travel, catering and entertainment trades to ease their burden. The Government will prepare the necessary subsidiary legislation to implement the one-year licence fee waiver as soon as possible. Furthermore, in response to the requests of local tourist guides, we have secured the agreement of the Hong Kong Disneyland and the Ocean Park to waive the fee for tourist guides' passes for one year with effect from 1 June 2009. Both Ngong Ping 360 and the Wetland Park are offering free admission to tourist guides holding the Tourist Guide Pass issued by the Travel Industry Council (TIC).

The global outbreak of Influenza A (H1N1) has seriously dampened people's desire to travel. In view of this, HKTB will step up promotion before the summer peak season, in particular in short-haul markets such as the Mainland. Separately, HKTB has earlier allocated \$21 million from its reserve to offer the industry fee concessions for participating in the promotion activities of HKTB in 2009. The aim is to help reduce their operating expenses and encourage them to explore new business opportunities through participation in such promotion activities.

The "Meetings and Exhibitions Hong Kong" (MEHK) Office of HKTB works closely with the Hong Kong Exhibition and Convention Industry Association in supporting the development of the local MICE (meetings, incentive travels, conventions and exhibitions) industry and drive attendance for their shows. In view

of the current economic conditions, MEHK has launched an attendance booster campaign entitled "Business Right Here!" with airlines, hotels and major tourist attractions for the exhibition seasons from March to June and September to December 2009. Under the campaign, special concessions are offered to registered buyers for about 60 trade shows held in Hong Kong. In addition, the Hong Kong Trade Development Council provides concessionary hotel accommodation and air tickets for buyers, in particular those from overseas emerging markets and mainland China, to attract more participants to its trade fairs in 2009. The AsiaWorld-Expo also provides rent concessions for new trade fairs to be held at its venues. All these measures can help increase business opportunities for the industry.

On sustaining employment amidst the financial crisis, the Labour Department (LD) has implemented a number of measures to enhance labour market efficiency and flow of information on job vacancies to help job seekers. LD adopts a proactive approach in rendering employment assistance to employees who have lost their jobs in company retrenchments and closures. In major redundancy and closure cases, LD reaches out to the retrenched employees to offer employment support services and proactively contact employers of relevant industries to canvass suitable vacancies. Moreover, LD organizes thematic job fairs targeted at industries hard-hit by the economic downturn as well as district-based job fairs at shopping centres or community halls to disseminate vacancy and employment information to job seekers.

The Employees Retraining Board (ERB) is committed to providing training courses and related placement services to assist local employees affected by the economic downturn to change jobs or secure employment. At present, ERB provides a total of 10 full-time placement-tied training courses for the tourism industry, including travel consultant, tourist guide, culture and eco tourist guide, project assistant for MICE, event and exhibition assistant and customer services assistant for cruises. Full-time placement-tied courses of ERB are offered free-of-charge. Trainees who meet the attendance requirement will be given a training allowance. Those

in need may also enrol in part-time or evening cross-sector generic skills courses, including workplace languages, computing and numeracy skills, to enhance their competitiveness.

The Skills Upgrading Scheme (SUS) and TIC also provide focused skills training for members of the tourism industry to enhance their employability and competitiveness in the market and help them adapt to the changing economic environment. We will continue to encourage the industry to launch suitable courses to help their employees continue to upgrade themselves.

- (e) On the organizing of study tours, the Food and Health Bureau has actively communicated with schools and travel agencies through the Education Bureau and Tourism Commission and provided them with appropriate guidelines. According to Food and Health Bureau, having considered the current situation, schools do not need to suspend their summer activities and local residents can travel as usual. However, schools should keep in view the latest situation of Influenza A (H1N1) overseas when they organize overseas exchange activities or study tours. If they have to visit a destination affected by Influenza A (H1N1), they should bring sufficient protective supplies (for example, masks and alcohol-based handrub) and take preventive measures. Participants of study tours should pay attention to government announcements at the destination, observe the health guidelines issued by the local public health authorities and avoid contact with patients. Students should purchase travel medical insurance in advance and immediately seek medical treatment if any flu symptoms appear.
  
- (f) The Government, in collaboration with 2009 East Asian Games (Hong Kong) Ltd, are actively making preparations for the East Asian Games to be held in December 2009. These include the formulation of contingency plans for various emergencies or situations, such as measures in response to Influenza A (H1N1). Given the uncertainty in the Influenza A (H1N1) situation, the Administration will closely monitor developments and take corresponding action, so as to be fully prepared for the Games.

## Annex

*Mainland Visitors*

	<i>Arrivals</i>	<i>Vacation</i>	<i>Business</i>	<i>Visit Friends or Relatives</i>	<i>En-route</i>	<i>Others</i>
April 2008	1 305 002	48%	25%	17%	7%	3%
May 2008	1 290 806	51%	19%	20%	7%	3%
June 2008	1 145 551	51%	20%	18%	8%	3%
July 2008	1 660 243	58%	16%	16%	7%	3%
August 2008	1 699 309	56%	14%	18%	9%	3%
September 2008	1 249 545	52%	19%	19%	7%	3%
October 2008	1 373 910	46%	25%	19%	7%	3%
November 2008	1 363 167	51%	20%	19%	6%	4%
December 2008	1 620 828	57%	15%	18%	6%	4%
January 2009	1 892 336	59%	16%	16%	6%	3%
February 2009	1 345 291	54%	15%	20%	7%	4%
March 2009	1 438 182	54%	15%	20%	7%	5%
Total	17 384 170	54%	18%	18%	7%	3%

*Overseas Visitors*

	<i>Arrivals</i>	<i>Vacation</i>	<i>Business</i>	<i>Visit Friends or Relatives</i>	<i>En-route</i>	<i>Others</i>
April 2008	1 114 909	34%	29%	5%	31%	1%
May 2008	1 051 340	42%	22%	6%	29%	2%
June 2008	1 002 375	39%	23%	6%	31%	2%
July 2008	1 049 132	41%	22%	6%	30%	2%
August 2008	979 783	45%	18%	5%	31%	2%
September 2008	945 295	38%	22%	5%	33%	2%
October 2008	1 158 830	38%	23%	5%	31%	2%
November 2008	1 058 290	39%	24%	6%	29%	2%
December 2008	1 162 780	48%	16%	7%	26%	2%
January 2009	903 763	44%	18%	8%	28%	2%
February 2009	817 034	40%	20%	7%	30%	2%
March 2009	1 007 107	41%	20%	7%	28%	4%
Total	12 250 638	41%	21%	6%	30%	2%

## Implementation of Greening Works in Various Districts

20. **MR JAMES TO** (in Chinese): *President, in reply to my written question in May 2006, the Government advised that the Steering Committee on Greening (SCG) was responsible for monitoring and co-ordinating the concerted efforts in different greening works of various Greening Master Plans (GMPs) and those works in the districts concerned. Moreover, I have learned that earlier this year, the Transport Department conducted a study on the proposed improvement works under the Area Improvement Plan for the Shopping Areas of Mong Kok, and it planned to widen the pedestrian crossing at the road junctions of Prince Edward Road West and Fa Yuen Street in September this year. Yet, the Civil Engineering and Development Department (CEDD) commenced, in accordance with the recommendations made in the GMPs for Mong Kok and Yau Ma Tei, its tree planting works at that pedestrian crossing in May this year. In this connection, will the Government inform this Council:*

- (a) *in respect of the various completed or ongoing greening works of GMPs in the past two years:*
  - (i) *of the number of reports received by the Government about the newly-planted vegetation withering or being damaged, together with a breakdown by GMP of the incidents mentioned in such reports, with the respective dates of uncovering the incidents, locations and the relevant reasons (for example, the newly-planted vegetation being damaged by people, being hit by cars or withering naturally);*
  - (ii) *whether the Government had re-planted vegetation at the locations concerned; if so, of the details such as locations where vegetation had been re-planted and the plant species;*
  - (iii) *whether any newly-planted vegetation had been removed upon plantation in order to tie in with other works projects, respond to the request from members of the public or for other reasons; if so, of the details such as the dates when the plants were removed, the locations of and reasons for the plants being removed, the species and quantities of the plants concerned; and*

- (iv) *whether it had assessed the quantities of newly-planted vegetation which would need to be transplanted or removed owing to the implementation of the 10 major infrastructure projects (including the Hong Kong section of Guangzhou-Shenzhen-Hong Kong Express Rail Link and the Shatin to Central Link), the Central-Wan Chai Bypass, the MTR West Island Line and the Central Kowloon Route project, together with a breakdown by the works projects;*
- (b) *whether the Government had, in the past two years, received reports about newly-planted vegetation being damaged by members of the public and shop tenants in the vicinity; if so, whether it had issued warnings to or prosecuted the persons and shop tenants concerned, together with a breakdown by GMP of the locations mentioned in such reports, number of prosecutions instituted as well as the relevant penalties imposed;*
- (c) *of the average frequency at which SCG meets at present; whether SCG has adopted measures to enhance the co-ordination with the 10 major infrastructure projects, other major infrastructure projects and the district minor works projects implemented by various District Councils (DCs); given that some green groups have pointed out that the newly-planted vegetation withers or is damaged easily as the plants do not fit in with Hong Kong's environment, whether SCG or the relevant government departments will adopt any remedial measure; and*
- (d) *as the Task Force set up by the Chief Secretary for Administration is exploring the possibility of having a single office to co-ordinate tree management work within the Government, whether the Task Force will review the existing work of SCG, and how responsibilities will be divided between such an office and SCG?*

**SECRETARY FOR DEVELOPMENT** (in Chinese): President, the Government has been actively promoting greening to improve our living environment. Our target is to bring noticeable improvements in urban greenery and to enhance existing greened areas. Works departments make every effort to

plant new vegetation in the implementation of new public works projects. In parallel, as an enhanced greening initiative, the CEDD with the support of the Development Bureau has in recent years been implementing GMPs that seek to define the overall greening framework for various districts and carry out related greening works in an orderly manner.

Before answering the questions raised by the Member, I would like to first elaborate the arrangements for implementation of GMP works:

- If a contractor needs to replace planted trees for various reasons during the construction period, he is not required to report to the CEDD under the contract requirements of the GMP works. The CEDD will inspect and accept the planted trees upon completion of all greening works.
- There is a one-year establishment period following acceptance by the CEDD in accordance with contract requirements. If during that period, the CEDD finds it necessary to replace the trees for various reasons, the department will instruct the contractor to make replanting arrangements. In this connection, a record of replanting information has been kept.
- After the one-year establishment period, the CEDD will hand over the trees to the Leisure and Cultural Services Department (LCSD) for maintenance. The LCSD will carry out proper maintenance for them together with other trees and vegetation under its jurisdiction. As such, we do not keep a separate set of information on trees that are originally planted under the GMPs.

Since implementation of GMP in 2005, districts with greening works completed are Central and Tsim Sha Tsui. GMP works have also been extended to Mong Kok, Yau Ma Tei, Sheung Wan, Wan Chai and Causeway Bay in August 2008 for completion by end 2009. Regarding GMP works for the remaining urban areas, they are scheduled to commence before end 2009 for completion by mid-2011. Initial consultation work for developing and implementing GMPs in the New Territories will also start within 2009.

Replies on the four parts of the question are as follows:

(a) (i) and (ii)

During the establishment period for the completed GMPs in Central and Tsim Sha Tsui, there were about 10 cases in which the CEDD was required to instruct the contractor to make replanting arrangements. Detailed information on the cases is at Annex I.

(iii) In respect of the completed GMPs in Central and Tsim Sha Tsui, there was only one case in which transplanting of planted trees was required following strong objections of affected people on the ground of obstruction to shop windows. Detailed information on the case is at Annex II.

(iv) As mentioned above, districts with completed greening works in GMPs are Central and Tsim Sha Tsui only. If the planted trees have to be removed because of future infrastructure projects in the districts, we will make appropriate arrangements. As for infrastructure projects in other districts, the CEDD and its consultant will examine in details the information on the related works when available, and make appropriate arrangements when developing relevant GMPs.

(b) We did not receive any complaints about newly-planted vegetation being damaged by members of the public and shop tenants in the vicinity in the past two years. As for cases of damages to trees planted under the GMPs in the past (including those cases listed in Annex I), we have not issued any warning or instituted any prosecution due to insufficient evidence.

(c) To co-ordinate the Government's greening work, a high-level SCG was established in December 2002 to set the strategic direction and oversee the implementation of major greening programmes. SCG is chaired by the Permanent Secretary for Development (Works) with members drawn from various bureaux and departments. Since its establishment, SCG has held 21 meetings, about once every three

to four months on average. In addition, the Greening Master Plan Committee (GMPC) set up under SCG is responsible for the development and implementation of GMPs. GMPC is chaired by the Director of Civil and Engineering Development with members from the bureaux and departments concerned as well as advisers from professional bodies and the academia. Since its establishment in August 2004, GMPC has held 12 meetings, once every four to five months on average.

One of the functions of SCG is to co-ordinate greening work among various departments. Therefore, if the implementation of any major infrastructure projects or district works involves greening-related issues, SCG will also take appropriate follow-up actions. In developing GMPs, we attach high importance to the views of DCs and the local community. Accordingly, to develop specific recommendations on GMPs, the CEDD has adopted the "Enhanced Partnering Approach" including consultation of DCs and stakeholders, and holding thematic forums for people in the districts concerned to collect views.

As regards selection of plant species, there is an array of species available for planting in the Government's greening works. Basically, designers will make a choice in the light of the design concept and environmental factors (including micro-climate of the planting area, soil quality, visual impact, traffic flow, landscape features, whether the species can help protect the slope from soil erosion, and so on). Consideration must also be given to the estimated construction cost and comments of departments concerned on maintenance, as well as the views of DCs and local communities before plants are selected among the many species. Most of the species selected for planting in the Government's greening works are sub-tropical plants, generally well-adapted to the living environment of Hong Kong. If any problem occurs, the Government will look into the problem actively and make improvements.

- (d) The Chief Secretary for Administration is leading a task force with bureaux and departments concerned to conduct a review on tree management. The scope of the review includes the institutional

framework on tree management. Of course, it also covers whether there is a need to revise the co-ordination function of the SCG on greening works within the Government. The task force will complete the review by end June 2009.

## Annex 1

Cases of Trees Planted under the Completed GMPs that were Withered or Damaged During the Establishment Period

## (a) Withered trees:

<i>Date noted</i>	<i>Location</i>	<i>Species</i>	<i>Reason</i>	<i>Action Taken</i>
March 2007	Central divider on Connaught Road Central, near Exchange Square	Royal Palm (12 nrs.)	Withered naturally	Trees of same species replanted

## (b) Trees damaged by natural factors:

<i>Date noted</i>	<i>Location</i>	<i>Species</i>	<i>Reason</i>	<i>Action Taken</i>
January 2008	Harbour View Street, Central, near Exchange Square	Chinese Banyan (4 nrs.) Conifer (8 nrs.)	Damaged by strong wind	Trees of same species replanted with installation of bamboo propping
June 2008	Nathan Road, Tsim Sha Tsui, near Holiday Inn Hotel	Weeping Fig (2 nrs)	Damaged by Typhoon Fengshen	Trees of same species replanted
June 2008	Salisbury Road, Tsim Sha Tsui, outside Wing On Plaza	Camphor Tree (1 nr.)	Damaged by Typhoon Fengshen	Tree of same species replanted
August 2008	Cotton Tree Drive, Central, near Bank of America Tower	Tree Cotton (2 nrs.)	Damaged by Typhoon Kammuri	Trees of same species replanted
September 2008	Jordan Road, Tsim Sha Tsui, near Diocesan Girls' School	Jacaranda (2 nrs.)	Damaged by Typhoon Hagupit	Trees of same species replanted
September 2008	Kowloon Park Drive, Tsim Sha Tsui, near Haiphong Road	Royal Palm (2 nrs.)	Damaged by Typhoon Hagupit	Trees of same species replanted

(c) Trees damaged by human factors:

<i>Date noted</i>	<i>Location</i>	<i>Species</i>	<i>Reason</i>	<i>Action Taken</i>
October 2007	Salisbury Road, Tsim Sha Tsui, outside Wing On Plaza	Camphor Tree (1 nr.)	Hit by a vehicle	Tree of same species replanted
November 2007	Lambeth Walk, Central, outside Hutchison House	Flame Tree (1 nr.)	Hit by a vehicle	Tree of same species replanted with installation of protective metal grille
November 2008	Ashley Road, Tsim Sha Tsui, near Kowloon Centre	Elaeocarpus apiculatus (1 nr)	Effluent infiltration	Tree of same species replanted with installation of kerbs

Annex 2

Case of Removal of Trees Planted under GMPs  
Upon Request from Members of the Public

<i>Date</i>	<i>Location</i>	<i>Species</i>	<i>Reason</i>
January 2007	Jordan Road, Tsim Sha Tsui, near Pilkem Street	Khaya senegalensis (2 nrs.)	Obstruction of shop windows

## BILLS

### First Reading of Bills

**PRESIDENT** (in Cantonese): Bill: First Reading.

### SUPPLEMENTARY APPROPRIATION (2008-2009) BILL

**CLERK** (in Cantonese): Supplementary Appropriation (2008-2009) Bill.

*Bill read the First time and ordered to be set down for Second Reading pursuant to Rule 53(3) of the Rules of Procedure.*

**Second Reading of Bills**

**PRESIDENT** (in Cantonese): Bill: Second Reading.

**SUPPLEMENTARY APPROPRIATION (2008-2009) BILL**

**SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY** (in Cantonese): President, I move the Second Reading of the Supplementary Appropriation (2008-2009) Bill.

Section 9 of the Public Finance Ordinance provides, "If at the close of account for any financial year it is found that expenditure charged to any head is in excess of the sum appropriated for that head by an Appropriation Ordinance, the excess shall be included in a Supplementary Appropriation Bill which shall be introduced into the Legislative Council as soon as practicable after the close of the financial year to which the excess expenditure relates."

The account for the 2008-2009 financial year has come to a close. The expenditure charged to 37 of all the 83 heads is in excess of the sum appropriated for the respective heads. The relevant increase in expenditure was mainly caused by the civil service pay rise, cash injection to the Trust Fund in support of the reconstruction in the Sichuan earthquake stricken areas, as well as the implementation of various one-off budgetary and relief measures, such as the provision of additional welfare assistance for the needy. The amount of supplementary provision for all the expenditure in excess has been approved by the Finance Committee or under the powers delegated by it.

The Supplementary Appropriation (2008-2009) Bill is hereby introduced into the Legislative Council to seek final legislative authority for the supplementary provision in respect of the 37 heads totalling about \$47 billion. Thank you, President.

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the Supplementary Appropriation (2008-2009) Bill be read the Second time.

In accordance with the Rules of Procedure, the debate is now adjourned and the Bill is referred to the House Committee.

## **MEMBERS' MOTIONS**

**PRESIDENT** (in Cantonese): Members' motions. Proposed resolution under the Interpretation and General Clauses Ordinance to extend the period for amending the Food Business (Amendment) Regulation 2009.

I now call upon Mr Tommy CHEUNG to speak and move his motion.

## **PROPOSED RESOLUTION UNDER THE INTERPRETATION AND GENERAL CLAUSES ORDINANCE**

**MR TOMMY CHEUNG** (in Cantonese): President, I move that the motion, as set out under my name on the Agenda, be passed.

At the meeting of the House Committee on 15 May, Members formed a Subcommittee to study the Food Business (Amendment) Regulation 2009, which was tabled in the Legislative Council on 13 May.

To allow sufficient time for the Subcommittee to conduct deliberations and reports its deliberations to the House Committee, in my capacity as Chairman of the Subcommittee, I move that the period for scrutinizing the Regulation be extended to 8 July.

President, I implore Members to support the motion.

### **Mr Tommy CHEUNG moved the following motion:**

"RESOLVED that in relation to the Food Business (Amendment) Regulation 2009, published in the Gazette as Legal Notice No. 93 of 2009 and laid on the table of the Legislative Council on 13 May 2009, the period for amending subsidiary legislation referred to in

section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) be extended under section 34(4) of that Ordinance to the meeting of 8 July 2009."

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the motion moved by Mr Tommy CHEUNG be passed.

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

(No Member indicated a wish to speak)

**PRESIDENT** (in Cantonese): I now put the question to you and that is: That the motion moved by Mr Tommy CHEUNG be passed. 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 passed.

**PRESIDENT** (in Cantonese): Proposed resolution under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China.

I now call upon Mr TAM Yiu-chung to speak and move his motion.

**PROPOSED RESOLUTION UNDER ARTICLE 75 OF THE BASIC LAW OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION OF THE PEOPLE'S REPUBLIC OF CHINA**

**MR TAM YIU-CHUNG** (in Cantonese): President, I move that my proposed resolution to amend the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region (Rules of Procedure) be passed.

Under Rule 29 of the Rules of Procedure, the notice period for a motion to amend subsidiary legislation which is subject to section 34 of the Interpretation and General Clauses Ordinance and instruments which are not subsidiary legislation but subject to a scrutiny mechanism as provided in their respective Ordinances is no less than five clear days. The notice period for a motion to extend the scrutiny period of such subsidiary legislation or instruments is no less than three clear days. On the other hand, the notice period for a motion to amend or extend the scrutiny period for subsidiary legislation which is subject to a scrutiny mechanism as provided in their respective Ordinances is no less than 12 clear days.

Given that the three scrutiny mechanisms mentioned above are very similar, the Committee on Rules of Procedure (CRoP) considers that the discrepancy under Rule 29 should be rectified so that the notice periods for amendment and extending the scrutiny period are the same, that is, no less than five clear days and no less than three clear days respectively. The CRoP has proposed that Rule 29 and other relevant provisions be amended in this connection.

Besides, the Committee on Members' Interests, when scrutinizing the "Advisory Guidelines on Matters of Ethics in relation to the Conduct of Members of the Legislative Council of the Hong Kong Special Administrative Region in their capacity as such" adopted by the Committee of the Legislative Council in the last term, considers that the term "道德標準" (the corresponding Chinese term to "ethics") in the heading of the guidelines may be misleading because only matters of integrity are covered in the guidelines. Therefore, the Committee has proposed that the corresponding Chinese term of "ethics" ("道德標準") be changed to "操守標準". As the term "道德標準" is also adopted in Rule 73(1)(d), which is the basis of the guidelines, the CRoP has proposed a corresponding amendment be made to the relevant provision.

The House Committee has earlier discussed the matter and indicated its support to the proposed amendment as set out in the resolution.

I so submit. Thank you, President.

**Mr TAM Yiu-chung moved the following motion:**

"RESOLVED that the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region be amended —

- (a) in Rule 21(5), by repealing "laid on the Table of the Council, provided that the period (or any extended period) under section 34 of the Interpretation and General Clauses Ordinance (Cap. 1) for amendment of the subsidiary legislation" and substituting "(other than that subject to section 35 of the Interpretation and General Clauses Ordinance (Cap. 1)) or the instrument referred to in Rule 29(2)(b) (Notice of Motions and Amendments) which is laid on the Table of the Council, provided that the period (or any extended period) under section 34 of the Interpretation and General Clauses Ordinance (Cap. 1) or under any other statutory provision providing for amendment";
- (b) in Rule 29 —
  - (i) in subrule (2), by repealing "subsidiary legislation which is subject to the provisions of section 34 of the Interpretation and General Clauses Ordinance (Cap. 1) shall" and substituting —

"—

- (a) subsidiary legislation which is subject to section 34 of the Interpretation and General Clauses Ordinance (Cap. 1) or any other Ordinance; or

- (b) any instrument (other than subsidiary legislation) in accordance with the Ordinance under which it is made,

shall";

- (ii) in subrule (3), by repealing "referred to in section 34(4) of the Interpretation and General Clauses Ordinance (Cap. 1) in relation to subsidiary legislation" and substituting "for amendment in accordance with section 34(4) of the Interpretation and General Clauses Ordinance (Cap. 1) or the relevant provision in the Ordinance under which the subsidiary legislation or instrument referred to in subrule (2) is made";
  - (iii) by repealing subrule (5);
- (c) in Rule 49(6) —
    - (i) by repealing "on the Agenda of the Council (excluding motions referred to in Rule 29(3) (Notice of Motions and Amendments))" and substituting "or the instrument referred to in Rule 29(2)(b) (Notice of Motions and Amendments) on the Agenda of the Council (excluding motions referred to in Rule 29(3))";
    - (ii) by adding "or the instrument" after "motions on subsidiary legislation";
  - (d) in Rule 73(1)(d), in the Chinese text, by repealing "道德" and substituting "操守".

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the motion moved by Mr TAM Yiu-chung be passed.

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

(No Member indicated a wish to speak)

**PRESIDENT** (in Cantonese): I now put the question to you and that is: That the motion moved by Mr TAM Yiu-chung be passed. 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 passed.

**PRESIDENT** (in Cantonese): 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: Improving environmental hygiene in the community.

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

I now call upon Mr IP Kwok-him to speak and move his motion.

**IMPROVING ENVIRONMENTAL HYGIENE IN THE COMMUNITY**

**MR IP KWOK-HIM** (in Cantonese): President, I move that the motion, as printed on the Agenda, be passed.

First of all, I would like to talk about the results of the hygiene blackspot patrol conducted by the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) last month. With the help of over a thousand volunteers, in all the 18 districts in Hong Kong, a total of 153 hygiene blackspots were identified in the past three weeks. Among them, 96 cases were either "settled" or "improved". However, there was not any improvement in hygiene whatsoever with regard to 30% of them, that is, in 47 cases and they mainly concentrated in the alleys of the old buildings in Yau Tsim Mong District and Sham Shui Po. At present, new hygiene blackspots crop up every week. It can be seen that the problem of hygiene blackspots has to be taken seriously and addressed.

It is due to the threat of a new strain of Influenza A (H1N1) and in response to public concern about environmental hygiene in the community that the DAB conducted this patrol. To conclude from the entire month of patrol, we found two issues that deserve attention from the Government and various sectors of society.

The first issue is the overall awareness of community hygiene at a higher level. I believe that members of the public who have lived in Hong Kong for more than three decades can all remember the two slogans: "A clean Hong Kong starts with individuals" and "Hong Kong is Watching". In fact, the clean-up campaigns in Hong Kong started in the 1940s. At that time, the major work was to have a regular Intensive Clean-up day. From the 1970s to 1990s, various publicity campaigns were launched to raise public awareness of the hygiene of the community. In 2000, another round of the Clean Hong Kong Campaign was launched. In 2003, in the midst of the SARS epidemic, the Team Clean led by the Chief Secretary for Administration came into being and it was stressed that the principle of zero tolerance would be adopted in targeting the hidden hygiene problems in local communities and making improvement proposals. The Team Clean also proposed that the fixed penalty for spitting and littering be increased to \$1,500. This was the consensus of the Government and society.

After the Clean Hong Kong Campaigns spanning over half a century, hygiene in the community has indeed improved significantly when compared with the earlier times. The mentality of the public has also changed quite a lot and greater importance is attached to personal and community hygiene. However, the cleaning campaigns were all beset with the problem of a lack of perseverance. When confronted with a major problem, a fanfare was made and a very thorough job was done. However, once the danger was past, the Government and the public would lower their guard gradually. Consequently, the environment would gradually turn dirty again and our "zero tolerance" towards environmental blackspots would also become "great tolerance". For this reason, the Clean Hong Kong Campaign should not just be a show but a long-term campaign. This campaign should not just be about publicity, rather, an overall strategy marked by an understanding of where the problem lies should be formulated. Only in this way can deployment targeting the problem be made.

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

Deputy President, the DAB proposes that public concern about hygiene has to be raised and a desirable monitoring mechanism complete with comprehensive and objective criteria should be put in place to assess the cleanliness of a district by evaluating the management of streets and public and private housing estates and the environmental hygiene of such places as public facilities, so as to compile indices readily understandable by the general public. In this way, the people can understand the improvements made to the environmental hygiene of their communities. The Government can also analyse the data to understand the hygiene condition of various districts and even identify hidden hygiene hazards, so that appropriate resources can be allocated to deal with them and work relating to hygiene can be carried out more effectively. For this reason, I propose the formulation of community environmental hygiene indices right in my first point. This is nothing new as the Government also began to compile a similar index, the Community Cleanliness Index, in 2004. The DAB believes that the Government only has to review the way these indices were compiled in the past and set the indices again. This is not difficult at all.

Deputy President, education targeting the public to raise public attention on hygiene is also very important. Last month, the Government implemented a territory-wide cleansing day and all senior officials under the accountability

system, including Secretary Dr York CHOW, all took part in cleaning in local communities as well as making home visits to help elderly people clean their homes. All such efforts are desirable and it shows that generally speaking, the Government supports the improvement of hygiene in the community. The DAB hopes that this kind of activity is not one-off in nature but a long-term and persistent effort, so as to exert a subtle influence in educating the public. For this reason, I have put forward some proposals on continuous measures, the first being making reference to the arrangement of rest days for market cleansing, specifying a monthly cleansing day for households and communities across the territory, initiating a territory-wide campaign on reporting hygiene blackspots to enable the public to take part in monitoring the hygiene of the community together.

Furthermore, I am particularly concerned about the education of elderly people and students because in Hong Kong, there are quite a lot of elderly people who live alone and who are not able-bodied or strong enough to take care of the hygiene of their homes. Many elderly people also lack knowledge on household cleaning. They may even mix different chemicals haphazardly together, thus leading to accidents. My proposal is to set up volunteer teams to pay regular visits to elderly people and carry out cleansing work in their homes as well as imparting knowledge on household hygiene and matters requiring attention to them, so as to reduce household accidents. Regarding students, particularly kindergarten and primary school students, we should impart knowledge on personal hygiene in a focused way, so as to enable them to develop a good sense of hygiene from a young age.

Deputy President, in order to further improve community hygiene, a well-conceived policy on the management of cityscape is also essential. During our inspections, we found that the second management loophole that the Government has to pay attention to is the more than 40 hygiene blackspots on which improvements have not been made are mostly found in the alleys of private buildings in old districts. These buildings are usually old buildings without any owners' corporation or management company to provide cleansing service. Since there is no one specifically responsible for managing the public areas of these buildings, in particular, places such as alleyways and lightwells, rubbish accumulates day after day and they become hygiene blackspots over time.

Under existing legislation, the Government has the power to serve a notice to any property owner to require them to remove discarded items at such places

within a specified period of time. If the property owner concerned ignores this notice, the authorities have the power to remove the rubbish and carry out cleaning, then recover the relevant costs from the property owner. During the SARS outbreak, the Government even proposed the "act first, recover costs later" strategy and the result at that time was remarkable. However, our inspections on this occasion tells society that the malpractices in hygiene are recurring and the accumulation of rubbish and overflowing sewage at back alleys can be seen from time to time. I am a member of the Central and Western District Council and in my local community, sometimes, the public would complain to me about hygiene problems of the public areas of buildings and that all kinds of rubbish are accumulating on canopies. Often, I would refer these cases to the Food and Environmental Hygiene Department (FEHD) and the Home Affairs Department for follow-up action but often, the result is that no follow-up action will be taken for a long time or appeals are made to property owners to do the clean up but rarely is action taken immediately to clean up the rubbish, thus creating a major loophole in the management of community hygiene nowadays.

The Government may still think that the management of private places should be a private matter but in fact, in respect of buildings without owners' corporation it is a group of elderly people who serve as the committee members and the owners of some units cannot even be located, so naturally, a good job in management cannot be done. Moreover, poor environmental hygiene not just affects residents of the building concerned, it also affects the adjacent areas. For this reason, it is necessary and essential for the Government to intervene actively and at the same time, it should also examine the provision of funds to District Councils to make improvements to environmental hygiene, just like the minor works to improve the local community. In particular, it is perhaps even more effective to target buildings which do not have any owners' corporation and not managed by building management companies.

Deputy President, finally, I wish to mention the eight proposals put forward by me today and the aim of doing so is very simple, which is throw a few remarks in order to attract valuable opinions in the hope of arousing extensive discussion and concern in society. For this reason, earlier on, I have written to my voters, that is, all district council members in Hong Kong to listen to their opinions on improving environmental hygiene. I have received quite a number of replies from my colleagues in the District Councils and I also wish to take this opportunity to convey to the Government some of their views. First, Ms Christina TING, Chairman of the Eastern District Council, supports allocating a specific sum of money to District Councils each year. At the same time, she

proposes the establishment of volunteer teams in the 18 districts in Hong Kong to assist buildings without management to carry out cleaning on Saturdays and Sundays. Mr SO Sai-chi, Chairman of North District Council, is very concerned about the problems created by the accumulation of rubbish by some public housing tenants in their units and on private land. He hopes that the authorities can step up law-enforcement action. Dr CHAN Tung, Chairman of the Sham Shui Po District Council, believes that funds can be provided to the District Councils or to the Home Affairs Department, so as to assist buildings without any owners' corporation to carry out cleaning. He also hopes that manpower and the training of workers can be strengthened in order to increase the intensity in cleaning up local communities. As regards Mr Allen SHI, Chairman of Wong Tai Sin District Council and Ms KI Lai-mei, Chairman of Sai Kung District Council, they both express the hope that the Government will assist in the organization of more seminars on hygiene and health care and regular cleaning campaigns for public places and buildings.

Deputy President, today, two Legislative Council Members have proposed amendments to the motion proposed by me. I will give my response to their amendments later but in principle, the DAB supports them.

Deputy President, I so submit.

**Mr IP Kwok-him moved the following motion: (Translation)**

"That, as the environmental hygiene conditions of some communities in Hong Kong are poor and hygiene blackspots are everywhere, which have aroused public concern, coupled with the threat of a new strain of influenza, this Council urges the Government to focus on the problem and take effective measures to ensure a clean community environment and enhance public awareness of hygiene, including:

- (a) formulating community environmental hygiene indices for the 18 districts to enable members of the public to understand the environmental hygiene conditions in various districts;
- (b) studying the provision of funds to District Councils to assist buildings without owners' corporations in carrying out work to eliminate hidden hygiene hazards in the communal areas of such buildings;

- (c) recruiting additional staff and enhancing the training for front-line personnel responsible for cleansing and epidemic prevention work, so as to ensure that the personal protection of front-line personnel is safeguarded and that public health and epidemic prevention work is effectively carried out;
- (d) organizing on a yearly and regular basis territory-wide clean housing estate competitions, and encouraging tenants of public housing as well as owners and management companies of private buildings to pay attention to environmental hygiene in housing estates;
- (e) initiating a territory-wide campaign on reporting hygiene blackspots;
- (f) by making reference to the arrangement of rest days for market cleansing, specifying a monthly cleansing day for households and communities across the territory, and through such activities, educating the public on the awareness of keeping their homes and the community clean;
- (g) setting up volunteer work teams in various districts to pay regular visits to the elderly who live alone to carry out cleansing work in their homes; and
- (h) stepping up hygiene education for the public, especially focusing on secondary and primary school students, so as to enable them to develop good hygiene habits from a young age."

**DEPUTY PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the motion moved by Mr IP Kwok-him be passed.

**DEPUTY PRESIDENT** (in Cantonese): Two Members will 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 Fred LI to speak first, to be followed by Mr Tommy CHEUNG; but no amendments are to be moved at this stage.

**MR FRED LI** (in Cantonese): Deputy President, if we were to travel back in time to a decade ago, the agenda of improving environmental hygiene would be discussed and the relevant policies would be decided by the two municipal councils. However, ever since the abolition of the two municipal councils, this subject is discussed in this legislature only from time to time.

Ever since the power to formulate policies on environmental hygiene for the community was reverted from the municipal councils to the Government, the transparency of this kind of policy has become much lower. In the past, the two municipal councils had Environmental Hygiene Select Committee and other relevant committees to set the direction of various policies on environmental hygiene for the community and monitor the work of the then Urban Services Department/Regional Services Department. From refuse collection, waste treatment, the cleaning of streets, the removal of posters to hawker management, the two municipal councils played a leading role in formulating the policies on these matters. However, after the centralization of power, since the Legislative Council is not a dedicated body, the attention to these issues has greatly diminished. Take the Panel on Food Safety and Environmental Hygiene as an example, in 2008-2009, there were only two agenda items related to environmental hygiene of the community. Matters that would take several hours each month to deal with in the past now receive less than two hours of attention within a year. Environmental hygiene is a matter closely related to the living of the public. If government bureaucrats hoard all the power on such matters, constitutionally speaking, this is unhealthy.

Developed democratic countries all give the power on such matters to municipal assemblies, that is, to entities like our Urban Council to exercise it. Unfortunately, the SAR Government is not a democratically-elected Government and even after dissolving the two municipal councils, it is not willing to devolve this power to the district councils for them to exercise it. In the past, the Democratic Party proposed a number of times that some of the municipal power be devolved to the district councils. However, unfortunately, the SAR Government only devolved very little policy-making power of a very low level to the district councils. At present, the District Councils have remained consultative bodies and the promise to enhance the functions of District Councils

after the abolition of the Municipal Councils has basically not been earnestly honoured.

The Democratic Party and I believe that to confer part of the power on matters of environmental hygiene to the District Councils will make it possible to better respond to the needs in environmental hygiene of the residents in a local community. Such needs include street cleansing, refuse disposal and even ways of waste recovery. Each district has its own specific environmental needs and to let bureaucrats have all the say is to neglect the needs of local communities. The District Councils are the representative councils having the best understanding of public sentiment and the opportunities of their members in contacting members of the public are thousands of times more than government officials. Therefore, this power should be exercised by local representative councils rather than being solely under the control of government officials.

Concerning the environmental hygiene of private streets, in fact, they received better government attention only during the SARS outbreak. Back then, the revolting sights of the eight "Wan" streets in To Kwa Wan made Donald TSANG, who was the head of the Team Clean, feel sick. Of course, subsequently, the Government also tried very hard to make improvements. However, issues relating to the management of private streets also aroused public concern.

The motion on "Resumption of private streets" was passed by the Legislative Council in its meeting on 11 June 2003. The motion urged the Government to re-formulate the policy direction for private street resumption and amend the relevant legislation, so as to provide the relevant Policy Bureaux with sufficient powers and resources to effect the expeditious resumption of all the private streets under the original Private Street Resumption Programme.

According to the information, since 1985, the Government has a plan to resume the management right of some private streets. Unfortunately, when it came to 2006, the Government decided not to resume the management right of the remaining 79 private streets throughout Hong Kong.

In not resuming the management right of private streets, the Government has shifted the management responsibility back to local residents. In fact, the Government has only deferred dealing with problems of environmental hygiene. For example, even though the hygiene problems of the eight "Wan" streets have

been solved for the time being, if problems recur in the future and they are again dealt with by way of the strategy of making repairs first and recovering the costs later, there is the possibility that the hygiene in the district will deteriorate again. The residents living in the area enclosed by private streets are mobile. If existing residents agree to pay for the disposal of rubbish now, it does not mean that residents who move in the future will also be willing to do so. Therefore, resuming the management right of private streets is the ultimate solution. I do not wish to see the Government spend a lot of energy during the SARS outbreak to deal with this problem but behaves as though nothing had happened afterwards, that is, to lower its guard after the difficult time has passed and turn a blind eye to the problems of environmental hygiene hidden in private streets.

Concerning the clean-up campaigns and the work of the Team Clean, the Audit Commission published a report in 2005, saying that although environmental hygiene in local communities had improved, there was still a lot of room for improvement. From 2004, in response to the campaign and the recommendations of the Team Clean, the Government once compiled community environmental hygiene indices for the 18 districts and at that time, the Audit Commission also praised this scheme as being an effective tool in monitoring community health. However, in early 2008, the Government stopped announcing the figures of the indices, believing that during the implementation of the scheme to publish community environmental hygiene indices, public attention on environmental hygiene had been aroused and the intended goal had been achieved, so there was no need to continue with the scheme. The logic of the Government is really strange. Since the operation of the index scheme was desirable, there is no need to stop it, so the Government's ground does not hold water. Resuming the announcement of the community environmental hygiene indices will be conducive to monitoring by the general public, so that each district can strive to do its work in hygiene properly and this can only be beneficial to the appearance of the city as a whole.

In 2005, the Audit Commission published Report No. 45 and in it, the heading of chapter 8 is "The Government's Efforts in Developing Sustainable Systems to Keep Hong Kong Clean". Ever since the Government implemented cleaning campaigns in the 1970s, although the appearance of the city has improved, there is still room for improvement in the environment of the local communities. The Team Clean of the Government pointed out long ago that "there was no sustainable structure to enable efforts to continue beyond the original campaigns.". In view of this, in fact, the Government is being

self-contradicting and after the campaign ended, nothing further is done. The Team Clean was disbanded three months after its establishment in May 2003 and its work was handed over to the Steering Group established in the same year and headed by the Secretary for Home Affairs. However, after August 2005, the Steering Group did not submit any more progress report.

Deputy President, this is not a satisfactory state of affairs and not many people know if the present clean-up campaign will be implemented continuously, nor does anyone know if this Steering Committee is still in operation. Therefore, since it was the Government which said that it wanted to develop a sustainable system to enable efforts in cleaning Hong Kong to continue, I believe that it should proceed according to its initial proposal. Intermittent cleaning campaigns may yield some transient results but if we want to see long-term effects, an inter-departmental structure should be established to implement the work in this regard continuously over the long term, instead of showing high-profile concern about the environmental hygiene of the community after the SARS outbreak or being very concerned after the occurrence of the H1N1 epidemic (that is, the recent human swine flu) but revert to the former state after such incidents, not caring in any way and not even giving any account to the Legislative Council.

Deputy President, I so submit.

**MR TOMMY CHEUNG** (in Cantonese): Deputy President, the battle against SARS has taught us an unforgettable lesson but has also raised the hygiene awareness of the public. However, the human swine flu outbreak makes us realize that after the victory over the SARS, our vigilance on hygiene has become lax again and the spectacle of rubbish piling up causing a big mess in alleys has recurred.

In view of this, my aim in proposing this amendment on behalf of the Liberal Party today is to remind the Government that through longstanding measures, it must ensure that our environmental hygiene will always stay in good condition and it will not return to the original state soon after efforts have been made in this regard.

For example, last month, through the District Councils, the authorities identified a total of 106 hygiene blackspots in the 18 districts in Hong Kong and

cleaning work was stepped up immediately. However, the progress of cleaning up these blackspots is slow and so far, only one blackspot has been struck off the list. However, what the Liberal Party is more concerned about is that after these blackspots have become "white spots", will they revert to their former state soon afterwards and become blackspots again quickly?

Deputy President, why do I say so? According to the information we have gathered from Legislative Council papers, of the 85 blackspots listed as being accorded top priority in the first phase during the SARS outbreak, at least 18 of them have again been listed as hygiene blackspots nowadays, accounting for over 20% of the total. Among them are a number of streets in Sham Shui Po, for example, Pei Ho Street, Fuk Wing Street and Fuk Wah Street; and there are Chun Yeung Street and Java Road in North Point; Chung On Street in Tsuen Wan; Kwong Fuk Road in Tai Po and San Fung Avenue in Sheung Shui, so it can be seen that the problem has not been solved thoroughly and it has made a return again.

As the Head of the Team Clean back then, Donald TSANG, who was the Chief Secretary for Administration at that time, made a high-profile visit to a rooftop in Tung Chau Street in Sham Shui Po and the sight was even more shocking. Some members of the mass media revisited the place last month and found that not only were all sorts of items piled onto it, a stench also came out from them, so the hygiene condition was even worse than that some years ago.

The Liberal Party believes that this is attributable to the authorities' attitude of resorting to piecemeal measures targeted at only some individual issues and a short-lived zeal in dealing with problems of environmental hygiene. In fact, after the Team Clean had completed its tasks, of course, it was disbanded but it turned out that even the relevant work records also disappeared together with it. Not only has its website been shut down long ago and is no longer accessible, even the information on the hygiene blackspots is not followed up any further.

In addition, back then, the Government chose some of the hygiene blackspots to install 100 CCTVs to monitor their hygiene condition and to prosecute "litter bugs" who spoil the environment. However, it turned out that as early as in 2007, the authorities dismantled all such equipment on the ground that the hygiene condition in these alleys had improved, thus making it practically impossible to implement the measures persistently.

In view of this, the Liberal Party believes that the authorities should consider designating the surveillance programme as a long-term measure and to reinstall surveillance systems at some of the blackspots so as to create a deterrent effect. The authorities should also pool together the information of all the departments concerned, such as the FEHD, the Buildings Department and the Environmental Protection Department to create a comprehensive and longstanding database on hygiene blackspots. The relevant lists should not be put away, as is the case now, rather, it should be made public or uploaded to the webpage for public reference. In this way, local residents can be warned of the hygiene problems on the one hand and the authorities can also focus on them by stepping up its cleaning work and assigning officers to carry out surprise inspections according to the list on the other, so as to follow up their hygiene conditions persistently.

In addition, the authorities can also establish diversified complaints channels, for example, by making use of telephones, email and even SMS to encourage the public to report hygiene blackspots actively. Of course, after the department concerned has received a complaint, it must take appropriate follow-up action speedily, actively and seriously.

In addition, the Liberal Party also agrees that the Government should follow the approach adopted during the SARS outbreak by reintroducing the Community Cleanliness Index or the community environmental hygiene indices mentioned in the original motion, that is, various districts can determine the locations requiring inspections and volunteer assessors will give them marks according to objective criteria and evaluate the latest hygiene condition of various districts and Hong Kong as a whole, so as to identify areas with backward hygiene conditions. However, the authorities must complement the indices with actual action targets. For example, when the hygiene index of a certain district falls drastically or to a certain alert level, the authorities have to take action in response immediately, such as by increasing the frequency of inspections or cleaning.

Deputy President, earlier on, a staff union of the FEHD complained that when increasing the workload, the department did not increase the manpower and resources accordingly and even equipment such as gloves and Wellington boots were not available. There is little wonder that some employees are worried that they would come down with the epidemic even before the battle has begun. On

the one hand, the Government is asking all members of the public to fight the epidemic and fight the battle against the human swine flu properly, on the other hand, it is asking the workers to go into the battle with no bullets in their guns. This is really an undesirable state of affairs. For this reason, the authorities must allocate additional resources appropriately to boost the manpower and equipment of front-line staff to ensure that they can win the battle.

Separately, earlier on, the Liberal Party also took the lead in proposing to the Government that it should create the post of a hygiene education ambassador to enable middle-class unemployed people with a certain education standard to take part in the publicity efforts to promote hygiene and epidemic prevention. This can ease the pressure of unemployment on the middle class on the one hand and raise the public's awareness of hygiene on the other, so this is really killing two birds with one stone and is worthy of consideration by the authorities.

Deputy President, on publicity and education, the Clean Hong Kong Campaigns of the past have left a deep impression in the minds of the public. For example, the "litter bug" of the 1970s even soared to international fame and was invited to travel afar to the United Kingdom to assist in the publicity there. The Liberal Party urges the Government to go from strength to strength by exercising its creativity, breaking from conventions and introducing a novel strategy on publicity.

As regards the many proposals in the original motion, for example, that of organizing clean housing estate competitions, a monthly cleansing day for households and setting up volunteer work teams to carry out cleansing work for the elderly, they are all worthy of consideration by the Government. However, the Liberal Party has reservation about the provision of public funds to assist buildings without owners' corporations in carrying out cleaning because this will likely make property owners think that they can rely on public funds in carrying out cleaning and they do not have to assume responsibility themselves. This also runs counter to the government practice of encouraging buildings to establish owners' corporations.

As regards Mr Fred LI's proposal in his amendment to devolve to District Councils some of the decision-making powers on environmental hygiene affairs, this direction is worthy of support but attention must be paid to whether there will be a duplication of roles and efforts between the District Councils and the

relevant government departments. At the same time, at present, many "outlaw" private streets are in a shambles due to the lack of management and there is no reason for the Government to stand by in the face of these streets. For this reason, the Liberal Party agrees that the Government should reconsider resuming the management right of private streets.

With these remarks, Deputy President, I support the original motion and the amendments.

**SECRETARY FOR FOOD AND HEALTH** (in Cantonese): Deputy President, first of all, I have to thank Mr IP Kwok-him for proposing this motion. We understand that the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) has made a lot of effort in improving environmental hygiene in the community by inspecting hygiene blackspots and it has also done a lot in various districts to enhance personal and environmental cleanliness and hygiene. There is a trend of the human swine flu progressing into a global pandemic. As of this morning, the total number of confirmed cases of human swine flu in Hong Kong is 45. All of them are imported cases. When most of the places in the world are affected by human swine flu, it is unlikely that Hong Kong can be spared from local transmission. It is only a matter of time before we will have the occurrence of the first local human swine flu case. However, no matter what, we will definitely not lower our guard but will continue to take various measures to contain the spread of the disease in the community.

Maintaining good personal, home and environmental hygiene are the key to fighting the threat of an epidemic. Since the end of April, with the human swine flu progressing to a global pandemic, various government departments have taken immediate actions to step up the cleaning and disinfection of the agencies, venues and facilities under their purview. For example, the Housing Department has increased the frequency of cleaning and disinfection at public rental housing estates. The Leisure and Cultural Services Department has enhanced the cleanliness of facilities that members of the public use frequently, such as parks, sports centres and public libraries. The Food and Environmental Hygiene Department (FEHD) has stepped up the cleaning of streets and roads, public markets and public toilets. In consultation with the District Councils and District Offices (DOs), the FEHD, taking into account the hygiene conditions of various districts, has identified 105 priority hygiene blackspots and launched

extensive cleansing operations. The first-round clean-ups of 104 of them have been done. Regarding the 153 hygiene blackspots announced by the DAB in the Stage I final report, the first-round clean-ups of 142 of them have been done or referred to such departments as the Leisure and Cultural Services Department, the Housing Department and the Highways Department. I welcome the opportunity to co-operate with the Districts Councils of the 18 districts and various political parties in improving the hygiene condition of these places.

Apart from government efforts, the participation of the community is vital to maintaining a clean and healthy living environment. The Administration has already sent about 2.5 million copies of a guide on personal, home and environmental hygiene entitled "Keep Clean, Be Healthy" to all households in mid-May and the contents will be uploaded onto the government website, with the hope that members of the public can maintain good personal and home hygiene and will begin with personal efforts and go on to promote participation by the family, neighbourhood and the whole community.

Keeping the environment of Hong Kong clean must be a sustained effort. The Government will continue to take the lead in cleaning public places and will also work closely with the District Councils and various sectors, including public transport companies and schools, to provide the necessary support and raise public awareness of keeping the environment clean. The Government organized a Clean Hong Kong Day on 10 May 2009. A series of activities will be carried out afterwards by various government departments to make continuous efforts in cleansing and hygiene promotion. For instance, the FEHD will, in collaboration with the District Councils and other government departments concerned, review the list of hygiene blackspots and action strategies on a regular basis, in order to eradicate the hygiene blackspots in various districts. At the district level, DOs will also step up publicity through posters, banners and talks, and continue to work closely with the District Councils in organizing activities to convey the message of cleanliness and hygiene.

The motion today focuses on the promotion of a clean community environment and enhancing public awareness of hygiene. I believe that all Members will support these views and measures. Just now, I heard some constructive points raised by Mr IP, Mr CHEUNG and Mr Fred LI and we will also take them into consideration. We hope that there can be more creative and feasible suggestions relating to the policies for the Administration's consideration.

The Government will join hands with the community and assume responsibility in maintaining cleanliness and hygiene throughout Hong Kong as the first line of defence against the outbreak of disease. I will give further responses after listening to other Members' comments.

Thank you, Deputy President.

**MR LEE CHEUK-YAN** (in Cantonese): Just now, I heard the Secretary say that we have to be persevering in maintaining environment hygiene. However, looking at the records, he has not been persevering. After the battle of SARS — of course, when SARS attacked us, there was a great deal of attention paid to environmental hygiene, but soon after, after the epidemic had gone, the concern subsided quickly. It is clear that there was only a passing concern about the problem. I believe that it is the same this time around. After the human swine flu outbreak has passed, the situation will revert to its original state quickly.

In fact, I wish very much to ask the Secretaries what long-term commitment they have. In particular, concerning the workers, at present, most of the cleaning work under the charge of the Food and Environmental Hygiene Department (FEHD) has been outsourced. If Members look at the way the Hong Kong Government treats its workers, in fact, this reflects whether it attaches any importance to environmental hygiene. These contract workers earn a monthly income of some \$5,000 and work for eight hours per day. They do not have any protection and their jobs are perhaps on two-year contract terms, so they will not be able to stay in their jobs afterwards. If this outsourcing mode continues, the Government will not have a cleaning team to provide long-term service to the Government and the public.

We all remember that during the SARS attack, who were the people who entered the Amoy Garden? In the end, it was civil servants who did so. This is fair because how can we expect a contract cleaning worker earning \$5,000 a month to go into an epidemic area and fight for us in the battlefield? He has no job protection whatsoever. In view of this, if we really want to do a good job in cleaning, the Government should first of all stop the outsourcing. If it continues to outsource jobs, I estimate that if such an approach continues, there will not be any civil servant doing any cleaning a decade later. Why? What is the present policy of the Government? The policy of the Government is that no recruitment will be made after the departure of the existing civil servants due to retirement.

In the past, there was also the Voluntary Retirement Scheme. If outsourcing continues in this way and with the ongoing retirement of civil servants, I estimate that after a decade, no more civil servants will assume any cleaning duty.

I hope the Secretary can clarify one point. Is it the long-term policy of the Government to consider outsourcing all jobs, so that in the end, there will not be one civil servant doing any cleaning work? Of course, I hope this will not be the case. In fact, I hope very much that the Government will hire civil servants to perform cleaning duties again because only by doing so will the Government show that it has commitment and that it really cares, instead of simply outsourcing the cleaning work and then forgetting about it.

In addition, going into an epidemic area must also be a job for civil servants and this job cannot be assigned to contract cleaning workers. However, judging from the present trend, soon there will no longer be any civil servant performing cleaning duties. I hope very much that the outsourcing of the work in this area will stop, so as to protect cleaning workers serving the Hong Kong public.

Second, Deputy President, at this time, in fact, many opportunities to create jobs have been missed. Of course, the sum of \$16.8 billion for those one-off, so-called "more vigorous measures" will be partially spent on cleaning work, but I think this is very limited. In fact, at this time, we should create job opportunities on the one hand and tackle environmental hygiene problems earnestly on the other. If Members look at those alleys, they are filthy beyond words and it is not the case that those blackspots will disappear after cleaning is done once, rather, cleaning has to be carried out over the long term. Of course, on the one hand, we hope the Government will recruit more civil servants and permanent workers to do this sort of work; on the other, at such a time, more employment opportunities should be created to deal with those blackspots. And there must be people to do this kind of work over the long term.

I am very happy to hear Mr Tommy CHEUNG raise one question, that is, the equipment used by those workers is also problematic. If their equipment is poor, they cannot even protect themselves, so how can they perform their cleaning duties and do a good job in maintaining environmental hygiene? Therefore, I hope the Government can conduct a review of this area.

Deputy President, lastly, I wish to raise one question, which is related to the private streets mentioned just now. I think the stand of the Government is that it has no policy on that. There is a building next to the Kui Fat Building in Yuen Long and there was a market under the management of the FEHD there. Although the entire private street only serves the market managed by the FEHD, the property owners of the building has to pay the money because the street is managed by the owners' corporation. Since vehicles often cause obstruction there, the hygiene there is a thorny issue and is very poor. We have had discussions with the Government and demanded that this private street be resumed but I was just toyed by the Government. I approached the Lands Department and it invited the Transport Department, the FEHD and the police to hold one meeting together. The Lands Department said that if the Government decided to resume the street, no major problem would be involved and it is technically entirely feasible. However, the Transport Department objected because this street is too narrow and cannot be turned into a road. If this street has to be turned into a road, it has to be widened but due to the existence of an entire building, it is not possible to do so. The Transport Department objected to the resumption of this street because in the long term, it is not possible for this street to be turned into a road.

As a result, this problem was shelved and the situation just continues as it is. Regarding the problems relating to these private streets, in fact, the Government should take vigorous and bold action instead of leaving the problem dangling, so that in the end, it will become an environmental hygiene problem. I hope the Secretary can see if the policy in Hong Kong actually turns all ..... just now, Mr Fred LI has also mentioned, since the problem in To Kwa Wan is solved, can all the problems relating to private streets in other districts be solved? Only in this way can we prevent too many problems from being caused by these environmental hygiene blackspots.

Deputy President, I so submit. Thank you.

**MR WONG KWOK-HING** (in Cantonese): Deputy President, I support the original motion and amendments today and we also hope that a good job can be done in respect of environment hygiene in Hong Kong. In particular, in the face of the Type A Influenza at present, it is all the more necessary for the whole city to act together.

Since we all love a city that is clean and has a hygienic environment, we should care for and value front-line low-level cleaning workers all the more. If we do not care for them and do not attach any importance to these beauticians and cosmeticians of the city, how possible can they have the morale and drive to do their job well?

I wish to point out that in the past decade, the Government, as the biggest employer, has resorted to outsourcing when dealing with these the most low-level and labour-intensive jobs. After launching a pilot scheme in 1998, the cleaning of all streets in Hong Kong was outsourced to contractors. After that, the cleaning of toilets and markets was also outsourced. In the past, these contract workers were hardworking and if they were content with their lot and behave themselves, just like the street-sweeper Ah Mau in the television drama of the TVB, they could hold a job that could give them a stable life. However, since the Government took the lead in promoting outsourcing, they have lost a secure job and consequently, they have to work as contract workers and get a two-year or three-year contract, with their wage reduced whenever it is renewed. May I ask how possibly they can have the mood, the drive and the morale to do their job well?

In other meetings in this Council, I have already criticized the outsourcing policy of the Government unequivocally. I have pointed out that at present, these contract workers are finding themselves in the situation of several "nos". First, there is no job security and whenever their contracts are about to expire, they are worried about losing their jobs. When they have completed their two-year contracts, they are worried about losing their means of livelihood, so there is no job security whatsoever. Second, there is no wage increase and whenever a contract is renewed, their wage and benefits are reduced. Such is their situation. Third, there are no other fringe benefits or retirement protection. Some unscrupulous contractors even exploited existing legal loopholes and although the Government has put in place the MPF system, they are so cunning as to hire people over 65 years of age to do the jobs, thus saving the money for MPF contributions. Moreover, some contractors also cheat workers of their MPF contributions in the company. According to the requirements, MPF contributions can be claimed according to the specified percentages after certain years of service. Before the workers reach the specified years of service, for example, three years or four years, their contracts are not renewed. The result is that they can neither get any MPF nor any provident fund. Although we

consider the cleaning of Hong Kong important, have we cared about the situation of these cleaning workers?

Deputy President, at present, if we go to any nearby street or toilet, we can see that the people working in these jobs are mostly old or physically weak. We demand that a good job be done in cleaning but our cleaning workers are finding themselves in such circumstances. If our society and the Government have the heart, I believe these jobs should not be outsourced any more.

I hope the Government can hire permanent employees to perform these tasks again. According to a survey of the Census and Statistics Department — this survey is very meaningful and it provides information on wages in the past decade — it shows that cases of exploitation have increased. According to the information of the Statistics and Census Department in 1998, there were 236 600 people with a monthly income of less than \$4,000. In 2008, this number increased to 394 400 people, an increase of 66.7%. In 1998, there were 67 000 people earning less than \$3,000 per month, but in 2008, this number increased to 128 400 people, an increase of 91.6%. The situation is very serious. If we continue to implement an outsourcing policy, thus leading to exploitation by the middlemen and further impoverization, how can we deal with the hygiene blackspots in the city of Hong Kong thoroughly?

I wish to take this opportunity to call on Members and political parties who supported the adoption of the outsourcing policy by the Government in the past to reflect a little. We cannot ask the Government to step up cleaning and improve environment hygiene on the one hand and support the Government in outsourcing these most labour-intensive jobs on the other.

**DEPUTY PRESIDENT** (in Cantonese): Your speaking time is up.

**MR WONG YUNG-KAN** (in Cantonese): Deputy President, in my career of serving the fishery and agricultural sector, improving the environmental hygiene of the community is an issue that was touched on and raised at quite an early stage.

I remember in the 1980s, when I was working in a fishermen's association in Tai Po, at that time, there was a lot of rubbish floating in the waters around fish farms and the mariculture industry was affected. At that time, some environmental protection groups pointed out that this was due to the mariculture practised by fishermen or their arbitrary disposal of rubbish, therefore, control should be imposed. However, we told the Government that these mariculture areas were mostly located in remote areas where no government workers would come to collect the rubbish and no facility whatsoever was available.

In view of this, in 1991, after I became a district board member, I made a request to the Government, asking it to send refuse scavenging vessels or the vessels of the Marine Department responsible for refuse collection to undertake such work. However, the discussion over this issue went on for five years. At that time, the Government once gave us a very strange reply. It pointed out that when it was high tide and the rubbish was on the sea, it was the responsibility of the Marine Department. When it was low tide and the rubbish was on the shore, it was the job of the Food and Environmental Hygiene Department. The division of labour between them was very distinct and the work was shared by several departments. However, at that time, I pointed out that if the situation continued in that way, no one would clean up the rubbish at all. Therefore, with the vigorous efforts made by the Tai Po District Council for more than a decade, the Government finally carried out the work, thus leading to improvements in the environment of the mariculture zones. Here, I am grateful to the Government for listening to opinions and taking on board our views, so that the environment of the mariculture zones nowadays are kept in quite a good condition.

In addition, in 1999, our country introduced a two-month fishing moratorium. Since a large number of fishing boats were moored at Wan Tau at that time, we in the District Council organized a safety campaign for fishermen together with some fishermen associations. What was it about? It was about anti-fire, anti-typhoon and anti-crime. Our group proposed that we might as well include a cleaning campaign, so a great deal of cleaning was carried out at Wan Tau, including in the typhoon shelter and even the beaches in some areas. The Government gave its support to this campaign and the chairpersons of some District Councils also contributed to the efforts personally by leading officials and District Officers in going to each fishing vessel to hand out leaflets, reminding everyone that apart from "anti-crime, anti-fire and anti-typhoon", they also had to pay attention to cleanliness and do a proper job in this regard.

Similarly, in respect of farms, we also took measures to complement government action by making efforts to improve environmental hygiene. In view of this, I hope the Government can have discussions with the industry more often to see how to do a proper job in improving the environment.

Deputy President, since I am a Tai Po District Council member, I will also talk about my personal opinions. For more than a decade, many people in my neighbourhood have expressed quite a lot of views to me, including their views on the recent cleaning campaigns conducted by the Government. Since I live in the New Territories, we can see that a lot of rubbish has accumulated at such places as in the bushes at the roadside. We have often raised this issue with the Government. However, due to the insufficient attention paid by contractors to safety, some workers have to stand between the road and the pavement when collecting rubbish. I have pointed this out to Secretary Dr York CHOW before, saying that he had to convey such views to the cleaning companies. If workers do not wear reflective clothing, they may be knocked down by vehicles if they stand in the middle of the road and their lives will be at risk. I also know that the Secretary was receptive to sound advice and he has conveyed this view to those companies. As a result, recently, I seldom find cleaning workers go to the middle of the road to do their work in Tai Po.

However, I still have one point that we hope the Government will also consider. Each time after it has rained or after it has rained for a long time, a lot of mosquitoes and insects will breed in the countryside. I hope the Government can give consideration to step up the anti-mosquito work in some areas. Otherwise, mosquitoes and insects will breed faster and faster and we are worried that this may lead to outbreaks of dengue fever. The human swine flu outbreak has perhaps not yet erupted in Hong Kong but there are also other diseases. I hope the Government will also do a proper job in this area.

In addition, at present, a lot of rubbish has been washed down the sewers. Recently, some residents of my neighbourhood asked me why the sewers were so smelly. It can be said that the stench was unbearable. Apart from the stench, this will also enable pests and rodents to breed. Earlier on, I also pointed out in a meeting that the Government can perhaps consider using sea water to flush the sewers or use more powerful water jets to wash this sewers covered by manhole. If more cleaning is done, I believe this will also be beneficial to environmental hygiene of the surrounding area and this will also achieve some results.

Otherwise, on the face of it, a lot of rubbish has been cleared away but the rubbish hidden in sewers cannot be seen. After accumulating there over time, it will block the sewers and the stench will become increasingly serious. For this reason, I hope the Government can give greater consideration to this area and do the cleaning work by tackling this source properly. It should not just do the work superficially and do nothing about whatever cannot be seen. Therefore, we suggest that the Government should make greater efforts.

We also hope that the Government can step up the cleaning of the roadside of some country roads. Some people would throw rubbish out of their vehicles onto the road when driving, thus littering roads with a lot of rubbish. I hope the Government will do more in this area.

Deputy President, I will support the original motion and the amendments.

**MR CHEUNG KWOK-CHE** (in Cantonese): Deputy President, today's motion on "Improving environmental hygiene in the community" does not target influenza A (H1N1). However, the recent problems relating to influenza have no doubt aroused greater concern about community hygiene and even the Financial Secretary had to include cleaning in his additional relief measures. I believe Members all have no objection to a clean community but what methods should be adopted in carrying out cleaning and the problems arising from cleaning are matters worth in-depth examination.

The original motion proposes that additional manpower has to be recruited to step up cleansing and epidemic prevention work and I agree very much with this. However, I hope that at the same time, the Government will also pay attention to the wage level of cleaning workers because the Government will usually outsource this kind of cleaning work of the community and the contractors would often exploit the opportunities and room to underpay cleaning workers. Before the introduction of legislation on minimum wage, this group of low-pay workers is still unprotected, so the Government should set a minimum wage for cleaning workers in the outsourcing contracts. In addition, I believe that the Government can consider outsourcing new cleaning work to social enterprises or consider giving priority to recruiting people with disabilities, so that even as cleaning is carried out in the community, socially disadvantaged groups can be cared for. People with disabilities can cope with repetitive

cleaning tasks and even work that people may generally find boring. In contrast, people with disabilities have greater patience in completing such tasks, so cleaning work is suitable for people with disabilities who have received training.

In addition, since the Government wants to formulate community environmental hygiene indices, the authorities should hire cleaning workers and disease prevention workers in local communities as far as possible, so as to increase local employment opportunities. At present, the Government has discontinued the cross-district transport subsidy. To families with low income, transport cost may account for a certain proportion of the income they earn, so there is little appeal in working in another district. Jobs in the same district are exactly the employment opportunities they need. Moreover, to carry out cleaning or perform other services for their own communities can nurture the civic sense of residents and develop a sense of belonging to their local communities, so that they can be more united. This will be more effective. Serving the community can strengthen the relationships among neighbours and this is beneficial to the entire local community.

Deputy President, the original motion includes the request to set up volunteer work teams in various districts to pay regular visits to the elderly to carry out cleansing work in their homes, I believe this will be conducive to the cohesion of local communities. In particular, for the young people, they can take this opportunity to serve as volunteer workers and serve the elderly people, so in addition to studying, they can learn through serving the community. However, given the high unemployment rate at present, it seems it is also necessary to hire some paid workers to carry out cleansing and epidemic prevention work in local communities. For this reason, the authorities should regard paid workers as the mainstay and let young volunteer workers play a supplementary role in helping elderly people clean their homes.

Concerning the cleanliness of local communities, I have heard many people complain that there is the problem of mosquito infestation in their districts. Given the climate in Hong Kong, the mosquito problem is indeed very annoying. Recently, the ovitrap indices are rising. It is believed that the mosquito problem is closely related to community hygiene and the accumulation of water. However, I take this opportunity to remind the Government not to let some workers operate the ovitraps in the wrong ways. This is because in the past few years, I found that some cleaning workers, had placed this kind of equipment at

inappropriate locations because they wanted to make their work easier, so errors in the indices may easily arise. I hope the authorities will pay greater attention to this.

Deputy President, I so submit.

**MR KAM NAI-WAI** (in Cantonese): Deputy President, the subject of the discussion today is "improving environmental hygiene in the community" and as a Member who has served in local communities for many years, I am very familiar with the environment of local communities and also know that there are many hygiene blackspots. However, we often stress and I have also heard many Honourable colleagues ask how the persistence of the Government in the work in this area is like. Just now, Mr CHEUNG Kwok-che mentioned that recently, the Financial Secretary had introduced additional relief measures by increasing the number of cleaning workers to carry out cleaning in local communities. In fact, we can see that in 2003, there were also similar measures to step up cleaning in local communities. At that time, many members of the public praised the Government for taking this measure. At least, they could see that the frequency of street cleansing was high and the job was done earnestly. Members can see that in the past, street cleansing only involved one "water tanker" and a worker doing the washing perfunctorily, but in 2003, we could see cleaning workers use powerful street-cleaning equipment to wash the streets and this won praise from everyone. However, as time went by, this measure can no longer be seen. When we asked the district superintendent why no washing was carried out, it turned out that this was because there was no funding and without funding, no washing was carried out and it is as simple as that. So how can the continuity be maintained? I hope the Secretary can talk about this later. This time, are the so-called additional relief measures taken by the Financial Secretary ongoing in nature? In fact, we hope very much that there can be ongoing efforts in cleaning in the community, instead of taking action only when something has happened. This is very important. This is also a welcomed measure because the public would welcome the more frequent washing of the streets.

In addition, our Honourable colleagues also mentioned the formulation of community environmental hygiene indices for the 18 districts. In fact, we all know that at present, there are indices about mosquitoes and rodents. If we want to formulate community environmental hygiene indices for the 18 districts, first, I believe that these indices have to be published more frequently. To take the rat

index as an example, recently, I found that the Secretary had said in a written reply to an Honourable colleague's question that the frequency of the publication of the rat index had increased from once in 2008 to once every half a year. However, this is still not enough. The rat index serves two purposes, the first being to alert various departments so that they can step up their work and the other is to alert local communities. Honourable colleagues have mentioned the formulation of community environmental hygiene indices for the 18 districts. I hope these indices can be announced more frequently. They have to be announced at least once in a quarter in order to achieve a monitoring effect. If they are announced only once in half a year, they cannot be very useful. I hope this measure can remind local communities of as well as alert the relevant departments to the need to step up their efforts in improving environmental hygiene.

Of course, in the motion, there are also some matters that Honourable colleagues have not mentioned. I often mention the issues relating to waste recyclers. In this regard, I have urged the Government many times to introduce a licensing system to regulate waste recyclers. All of us are aware of the need for environmental protection, leading a green life and supporting waste recovery. However, concerning refuse collection points, everyone's view is always like this, "Of course, refuse collection points are necessary but do not build any in front of my home.". First, if the Government has no effective licensing regime to regulate waste recyclers, they will become a great nuisance in the area of environmental hygiene to the local communities. Second, in fact, the Government has the responsibility to provide some sites for waste recyclers to operate effectively. In particular, for waste recyclers located near old districts, it is all the more important for the Government to assist them. For this reason, it is very important to consider when discussing the environmental hygiene of the community, how to deal with and assist waste recyclers, so that their operation and our green way of living can continue.

I also wish to raise one more point. Yesterday, the Panel on Food Safety and Environmental Hygiene discussed the reduction in the size of the kitchens of restaurants. In the past, a restaurant with an area of 100 sq m was required to have a kitchen of about 15 sq m but the Government has now agreed to reduce the proportion of the kitchen and I am very worried about this because we all know, in the case of small restaurants, we can see that their kitchens are very small and are usually located in alleys. We also complain frequently about the workers of

these restaurants washing dishes in the alleys. Given the high expectations of the public for environmental hygiene, I hope that when the Government reduces the size of kitchens ..... of course, we will consider the difficulties of the operators but the Government also has to consider whether the environmental hygiene of the community would be affected after the size of kitchens is reduced. This is very important. Does the Government actually have complementary measures to make inspections and clamp down on non-compliant restaurants, so as to preserve the environment of the community? This is very important.

Deputy President, finally, I wish to discuss the issue of responsibility, that is, how to confer the policy-making power on matters of environmental hygiene on the District Councils. I believe Members all know that under the existing system, the work relating to environmental hygiene carried out by the Food and Environmental Hygiene Department is often a target of public criticisms. We hope that the power in this regard can be devolved to the District Councils genuinely. Members representing various districts will have the responsibility and also the power — if they have such a power, they can decide such things as the frequency of street washing and if they encounter problems, they will have the power to oversee and urge the government departments concerned to take improvement measures. I believe that if we confer the power on district council members and the District Councils, the power and responsibilities will be more clearly delineated and I believe the cleaning efforts will be more effective. In view of this, I hope the Secretary can give us a response later.

Deputy President, I so submit.

**DR PAN PEY-CHYOU** (in Cantonese): Deputy President, as the motion points out, since the launch of the Clean Hong Kong Campaign in the 1970s, the cityscape of Hong Kong has improved tremendously and public awareness of hygiene is also increasing. Compared with the big cities in many advanced countries, Hong Kong can be considered very clean and in general, Hong Kong people can be considered quite considerate and the majority of them keep the environment clean at their own initiative. When I was in other countries, I would often wonder if the living quarters of people in these big western cities were as crowded as those of the Hong Kong people, how dirty these cities would become. For this reason, we can rightly feel proud of ourselves in this regard.

However, at the same time, there is still a great deal of room for us to make improvements. In fact, in the alleys of the busy and crowded areas, there are people who still disregard their civic responsibility by piling rubbish in them, thus creating hygiene blackspots. Hygiene blackspots are not the reason for poor hygiene but the result of poor hygiene. It is the consequence of the poor awareness of the need to keep clean among some members of the public and it is also the consequence of government policies not keeping close tabs on the public and not being convenient to the public. Not only are the hygiene blackspots an eye sore, they will also lead to infectious diseases and epidemics and threaten the health of the public. Just imagine: If infectious diseases such as dengue fever, cholera, typhoid fever and Japanese encephalitis have a summer spell in Hong Kong together with the human swine flu, I think this will be a very thorny issue. In fact, Hong Kong is an extremely crowded place and it is very easy for infectious diseases to break out. To eliminate hygiene blackspots and protect the safety of the public is a task that can never be overlooked. If we want to make thorough improvements to the problem, apart from a heavy clamp down on hygiene blackspots and cleaning up the rubbish piling there, it is also necessary to streamline the policy on refuse disposal and further cultivate public awareness of civic responsibilities. Only in this way can the goal of "Everybody Loves a Clean Hong Kong" be achieved. I will also voice my views on these two areas.

The first is the issue of refuse collection. In fact, this is a community-wide task and to the public, convenience is what matters most when dealing with rubbish but regrettably, although at present, the FEHD has already tried its best to give convenience to the public, as a government department subject to various kinds of constraints, it cannot actually meet the public's expectations. For this reason, if we rely on government departments to deal with issues in local communities, in fact, this can be described as barking up the wrong tree and the problems can never be solved in the most speedy and proper way, thus making the public feel that the measures are ineffective.

District Councils are the venues in which these matters at the local community level can be dealt with most properly. The great majority of district council members live in the districts they serve and even if they do not, they have worked in them for a long time and have a thorough understanding of the environment of their districts. Moreover, from the views they collect from local residents, they have the clearest idea of the locations that causes the greatest inconvenience or locations that are dirty. For this reason, they have the ability to formulate the best policies to bring the greatest convenience to local residents.

I believe the Government can co-operate more often with District Councils and let its members of District Councils take part in the management of hygiene in local communities.

Regarding the policy on hygiene in local communities, I also wish to add one more point and that is, how can refuse be reduced? If we ask someone what they will not discard lightly, the answer will be things that are worth money, useful or have real value. The development of the environmental industries in Hong Kong can turn rubbish into things that have value. However, it is a shame that the environmental industries in Hong Kong have never seen any substantial development. Areas in which the environmental and recovery industries can develop are mainly found in new towns, whereas in the old districts and the town centre, where most hygiene blackspots are found, it can be said that the environmental and recovery industries have not seen any adequate development.

All along, the Federation of Trade Unions has advocated that the Government should develop the environmental industry and the aim is not just to improve the environment but also to solve the employment problem of the grassroots. To local communities, maintaining the hygiene of local communities to reduce incidences of disease is in fact an important factor. Often, I would pass by Mong Kok late at night and can see people rummage in the rubbish looking for "treasures" before the refuse collection trucks take the rubbish away. This makes me think that if this kind of "treasure hunt" activities can be made systematic, so that household refuse can be handled properly and the rubbish of one household can become the treasure of another household, what a desirable thing this would be.

Finally, it is equally important for the authorities to change the culture and habits of the public and cultivate public awareness of keeping public areas clean. This is a task in publicity. I believe many people still remember the Litter Bug and the Dragon of Cleanliness of the 1970s and 1980s and they both left a deep impression in our minds. The public will have a deep impression only if a clear message and a distinct icon are put across them.

However, in recent years, there were various publicity campaigns for various environmental hygiene policies and each party would adopt their own approach, just like the Eight Immortals crossing the sea, with each one showing his or her special prowess. Not to mention the public, even us, as Members of the Legislative Council who pay close attention to public affairs, would have difficulty remembering them. I believe that the authorities can co-ordinate in a

series of policies on environmental protection, hygiene and cleanliness and embark on publicity and education using a single character. This is at any rate better and more effective than using "a man behind the scene", then switching to other characters like "McDull" and then to "DA! DA! DA!" to do the job. In this way, people will not feel confused and it will also be more direct.

Deputy President, I so submit.

**DR RAYMOND HO** (in Cantonese): Deputy President, at present, there is an outbreak of the H1N1 influenza or the human swine flu in North America. Cases of this disease have also been detected in many other countries and a growing trend has been observed. As Hong Kong has the experience of fighting the battle against SARS in the past, various sectors in society have taken counter measures swiftly and the Government has also taken more intensive measures in tandem to deal with the attack by the virus seriously. For this reason, at present, there is no danger of the flu spreading in Hong Kong. Nevertheless, many hotbeds suitable for the incubation of diseases can still be found in the community and many places have become hygiene blackspots. Perhaps I will cite the alleys as an example.

As we all know, alleys are often places where rubbish is piled high and mosquitoes, flies, cockroaches and rats breed everywhere. I have even seen a number of alleys near the Central MTR station. All of us do not wish to see this situation. In particular, this is highly undesirable for areas visited by tourists. In densely populated areas with a high concentration of restaurants, in order to make more space available, workers would often carry out dish washing in the alleys and worse still, they would even handle food at the same place. As a result, rubbish and sundry items are piled high in the alleys, making the ground wet, slippery and greasy all the time. In the end, this leads to the breeding of rats and other pests and germs also have the opportunity to incubate and the situation is fast deteriorating.

In view of the fact that most of the alleys in which the abovementioned situation can be seen are mostly within the precincts of private properties, it is necessary for the Government to formulate a counter strategy to solve the problem. For example, greater efforts should be made to urge property owners to pay attention to public hygiene and people disregarding public hygiene should be prosecuted. The ownership of poorly managed private streets should be

resumed and be handed over to a government department for co-ordinated management. The District Councils should be empowered or even given greater power to step up the monitoring of the hygiene blackspots in their districts. The Government should attach foremost importance to public health and improve the environmental hygiene of these blackspots as soon as possible.

In the past, the problem of littering was very serious but with the increase of the fine to \$1,500, the situation has improved. However, the problem of littering has recently resurfaced, so it seems the Government has to step up law enforcement in order to improve the situation. Subsequent to the Clean Hong Kong Day last month, the Government should capitalize on the achievements of this activity by encouraging more housing estates and even private buildings to join the activity, so as to remind the public of the need to maintain the hygiene of their living environment and publicize the importance of environmental hygiene to disease prevention. It should even consider organizing this kind of activities regularly each year and set this as a long-term work goal or plan. As regards the rest areas used frequently by children and elderly people, the parties concerned have the responsibility to carry out cleaning regularly on these frequently utilized public facilities to maintain hygiene and prevent cross-infections within these high-risk groups, which will lead to the spread of diseases in the community consequently.

I believe that in order to improve environmental hygiene in local communities, we must begin with enhancing personal hygiene and the Government has the duty to step up its education of the public and giving publicity to the message of paying attention to hygiene. The Government should also call on the public to remain vigilant all the time instead of paying attention to personal and environmental hygiene only in times of the peak season of the flu or infectious diseases. As the saying goes, prevention is better than cure. So long as all members of the public can maintain the environmental hygiene of the community all the time, it will be difficult for epidemics to occur or spread in Hong Kong in the future.

Deputy President, I so submit.

**MR ALAN LEONG** (in Cantonese): Deputy President, whenever a major epidemic occurs in Hong Kong, we would see some senior officials visit local communities to perform a cleaning show. During the SARS outbreak, the Chief

Executive, Donald TSANG, was serving as the head of the cleaning team and he led officials and went to various districts to do the cleaning up. This year, the new influenza is affecting Hong Kong persistently and again, the Chief Secretary for Administration, Henry TANG, again led the government cleaning team in carrying out cleaning. However, such actions also bear out a message, which is, "cleaning up only when there is an epidemic".

In fact, the SARS outbreak has indeed given Hong Kong the great revelation that a one-off clean-up cannot prevent disease outbreaks effectively. The Government must launch persistent cleaning campaigns and use "epidemic prevention" to replace the policy of "fighting an epidemic" and clean up the entire Hong Kong more strategically. Only is this a wise strategy in protecting the health of the public. Apart from facing outbreaks of the SARS and the new influenza actively, the Government cannot neglect seasonal diseases either. For this reason, it can be said that there is no time to lose in launching all-out cleaning campaigns targeting public places and private buildings.

Deputy President, I have all along been very concerned about the mosquito problem. According to the ovitrap indices announced by the Government last year, April to September is the period with the most serious mosquito problems. In this period, the ovitrap indices in Lam Tin and Diamond Hill even approached the alert level on three occasions. In fact, if government officials can make visits to these areas, they can feel first-hand the seriousness of the mosquito problem. The mosquito problem has bothered residents in these areas for many years. Summer for this year has come. How the Government will take preventive measures against the mosquito problem is an issue of community hygiene that residents in Lam Tin and Diamond Hill are very concerned about.

Apart from the mosquito problem, I have also received quite a lot of complaints from members of the public about waste recovery bins. Just now, some Honourable colleagues have also said that earlier on, the Government implemented a waste recovery scheme using waste recovery bins but the authorities did not pay attention to the hygiene of these waste recovery bins. In hot summer, the recovery bins in public housing estates would give off a stench and breed bugs, thus greatly reducing the inclination of the public in providing recyclable waste. Originally, this recovery scheme can help improve the overall environmental hygiene of Hong Kong, but in the end, it has become the cause of the hygiene problem of the community, so this is highly ironic.

Deputy President, I know that the FEHD regularly inspects hygiene blackspots, but in mid-May, the authorities announced that there were 86 hygiene blackspots throughout Hong Kong. However, by the end of May, this number has increased to 106, so it can be seen that the actions of the authorities have yielded little result. In fact, I have received complaints from the public a number of times. For example, the hygiene problem in the vicinity of Ting On Street in Kwun Tong has never been improved. For this reason, I am in full support of the Government in establishing an effective report mechanism to enable the public to report hygiene blackspots. For one thing, this can reduce the resources required by the Government in assigning people to carry out inspections. This will also help the authorities carry out targeted cleaning to respond to the needs of the public. However, the red tape of the FEHD in the past has been the subject of much criticism. The authorities must abandon such an approach and face up to the seriousness of hygiene blackspots and mete out punishment directed at the sources of pollution.

As regards the hygiene in private buildings, the authorities should make reference to the practices in other places by raising the recovery rate of household waste and implementing the policy of the separation of waste at source, so as to reduce the impact of household waste on the environment. According to the figures in 2007, the recovery rate of municipal solid waste in Singapore was 54% and the rate was as high as 61% in Taipei. However, the rate was only 18% in Hong Kong and this is far lower than our neighbouring areas. Earlier on, I made a visit to the Environmental Protection Administration of the Executive Yuan of Taiwan and learned of the implementation of its mandatory garbage separation policy and per bag trash collection fee policy there. With the great publicity given and the financial incentive offered by the local government, residents voluntarily sorted household rubbish into the three major categories of resources, food remains and general rubbish. This can greatly raise the recovery rate of recoverable materials and reduce the landfill space needed as well as the usage of waste incinerators, thus bringing about positive effects to the environmental hygiene of the community. This plan was initially implemented in Taipei but in recent years, it has been expanded to the entire Taiwan. Although we may not be able to copy this policy fully for implementation in Hong Kong, the Taiwan experience fully reflects that its government is willing to co-operate with the public in contributing towards environmental hygiene, so as to raise the quality of life of the community.

Deputy President, Hong Kong is small and crowded. Poor environmental hygiene will promote the spread of germs. The SAR Government must take effective measures to maintain environmental hygiene and guard the first line of defence against epidemics properly, instead of having senior officials perform "cleaning shows" only when epidemics have broken out and everything reverting to its original state or even worse after an epidemic has passed. In fact, this approach is useless in truly and effectively maintaining environmental hygiene in Hong Kong and preventing epidemics. Deputy President, I hope that after the debate today, the Government will be amenable to sound public opinion and really deal with the hygiene problem properly by working with the system first.

I so submit.

**MR CHEUNG HOK-MING** (in Cantonese): Deputy President, keeping the environment of the Hong Kong community clean is the responsibility of each resident doing business and living in Hong Kong. A beautiful environment can reflect on the quality and the culture of individuals and the civic spirit of the residents as a whole. We all remember that in the 1970s and 1980s, the Clean Hong Kong Campaign was very successful and the slogans about a clean Hong Kong and the litter bug icon all left deep impressions in the hearts of the public.

In recent years, the Hong Kong community has weathered the battering of SARS and the avian flu. When it comes to the three major disease prevention items, everyone knows that they are facial masks, alcohol-based hand cleansers and 1 in 99 diluted bleach, so it can be seen that the Government has done a lot of work in disease prevention. However, at the present stage, I think there is still a lot of room for improvement. In the face of the fierce onslaught of the human swine flu, the motion today has precisely put forward proposals to the Government on ways to further improve the environment, so as to raise the overall quality of the public on all fronts, so that Hong Kong can go into this "battle of hygiene" in the best form.

At present, the human swine flu is sweeping across the world and it is still difficult to evaluate and know for the time being whether or not it will be as serious as SARS. However, the community must remain highly vigilant and the whole city must counter this disease in concert. The DAB and I will support the motion moved by Mr IP Kwok-him. In my capacity as the spokesman of the

DAB on transport affairs, here, I also wish to express my concern about the hygiene of public modes of transport.

Deputy President, I believe that just like me, other Members have also received complaints from members of the public on many occasions about the hygiene condition of the interior of public transport. Coincidentally, last Saturday, a member of the public in Tsuen Wan reflected to us the view that the interiors of public light buses are very filthy and sometimes, they give off a foul smell. For this reason, I wonder if, apart from cleaning the exterior of vehicles, drivers would also cleanse the interior of their vehicles as a routine. Even if they would, would they use diluted bleach at a concentration of 1 to 99? In addition, if the air-conditioning system of a vehicle is not cleaned appropriately and regularly, it can become a major means for the spread of germs, so this area can by no means be overlooked. Recently, in order to advocate paying attention to the cleanliness of the interior of their vehicles to drivers of business vehicles, the DAB organized a series of cleaning activities to encourage professional drivers to make good use of the cleaning items and do a proper job on disease prevention. I hope the authorities can also direct publicity at drivers of commercial vehicles to stress the importance of maintaining the hygiene of vehicle cabins and that the cleaning of cabins has to be done adequately.

Deputy President, apart from the problem of cleanliness, we can also see that in non-peak hours, passengers taking the MTR trains and large buses are few but the air-conditioning of the compartments or cabins is still very strong. If passengers are of a weaker constitution, they can catch a cold easily. Here, I hope the MTR Corporation and the bus companies can adjust the temperature of the cabins or compartments appropriately in view of the actual situation. In addition, I also hope that the authorities can deploy additional manpower to clean the stations, particular those with a larger flow of people and those covered stations. A lot of people often gather at these locations. Apart from stepping up the cleaning of rubbish in these stations and in the surrounding area, the authorities should also frequently disinfect the railings and facilities that passengers come into contact directly in these stations.

Deputy President, hygiene awareness in the passengers is the most important aspect in ensuring the hygiene of the interior of vehicles and of stations. I have made this very clear in my opening remarks that the environmental hygiene of a society can reflect on the quality and culture of its people. We can still see some members of the public not using tissues to cover

their mouth and nose when sneezing, sending spittle flying when they speak, not wearing a mask when they have a cold, spitting chewing gum onto the floor casually, eating in cabins or compartments and even littering. All these are unhygienic behaviour and even if we do a good job in providing the hardware in hygiene, without corresponding actions on the part of the public, the results achieved will not be proportionate to the efforts made.

A few days ago, we learned from the mass media that a flu patient who was in the course of being admitted into hospital left without permission half way and went home. Luckily, that person had not contracted the human swine flu, so the impact was not very great. However, I hope members of the public will not just care about themselves but they should also care about others and give foremost consideration to the overall interests of society. If they have flu symptoms, they must check thoroughly if they have been infected and they should follow their doctors' advice. This is my appeal to the public.

I believe that apart from the authorities, which have to assume the responsibility of educating the public, parents and people of the older generation should also set examples by taking the lead in displaying good behaviour and cultivating in the next generation the self-discipline to maintain the hygiene of the community by setting examples and refrain from doing anything that may be harmful to public health.

(THE PRESIDENT resumed the Chair)

President, another issue that I am more concerned about is that it is now the peak season when students studying overseas return to Hong Kong. I believe cases of swine flu will keep increasing in the future. Moreover, the World Health Organization has also warned that there is the great likelihood that the second peak of human swine flu outbreak will probably occur this winter. President, the East Asian Games commanding the attention of the entire Asia will be held in December this year. During that time, athletes and tourists taking part in the event will come to Hong Kong in hundreds of thousands and the second wave of the human swine flu may hit the Hong Kong community directly. In addition, the venues of the Games and the village for the athletes are also high-risk places where the virus may spread. For this reason, the authorities should propose appropriate preventive measures and contingency plans early.

Apart from guarding the first line of defence tightly, it is also necessary to strive to reduce the impact of the second wave on Hong Kong to a minimum.

President, concerning the quarantine incident that happened in the Metropark Hotel earlier on, here, I wish to praise the Government because that was very decisive (*The buzzer sounded*) .....

**PRESIDENT** (in Cantonese): Mr CHEUNG, your speaking time is up.

**DR PRISCILLA LEUNG** (in Cantonese): President, I have just received a SMS message from my friend telling me that information shows that the World Health Organization may announce within days that the level of swine flu (I prefer calling it the Mexican flu) alert would be raised from phase 5 to phase 6. If the news is really announced within days, we should keep high vigilance, and I believe that many people and even people all over the world would be highly concerned, especially about public health. I have examined in great detail the original motion of Mr IP Kwok-him today, and I think that it is really worth supporting.

Mr Tommy CHEUNG's amendment is also worth supporting because maintaining hygiene conditions is not a momentary task, and we should not treat symptoms but not the disease. During the SARS outbreak, we paid much attention to the hygiene conditions across the territory. On the verge of a flu pandemic, we once again become more hygiene conscious. We really hope that we would emphasize public hygiene constantly, instead of staging a hygiene show again in this Council and the territory whenever we are facing risks.

Mr Fred LI's amendment is about devolving to District Councils certain powers including street cleansing, refuse disposal and recycling. As one of the elected District Council member in Kowloon City, I greatly support it, especially the point about reconsidering the resumption of the management right of private streets.

Community environmental hygiene is a perennial issue, which reflects the Government's attitude towards it, that is, it only says all the time that there is much room for improvement. I hope that the room for improvement would become as little as possible in future.

Beginning from last year, I have been particularly concerned about the rodent problem. In fact, I am not targeting the rodent problem; but, a lot of comments have focused on my remark that the Government has not worked hard enough in rodent control. In my opinion, we should be more concerned about elevating the problem to the level of making public health policies. Many hot topics have been shelved after a series of discussions made. Today, I would like to take this opportunity to spend some time on discussing the issue.

Actually, a very important problem was revealed last year, that is, the problem with the pipelines in the buildings in Hong Kong. Underground pipelines were not used 10 years or so ago, and even at the time when the construction of the Langham commenced. We have consulted many pipeline experts. Today, I have heard the remarks made by quite a number of Honourable colleagues, and it is particularly stated in the amendment and the newspapers today that many alleys have hygiene problems. It is true that we have carried out cleaning work on the surface and improved the hygiene conditions. However, there are many other problems such as air ventilation and bacteria transmission. The underground pipelines and building pipelines in Hong Kong often become the breeding places of rats or mosquitoes, and they even become effective channels for bacteria transmission unluckily.

During the SARS outbreak, this problem was found in the Regent Garden in Kowloon Bay. I earnestly hope that the Government would really utilize some resources and conduct special studies on these old buildings to find out if there are pipeline problems. Yet, we have consulted quite a few pipeline experts, and they all think that the number and density of buildings in Hong Kong present an enormous hazard to public health.

Regarding public health, let me take the area I am familiar with, West Kowloon, as an example; I hope that the Government can take follow-up actions in many aspects. Quite a few people (including some doctors) have conveyed to me that improving the hygiene conditions of public toilets would be a great achievement. It is because public toilets such as those in Tai Kok Tsui have hygiene problems, with a shortage of water for flushing, some elderly men and women have to fill water in containers for flushing, as a result, they frequently stumble, slip and fall. I have inspected the parks there and I would readily provide the Government with the relevant information.

Moreover, there is a street in Tai Kok Tsui notorious for the droppings of dogs and I have been to some primary schools in Cheung Sha Wan and distributed mosquito stickers there. I found mosquito bite marks all over the faces of those primary students. After I had distributed the mosquito stickers, there were mosquito bite marks all over my hand. This is a serious and real problem in Tai Kok Tsui. Besides, at the waterfront of the Olympian City, the sea breeze carried mosquitoes with it, and people have mosquito bite marks all over their hands and legs after strolling at the waterfront. In view of that, I hope that the Government would pay attention to public health in the course of overall planning.

On the other hand, on the question of cleansing, I really hope that the Government would allocate more resources to the FEHD. I have just heard an Honourable colleague refer to the problem of outsourced staff. I wish to say that, regardless of whether outsourced workers or permanent workers are concerned, the most important point is whether the Government uses the right remedy to tackle a problem in public health. I hope that the authorities concerned would provide appropriate channels for communication and training so that the efforts made by front-line workers would not be wasted.

Owing to the time constraint, though I have said so much, I have to extend my gratitude to the staff of the FEHD, the medical personnel fighting influenza with us and the cleaners. Their performance during the SARS outbreak was commendable. I hope that the public, educators and Members would co-operate with the Government, and that the Government would work with the business sector in improving public health.

**PRESIDENT** (in Cantonese): Dr LEUNG, your speaking time is up.

**DR PRISCILLA LEUNG** (in Cantonese): Thank you.

**MR ALBERT CHAN** (in Cantonese): President, before speaking on this issue, I wish the man who just hurt himself in the Legislative Council Building early recovery. Regardless of whether we are dissatisfied with the Government or public policies, we should take a step forward and resist by either wiping things off the desk, hurling bananas or even shouting "to hell with the Government",

rather than hurting ourselves. We should be physically fit in order to resist and strive for a social reform. I wish him early recovery. If he is interested, he can participate in the resistance led by the League of Social Democrats.

President, the issue of improving environmental hygiene in the community has been constantly discussed at Council meetings, and at Panel meetings in particular, for more than 10 years. Probably because an official who led the Clean Hong Kong Campaign a few years ago have become the Chief Executive, many people have taken part in the relevant discussions as that may help them get promoted in the Government and become rich.

President, there is no need to discuss the issue any more for it has already reflected the lousy bureaucratic structure and the inept governance by the Government at present. At the beginning, there was a Clean Hong Kong Campaign which asked the public not to litter; a few years ago, there was the Clean Hong Kong Campaign led by the captain of the cleaning team; today, a series of problems have repeatedly emerged, which precisely reveal and indicate that the senior government officials are indifferent to the problems, or prove that they are impotent. As a result, very simple and straightforward problems keep emerging again throughout the years without any improvements made. The Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) has conducted some surveys to find out which districts still have hygiene blackspots. These blackspots are the blackspots of government officials, revealing their impotent and ineffective governance. They should get demerits. Since the blackspots are still there and it has been confirmed that the officials should get demerits, they must be punished and dealt with. But very unfortunately, those officials are still occupying top posts and high salaries and they are still enjoying privileges. They continue to have high pay, causing disgrace to Hong Kong, and the ineffective governance by impotent officials puts 7 million people under the threat and impacts of environmental problems. There will be another health crisis at any time.

President, there are countless problems. I asked the Government in this Council earlier on if there was liquid hand wash in public toilets. The Government emphasizes the importance of cleanliness and hygiene but there is no liquid hand wash in public toilets it manages. While there are no toilet papers in public toilets it operates, how can the Government ensure that this city is hygienic and healthy? President, this logic does not make any sense. Now that the Government has such a large surplus and is able to grant tax exemptions and give

tax and rates refunds, why does it not spend the money on the provision of toilet papers and liquid hand wash in public toilets? Why does it not install automatic water faucets so that people can avoid contacts which may facilitate the transmission of viruses and germs? The Secretary is a health expert, but why does he not do so? I hope the Secretary would provide us with a timetable when he gives a response later, telling us when the measures I have just mentioned would be put in place, that is, the provision of liquid hand wash, toilet papers and automatic water faucets.

President, with regard to tackling the issue, the Secretary is certainly a very important figure, but, the whole Food and Environmental Hygiene Department (FEHD) has a serious breach of duty. There are so many blackspots because the FEHD has manpower mismatch problems. President, for 20 years in the past, I had always criticized that the FEHD had problems in terms of organization and administrative operation. I believe that, in terms of overstaffing and organizational overlapping, no department in the territory is a match for the FEHD.

If I have not counted incorrectly, there are at least 11 ranks from the Director of Food and Environmental Hygiene — the Secretary is not counted — to the front-line workers below. President, there are 11 ranks including the Director, Deputy Director, Assistant Director, Superintendent and so on. In terms of the line of command, there are basically more generals than soldiers. What a waste of money when a worker is supervised by 10 persons! President, they also have high salaries, a supervisor of workers has a monthly salary of \$80,000 to \$100,000. Nevertheless, the front-line cleaners may only be outsourced workers with a monthly salary of \$4,000 to \$5,000. Is that ridiculous? Recurring problems and inefficiency are the products of this ridiculous system.

The fact that the more senior health personnel in the FEHD put on bureaucratic airs when they take enforcement actions in the districts, their wasting of public money, and the way in which they tackle problems are disgusting. I have recently received many different complaints including senior citizens being prosecuted for littering. Nonetheless, what actually happened was that there was a basket full of rubbish near the market, and the senior citizen just threw a piece of paper into the basket, so, he was prosecuted for littering. Another complaint is about a newspaper hawker who put newspapers on a sewer cover at the roadside to stop the odour, but, he was prosecuted by some FEHD officer.

These examples illustrate that FEHD personnel put on bureaucratic airs, wasted public money and prosecuted people casually. If they have the time, they should clean the alleys better; why have we not noticed the efforts they have made in this connection? Some food establishments are littering casually in the alleys and casually placing food remains there; why have FEHD personnel not tried to tackle the problem? Why have they only bullied the old, weak, women and children? President, if the Secretary does not fix these problems of the FEHD, public money would really be wasted.

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

(No Member indicated a wish to speak)

**PRESIDENT** (in Cantonese): Mr IP Kwok-him, you may now speak on the two amendments. You may speak up to five minutes.

**MR IP KWOK-HIM** (in Cantonese): President, I thank Mr Fred LI and Mr Tommy CHEUNG for their amendments though both Members are not present at the moment. Mr Fred LI's amendment contains three main points. Even though he is not present, I am going to give my response.

The first point is "continuing to organize territory-wide clean-up campaigns, and setting up internet and telephone complaint hotlines" besides initiating a territory-wide campaign on reporting hygiene blackspots. As I have pointed out in my speech earlier, improving environmental hygiene in the community is a long-term task and we must continue to organize campaigns. While strengthening the active participation by organizations and people in the 18 districts in monitoring environmental hygiene, establishing standardized and more convenient complaint mechanisms can certainly enable reporting actions to send out positive messages. Therefore, this point is really worth supporting.

The second point is "devolving to District Councils some of the decision-making powers on environmental hygiene affairs, including street cleansing, refuse disposal and recycling, and so on, so as to effectively improve environmental hygiene in the community". I think that this point involves expanding the powers of District Councils, which is worth supporting in

principle, however, it is essential to carefully consider how the powers would be devolved, such as the scope involved and how that could be achieved step by step. Thus, it is proposed in my original motion the provision of funds to District Councils to assist buildings without owners' corporations in carrying out work to eliminate hygiene blackspots; which would be the starting point for District Councils' participation in environmental hygiene management in the districts.

The third point is "reconsidering the resumption of the management right of private streets, so as to improve the standard of environmental hygiene in those areas". In some old districts such as Central and Western, Yau Tsim Mong, Sham Shui Po, Kowloon City and so on, the issue of private streets has all along been one of the thorny problems in respect of building management improvement. That was why I proposed a motion about the resumption of private streets on 11 June 2003 with a view to solving the environmental and management problems. Nevertheless, the Government was not ready to accept it. Thus, this point proposed by Mr Fred LI on behalf of the Democratic Party has our support this time. Moreover, we hope that the Government would consider the matter carefully and put the proposal into practice as soon as possible.

Mr Tommy CHEUNG's amendment suggests that the Government should be organizing territory-wide campaigns for members of the public to report hygiene blackspots in the territory, "and at the same time ensuring, through lasting measures, that improvement to the hygiene conditions of these blackspots is sustained, so as to prevent the resurgence of hygiene problems". This point is worth our support indeed.

In his speech, Mr CHEUNG has expressed reservations about the provision of funds to assist buildings without owners' corporations. President, I must point out here that most of those buildings are tenement buildings which are only four to five storeys high. We can definitely handle the matter through prosecutions because these buildings have environmental problems, and it is reasonable for such matters to be handled by the Food and Environmental Hygiene Department (FEHD). Yet, that would not be very effective because they have not established owners' corporations. Hence, I have emphasized in my motion the provision of funds to District Councils. With the participation of District Councils and adequate resources, the Government can assist the owners and residents of the relevant buildings in resolving difficulties in connection with

building management. I think this solution is practical and effective. As a District Council Member, I have years of experience in district services, and I trust that this measure can really help the local community and address our concerns. Hence, I restate there that the Democratic Alliance for the Betterment and Progress of Hong Kong would support these two amendments.

Thank you, President.

**SECRETARY FOR FOOD AND HEALTH** (in Cantonese): President, I would like to thank Members for their speeches and valuable advice. In today's motion debate, Members have mainly expressed their concerns in two aspects. Firstly, when facing the spread of human swine influenza (Influenza A H1N1) around the world, what we can do to further improve environmental hygiene in the community; secondly, how to enhance public awareness of hygiene so as to achieve the sustainable goal of a clean city.

The Government has always been concerned about environmental hygiene. Over the past few years, various government departments have rolled out a number of measures to promote personal, home and community hygiene, most of which have been implemented and become the regular work of the relevant departments. When human swine influenza is spreading in the world, the Government has immediately formulated pertinent and viable policies and measures to step up the cleansing and disinfection efforts of organizations, venues and facilities under its purview. It has also encouraged the participation of individuals and the entire community in a bid to promote and maintain a clean and hygienic city as the first line of defence in epidemic prevention. Besides, the Financial Secretary announced on 26 May that an additional funding of \$300 million to the Social Welfare Department (SWD), the Leisure and Cultural Services Department (LCSD), the Food and Environmental Hygiene Department (FEHD) and the Home Affairs Department (HAD) has been earmarked for stepping up environmental hygiene measures and promotion work in the fight against the epidemic. He also pledged that the Government would provide full financial support if the developments of the epidemic demand new or enhanced measures. We plan to apply for funding to the Finance Committee in early July.

Our next step of work will mainly comprise the following aspects: First, to deepen the environmental hygiene work. Despite the overall improvement in the environmental hygiene of Hong Kong due to the efforts of various

government departments, the existence of individual hygiene blackspots is inevitable. The Government will continue to target at these blackspots and step up its efforts in dealing with them. Apart from stepping up its efforts in cleansing streets and facilities such as public markets and public toilets, the FEHD has identified 105 priority hygiene blackspots according to the environment of various districts after consulting the District Councils and District Offices. The respective District Environmental Hygiene Offices have launched large-scale cleaning actions one after another since 5 May and the first round of cleaning has been completed at 104 blackspots. The hygienic condition of some blackspots, including the rear lanes at 33 Graham Street and 22 Peel Street in Central, the rear lanes at 17 to 19 Wellington Street and Penny Lane in Central, the rear lanes at 134, 136 and 138 Jervois Street in Sheung Wan, and the vacant site next to Jumbo Floating Restaurant at Shum Wan Pier Drive, has greatly improved after intensive cleaning work with the full co-operation of the public. During this process, if damages of pavements, leakage of pipelines, blockage of pipelines or unauthorized structures are found, they will be referred by the FEHD to the Highways Department, Buildings Department and Drainage Services Department for follow-up actions. The FEHD will continue to co-operate with various District Councils and relevant departments and regularly review the list of blackspots and action strategies so that all blackspots can be eliminated. I notice that inspections of these blackspots have been conducted by the 18 District Councils and some political parties. Their co-operation with us to improve the condition of these areas is welcome. Members' proposals related to the functions and powers of District Councils will be considered by us jointly with the relevant departments.

In his motion, Mr IP has proposed the formulation of community environmental hygiene indices to enable member of the public to understand the environmental hygiene conditions in various districts. From May 2004 to February 2008, the Community Cleanliness Index Project was launched by the HAD, which has recorded the effectiveness of community hygiene improvement measures and taken followed-up actions, through consulting the views of the community and assessing the cleanliness of the community on a regular basis. The relevant index was basically on the rise from May 2004 to February 2008 and did not show any obvious fluctuations since the end of 2006, reflecting an improvement in cleanliness which remained stable. After a review in early 2008, the Government considered that the Project had aroused the concern of the community in environmental hygiene during the implementation period and the desired objectives had been achieved. Thus, the relevant measures came to a

close in early last year. The relevant departments will continue to monitor the hygiene problems in venues under their purview and take follow-up actions. For example, the FEHD will conduct regular inspections of the hygiene problems public markets, cooked food markets, public toilets, as well as all the streets in the territory. The LCSD will oversee the environmental hygiene of venues such as sitting-out areas, public beaches and parks under its purview.

Regarding the cleanliness of housing estates, the Housing Department (HD), with a view to improving the cleanliness of public housing estates so as to prevent the spread of the human swine flu in public housing estates, has stepped up the cleaning measures in the public housing estates to improve the quality of cleaning since 28 April this year. It will continue to monitor the situation closely and be ready to make arrangement and deployment of resources and manpower in response to the development of situation, and the scale and needs of housing estates. To strengthen the monitoring on the performance of cleansing services contractors, the participation of residents is also crucial. The clean housing estate competition proposed by Mr IP is one of the effective ways to enhance residents' awareness of hygiene and their participation. In fact, the HD, through the estate management advisory committees of various housing estates, has regularly organized cleaning campaigns and clean building/floor competitions to promote civic education and the importance of keeping a clean and hygienic environment in the housing estates. In addition, the HD will hold the Intensive Clean-Up Day regularly every year to enhance residents' awareness of keeping the housing estates clean through their participation. The HD will also organize the Estate Management Services Contractors Awards annually to encourage contractors of property management, contractors of cleaning and contractors of security services to provide better services so as to build up a clean living environment for the residents.

Owners of private properties and lands have the responsibility to maintain the cleanliness of their places. Currently, the FEHD provides regular street cleansing services to some unrestricted private streets or rear lanes. In addition, the FEHD, together with the District Offices, will provide cleaning services to private buildings which does not have management offices or owners' corporations. With the consent of the owners, they will clean the rear staircases, corridors, lift lobbies and other communal areas in the hope that such one-time clean-up operation will serve as a model encouraging them to keep their buildings clean.

Regarding the service providers under the SWD, the SWD is planning to help subvented social welfare service providers, including those providing day care and residential services, to strengthen their environmental hygiene and cleaning measures so as to enhance their awareness and capability in the prevention of the human swine flu.

Besides, in response to the needs of the elderly people living alone, respective District Offices will mobilize volunteers to visit them and help them clean their homes and promote health messages to them. In addition, 41 Support Teams for the Elderly which are attached to the District Elderly Community Centres and 115 Neighborhood Elderly Centres have maintained contact with the elderly singletons through outreaching work. They will provide assistance to the needy elderly. As for the needy elderly (including the elderly singletons), the Government currently provides centre-based day care services and home-based home care and support services, which include personal care such as bathing and haircut. The home-based service teams will also provide household cleaning service to needy elderly in order to ensure their good personal hygiene and home hygiene. To tie in with the Clean Hong Kong Campaign, the disciplined forces have organized volunteer teams to participate in environmental cleaning activities in the districts. The team members come from the police, the Immigration Department, the Fire Services Department, the Correctional Services Department and the Customs and Excise Department. At the end of May, nearly 100 volunteers from the disciplined forces, together with the Sham Shui Po District Council and its working group volunteers, visited the elderly singletons in Sham Shui Po District to promote the message on the prevention of the human swine flu in an effort to prevent and combat the disease. From the end of May onwards up to mid-June, they will continue to visit the elderly singletons in the district, distribute preventive kits, and do cleansing for the elderly in special need. Visits by volunteers will help elderly singletons to better understand the relevant information, enabling them to maintain good personal and environmental hygiene. Disciplined forces' volunteer teams will continue to provide services in various districts and help the disadvantaged step up their effort in combating the disease.

Apart from that, we will step up our enforcement effort. The FEHD has issued letters to licensed traders and premises (such as hawkers, market tenants, restaurants, cinemas and so on), advising them to pay attention to the cleanliness of their surrounding areas including pavements and rear lanes. Prosecution

action will be taken if law-enforcement officers have found during an inspection that cleanliness of the surrounding areas is not satisfactory and there are breaches of the law.

We will step up publicity and education work in respect of personal, home and community hygiene. To improve the living environment of Hong Kong as a whole and to ensure the continuous improvement in public health, it is necessary to raise everyone's awareness of cleanliness. All efforts must begin with the individual, be extended to the family and the immediate neighbourhood, and even the community as a whole. In my opening speech, I have mentioned that the leaflet "Keep Clean be Healthy" have been distributed to the public. Here I would like to urge the public again to follow the guidelines and maintain good personal and family hygiene habits since this is the most active and effective way to fight against the epidemic.

In his motion, Mr IP Kwok-him has proposed that the Government should step up hygiene education for the public, especially focusing on secondary and primary school students, so as to enable them to develop good hygiene habits from a young age. In fact, the Government has always promoted and enhanced public understanding in hygiene through various channels, and encouraged citizens to develop good habits and adopt appropriate hygiene measures.

To develop a healthy lifestyle has always been one of the objectives of school curriculum, and health education is one of the key elements of a healthy life. The Education Bureau encourages schools, through the curriculum of various learning areas/subjects, the learning experience of interdisciplinary learning areas/subjects, and the holistic learning outside the classroom and help students develop good hygiene habits, maintain a positive attitude and values towards personal and community health. At present, the curriculum of various learning areas in pre-primary, primary and secondary schools include learning materials related to health education. The Curriculum Development Institute of the Education Bureau upholds the mission of "Live Hygiene Live Health". Since 2003, "My Pledge to Act" is held in every school year to promote personal and environmental hygiene so that students can develop a healthy lifestyle. Meanwhile, relevant support activities and programmes, such as the workshop for cultivating students to be citizens who care for the environment, are organized. The Education Bureau will also regularly hold different activities for students and training programmes for teachers to help schools implement health education more effectively. In addition, the Centre for Health Protection (CHP) under the

Department of Health (DH) has maintained regular contacts with schools and the Education Bureau. It will provide the latest information on infectious diseases and guidelines on the prevention of infectious diseases and health; organize seminars to discuss the relevant issues, and produce and distribute educational publicity materials especially for children and young people such as posters, bookmarks and stickers.

Regarding publicity and education work outside the school, when the latest information on infectious diseases are disseminated through a press conference and press release, the Government will also issue health guidelines to the citizens so as to remind them of the importance of maintaining hygiene and how to prevent infectious diseases. At the same time, relevant information will be provided on the website of the CHP under the DH to facilitate public access. In addition, the Civic Education Committee will promote civic education outside the schools, including the strengthening of civic-mindedness, such as enhancing public awareness of keeping the community clean and hygienic. The Commission will publicize through various educational and publicity channels the importance of personal and community environmental hygiene by producing and issuing animation stories on the abovementioned theme in the publications and websites of the Committee.

To improve environmental hygiene and cleanliness requires sustained efforts. Apart from work done by the Government, the support and participation of all the people is certainly of paramount importance. The Government will continue to play a leading role by exerting its best in the cleansing of public places. It will also enhance communication and co-operation with the District Councils, local organizations, public and private organizations and various sectors, and provide the necessary support for sustained participation and promotion. In view of the District Councils' understanding of the needs and situations of the districts, I have, after a meeting with the representatives of the 18 District Councils on 18 May, allocated \$500,000 to each district in order to promote the Community Cleanliness Campaign and promote personal and public hygiene. Besides, the Clean Hong Kong Campaign was launched on 10 May 2009, followed by a series of cleaning and health promotion work by various government departments, which would continue to promote the message through APIs and interviews on television and radio shows, promotional activities and 24-hour hotlines. Preventive measures will also be implemented so that the message would hammer home more effectively. The District Offices in various districts will step up publicity through posters, banners and seminars. They will

continue to organize activities with the respective District Councils and non-governmental organizations to cater to the needs of the respective districts. Community leaders will be invited to take part in the publicity effort in order to enhance public awareness of environmental cleanliness and hygiene, and foster good personal and environmental hygiene habits.

A number of Members as well as Mr IP in his motion, have proposed recruiting additional staff and enhancing the training for front-line personnel responsible for cleansing and epidemic prevention work. In the recruitment of additional staff, the Government will make appropriate deployment for fighting the epidemic. As announced by the Financial Secretary earlier, the SWD, the LCSD, the FEHD and the HAD are now planning to step up the work in environmental hygiene and promotion work in the fight against the human swine flu. This will involve the creation of short-term jobs, for which an additional funding of about \$300 million has been set aside by the Government. Besides, the DH and the HAD have recruited additional staff to fight the epidemic, creating about 500 new posts. The DH, through the Aviation Security Company Limited, has recruited more than 130 additional staff responsible for distributing and collecting the health declaration forms for visitors at the airport.

At the same time, we have also attached great importance to the personal protection of front-line personnel and their training in cleaning and epidemic prevention work. For example, in light of the recent outbreak of the human swine flu, the DH has updated the relevant contingency plans and guidelines, including those relating to the personal protective gear and disinfection procedures for the relevant staff. In addition, the CHP will conduct regular exercises and drills to examine the co-ordination and emergency preparedness of government departments and relevant organizations in dealing with major epidemic outbreaks and emergency public health incidents in order to improve the mechanism for preparedness and foster the co-operation of various parties. Apart from organizing training programmes on infection control on a regular basis, the DH, in light of the recent epidemic prevention work related to the human swine flu, has also provided relevant training programmes, health education seminars and medical checks to staff in different departments, including front-line cleaning staff and staff responsible for epidemic prevention. The Hospital Authority (HA) has also stipulated that all the employees of its hospitals should receive infection control training to ensure that front-line staff have sufficient knowledge of epidemic prevention. At present, most front-line staff have completed the training. The HA has also proactively provided the

latest information and guidelines on epidemic prevention to its front-line staff and suitably deploy its manpower to deal with high risk work in order to ensure that they have enough rest and adopted proper personal protective measures.

In 2007, the FEHD formulated contingency plans to deal with epidemics and related incidents, and guidelines for reference by staff on conducting cleaning and disinfection work in epidemic-affected residential units. The FEHD has also produced relevant compact discs to facilitate their staff to engage in regular drills and ensure that appropriate precautionary measures are taken. Besides, according to the cleansing service contracts signed between the Housing Authority and various cleansing contractors, the contractors are required to hold at least seven seminars, briefing sessions or activities each year in order to provide in-service training for their staff and enhance their awareness of occupational safety. The HD has also awarded special cleansing services contracts under which epidemic prevention personnel will carry out disinfection and cleansing work in the Housing Authority's public housing rental units in which confirmed cases of the human swine flu have occurred. There are terms in the contracts which clearly spell out the prevention and protection measures, disinfection and cleaning steps and protection to staff, including proper protective gears for cleansing staff provided by contractors and measures to ensure occupational safety, in addition to adequate training to the cleansing staff.

President, I would like to thank Members for their remarks today and will carefully examine the feasibility of various proposals. The Government will review the progress and effectiveness of the Clean Hong Kong Campaign as a whole from time to time and matching action will be taken in respect of resources if necessary. The existing measures will be strengthened or new initiatives will be rolled out in order to improve the community environmental hygiene and enhance public awareness of hygiene. The Government will continue to work together with all Hong Kong people in striving for the long-term objective of maintaining our city clean.

President, I so submit.

**PRESIDENT** (in Cantonese): I now call upon Mr Fred LI to move his amendment to the motion.

**MR FRED LI** (in Cantonese): President, I move that Mr IP Kwok-him's motion be amended.

**Mr Fred LI moved the following amendment: (Translation)**

"To delete "as" after "That," and substitute with "with the implementation of clean-up campaigns in Hong Kong since the 1970s, the cityscape of Hong Kong has improved a lot; however,"; to add "still" after "some communities in Hong Kong are"; to delete "initiating a territory-wide campaign on reporting hygiene blackspots" after "(e)" and substitute with "continuing to organize territory-wide clean-up campaigns, and setting up internet and telephone complaint hotlines for members of the public to report hygiene blackspots in the territory"; to delete "and" after "cleansing work in their homes,"; and to add "; (i) devolving to District Councils some of the decision-making powers on environmental hygiene affairs, including street cleansing, refuse disposal and recycling, etc, so as to effectively improve environmental hygiene in the community; and (j) reconsidering the resumption of the management right of private streets, so as to improve the standard of environmental hygiene in those areas" immediately before the full stop."

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mr Fred LI to Mr IP Kwok-him'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): Mr Tommy CHEUNG, as Mr Fred LI'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.

**MR TOMMY CHEUNG** (in Cantonese): President, I move that Mr IP Kwok-him's motion as amended by Mr Fred LI be further amended by my revised amendment.

President, my revised amendment adds point (k) at the end of the motion, which is my original amendment to point (e) of the motion about "ensuring, through lasting measures, that improvement to the hygiene conditions of these blackspots is sustained".

I implore Honourable colleagues to support the revised amendment. I so submit.

**Mr Tommy CHEUNG moved the following further amendment to the motion as amended by Mr Fred LI: (Translation)**

"To add "; and (k) ensuring, through lasting measures, that improvement to the hygiene conditions of these blackspots is sustained, so as to prevent the resurgence of hygiene problems" immediately before the full stop."

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That Mr Tommy CHEUNG's amendment to Mr IP Kwok-him's motion as amended by Mr Fred LI 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 IP Kwok-him, you may now reply and you have 58 seconds. This debate will come to a close after Mr IP Kwok-him has replied.

**MR IP KWOK-HIM** (in Cantonese): A total of 14 Members including me have spoken to express the concern of this Council about improving environmental hygiene in the community. Members are generally concerned about the sustainability of clean-up campaigns, the personal protection gears for cleaners, the enhanced participation by District Councils to help improve environmental hygiene in the community, and announcing the hygiene blackspots on a regular basis. I hope that they can be addressed squarely by the Government. Besides, I have just heard the Secretary express very clearly that these issues would be followed up.

Some people have said that Hong Kong will soon succumb to the human swine flu. It seems that this is an indisputable fact. The most effective way to combat the human swine flu is to get well prepared and upgrade environmental hygiene in the community as well as personal hygiene. So long as all Hong

Kong people do so with one mind and one heart, as well as making concerted efforts, I trust that we must be able to win over the impending epidemic. I thank Honourable colleagues again for their support for the motion.

**PRESIDENT** (in Cantonese): I now put the question to you and that is: That the motion moved by Mr IP Kwok-him, as amended by Mr Fred LI and Mr Tommy CHEUNG, 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)

Mr IP Kwok-him rose to claim a division.

**PRESIDENT** (in Cantonese): Mr IP Kwok-him 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 Raymond HO, Dr Margaret NG, Mr CHEUNG Man-kwong, Mrs Sophie LEUNG, Dr Philip WONG, Mr WONG Yung-kan, Ms Miriam LAU, Mr

Timothy FOK, Mr Abraham SHEK, Ms LI Fung-ying, Mr Tommy CHEUNG, Dr Joseph LEE, Mr Jeffrey LAM, Mr Andrew LEUNG, Mr WONG Ting-kwong, Dr LAM Tai-fai, Mr Paul CHAN, Dr LEUNG Ka-lau, Mr CHEUNG Kwok-che, Mr IP Wai-ming, Mr IP Kwok-him, Dr PAN Pey-chyou and Dr Samson TAM voted for the motion as amended.

**Geographical Constituencies:**

Mr Albert HO, Mr Fred LI, Mr James TO, Mr CHAN Kam-lam, Ms Emily LAU, Mr Andrew CHENG, Mr TAM Yiu-chung, Mr Albert CHAN, Mr Frederick FUNG, Mr WONG Kwok-hing, Mr LEE Wing-tat, Mr Alan LEONG, Mr CHEUNG Hok-ming, Mr KAM Nai-wai, Ms Cyd HO, Ms Starry LEE, Mr CHAN Hak-kan, Miss Tanya CHAN, Dr Pricilla LEUNG and Mr WONG Kwok-kin voted for the motion as amended.

THE PRESIDENT, Mr Jasper TSANG, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 23 were present and 23 were in favour of the motion as amended; while among the Members returned by geographical constituencies through direct elections, 21 were present and 20 were in favour of the motion as amended. Since the question was agreed by a majority of each of the two groups of Members present, he therefore declared that the motion as amended was passed.

**PRESIDENT** (in Cantonese): Second motion: Immediately reviewing the pre-primary education voucher scheme.

Members who wish to speak in a debate on the motion will please indicate their wish by pressing the "Request-to-speak" button.

I now call upon Mr CHEUNG Man-kwong to speak and move his motion.

**IMMEDIATELY REVIEWING THE PRE-PRIMARY EDUCATION VOUCHER SCHEME**

**MR CHEUNG MAN-KWONG** (in Cantonese): President, the path of kindergarten teachers (KG teachers) is certainly a long, hard, and winding road. In 1991, when I first joined the former Legislative Council, I pointed out in my first policy address debate that the vast majority of KG teachers had to bear with a meagre salary, and many kindergartens had to struggle for survival in adverse circumstances. I asked the Government to increase the subsidy for early childhood education. At present, almost all children at the age appropriate for pre-primary education in Hong Kong are studying in kindergartens. However, over the past 10-odd years, we still have to devote a lot of efforts to fight for the Government's admission of a common knowledge and a fact — given the continuous development of society, and with increasing expectations of parents, early childhood education is indispensable.

At long last, Chief Executive Donald TSANG undertook in the 2006 policy address to allocate an additional provision of \$2 billion annually in the form of a voucher to subsidize early childhood education. For the KG teachers who had been quietly making contribution, and the parents who had been patiently waiting, this had been perceived as a ray of hope. However, after the implementation of the voucher scheme for two years, there had been much discontent and grievance in the society. This is because a ceiling has been set for fee remission which has rendered parents in poor families having to pay higher school fees. With the abolition of the pay scale for KG teachers, KG teachers can hardly enjoy salary increase even after upgrading their qualifications, whereas their workload has gathered the momentum of an avalanche. The across-the-board approach adopted in the voucher scheme for both whole-day and half-day kindergartens has also rendered the subsidy system unfair. Meanwhile, the Education Bureau has acted in an indifferent manner, asking the public to be patient and refusing to review the voucher scheme. Insofar as the attitude of the Education Bureau is concerned, it is bureaucratic and sly. But in reality, it has played a trick on Donald TSANG in that it encourages parents to take to the streets on 1 July.

President, the way the Government introduced the voucher scheme could be described as a brutal act. The then Secretary for Education, Prof Arthur LI, stated clearly that five conditions had to be fulfilled with the introduction of the

voucher scheme, including abolishing the pay scale for KG teachers and setting a school fee ceiling under the voucher scheme. If the early childhood education sector did not accept the entire package of the scheme, the scheme would be delayed, and the subsidies would even be withdrawn. This appeared to be consultation among the sector, but in reality, it was a threat. The Government was obstinate and self-willed, brushing aside all the views of KG teachers and parents. As a result, after implementing the scheme for less than two years, the principals, teachers and parents have been deeply aggrieved, and are compelled by resentment to take to the streets to express their dissatisfaction.

The kindergarten sector has reached the limit of its forbearance. At the end of last month, 2 000 KG teachers and parents took to the streets amidst the amber rainstorm warning and pouring rain and went to the Government Headquarters to submit the petitions of 6 000 KG teachers. Some KG teachers and parents are also petitioning outside the Legislative Council Building today. Some of them are present at the public gallery, demanding the wrong done to the kindergartens to be redressed, and asking the Government to review this discriminatory voucher scheme.

Subject to endless discrimination of the Government, the group of KG teachers is the weakest component of the education sector. While a pay scale has been put in place for secondary and primary school teachers whose salaries are directly subsidized by the Government, there is no pay scale for KG teachers even if they are diploma and degree holders. Their salaries are not directly subsidized. It is obvious that they are discriminated. Pursuant to the implementation of the voucher scheme, even the pay scale for those already categorized as qualified KG teachers is abolished. The minimum protection available for KG teachers is taken away. The market mechanism referred to by the Government is only an excuse of the Government to shirk its responsibility, and a replica of the discrimination against KG teachers. Many KG teachers have pursued in-service further studies to upgrade their qualification. But how many of them are genuinely able to attain a reasonable salary via the market mechanism? On the contrary, when KG teachers change jobs to work for another school, they are worried that they will be paid at the starting salary point again. As the profession of KG teachers has not been recognized and respected by the voucher scheme, the group of KG teachers remains at the lowest level of the Government's discrimination. Since KG teachers are subject to unfair treatment, how can they not take to the streets to protest against it?

President, to establish a team of quality teachers and to enhance the quality of education, neither professional training nor recognition of qualifications can be left out. In 2005, I moved a motion on enhancing the quality of early childhood education which was passed unanimously by Members of the Legislative Council. There were two key points in my motion. The first key point was to fully upgrade the qualification of KG teachers to certificate level. This objective is almost accomplished now. The second key point was to formulate a pay scale for KG teachers with upgraded qualification so that the salary of KG teachers would be under direct subsidy. I had also urged the Government to bring early childhood education under the scope of subsidy, with a view to enhancing the quality of early childhood education in a comprehensive manner. This is still a long way off. It is obvious that the voucher scheme implemented by the Government in 2007 has not responded fully to the two key points of the motion. This is a major inadequacy of the voucher scheme. I urge the Government to provide a pay scale for KG teachers which is commensurate with their upgraded certificate and degree qualifications, so that the remuneration of KG teachers will be directly subsidized. And prior to that, commensurate qualification subsidies should be granted to KG teachers, so that their qualifications and contribution will be recognized and respected. It should be noted that even Macao is able to accomplish this.

The situation of KG teachers has not been improved by the introduction of the voucher scheme. Instead, with the implementation of the voucher scheme, the workload of KG teachers is like an avalanche. The teaching hours of KG teachers are long, with 10 hours of lessons per day. Free periods are not available. There is no time at all for lesson preparation or assignment marking. Only 15 minutes are available for lunch. School administrative work has to be dealt with after school. If KG teachers have to pursue further studies, they will have to work at home until midnight. The tremendous pressure borne by them is therefore understandable. After the implementation of the voucher scheme, self-evaluation and external evaluation have to be conducted, the results of which will be uploaded onto the website, and pegged with the provision of subsidy. In the face of the struggle for survival, schools have to stand in full battle array. To prepare for external evaluation, some schools carry out self-evaluation three times prior to the external evaluation. That means teachers have to repeat the task three times. Early childhood education has actually been transformed into mountains of documents and endless meetings. With respect to administration and teaching, the Government has put the cart before the horse, with increasingly less room for teaching for KG teachers. This situation is extremely unhealthy.

Some schools which simultaneously operate kindergartens and child care centres do not only have to cope with self-evaluation and the external evaluation conducted by the Education Bureau and the Social Welfare Department (SWD), but also handle four different ways of collecting school fees, namely the voucher scheme, the Fee Remission Scheme, fees paid by parents, and the Child Care Centre Subsidy Scheme. These schools have to liaise with different government departments; handle different criteria and procedures; as well as prepare reports of income and expenditure. So how can schools not pour out their endless grievances? I was paying visits to serving KG teachers at various schools when some teachers who are also parents complained to me in tears that they taught children of other parents with loving care, but could not spare time to look after their own children. It is very sad to hear mothers express such grief and compunction. How can they not take to the streets and protest against these circumstances?

As the joint office of the Education Bureau and SWD is inefficient in discharging its co-ordinating duty, schools have to cope with increasing administrative workload. Therefore, I urge the Government to increase the manning ratio of KG teachers, so that free periods are made available to KG teachers for lesson preparation and other administrative work, with a view to effectively alleviating the work pressure of KG teachers. The Administration should also provide supporting administrative staff to handle the additional administrative work arising from the scheme. The Administration should also carry out a review and streamline the practice of self-evaluation and external evaluation expeditiously, look into various administrative procedures related to the implementation of the voucher scheme with the aim of conducting co-ordination, so that schools and KG teachers will be able to concentrate their efforts in teaching.

Under the voucher scheme, low-income families with children attending whole-day kindergartens are discriminated and unfairly treated. Prior to the implementation of the voucher scheme, the amount of fee remission was made on the basis of the weighted adjustment of the annual school fees. This provided parents with more opportunities to choose schools without paying school fees out of their own pockets. However, the Government has now fixed the fee remission ceilings. Irrespective of inflation or salary adjustment of teachers, the ceilings are fixed for five years. As a result, students of whole-day kindergartens are the ones who are affected most as the fee remission ceiling for whole-day kindergartens is fixed at \$25,400. If we take an overview of the whole-day kindergartens in Hong Kong, we will find that 95% of the school fees

are above this ceiling, with an average school fee reaching an amount as high as \$28,000. In other words, for those low-income families or families receiving Comprehensive Social Security Assistance (CSSA), unless they can afford paying some \$3,000 out of their own pockets for school fees; otherwise, their children have to give up attending whole-day kindergartens. The voucher system has deprived children of low-income families of their right to attend whole-day kindergartens. This represents a major retrogressive step in the subsidization policy. I urge the Government to review the fee remission policy, and adopt the price index as the basis of the weighted adjustment of the remission, so as to ensure low-income families have sufficient subsidies, support, as well as the right to choose.

President, operating long hours every day, nurseries and whole-day kindergartens are the major institutions that provide support for dual income families. The Education Bureau has not taken into account the needs of these parents; instead, the subsidy of the voucher is calculated on the basis of half-day kindergartens. As a result, both students and teachers of whole-day kindergartens are not given reasonable subsidies, while schools are in a plight and can only operate under a very difficult business environment. Thus, I urge the Administration to make proportionate weighted adjustment of the subsidies of nurseries and whole-day kindergartens, so as to ensure students and teachers of whole-day kindergartens are provided with sufficient manpower and resources.

Everyone is not equal under the voucher scheme, which discriminates and limits the choice of parents. If parents choose to enrol their children in independent private kindergartens, or half-day kindergartens with school fees over \$24,000, and whole-day non-profit-making kindergartens with school fees over \$48,000, they are not eligible for subsidies under the voucher scheme. Since all children have the right to receive quality education, why does the voucher scheme discriminate against these parents' choice? Moreover, as the fee remission ceiling is fixed for five years, kindergartens with school fees approaching the ceiling will have to cut expenditures in the next few years, including imposing a general remuneration freeze of principals and teachers, eventually leading to the problem of wastage. In implementing the voucher scheme, is the Government trying to foster a healthy development of kindergarten education, or continuously attempting to create a form of qualification discrimination? President, in the face of all the inequalities, various discriminations, endless grievances, and tremendous pressure, the Administration should not wait until 2012 to conduct a review of the voucher scheme. It is not my wish that the Administration will face the problem squarely only after KG

teachers and parents increase the intensity of their protests, or continue with their move of taking to the streets. It is not my wish that the voucher scheme will add fuel to the fire, giving rise to a new round of unrest and anxiety among the education sector. Thus, I move the motion to urge the Government to immediately review and rectify the mistakes and omissions of the voucher scheme; remove various discriminations and inequalities created by the voucher, with a view to genuinely fostering a healthy development of the kindergarten education.

President, I so submit and move the motion.

**Mr CHEUNG Man-kwong moved the following motion: (Translation)**

"That, the Pre-primary Education Voucher Scheme, since its implementation in the 2007-2008 school year, has given rise to a number of problems, including the failure of the policy on fee remission which has rendered a number of parents having to pay higher school fees; moreover, the Administration has abolished the proposed pay scale for kindergarten teachers, resulting in the loss of salary protection for kindergarten teachers, who can hardly enjoy salary increase even after upgrading their qualifications, whereas pressure from work and studies has substantially increased; as the voucher system has aroused strong discontent among the early childhood education sector and parents of kindergarten children, this Council urges the Administration to immediately conduct a comprehensive review on the Pre-primary Education Voucher Scheme, including:

- (a) reviewing the Kindergarten Fee Remission Scheme and adjusting the level of fee remission in accordance with price indices, so as to ensure that low-income families receive appropriate assistance;
- (b) comprehensively reviewing the various subsidies for early childhood education institutions, including increasing the manpower and resources for whole-day kindergartens;
- (c) offering subsidies under the voucher scheme on a fair and equal basis so that all kindergarten children are benefited;
- (d) formulating a pay scale for kindergarten teachers which is commensurate with their qualifications, and directly subsidizing the

remuneration of kindergarten teachers, so as to relieve the burden on parents; and

- (e) relieving the work pressure on kindergarten teachers, including simplifying the administrative work arising from self-evaluation, external evaluation and the voucher scheme, as well as providing sufficient support staff, etc."

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

**PRESIDENT** (in Cantonese): Two Members will move amendments to this motion respectively. The motion and the two amendments will now be debated together in a joint debate.

I now call upon Ms Starry LEE to speak first, to be followed by Mr Tommy CHEUNG; but no amendments are to be moved at this stage.

**MS STARRY LEE** (in Cantonese): President, the Government introduced the voucher scheme in early childhood education during the 2007-2008 school year, with a view to improving the quality of early childhood education. In implementing the voucher scheme, the Government has attempted to bring market forces into play in the operation of early childhood education, encourage diversity in this sector, and introduce competition. It is worthwhile to support such an initiative. In theory, more choices of kindergartens are available for parents. However, since the Government has not improved the entire system of early childhood education, the implementation of the voucher scheme, in fact, has rendered less choice for low-income families. These families are unable to enrol their children in kindergartens of their own choice. Instead, they have to look for schools on the basis of fees, and enrol their children in kindergartens with lower school fees.

Members may understand the situation better with the citing of a real case. Before the implementation of the voucher scheme, a family with an income less than \$8,500 would be able to apply for their children's fee remission under the Kindergarten Fee Remission Scheme. On satisfying the means test, 100% fee remission would be granted. However, after the implementation of the voucher

scheme, this family — which is a real case — applied for fee remission of their second son, but found that they had to pay some \$200 more per month for this son's school fee.

Why does this family have to pay more school fees after the implementation of the voucher scheme? It is because the Administration has put in place a "restriction" for fee remission, that is, a ceiling has been fixed at \$25,400. Within a period of five years, no matter what the amount of annual school fee is, a remission of \$25,400 will be granted to families in poverty at most. Since the remission cannot pay for the full amount of school fees, the difference has to be borne by the parents.

Surveys conducted by groups have revealed that the median of the annual school fees of whole-day kindergarten students amounts to \$28,245. As the "restriction" has been set at \$25,400, more than 5 000 parents have to pay additional school fees amounting to \$200 to \$400. An increase of several hundred dollars per month aggravates the financial difficulties faced by families in poverty.

The original objective of not setting a cap for the Kindergarten Fee Remission Scheme was to cope with inflation, and the increase of education cost due to salary increase of kindergarten teachers (KG teachers). However, after the implementation of the voucher scheme, the Administration has unreasonably set a cap for the scheme. As a matter of fact, the Composite Consumer Price Index which reflects inflation had increased by 2% in both 2006 and 2007, while an increase of 4.3% was recorded in 2008. It can be easily understood that an increase of the operation costs of kindergartens is inevitable. Kindergartens have no other option but to increase school fees. Therefore, I move an amendment to urge the Administration to adjust the cap in accordance with price indices on an annual basis with a view to helping families in poverty.

President, after the implementation of the voucher scheme, the practices of self-evaluation and external evaluation, as well as the upgrading of qualifications of KG teachers have brought about an increase of work pressure in them. As a matter of fact, all kindergartens which have joined the voucher scheme are subject to the quality review of the Education Bureau. From 2012, passing the self-evaluation and external evaluation will be the basic criteria for kindergartens to obtain the voucher. There is a substantial increase of paper work for kindergartens in their preparations for the review. The Democratic Alliance for

the Betterment and Progress of Hong Kong (DAB) had earlier conducted a survey and found that there had been an increase of paper work ranging from 10% to 40% for KG teachers. In addition, the Education Bureau uploads the results of the quality review onto the website for public reference, exerting invisible and immense pressure on all levels of staff in the kindergartens.

Moreover, KG teachers who have not yet reached the required benchmark have to complete their studies within a specified period in order to attain the basic qualification, thus, aggravating the situation of manpower shortage in the kindergartens. In order to enhance the professional level of KG teachers, the Government requires all serving KG teachers to obtain the qualification of the Certificate in Early Childhood Education before the end of 2011. Those KG teachers who are pursuing further studies have to work and study within a short period of time, and they are often mentally and physically exhausted.

The DAB supports the voucher scheme because it offers more choices to parents. We understand that an upgraded quality of KG teachers is essential to a sound early childhood education. However, actions must be exercised on just grounds and with restraint. Under the voucher scheme, KG teachers have to handle more work, deliver quality teaching, pursue further studies, and cope with a substantial amount of paper work. Therefore, I move an amendment, hoping that the Administration will face squarely the pressure borne by KG teachers.

We propose that if a small number of KG teachers are still unable to attain the relevant qualification when the specified period of studies is over, the Administration may consider allowing them to complete their courses with the provided subsidies, while the related kindergartens will be permitted to apply for the vouchers. Since 80% of the present KG teachers have already attained the qualification, or are studying for the Certificate in Early Childhood Education, I believe my proposal will not adversely affect the professional development policy formulated by the Government for KG teachers.

Finally, I would like to point out that whole-day kindergartens are facing enormous difficulties under the voucher scheme. Hong Kong is a society with a fast tempo of life. Whole-day kindergartens not only help parents teach their children, but also provide child care service, so that working parents can work without any worries. Moreover, I also understand that many whole-day kindergartens also provide extension services, which allow parents to leave young children in kindergartens without worries when they have to work overtime.

Therefore, this kind of whole-day kindergartens deserves to be recognized and endorsed by the Government.

Unfortunately, under the voucher scheme, whole-day kindergartens are restricted by the practice of the amount of subsidy being determined by the number of students. Meanwhile, the school fee is under the "restriction" of the ceiling set at \$25,400. Under such circumstances, it is more difficult to operate whole-day kindergartens than to operate half-day kindergartens.

Moreover, since the number of students of whole-day kindergartens is definitely smaller than the total number of half-day kindergartens which operate morning and afternoon classes, the amount of training subsidy for KG teachers or other related subsidies they receive are relatively fewer. By comparison, the subsidies and support obtained by whole-day kindergartens are much inferior. Further, KG teachers of whole-day kindergartens have to work at least eight hours per day. Some may even have to work longer hours due to the provision of extension service, to the extent that they have to stay in the classroom all the time. Their heavy workload include teaching and looking after young children, taking up administrative work, sharing the duties of organizing activities as well as liaising with parents. In addition to that, resources for whole-day schools are often inadequate, resulting in resignation of KG teachers or teachers switching to half-day schools. This, in turn, creates a situation of succession gap in the profession. If the situation is allowed to go on, whole-day kindergartens may be forced to become half-day kindergartens. In this case, those who suffer most will be the grassroots parents of dual income families that have a keen demand for whole-day child care service.

President, on one hand, the Government requires the qualification of KG teachers to be upgraded, but on the other hand, it abolishes the pay scale for KG teachers. This is just like asking a horse to run fast but do not feed it. Basically, this is not conducive to upgrading the professional status of KG teachers.

In the past, kindergartens that wish to join the Kindergarten Subsidy Scheme must pay the salaries of KG teachers in accordance with the pay scale. However, after the implementation of the education voucher scheme, the Education Bureau abolishes the related requirement and allows kindergartens to determine their own salaries. This arrangement is advantageous to school sponsoring bodies that are more established and with more financial resources.

They only need to adjust the wages of teachers upward slightly, and teachers will be attracted to switch jobs. However, kindergartens with less financial resources, or the whole-day kindergartens I have mentioned just now, will face more difficulties in their operation.

The KG teacher sector in general opines that the pay scale reflects the professional status of KG teachers, and is able to attract aspiring persons to join the profession. A few years from now, the vast majority of KG teachers will have already attained professional qualification. It will be indeed unreasonable if they do not have any salary protection. Thus, the DAB is of the view that the Administration and the sector should jointly draw up a pay scale commensurate with the qualifications of KG teachers.

President, I so submit. The DAB supports the original motion and all the amendments.

**MR TOMMY CHEUNG** (in Cantonese): President, I am very grateful to Mr CHEUNG Man-kwong for raising this issue on reviewing the pre-primary education voucher scheme today. Pre-primary education is an important segment of education work. As the saying goes, "The character of a person will be shaped at a tender age". There is no reason that the Government should provide free education for secondary and primary schools only without subsidizing the early childhood education of children from three to six years old. Thus, many years ago, the Liberal Party had already advocated the implementation of the voucher scheme in pre-primary education so that "money should follow parents", which is the best method to alleviate the burden of parents.

However, since the introduction of the voucher scheme in 2007 to date, why has the Liberal Party kept on criticizing the Administration? It is because the Administration has paid no attention to objection from the Liberal Party and me. In limiting the parents' choices under the scheme, it has violated our wish that "money should follow parents".

Let us look at the comments made by the originator of the voucher scheme, Milton FRIEDMAN, the Nobel Laureate in economics. He first commented on the voucher scheme in 1955. One week before he passed away, he was still emphasizing that under the voucher scheme, "money should follow parents".

According to his theory, it is only when parents have a free choice of schools that free market forces can be given full play, healthy competition can be promoted among schools, and the ultimate objective of enhancing teaching quality can be achieved.

In the United States, it was because of the persistent weakness of public schools that the voucher scheme was implemented. In allowing parents to use subsidies under the scheme to choose quality private schools for their children, the American government is promoting competition between public and private schools, with a view to compelling reforms in public schools.

In Hong Kong, the Government is running counter to this direction. It adopts the fine-sounding description of relieving the burden of parents or helping parents with needs, but in reality, it has restricted the choices of parents. Under the voucher system, parents can only choose non-profit-making schools or kindergartens with school fees not exceeding the ceiling.

President, there had always been diversity in Hong Kong's pre-primary education, the success of which was well recognized. There were non-profit-making kindergartens as well as private independent kindergartens. There were kindergartens which offered cheap school fees as well as kindergartens which charged expensive fees. Without the participation of the Government, the pre-primary education had always been flexible, diversified, and market-led.

However, the voucher scheme has distorted the market. As private independent kindergartens are not subsidized by the voucher, they are finding it more difficult to compete with non-profit-making kindergartens. Two years ago, the number of private independent kindergartens stood at 99. Last year the number dropped to 57. The mandatory requirement of setting a school fee ceiling for participating schools has also violated the rule of competition in terms of price in a free market. It has failed to stimulate any progress and improvement at all.

As a matter of fact, the diversity of pre-primary education is best to meet the needs of parents. So why has the Education Bureau strangled the rare characteristics of school sponsoring in Hong Kong? What is its rationale behind such a policy? Further, under the voucher scheme, not only are parents deprived of the right to choose, kindergarten teachers (KG teachers) are also denied the

right. During the five years of the implementation of the voucher scheme, for the first four years, participating schools will be able to use part of the amount embedded in each voucher, that is, \$3,000 — for the first two years (\$3,000 for the 2007-2008 and 2008-2009 school years, and \$2,000 for the 2009-2010 and 2010-2011 school years) — as professional development subsidy for teachers. Apart from using the amount to subsidize KG teachers to study the Certificate in Early Childhood Education, the school is able to use the amount for the appointment of supply teachers or reimbursement of course fees, as well as provision of school-based professional development programmes for teachers.

For KG teachers serving in kindergartens which choose not to join or are not eligible for the voucher scheme, during the period they are studying for the Early Childhood Education courses, they may only claim reimbursement from the Education Bureau for up to 50% of the fees for one course, capped at \$60,000. Apart from that, they are not eligible for any other financial support.

The Administration requires all KG teachers to attain the qualification of a recognized Early Childhood Education degree before the 2011-2012 school year, then why are KG teachers serving in kindergartens which choose not to join or are not eligible for the voucher scheme not entitled to the same amount of professional development subsidy?

President, in his reply to my oral question last week, the Secretary has indicated that salaries of teachers in private independent kindergartens were higher and were sufficient to make up for the lack of financial support. However, I would like to ask the Secretary — I was unable to ask at that moment, and he was all along evading — what evidence can the Administration put forth to prove that salaries of teachers in private independent kindergartens are definitely higher than those of non-profit-making kindergartens? The teacher-to-pupil ratio of private independent kindergartens may be lower than that of non-profit-making kindergartens. But the Secretary was too arbitrary when he claimed that their salaries were higher.

I can inform the Administration that it is because the professional development subsidy of KG teachers serving in private independent schools or kindergartens with higher school fees are lower, in order to relieve pressure, many teachers have no other option but to switch jobs to kindergartens that have already joined the voucher scheme. This will further undermine the competitiveness of private independent kindergartens. When good teachers

leave the school, it is inevitable that the quality of education is adversely affected. This is a most pitiful situation for students.

In his research paper entitled "Early Childhood Education Voucher in Hong Kong: Perspective From Online Communities", Dr LI Hui, Assistant Professor of the Faculty of Education of the University of Hong Kong, pointed out that after conducting analysis of the voucher scheme of various places, two objectives in the implementation of the voucher scheme in Hong Kong can be found. One is a superficial objective while the other one is a hidden objective. In respect of the hidden objective, the primary aim is to transform profit-making kindergartens into non-profit-making kindergartens. With the subsidy ceiling put in place, the secondary aim is to limit the choices of parents.

I wish to be fair to Secretary SUEN. He may not know the objective of the former Secretary Prof Arthur LI and the Chief Executive behind the formulation of the voucher scheme all those years ago. But if he allows the unfair situation to go on, and fails to rectify the wrongs done as soon as possible, I dare to say that the Administration has bad intentions of limiting the choices of parents and battering the pre-primary education of Hong Kong.

Of course, it is not my wish to criticize the Government in such a harsh manner. I believe there was a lack of comprehensive consideration in the original formulation of the voucher scheme, resulting in doing a disservice out of good intentions.

As a matter of fact, with regard to the voucher scheme, irrespective of the opinions in the press or the research paper of Dr LI Hui, there are positive feedbacks from the majority of comments in Chinese websites, which agree that it is conducive to alleviating the burden of parents. However, they have certain criticisms on the voucher scheme implemented in Hong Kong. Thus, I urge the Administration to accept proposals and conduct a review as soon as possible, so that parents will be able to make genuine choices, and more young children will be able to benefit.

President, my amendment has mainly added three major matters of concern. First, as I have said just now, the Administration must expeditiously review the mechanism under which KG teachers are subsidized to pursue further studies, so as to prevent any unfair treatment.

Second, pursuant to the implementation of the voucher scheme, parents granted subsidies under the Fee Remission Scheme in the past have to pay more school fees. Moreover, it takes time for the Student Financial Assistance Agency to process applications for fee remission, which results in advance payment of school fees by parents receiving payments under the Comprehensive Social Security Assistance (CSSA) Scheme. I think these ridiculous situations are not acceptable, and must be resolved expeditiously. I am happy that the Administration has agreed to hand over the fee remission applications from parents under the CSSA Scheme to the Social Welfare Department again in the coming school year. I believe this will avoid the need for advance payment.

However, according to my understanding, kindergartens have to give up the Kindergarten and Child Care Centre Subsidy Scheme after joining the voucher scheme, and will not be able to obtain operational subsidy on the basis of each student enrolled. To make up for the loss of income from this source, the schools have no other option but to increase school fees to the extent that they exceed the annual fee remission ceiling. The Administration should also rectify this unaccommodating scenario as soon as possible. One method of achieving this is to withdraw the across-the-board practice of maintaining the existing fee remission ceiling for five years (from the 2007-2008 school year to the 2011-2012 school year), and incorporate the difference in subsidies into the fee remission ceiling.

Moreover, according to the existing voucher scheme, although the school fees for whole-day and half-day students are different, the value of the voucher is the same (\$13,000 for the 2007-2008 school year and \$16,000 for the 2011-2012 school year). Many parents complain that subsidies provided by the vouchers are not sufficient to pay school fees for children attending whole-day schools. In view of this, they can only enrol their children in half-day schools.

Many parents in Hong Kong belong to the category of dual income families. They have a keen demand for whole-day kindergartens. However, the voucher scheme has limited the choices of parents, and suppressed the whole-day schools. This is unreasonable. Thus, I move an amendment to urge the Administration to immediately review the existing problem that the proportion of voucher subsidies received by students attending whole-day kindergartens is substantially lower than that received by students attending half-day kindergartens.

President, finally, I would like to respond to the issue of pay scale raised by Mr CHEUNG Man-kwong. To a certain extent, I can understand the Administration's practice of abolishing direct subsidies of school fees granted to parents under the voucher scheme. However, I will not object to the proposal concerning the pay scale because I hope that salaries of teachers will be appropriately increased after qualifications of teachers have been upgraded. In the long run, this will certainly be conducive to upgrading the qualifications of teachers. However, if there is a formulation of such a pay scale in the future, the details of its implementation must be specified clearly. I am worried that deficiencies in the formulation will give rise to negative effects in that schools will use this as a pretext to shirk the responsibility of salary increase to the Government.

Last of all, in respect of the amendment proposed by Ms Starry LEE, I think her proposal is generally consistent with the vision of the Liberal Party. I can also understand and support her specific proposal of allowing KG teachers who are still taking Certificate in Early Childhood Education courses at the end of the 2011-2012 school year to keep their teaching posts.

With these remarks, President, I support the original motion and the amendment.

**SECRETARY FOR EDUCATION** (in Cantonese): President, in formulating pre-primary education policy, the Government has adopted a pragmatic approach in the light of actual circumstances to develop and improve the implementation of our policy, with a view to further creating room for development in pre-primary education. Since the 1980's, we have been improving pre-primary education by phases. We have started from strengthening teaching training, to upgrading the entry qualification requirements, improving the teacher-to-pupil ratio, and implementing student-oriented curriculum. These endeavours have demonstrated the Government's concern and commitment in early childhood education.

The Education Commission (EC), in its report on "Learning for Life, Learning through Life: Reform Proposals for the Education System in Hong Kong" published in September 2000, maintained Primary One to Secondary Three as the stage of basic education. Given that early childhood education is the foundation of learning for life, the Report proposed that the Government

should improve early childhood education, promote diversity in early childhood education, and subject to availability of resources, increase the subsidies for parents. The Government has adopted the proposals of EC, which include upgrading the professional level of KG teachers, strengthening quality assurance, and reforming the monitoring system, and so on.

We have rolled out the relevant proposals one after another. From the 2001-2002 school year, we have raised the entry requirements of KG teachers from two passes in the Hong Kong Certificate of Education (including one language subject) to five passes (including both Chinese and English). After KG teachers have achieved Qualified Kindergarten Teacher status, our target for the next stage is to enhance the academic qualification of KG teachers to certificate level.

Moreover, the Education Bureau after taking into account views of the front-line early childhood teaching staff, and in consultation with the pre-primary education sector, established a set of performance indicators for child development in 2001, which provides reference for the development of quality early childhood education; and at the same time provides school support services in developing curricula and teaching strategies.

It was against such a background that the Government started to implement the pre-primary education voucher scheme (the voucher scheme) in the 2007-2008 school year. Today we are debating on the objective of this scheme. The intention of the scheme is to provide direct school fee subsidy to parents with a view to easing their financial burden. The scheme does not set out to subsidize comprehensively all expenses in this regard. We implement the scheme with the objective of further enhancing the quality of pre-primary education on three fronts, namely, supporting families and increasing parental choices; providing qualified teaching staff; and improving education quality through the commitment of kindergartens in accountability.

Pre-primary education has all along been provided by private institutions and characterized by diversity. In the light of the foundation established in this regard, the Government has increased the investment of resources in pre-primary education under the voucher scheme, but has avoided imposing the elaborate regulatory controls embodied in the traditional subvention model, so as to preserve the existing flexibility of kindergartens. As the voucher scheme is applicable to all non-profit-making kindergartens and the subsidy is

non-means-tested, the majority of parents can benefit from these aspects of the scheme. However, in providing fee subsidy in the form of a voucher, the scheme does not set out to cover the full school fee of kindergarten education for all children.

The voucher scheme preserves the flexibility and space of kindergartens in their autonomy in curricula, teaching and student admission, and at the same time, enhances the autonomy of kindergartens in determining the remuneration of teachers. With respect to principals and teachers, they are granted subsidies under the voucher scheme to upgrade their professional qualifications. Kindergartens are also entitled to spend the teacher development subsidy in the appointment of supply teachers to substitute for teachers on training course and relieve their workload.

In summary, the voucher scheme provides parents with more choices. There are queries in the community as to why only non-profit-making schools are eligible for the voucher scheme. The reason is that we have to ensure funding is invested in the learning of students and not allocated to other uses. The voucher facilitates functioning in the market, and at the same time, emphasizes transparency and accountability, so as to ensure service quality.

President, I so submit. I will give my responses to Members after listening to Members' views.

**MR CHEUNG KWOK-CHE** (in Cantonese): President, the concept of a voucher scheme was advocated by the economist Milton FRIEDMAN in the 1950's. According to FRIEDMAN, a free market is the most effective means of self-adjustment. Therefore, parents will be given the freedom to choose by means of a voucher. Good schools will be able to attract more students, and the resources obtained by the school will be relatively more. Not so good schools will not be able to attract students, and will eventually close down. He hoped that the level of education would be enhanced through competition of this kind. The original idea of FRIEDMAN is very idealistic. It is unfortunate that the Education Bureau has set up barricades for free economy by imposing regulatory controls as well as restrictions on non-profit-making kindergartens, so that the idealistic situation advocated by FRIEDMAN cannot be found in Hong Kong. At present, not all kindergartens are eligible for the voucher which results in the scheme not equally applicable to all. Thus, the basic resolution of the problem

is to provide subsidies for all young children to study in kindergartens. It is only when early childhood education has been transformed into free education that the disputes involved in pre-primary education voucher can be resolved once and for all.

It is obvious that the improper implementation of the existing voucher scheme has given rise to numerous problems. Some schools are facing difficulties in capital and student intake. Teachers are encountering non-professional intervention that threatens their job security. The existing scheme only succeeds in creating substantial administrative work for teachers of early childhood education, resulting in teachers working overtime, which deprives them of the time for further studies. At the time when the level of subsidy was determined, the Education Bureau had failed to draw reference from views of the sector. As a result, the level of subsidy for whole-day kindergartens is lower than that of half-day kindergartens. Although some senior officials have come to realize the crux of the problem afterwards, review of the scheme has to be deferred to the 2011-2012 school year. Failing to attach importance to the effects of the problem, these officials are shirking their responsibilities.

In abolishing the pay scale for kindergarten teachers (KG teachers), the Education Bureau has adopted a fine-sounding pretext of creating a competitive environment of free economy. As the sector has lost a remuneration standard, how can a reasonable level of starting salary and recognition of length of service be determined? This cannot be determined by individual school sponsoring bodies. Besides, education is a profession. Now that commercial competition is introduced in the sector, will this be the benefit of early childhood education? We know that the majority of kindergartens that have taken vouchers from students are unable to meet all the expenses. They need to ask students to pay for the difference. Conscientious institutions do not charge expensive school fees from the grassroots. Nevertheless, in the face of maintaining a reasonable remuneration for teachers and a quality teaching environment, institutions have found that options to be considered are very few. In view of this, the quality of future early childhood education is most worrying indeed. With the introduction of the Lump Sum Grant Subvention System in 2000, many problems have begun to emerge among the social welfare sector to the extent that service quality is in doubt. The existing voucher scheme provides even less protection than the Lump Sum Grant Subvention System. If the Education Bureau does not accept

the proposal of the sector to conduct an immediate review, it is almost certain that early childhood education will be sacrificed.

The Government wishes to upgrade the qualification of KG teachers. However, the abolition of the remuneration mechanism has resulted in a high turnover of experienced teachers. Is this the way to upgrade the level of education? At present, while young parents have to work long hours, new arrival families are in need of support. These families have a keen demand for whole-day early childhood education. Since the subsidy value of the existing voucher is calculated on the basis of half-day classes, whole-day nurseries are not fairly treated, giving rise to grievances and complaints that the voucher scheme is unable to provide comprehensive support to needy families. Pursuant to the implementation of the voucher scheme, a more serious problem has emerged. As school fees of kindergartens have been pushed up, some grassroots parents who used to be eligible for full remission have to pay school fees because the amount exceeds the subsidy ceiling, which is fixed for a period of five years by the Administration. According to a survey published by non-profit-making early childhood education institutions in February, while the average annual school fee for whole-day nurseries is \$28,245, the annual fee remission ceiling is fixed at \$25,400, resulting in grassroots parents of low-income families having to top up the gap of several thousand dollars per year. This policy with the intention of helping the public has only resulted in grassroots paying more school fees. Obviously something is very wrong with the policy. Therefore, it is imperative that a review should be conducted. The Education Bureau has repeatedly indicated that a review will be conducted in the 2011-2012 school year, which, in my opinion, is too late.

President, in implementing the voucher scheme, the Government is moving in the right direction. According to studies conducted in many other places, early childhood education is able to identify whether children have learning disabilities. Early intervention will help children reduce learning difficulties. This, in turn, will help reduce funds allocated for special education and welfare services in the future. Given that the Government has already put in place the voucher scheme, and has affirmed the necessity for early childhood education, it should include early childhood education in formal education, so as to bring early childhood education in line with secondary and primary schools. It is advisable that the Government should provide free early childhood education, and extend the existing free education to 15 years. This is the approach most suited to the

needs of Hong Kong, and is the best solution to resolve the present problems of the voucher scheme.

President, I so submit.

**MR TAM YIU-CHUNG** (in Cantonese): President, the Government started to implement the kindergarten voucher scheme from the 2007 school year. The Government hopes to upgrade the quality of early childhood education by increasing resources for pre-primary education and providing training subsidies for kindergarten teachers (KG teachers). This direction is recognized by the community and the majority of parents. However, problems began to successively emerge during the implementation process. It is imperative for the Government to face the problems squarely and take early steps to rectify the situation.

The Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) and the Hong Kong Institute of Education Past Student's Association of Early Childhood Teacher Education Limited jointly conducted a survey of serving KG teachers on the implementation of the voucher scheme in March this year. The findings of the survey have revealed several major problems. These include the face value of the voucher is insufficient, resulting in an increased burden of school fees borne by families in poverty; kindergartens have no other option but to increase school fees owing to a continuous rise in operating costs; the increased paper work due to requirements of self-evaluation and external evaluation, training requirements, and applications for voucher subsidies under the new mechanism have been attributed to the stringent manpower situation in schools; and the salaries of KG teachers are limited by school fees as well as voucher subsidies.

The objective of putting in place the voucher scheme is to provide direct fee subsidy to parents, and to ease their financial burden. However, with the rise in operating costs, the existing value of the voucher is unable to meet the full amount of school fees. According to the data provided by the Government, there were 110 000 parents of young children in the 2008 school year. After deducting \$11,000 from the voucher subsidy, parents have to pay school fees out of their own pockets every month. The extra amount of the gap ranges from \$14 to \$1,300 for half-day places per month, and \$466 to \$3,800 for whole-day places per month. Those who are most affected are parents of families in poverty and

families receiving the Comprehensive Social Security Assistance. In the past, under the Fee Remission Scheme, they are eligible for full remission of school fees. But under the voucher scheme, with the ceiling of \$25,400 put in place, many parents have to pay a gap of more than \$400 school fees per month. They run short of ways in dealing with various expenses, now they are forced to pay the difference of school fees. If they really cannot afford the school fees, their children will have to study in half-day schools. The implementation of the new scheme has created a group of victims, which is certainly not the policy intent. Therefore, the imminent task of the Government is to allocate more resources to subsidize families in poverty affected by the scheme, so that they will not feel at a loss as to what to do with the school fees of their children.

Secondly, the Government should consider increasing the face value of the voucher. According to the survey, the Government had made an error in underestimating the fee increases of kindergartens. In the coming 2009 school year, only 5% of kindergartens in Hong Kong are charging school fees under the Government's remission ceiling of \$25,400. Apart from the salary increases of KG teachers, kindergartens have to earmark expenses for improvement of school environment, replacing basic equipment, acquiring teaching aids, and maintenance of school buildings. However, in calculating the face value of the voucher, the Government had not taken these factors into account. This has not only resulted in creating financial hardship for families in poverty, but has also attributed to the operating difficulties of kindergartens. The survey of the DAB has revealed that 52% of KG teachers hope that the face value of the voucher can be increased to \$16,000 in the 2009 school year, while 26% hope that it can be increased to \$15,000.

With the implementation of the voucher scheme, the requirement of the professional qualification of KG teachers has been upgraded. Meanwhile, there has been an increase of their work pressure. However, their professional status and remuneration have not been enhanced accordingly. Our survey has also revealed that 73% of teachers do not enjoy a salary increase after the implementation of the voucher scheme. Although kindergartens are now able to recruit new teachers with more experience and higher qualifications, due to the restrictions of school fees and the voucher on their income, they can only afford to pay newly recruited teachers at the remuneration level of former teachers who have left their jobs. The length of service of KG teachers has increased, and their qualifications have been upgraded in accordance with government requirements, but they are not able to obtain a better remuneration mainly due to

the Government's abolition of the pay scale for KG teachers. As a result, a protection mechanism commensurate with the professional qualification of KG teachers is not available. According to the survey, 99% of KG teachers demand the Government to include early childhood education in the funding scope under basic education, reflecting their general dissatisfaction with the existing status of early childhood education. Thus, we hope that the Government will formulate a pay scale for KG teachers first, and then include early childhood education in the free education system, so that the remuneration of KG teachers will be directly subsidized by the Government.

I also wish to stress one point, that is, to ensure the education quality of kindergartens, the Government must face squarely the stringent manpower situation of kindergartens, which has all along been a structural problem. Pursuant to the implementation of the voucher scheme, kindergartens are able to spend the professional development subsidy for teachers to appoint supply teachers who provide support to teachers on training courses that aim at upgrading their professional level. However, after the 5-year transitional period which ends in 2011, kindergartens will no longer have extra resources for the recruitment of temporary staff. With insufficient administrative support, a drastic increase in workload for KG teachers, manpower allocated to teaching will be reduced. Therefore, as complementary measures of the Government's subsidy policy, the Government should improve the teacher-to-pupil ratio, and provide subsidies in accordance with this ratio.

The importance of kindergarten education is self-evident. It is the Government's important and unshirkable responsibility to improve the voucher scheme and enhance the quality of kindergarten education. With these remarks, I support the motion.

**MISS TANYA CHAN** (in Cantonese): President, last Saturday was the important day of the annual allocation of Primary One places. There are always people who are happy with the result of this annual allocation exercise, but there are also people who are not happy with it. Though I do not have children, I have many godchildren. When I see parents spending a lot of efforts in securing places for their children in primary schools of their choice, and young children studying hard from as early as the kindergarten years, I have come to understand that pre-primary education is indeed very important to the growth of children.

Two years ago, the Government introduced a new initiative of pre-primary education voucher scheme, and undertook to conduct a review of the scheme after five years of implementation. Unfortunately, after its implementation for only two years, we can describe this voucher scheme as being plagued with problems.

The intention of introducing the voucher scheme is to allow flexibility for parents to choose their preferred kindergartens. By employing the market force to create competition, the Government is compelling kindergartens to seek quality enhancement. It is most unfortunate that after the voucher scheme has been implemented for only two years, we can obviously see that the voucher scheme in Hong Kong is practically unable to achieve this objective. This is because only non-profit-making kindergartens are included in the scope of subsidy under the voucher; private kindergartens cannot benefit from the scheme.

In this way, the entire kindergarten market is split into two. Parents who wish to be granted subsidies are unable to choose private kindergartens. And even if private kindergartens wish to admit children whose performance and potentials are complementary to their schools but with lesser means, they are not allowed to do so. So is it possible for a market which is distorted by government policy to achieve effective enhancement of quality through competition?

I suggest that the Government should treat all kindergartens equally without discrimination during the review of the pre-primary education voucher scheme, so that the scheme will include all kindergartens, and allow all parents to enjoy the government subsidy as well as the flexibility in their choice of schools. If the Government has no intention of providing this flexibility to parents, it should consider whether subsidy for pre-primary education should be continued in the form of a voucher.

President, another problem with the voucher scheme is that it is a regressive subsidy system, which is unfair to parents whose children attend whole-day kindergartens.

According to stipulations of the scheme, the fee ceilings of half-day and whole-day kindergartens under the subsidy of the voucher — as Honourable colleagues of the Council have mentioned just now — are \$24,000 for half-day schools and \$48,000 for whole-day schools respectively. However, the vouchers are of the value of \$16,000 and \$25,400 respectively. If we calculate

on the basis of the fee ceilings, parents of half-day kindergartens need to top up the fee by \$8,000, while parents of whole-day kindergartens need to top up by \$22,600. The difference of the whole-day schools is almost three times to that of the half-day schools. Do Members consider this reasonable?

What makes it worse is that, nowadays, many families are dual income families with working parents. It is logical for these parents to enrol their children in whole-day kindergartens. However, the subsidies received by students of whole-day kindergartens are far less than those received by students of half-day schools. Will this not substantially increase the burden of dual income parents or families? Thus, I suggest that the Government should further increase the subsidy received by students of whole-day kindergartens to an appropriate amount when the review of the scheme is conducted.

Furthermore, under the existing voucher scheme, irrespective of the increase of fees, the subsidy level of the voucher remains unchanged; that is, all adjustments or increases of school fees within the period of five years will be borne by parents. It is possible that some low-income families capable of paying school fees previously can no longer afford doing so due to a slight increase of fees. Under these circumstances, are certain parents not deprived of the right to choose schools? Furthermore, are students not deprived of the right to continue studying in the same school?

Another adverse impact brought about by the voucher scheme is that the burden borne by some families, who were previously beneficiaries of the Kindergarten Fee Remission Scheme, is heavier than before. As a matter of fact, in the last special meeting of the Panel on Education, this impact had been pointed out by many parents and principals. With the introduction of the voucher, the Kindergarten Fee Remission Scheme is no longer applicable. Families with financial difficulties will no longer be subsidized with full remission of school fees. Deducting the value of \$11,000 from the voucher, these families may have to pay at least \$300 or so for school fees every month. Among the many issues we had raised in the last meeting, the Bureau had indicated that it would specially pay attention to this issue. I hope that a response will be provided as soon as possible for the arrangement of a review and policy adjustment.

To some people, spending \$300 every month is just a small amount. But to many families who are recipients of the Comprehensive Social Security

Assistance, the amount of \$300 or so cannot be saved simply by not going out for a meal or not having a lunch at a Chinese restaurant. Is this because full school fee remission is no longer available with the introduction of the voucher, which has created a serious problem and a heavy burden instead? Therefore, I suggest that the Government should provide a second safety net on its review of the voucher scheme, so that families with financial difficulties will be granted full school fee remission, just like the situation before the introduction of the voucher.

Last of all, I would like to talk about the issue of "teacher development subsidy" of KG teachers generated by the voucher scheme. This sum of money is very important in upgrading the quality of KG teachers. However, many kindergartens, particularly the whole-day kindergartens, have revealed that the sum is insufficient. They have indicated that if a teacher wishes to study a course for the Early Childhood Education degree, the school may have to subsidize the teacher out of its own pocket. The Government should consider further increasing the subsidy to an appropriate amount.

What is more ridiculous about the scheme? The distribution of the subsidy is very unfair. The grant of the subsidy is calculated on the basis of the number of students. Assuming that a kindergarten is operating morning and afternoon sessions, and there are 100 students for each session, it will be able to obtain a subsidy for 200 students. But given the same campus, for a whole-day kindergarten which can admit only 100 students, it will only be able to obtain a subsidy for 100 students. This is indeed unfair. A kindergarten is different from a primary school in that there is a group of students in the morning session and another group of students in the afternoon session in a primary school. The principal may not be the same person for both sessions. But very often the same group of teachers is serving for a whole-day kindergarten. They may have to serve extra hours to meet the needs of parents of dual income families. Thus, why are kindergartens with both morning and afternoon sessions eligible for dual subsidies only?

President, I remember Secretary SUEN said in the special meeting of the Panel that this might only be a transitional or a partial problem. However, many Honourable colleagues have pointed out just now that this is absolutely a structural problem. Therefore, I hope that the Government will not wait until the scheme has been implemented for five years — we still have to wait for three more years from now — before the review is to be conducted. I hope that the review will be conducted as soon as possible, and that the Government will

consider including pre-primary education in the scope of free subsidy, so that free pre-primary education will be provided.

Thank you, President.

**MR IP WAI-MING** (in Cantonese): President, pre-primary education is the first education received in life. It is also the most important starting point of the lifelong learning, which we frequently advocate. In recent years, parents have increasingly attached great importance to pre-primary education. While primary and secondary education, as well as university education, are subsidized by the Government, only pre-primary education has not been provided with government subsidy over the years.

It was only when the Government introduced the voucher scheme in 2007 that pre-primary education came to have some sort of official subsidy. However, is this really the fact? As many Honourable colleagues have mentioned just now, according to the data provided by the Government, at least over 80% of parents are eligible for applying for the voucher, which subsidizes the school fees of kindergartens.

We are of the view that although the intention of the voucher scheme is good, the implementation of the scheme for more than a year has given rise to many problems, particularly the substantial increase in work pressure on kindergarten teachers (KG teachers). The voucher scheme has stipulated that an amount of \$10,000 of the voucher is dedicated as a teacher development subsidy within a period of four years, with an amount of \$3,000 per year granted for the first two years, and an amount of \$2,000 per year granted for the following two years. Kindergartens are required to maintain separate accounts for keeping track of the spending of the provision. The unspent balance as at the end of the 2011-2012 school year will be clawed back by the Government.

The amount of \$10,000 can be spent on reimbursement of course fees for principals or teachers studying early childhood education, and appointment of supply teachers to substitute for teachers on training course to relieve their workload. However, as a matter of fact, there has been an increase instead of a decrease of workload for KG teachers. Substitute teachers are unable to alleviate their workload effectively. KG teachers have to cope with their existing teaching jobs, as well as to complete studying for a degree or certificate

course before the end of the 2012 school year. We are of the view that the pressure they bear under the voucher scheme is even greater than before.

Furthermore, kindergartens that have already joined the scheme are required to conduct self-evaluation and undergo external quality review conducted by the Education Bureau. These requirements, in addition to the trifling administrative work under the voucher scheme, have resulted in a substantial increase of workload for KG teachers. According to the findings of a survey conducted by the Democratic Alliance for the Betterment and Progress of Hong Kong, over 60% of interviewed KG teachers indicated that the voucher scheme had brought about an increase of 30 to 40% of paper work. We can see that the combination of low wages and long working hours has resulted in the hourly rate of many KG teachers similar to that of the staff of fast food shops actually.

While there is an increase of workload, the salary of KG teachers has not been increased. Besides, KG teachers are different from teachers of primary and secondary schools in that they do not have a pay scale. A completion of a certificate or degree course does not necessarily mean an upgrade of remuneration for KG teachers. If a KG teacher switches job to another school, she may have to return to the starting salary point, with salary recalculated from the entry level. As the Government does not attach any importance to the length of service of KG teachers, KG teachers do not enjoy any sense of achievement. The Government refuses to formulate a pay scale on the grounds that pre-primary education is led by privately-run institutions, so it asks kindergartens to formulate their own pay scale. However, its claim is not reasonable at all. The Government requires KG teachers to pursue further studies, enhance the teaching quality, but at the same time, it refuses to provide remuneration protection for them. It is just like asking a horse to run fast but do not feed it. We think this approach is extremely unfair.

Moreover, the voucher scheme is applicable to children aged between three years and six years only. However, nowadays, many parents belong to the category of dual income families. There is a necessity for parents to enrol their children under three years old in whole-day nurseries. But this part of pre-primary education is not included in the scope of subsidy under the voucher scheme. In other words, similarly, teachers of nurseries are not able to obtain any teacher development subsidy. We are of the view that the Government should expand the voucher scheme to include whole-day nurseries so that teachers of these nurseries will also be granted subsidy to pursue further studies.

This will, on one hand, alleviate the financial burden of parents, and on the other, facilitate the development of early childhood education. We have all along believed that early childhood education is an important starting point of a lifelong learning. We think that if the Government does not attach any importance to early childhood education, it will be a serious blunder in education policy on the part of the Government.

President, the Government has scheduled to conduct a review of the voucher scheme in 2012. As the voucher scheme is a new initiative and many problems have already risen during the initial stage of implementation, we believe that it will be too late to conduct a review after five years. In the light of present circumstances, the Government should advance the review of the voucher scheme and the related Fee Remission Scheme, with a view to easing the burden of parents, and at the same time, alleviating the workload of KG teachers. Thus, we hope that the time of conducting the review can be advanced.

President, the Hong Kong Federation of Trade Unions supports the original motion and all the amendments. I so submit.

**MS CYD HO** (in Cantonese): President, many education psychologists have pointed out that the most important time to foster a liking for learning in a child is the rudimentary period before the age of six; that is, the stage of nursery and pre-primary education. What does a child principally learn during these years? He learns to express himself, communicate, be confident and curious, respect others, share with others, and give full play to his creativity in games.

However, early childhood education in Hong Kong has become different and alienation exists. The nature of early childhood education has been transformed into a competition in advance. Thus, under this competitive atmosphere, kindergarten education is indispensable in Hong Kong. Although the intention of the voucher scheme is to provide parents with choice, in reality, parents are not given any choice with regard to the most basic aspect — they are not able to choose not to enrol their children in a kindergarten, just like what parents can choose to do in other places. When I was collecting information for the subject, I tried to contact some friends in Australia and the United States. In Australia, children go to school for 12 hours every week. They can choose to study for one or two years. They are allowed not to study at all. The situation is just the same in the United States. Children can enrol in a primary school without having any previous kindergarten education. But in Hong Kong, it is

very difficult for children without kindergarten education to be admitted to a primary school of the parents' choice. They will have to wait for an allocation of a place. Furthermore, after the allocation, parents may embrace their children and cry in disappointment. Thus, there is alienation in the early childhood education in Hong Kong.

Unfortunately, the Government is still maintaining its attitude with regard to subsidy, and is telling parents that kindergarten is not indispensable. This absolutely is not the reality in the society. It is also not the reality of the Primary One Admission System; and is certainly not the reality of working parents who need to go to work and are faced with the problem of having nobody at home to look after their children. It is, indeed, miserable for those teaching in kindergartens in Hong Kong. This is particularly so with teachers who have a commitment in and a vision of early childhood education. They are confronted with conflicts. First of all, in facing this system, they have to conduct self-evaluation and cope with external evaluation, as well as teach children how to compete under such a harsh system. It is particularly hard for them in the last year when they have to teach children to handle interviews and examinations, and at the same time, protect them from too much pressure from competitions. In fact, this inherent conflict has created greater burden and hardship on the workload of kindergarten teachers (KG teachers). The voucher scheme was implemented with the intention of providing parental choice, and upgrading the qualification and quality of teachers by introducing some competition. However, the objective has not been achieved after the launch of the scheme, which has generated many malpractices instead.

Let us talk about the effect on parents first. As working parents of dual income families have to go to work, they have no other option but to enrol their children in whole-day kindergartens. But the ratio of the subsidies provided for whole-day kindergartens and half-day kindergartens is 3:2. If a kindergarten operates two classes of half-day sessions, each student place will be able to obtain a subsidy of \$16,000 times two. If it insists on maintaining a whole-day session, it can only obtain a subsidy of \$24,500. Targeting at this social phenomenon, some social welfare institutions not only provide whole-day education, but also open the school for school children to stay until 8 pm. In fact, they have made an enormous contribution to the society. Children of the grassroots parents need to enrol their children in these whole-day kindergartens, but it happens that the value of the voucher obtained by these parents is unable to meet the school fee in full. For grassroots families with two children studying in whole-day

kindergartens, after the implementation of the voucher scheme, there will be an additional monthly expense of \$400 or so for these families. Therefore, it is imperative for the Administration to conduct an immediate review of such a situation, and respond to the aspiration of parents for fee remission.

Secondly, let us talk about the issue of teachers. We require KG teachers to complete a course within a period of five years. As many Honourable colleagues have mentioned just now, due to the workload of whole-day kindergartens, pursuing compulsory studies has created a heavy burden on their workload. Meanwhile, the Government has abolished their pay scale. Personally I cannot see why KG teachers should continue to serve in early childhood education after they have completed a degree course. This is because on completion of a degree course, they have a greater incentive to become a secondary or primary school teacher. President, let me read out from the established master pay scale (MPS). The maximum pay point for a childcare worker is MPS Point 18, while the maximum pay point for a childcare centre supervisor is only MPS Point 24. However, after a KG teacher has completed a degree course and switches her job to become a primary school teacher, the maximum pay point for her is MPS Point 33. In 2008, the salary at Point 33 was \$48,400, with a difference of \$22,910. Besides, on completion of the degree course and switching to become a primary or secondary school teacher, she will have a long way of promotion ahead of her. For instance, she may be promoted to Headmaster II or Headmaster I of a primary school; or even the principal of a secondary school, with the maximum pay point as high as MPS Point 49. On one hand, we advocate for upgrading the qualifications of KG teachers, but on the other hand, even the master pay scale for KG teachers which leaves a large difference between the remuneration is abolished. With such a move, it is impossible to retain talents.

President, the new school year for kindergartens will start in August, and parents are urgently demanding the Administration to respond with regard to new improvements in the subsidies of school fees. What we must do now, is to alleviate their worries so that they will continue to enrol their children in whole-day kindergartens. In the long run, the Administration must face squarely the reality of articulation to primary school, and include the three-year kindergarten education in the provision of government subsidies, as well as re-formulate a pay scale for KG teachers on a par with that of graduate teachers of primary and secondary schools. Thank you, President.

**MR PAUL CHAN** (in Cantonese): President, I wish to thank Mr CHEUNG Man-kwong for moving the motion on immediately reviewing the pre-primary education voucher scheme (the voucher scheme) today. The Government had stated that a review of the voucher scheme would be conducted in the 2011-2012 school year when it introduced the voucher scheme in 2007. Many problems have emerged after two years of implementation to the extent that there have been continuous complaints and grievances from parents and school sponsoring bodies beset by problems of the scheme. As a matter of fact, the Panel on Education of the current legislative term had held a special meeting in March to listen to the views of deputations. At that time, there was enthusiastic response as more than 30 deputations attended the meeting. Subsequent to that, some deputations also proactively submitted their submissions to Members to express their wish that the Government must immediately review the voucher scheme.

In respect of today's motion, I wish to express my concern about the fact that the voucher scheme has increased the burden of grassroots families. I would like to declare that I am the Chairman of Friends of Caritas, and Caritas is one of the school sponsoring bodies. Caritas Pre-school Education and Child Care Service had also submitted a submission to the Legislative Council. It is pointed out in the submission that on application for the voucher, parents with financial difficulties are allowed to continue applying for fee remission subsidies at the same time. But to the grassroots families, it is incomprehensible that there is an increase instead of a decrease of burden for them under the voucher scheme. The main reason is that a fee remission ceiling of \$25,400 has been rigidly prescribed in the voucher scheme, and the ceiling is also fixed for a period of five years from 2007 to 2012. However, over the past two years, there has been a substantial increase of kindergarten school fees due to factors such as inflation, upward adjustment of staff remuneration and rents, and so on.

According to the submission submitted by the Non-Profit-Making Kindergarten Council of Hong Kong to Members, the average school fee of whole-day kindergartens stands at the amount of \$28,245. This has rendered over 40% of parents, including all families with school children receiving whole-day fee remission and Comprehensive Social Security Assistance having to pay an additional difference of school fees, the highest amount of which reaches almost \$5,000 per year. This is certainly a heavy burden for these families, and is contrary to the Government's intention of launching the voucher scheme in order to help those in need. Other deputations have also discovered

that young children have been forced to drop out or transfer to schools of lower school fees because their families cannot afford paying their school fees. This has attributed to adverse impacts on the adaptation of young children to new schools, fair choice of schools for families, and the principle of vicinity as the basis for allocation of schools.

President, in order to alleviate the burden of young children's school fees on grass-roots families, I agree with the proposals put forward by related institutions to conduct a review of the voucher scheme immediately, and to reinstate the practice of adjusting the fee remission ceiling to a reasonable level on the basis of the weighted average fees per year. With regard to the practical execution of the scheme, the Government should deduct the school fee from the voucher first, and then adjust the subsidy of the balance in accordance with the needs of the family, so that grassroots families can genuinely benefit from the voucher scheme.

President, I hope that in conducting the review of the scheme, the Government will consider carefully the long-term development blueprint of early childhood education. It is advisable that the Government should take timely precautionary measures, including considering the proposals of education deputations to set up a steering committee with representation from the sector, which will be tasked with the responsibility of studying with a focus on the actual implementation and procedures of the policy, and formulating future development and direction of policy planning.

President, I support the original motion and all the amendments.

**MR LEE CHEUK-YAN** (in Cantonese): If we are taking lessons in a kindergarten today, the first thing (Mr LEE pointed to the sticker on his clothes) Secretary SUEN should learn is, this is a "heart". I do not know whether he has a heart — so he has! I am glad. It turns out that Secretary SUEN has passed with regard to kindergarten education. He knows he has a heart. Secretary SUEN, I also believe you have a heart, but the question is whether your heart has been painted a trifle black now? I think the greatest problem in the Government's attitude towards kindergarten education is that it is ultimately "talking about money instead of the heart". At present, the entire problem is that the voucher scheme — although we will not say it is not a good thing for the

Government to have a head start in providing subsidy — is that it has not resolved the issue once and for all.

I believe the Secretary also admits that early childhood education is indispensable, unless later he says that early childhood education is not indispensable in his reply. It is then no longer necessary for parents to enrol their children in kindergartens from now on. Instead they can teach the children by themselves. Subsequent to that, with regard to Primary One admission, schools will certainly provide sufficient places. It is not necessary for students to fight for a place any more because a place is already secured. At present, parents are having a miserable time because they have to enrol their children in a good kindergarten first before they can be guaranteed a place in a good primary school.

Some parents told me (I was horrified after I heard it) that they had to plan which kindergarten the new born baby had to enrol at the time the mother was pregnant. We can see the tremendous pressure borne by parents. Why are parents under so much pressure? It is because they understand the importance of early childhood education which is essential. President, frankly speaking, I think parents in Hong Kong are sometimes over-worried. It is sad for young children to be spoon-fed once they start the kindergarten education. This is another area that needs to be improved. Do not start "spoon-fed" education from kindergarten. It is a miserable experience for children to be scared off at the stage of kindergarten, which is detrimental to their growth.

Thus, in order to bring early childhood education back onto the right track, we have to pay attention to: first, "spoon-fed" education is not something we want; second, the Government should admit that it is a necessity in education, an important item and factor. At present, from the fact that the Government has not provided comprehensive subsidy, we can see clearly that the Government has not attached importance to this area. It is evident. We can also see that the Government does not attach importance to early childhood education from the actual implementation of the voucher scheme. What makes me most angry is that the Government has de-linked the salaries of kindergarten teachers (KG teachers) from the pay scale. Why has it been de-linked? The answer is simple. It is because the Government thinks KG teachers are not important, and that they can be paid at whatever salary available, even if it means KG teachers have to fight for a job, and the supply is more than demand. In brief, as their salaries have been de-linked, the Government will pay no attention to their

situation, or the fact that they are employed at a very low salary as long as there are kindergartens ready to employ them.

Does this not prove that the Government does not attach any importance to early childhood education to the extent that it does not pay any attention to the remuneration of KG teachers? The salaries of primary and secondary teachers are regulated, so why is the Government not concerned about salaries of KG teachers? According to the rules of overseas countries, teachers of early childhood education are required to be a degree holder. This is not yet required in Hong Kong. We can understand this, so we have to train KG teachers. However, what I cannot accept is to de-link the salaries of KG teachers from the pay scale. The application of market principles may eventually lead to vicious competition, resulting in a retrogression of teaching quality. This is what I cannot accept most.

Thus, if the Secretary says that he is not "talking about money" only, why has he allowed their salaries to be de-linked from the pay scale? Why does the Government not provide a comprehensive subsidy? Why is the voucher scheme implemented? In fact, the introduction of the voucher scheme will give rise to another problem. To a certain extent, according to the global experience, the voucher scheme has created a demand, which inevitably leads to an increase of school fees. School operators know that fee increase will not create an immense problem because subsidy from the Government is available. They know that although parents are required to pay the difference, they can cope with a greater difference, because they do not have any subsidies from the outset. Now that they have the subsidy of the voucher, they can manage to pay a higher difference.

I am not blaming kindergartens for this. They have to run a business and the voucher scheme has provided an incentive to increase school fees. This will lead to expensive school fees. In fact, it will also make the situation worse. The global experience has informed us that the voucher scheme will lead to an increase of demand, which is conducive to more expensive school fees in a free market eventually.

The Secretary is frowning. Let me cite an example with which the Secretary is most familiar. It is related to the Continuing Education Fund. The Government provides a subsidy of \$10,000. The original fee for a computer course was \$3,000, but it charges \$10,000 now. What is the reason behind this? It is because the Government has provided a subsidy of \$10,000. The

Continuing Education Fund has stipulated a subsidy amounting to \$10,000 will be offered. A demand is created accordingly. That is why it is not feasible. The best, the simplest and the most direct way is for the Government to have a genuine commitment. I wish to call upon the Government to implement a three-year free early childhood education. This is a neat and tidy method to take on the responsibility, and the simplest way in doing so. In the future, the Government can also boast that a provision of not only 12 years but 15 years of free education is available in Hong Kong. In doing this, the Government can be perceived as a Government with commitment, instead of only a Government that "talks about money".

There is another thing which is difficult for me to accept, and that is, after the implementation of the voucher scheme, there has not been any adjustment for the fee remission ceiling. It has not been adjusted for five years. However, over the past two years, the average increase of school fees has exceeded 10%. Even if the Fee Remission Scheme is applicable now, after the deduction of the value of the voucher, there is still a difference. The Secretary admits that this is a fact. I believe he will do something about this. Every time this issue is mentioned, the Government claims that it will conduct a review or do something about it. I hope that the Government will do so as soon as possible. It is also not enough just to follow up on this aspect only. Such an action will only slightly improve the existing very unreasonable phenomenon to take into account the grassroots, so that the burden borne by the grassroots families will not be too heavy.

Last of all, I really hope that the Government will be able to make commitments to provide three-year free early childhood education. If the Government makes commitments to provide three-year free early childhood education, improve the training of KG teachers, and formulate a pay scale for KG teachers, devote more efforts to regular practices, leave behind crooked ways (I prefer to describe them as heretical means), commit in early childhood education properly, the people of Hong Kong will then develop more confidence. At present, many people admit that they do not consider having children. Given such an immense pressure in education, they will choose not to have children. It is imperative to put into practice a successful early childhood education if the Government wishes people to have confidence in having children and raising families. Thank you, President.

**PROF PATRICK LAU** (in Cantonese): President, as the saying goes, "the character of a person will be shaped at a tender age". According to many studies, pre-primary education is very important to a child's growth. The human resource is the only asset of Hong Kong. As the last legislative term had much concern about issues of this area, the Government had invested some resources in pre-primary education. The voucher scheme was introduced in the 2007-2008 school year with the objective of easing the financial burden of parents and raising the qualification level of teachers. I believe that some people at the public gallery concerned about this subject had attended the meetings of the Panel on Education, and had raised questions on the effectiveness of the policy. Teachers, parents and schools are of the opinion that the voucher scheme has generated a number of problems. As a former educator, I agree that there is a need to review the pre-primary education voucher scheme.

First of all, the objective of the voucher scheme is to ease the financial burden of parents. However, some parents have reflected to us that the school fees they are paying now are more than before. Previously, parents were granted full reimbursement of fees at the most by the Student Financial Assistance Agency under the Kindergarten and Child Care Centre Fee Remission Scheme. No fee remission ceiling was put in place. However, after the implementation of the voucher scheme, the Government has fixed a ceiling for the annual subsidy at \$25,400. If the school fees exceed the ceiling, parents have to pay the fees. According to the findings of some surveys, the average school fee for kindergartens stands at some \$28,000. It has been calculated that on average, each parent has to pay a school fee amounting to some \$2,000. Prior to the implementation of the voucher scheme, parents did not have to pay this amount of some \$2,000. But now they have to pay the amount. To low-income families, this constitutes a heavy burden. Furthermore, irrespective of whether there are factors such as rising prices and operating costs for schools, the ceiling of \$25,400 will remain the same before the 2011-2012 school year. I am of the view that the Government should conduct a review of this subsidy ceiling, put in place a mechanism which reviews the overall school fee level and price indices, implement an annual adjustment of the ceiling, with a view to providing a ceiling that keeps pace with market development.

President, just now many Members have expressed their views concerning kindergarten teachers (KG teachers). The voucher scheme has brought about a substantial increase of workload for them. Some KG teachers have pointed out

that apart from teaching, they have to make preparations for activities, handle additional administrative work, to the extent that they are working 10 hours per day, and five and a half days per week. While free periods are forced to be cancelled, time for a rest is not available. Due to too much pressure, some KG teachers have resigned or switched to serve part-time, resulting in schools running short of teaching manpower.

The Government should create a good working environment for pre-primary education, alleviate the administrative work of teachers as much as possible; for instance, reduce the workload for self-evaluation and external evaluation. In addition to that, sufficient resources should be provided to schools so that teaching assistants can be specifically employed to be responsible for administrative work while teaching staff can concentrate on teaching. It is only through resolving the problem of insufficient manpower in kindergartens that the teaching quality can be enhanced.

Apart from teaching, the Government expects KG teachers to pursue further studies after school and attain degree and certificate qualifications within a period of five years. The intention of such a policy is good, as it encourages kindergartens to reach a certain teaching level. However, it has indirectly forced teachers to attain their qualifications within a short period of time. Given the time constraints, teachers usually pursue intensive studies within a short time with the aim of attaining the relevant qualifications, hence results in a substantial increase of work pressure. In this connection, should the Government not extend the period of further studies, so that more room and manpower can be given to schools and teachers to cope with the requirements of teaching and studies?

Apart from this, on completion of their studies, KG teachers are without the qualification protection. Mr LEE Cheuk-yan has mentioned just now, the Government has abolished the pay scale, leaving the remuneration level of KG teachers to be determined by market forces. In the light of stringent funding, a salary increment means an increase in school fees. The room for schools to increase school fees is very limited. Thus, even if KG teachers have completed the courses, the remuneration determined by market forces may not necessarily be commensurate with the relevant qualification. In a way, the Government is not encouraging teachers to pursue further studies, but rather making teachers work hard for little appreciation. Thus, the Government must introduce matching

policies as much as possible, such as formulating a salary scale, encourage KG teachers to pursue further studies, and assess the remuneration level on the basis of qualifications.

President, there is a need for us to review the method of calculating the subsidy on the basis of the number of students. The existing across-the-board funding model is calculated on a student basis. Irrespective of whether the school is a whole-day or half-day kindergarten, each enrolled student is granted the subsidy of \$11,000. There is more room for a half-day school to admit more students. It is possible for a half-day school to admit twice as many students as full-day schools; which represents twice as much subsidies. This funding model is unfair to whole-day schools. The workload for whole-day schools is no less than that of half-day schools, but they are subject to a different resource allocation. Thus, the Government should review the relevant funding method, so that whole-day schools will be subsidized in a fairer manner.

Moreover, resources allocated to schools that admit a smaller number of students are relatively less, which may lead to operational difficulties. To enable these schools to continue operating without increasing school fees, I propose that the Government should put in place a school-based subsidy under the current funding. Drawing reference from the basic costs, wages, facilities of schools and other factors, the Government should provide sufficient funding to meet the basic needs of schools.

I so submit. Thank you, President.

**DR PRISCILLA LEUNG** (in Cantonese): President, education is the foundation of a country. Education is a project where one life affects another life. Since the introduction of the Pre-primary Education Voucher Scheme in 2007-2008, the scheme has stirred up much controversy. I have expressed my opinions on the issue at the Panel on Education, and today, I will go through certain issues again in a systematic manner.

Early childhood education can be likened to a key to a child's education. If a wrong key is used, it will create an enormous and lifelong impact on the future of the child. I remember I have once shared with Members the following

experience. About five years ago, when my child was still attending the kindergarten, he complained to me that because of the lack of creativity on the part of his teacher in certain courses, he found that his creativity was inhibited at school. He felt that he had lost the key to creativity. This is the greatest irony. Surely, we are grateful that we have the ability and resources to sustain and inspire creativity and innovation in our child through other learning experience. However, it may not be affordable to a majority of families.

Children are the most precious assets of Hong Kong and of mankind. I think all children should be provided with equal opportunities, irrespective of whether they are rich or poor, so that their strengths can be identified during the pre-primary stage, for a child may be gifted in certain aspects. Is Hong Kong capable of doing so at present? No, we definitely lack the condition to achieve this target. Under the existing circumstances, talented children coming from families lacking the resources, and children who have good potential to gain achievement, may be neglected. I think we absolutely have to reflect on this. We learn from history that many outstanding scientists and talents, as well as renowned persons whose influence straddle the centuries, came from poverty-stricken families. If our society fails to take care of this aspect completely, we are wasting talents. Among the children coming from the Mainland who grow up in Hong Kong, many of them may be geniuses. However, since their talents are suppressed during their early childhood, they lose their confidence, and may even grow to hate the system in Hong Kong.

We have studied the education system of Sweden. A lot of recourses have been invested in pre-primary education. Some of the organizers of early childhood education institutions are professors who know about education. It is evident that they attach importance to the inspiration brought about by pre-primary education, for it may affect the future of the child, deciding whether he will be a figure whose influence is felt over the centuries. We may draw reference from the Mainland, a nearby example. I have visited the special class offered there — the one-to-one approach is adopted in pre-primary education. If a child is identified as gifted in certain aspects at an early stage, the one-to-one education approach will be adopted. Members have witnessed the technological development of the Mainland. The father of the cloned cow is a case in point, for talents in this type of technology are nurtured at an early stage. In this connection, I think Hong Kong lags far behind overseas or the Mainland.

All along, I have reservation about the voucher scheme. To date, I still have not changed my mind. I surely hope that Hong Kong ..... As Mr LEE Cheuk-yan has said earlier, indeed I have also mentioned that a number of times and written many articles about that, I think that the three-year pre-primary education should be geared towards the direction of free education, to be undertaken by society and the Government. For gifted children who lack the conditions to bring their strength to full play, we should be willing to provide them with the resources, so that they may contribute to society in future.

Now Mr CHEUNG Man-kwong proposes to review the voucher scheme, I surely agree with this. However, I think that the problem of the entire system on early childhood education is at root a problem of the system and the mindset. More often than not, I think the Government and society have a misconception that the introduction of the voucher scheme in pre-primary education will provide the solution to many problems. It also gives the public an impression that the problem with early childhood education can be solved by handing out more money. But the case is just the opposite. The voucher scheme may indeed be an attempt to disguise problems in the Hong Kong education system which overlooks the importance of early childhood education.

With extensive discussion held in Hong Kong society at large, I think we are willing to provide the resources required. At present, many criticisms point out that the youths in Hong Kong, and even the youths of the next generation, fail to compete with the new generation of our neighbouring countries and even the Mainland. This situation is a cause of our concern. When we grow old in future, the world will be motivated by this group of children, and they have to conduct cross-century studies. The future of Hong Kong depends on how much resources we will invest at present. For children coming from poor families in particular, I think they should be given ample opportunities. Therefore, even though it may seem repetitive and long-winded, I must point out here that I think the Government should consider whether three-year free early childhood education can be provided in the long run.

With respect to the voucher scheme under the discussion today, basically I would agree with the original motion and the amendments. With regard to certain technical issues, I do not oppose relaxing the "deadline" for achieving the targets. However, I think this is only a technical issue after all. Improvement measures adopted in a piecemeal manner to the system will not tackle the

problem at root. Hong Kong, being a cosmopolitan city and an international hub, should promote education as an industry. What kind of talents will the education system in Hong Kong nurture? Early childhood education is the first step we take and it is the first key. Thank you, President.

**MS AUDREY EU** (in Cantonese): Within this seven-minute speaking time, I will first present the position of the Civic Party on the original motion and the amendments, and on the other hand, I will settle scores with the Government.

President, when Alan LEONG from the Civic Party stood for the Chief Executive election in 2007, he had made clear the position of the Civic Party in early childhood education that we supported 15-year free education. We consider that early childhood education is basic education that must be included in the existing system of free education. Moreover, President, I agree with the views of many Honourable colleagues that the voucher scheme now adopted for early childhood education is extremely unfair to full-day schools, poor students and independent private kindergartens. Since all kinds of problems are found from the very beginning and persist till now, amendments should be introduced as soon as possible. With regard to the salaries of kindergarten teachers, which are delinked from the pay scale, I agree with the views expressed by other Honourable colleagues.

President, I will then settle scores with the Government. I have at hand a paper submitted by the Government to the Legislative Council in 2006, seeking the support of this Council on the Pre-primary Education Voucher Scheme. President, in paragraph 19 of the paper, it was pointed out that the implementation of the new initiatives was intended to consolidate the existing financial schemes. It was then stated in the following sentence that, let me read out to Members: "We shall ensure no student are worse off under the new initiatives". The word "ensure" was used at that time. However, we know that the undertaking has not been honoured eventually. For at the meetings of the Panel on Education, we have been told by many parents that the poorer the student is, the lesser subsidy he receives. President, this is the usual trick used by the Government. The increase it proposes every time will result in a reduction in actuality. Despite the allocation of additional funds for subsidy, which seems to be an increase — Dr Priscilla LEUNG said in her speech earlier that there was an increase in funding, but this is not the case — on the one hand, the Government provides additional resources, but at the same time, it cuts

existing subsidies on the other. The Government often employs such tactic to disguise actual reduction with a so-called increase. Later, if time allows, I will share with Members the many examples of this kind. This trick is very often used by the Government.

President, I now come to the second point. In the paper submitted in 2006 — I have to read it out to Members — regarding the financial implication of the new initiatives, it was stated that, "The introduction of the proposed voucher scheme, rationalization of the existing subsidy schemes for operators and parents, and the implementation of other supporting measures will lead to a net additional recurrent expenditure of about \$2 billion per annum, in addition to the recurrent expenditure of about \$1.1 billion per annum on existing schemes for the pre-primary education sector." It went on saying that: "The share of expenditure on pre-primary education out of total recurrent expenditure on education will increase from about 2.4% to about 6.3%." However, President, as we observe, the actual situation is not as claimed in the paper. Regarding the budget expenditure for 2009-2010, we have asked the Government about the computation method adopted.

Members can see that the additional recurrent expenditure incurred by the voucher scheme is not \$2 billion as claimed in the paper. In the year 2007-2008, the actual expenditure was only \$900 million. At the same time, expenditures on pre-primary education relating to the fee remission scheme for kindergartens and child care centres, the reimbursement of rent, rates and Government rent under the Child Care Centre Fee Assistance Scheme, training for headmasters and teachers and counseling services, and so on, was reduced in each of the year since the implementation of the voucher scheme. The actual expenditure incurred for 2006-2007, which was \$1 billion, was reduced to \$670 million in the year 2007-2008, and the revised estimates for 2008-2009 was reduced to \$470 million.

So, Dr Priscilla LEUNG, there is no increase in subsidy, but just the opposite. As for the share of expenditure on pre-primary education out of the total expenditure on education, the slight increase, from 2.7% in 2006-2007 to 3.4% in 2007-2008, was set off in 2008-2009, where the percentage was reduced to 3%. Therefore, the share of expenditure, definitely, has not been increased to about 6.3%, as so claimed in the paper. We all see that in early childhood education, the Government still has much capacity to make improvement. Hence, the Government should conduct a review as soon as possible. Only by

examining its paper, the Government will know that it has failed to honour its undertaking.

Moreover, the original objective of the implementation of the voucher scheme was to provide fees subsidies to parents to alleviate their burden in this respect. Though school fees have been slightly decreased in recent years, inflation has been running high earlier, causing substantial depreciation to the value of the vouchers. According to the information provided by pre-primary education institutions, in the face of the pressure of inflation, the school fees of kindergarten keep on increasing. In the 2008-2009 school year, 97% of kindergartens are charging school fees higher than the subsidized ceiling provided by the vouchers. The average school fee charged is \$28,500 a year, while the subsidized ceiling provided by the vouchers is \$24,000. Besides, additional charges like textbooks fees, refreshment fees, air-conditioning fees and sundry charges have not yet been included. The financial tsunami has dealt a heavy blow to both the middle class and the grassroots, and they are hard hit by widespread unemployment and layoffs. As inflation continues, there is growing pressure for increase in school fees. The face value of vouchers can in no way keep pace with inflation. Parents from the low and middle income groups will naturally complain about their plights.

The Government said that the amount of subsidy provided by the vouchers would remain unchanged for five years, which meant \$24,000 per annum for half-day schools and \$48,000 for full-day schools. However, in view of the growing unemployment rate and the rise in inflation at an annual rate of 0.6%, school fees are expected to keep increasing in future. Hence, many Honourable colleagues and the Civic Party support an increase in subsidy and conducting a review.

President, as I have mentioned earlier, I will speak faster to save time to cite examples that the Government often deceives us with the tactic of achieving reduction in disguise of an increase. President, you may remember that the Government once promised to offer a subsidy of \$10 per vote, which was later changed to \$11 per vote. In other words, for every vote we secured during the election, the Government would give us a certain amount as subsidy. Though it seemed to be an additional subsidy, reduction was introduced immediately on other fronts. We were initially entitled to use post delivery service free of charge for two times, but this was reduced to once only. After calculation, the Government had indeed gained money despite the increase. The same situation

happens every time. When it has established a new fund to provide subsidy, it will at the same time reduce the subsidy for the existing fund. The same situation happens every time. The same fate will befall in the case of the vouchers. President, the figures I have read out earlier to Members, speak volume that the Government often resorts to such tactic. It will come to the Legislative Council and tell us that it is an additional subsidy, but once we support the proposal, we will find that the proposal is attached with various appendices, like Appendix B and Appendix C, stating that some existing subsidy will be subject to reduction. Upon the consolidation of various subsidy schemes, the increase will usually bring about an eventual cut in subsidy. President, this is not the first of its kind.

Hence, I hope all Members of the Legislative Council will support the original motion and all the amendments put forth this time to immediately — President, immediately — reviewing the voucher scheme for early childhood education, particularly that additional assistance should be provided for needy families immediately.

**MR LEUNG YIU-CHUNG** (in Cantonese): President, according to the remarks of certain education experts quoted by Ms Cyd HO earlier, education for children before six is of utmost importance, which will bring enormous benefit to the development of a child. Prof Patrick LAU borrowed a Chinese common saying earlier that "the character of a person is shaped at a tender age", which affirms that pre-primary education is particularly vital to personal development.

President, I have been teaching in secondary schools for more than 20 years, but I have not examined, in particular, the impact of early childhood education on personal development. I am not familiar with this. However, I know that children who have not received nursery education will face a lot of difficulties when they attend Primary One. For the current curriculum of primary education is designed on the assumption that students already possess considerable knowledge. For instance, they should already know such basic knowledge as the 26 letters of the English alphabet and the numbers, they must know these well. For a child who has never attended the kindergarten, of course, he may still attend Primary One, but you and I know well what kind of hardship he will have to endure. In the face of this, I wonder what the Government will do to face the question squarely.

Actually, in our society in reality, will anyone or any child of any family attend Primary One direct without receiving early childhood education? Surely, it is possible — Secretary Michael SUEN shook his head just now, which means there is nearly no such case. Such cases are rarely found, am I right? If such cases are small in number or can rarely be found, I think it signifies that early childhood education is essential, which every child must receive in the course of his or her development. Against this background, that is, if Secretary Michael SUEN agrees with us that few children have not received early childhood education, I think the Government should face the reality rather than bury its head in the sand. If such is the case, early childhood education should be subject to regulation, and it should be made official like primary and secondary education and be given proper attention. Early childhood education should be formalized, so that curricula offered by different schools are known to each other and similar. The authorities should ensure that the curricula offered by different schools do not vary markedly. Otherwise, students of a certain school will know the alphabet while those in other schools do not. The teaching of certain subjects should not be exclusive to individual schools where other schools do not teach such subjects. I think it is important to ensure that the difference in curricula provided by various schools should be minimized.

Naturally, the teaching methods adopted by different schools may not necessarily be the same, but the difference in curriculum should not be substantial. The curriculum of certain schools would push the children to study a lot of subjects and learn a lot of things when they are still small. I think education of this kind is no normal education. I hope that early childhood education or pre-primary education can come under certain norms. This will prevent abnormal development, for the present development is not quite normal.

The other issue under discussion today is the voucher scheme. An alliance of parents expressing concern on the voucher scheme sent us a letter. They said that the Panel on Education of the Legislative Council convened a meeting on 20 March 2009 to review the pre-primary education voucher scheme. The alliance has collected 13 350 letters from parents and submitted to Donald TSANG, the Chief Executive, but no formal response has been received so far. I would like to bring forth this particular point. Why will the Government act this way? It always says that it attaches importance to public views and adopts a people-based approach to governance, but why does it not even give a reply to them? They said that the letters had already been collected on 20 March when

the meeting of the Panel on Education was held, and that the letters had been submitted at the time. From March till now, which is already June, three months have passed, but the Government has not responded to them. What are the reasons? They said they only wish to make ..... I will read out the four requests submitted by them later. But why does the Government not respond? I do not know either. Secretary Michael SUEN, will you explain later why no response is provided? Members from the alliance went on saying: "We implore Members of the Legislative Council to urge the Government to review the voucher scheme as soon as possible." Many Members of the Council have already pointed out this earlier. This proposal is also mentioned in particular in this motion, so I believe all of us share the same view.

I will now come to the requests which I have mentioned earlier. First, the Government should immediately establish a review committee on the voucher scheme, composing of members from the profession and parents. I believe this request echoed the views expressed by a number of Honourable colleagues earlier. A lot of views on the voucher scheme have been expressed, and I hope the Government will again listen to the different voices and opinions expressed to enhance the scheme, though some less desirable arrangements might still have to be retained. Therefore, I think a review is necessary, and it will be most desirable if a committee can be set up to handle the issue. Unless the Government has come up with some new ideas, say providing free early childhood education, which renders the provision of vouchers redundant and presents a completely different scenario, I think this idea should be supported.

Second, the ceiling of school fees entitled to subsidy should be increased, removing the requirement that the subsidy limit of \$25,400 should be kept unchanged for five years, so as to alleviate the burden of parents in paying school fees. A number of Honourable colleagues have mentioned this point earlier, so I will not spend time to go into the details of this.

Third, support should be provided to full-day child care services, so that parents can concentrate on their work. I would like to say some more on this point. Secretary, I am a parent and my son had received pre-primary education in the past. At that time, my son attended the full-day school and I was supposed to pick him up at 6.00 pm everyday. However, I was usually late from work and had to pick him up at 7.00 pm, 8.00 pm or even later. In other words, as long as the school allowed, I would pick him up later and usually at the last

minute. You all know that I have to work very long hours, so I would by all means take him home at the last minute. I would say that I counted on the school to look after him. However, I was rest assured about that, for the school was very good, and caretakers were designated to accompany him to watch television and play games. I did not have to worry about him. Actually, many parents from the grass-roots families have the same experience. Members know that working hours nowadays are very long. Since parents have to work long hours for low wages, the provision of child care services will make parents free from worries on the one hand and allow children to lead a group life on the other. I believe it is a win-win situation. However, this is not the case now. For this reason, I support the request put up by the alliance. More so, I would like to propose to the Government that full-day child care services should be extended, which will enable parents to be free from worries and children to enjoy group life.

The last request is on the expeditious provision of three-year free early childhood education. I will give my full support to this request. Why? President, 15-year free education is already provided in Macao. But what do we have in Hong Kong? Such provision is so far not available. Hence, I will support this request. We should not lag behind other people. A neighbouring place of Hong Kong has already introduced 15-year free education, why can Hong Kong not offer the same?

President, I so submit.

**MR WONG SING-CHI** (in Cantonese): President, as the saying goes, "A person's future is determined at the age of three". Not only will I say this, but many Members have also mentioned this as we all agree to this proverb. Pre-primary education is very important to children. Apart from cultivating their thinking, vision, hearing and muscles of different sizes to lay a solid foundation for learning in the future, good living habits, basic general knowledge and values and so on can be fostered. Hence pre-primary education plays an important role. A happy early childhood is conducive to the children's healthy mental growth in the future. But unfortunately, if their mothers are not happy when they attend school, they will also feel unhappy. Therefore, I hope that the Government will really think of the situation of the parents. Do not think that the children will feel happy even though their parents are not. This is not true.

The Democratic Party has been fighting for government subsidy for pre-primary education so that the financial burden on parents can be reduced and the quality of early childhood education can be improved. The Government has introduced the Pre-primary Education Voucher Scheme to subsidize eligible kindergartens since the 2007-2008 school year. In fact, the general direction of the Government in subsidizing pre-primary education, which is recognized by the Democratic Party, is also the goal we have been fighting for in the past few years. Now, the Government has made some progress which is better than none because this is in the right direction.

However, after the voucher scheme has been implemented for barely two years, we have heard a lot of grievances from parents and complaints from school sponsoring bodies. The Democratic Party hopes that the Government will seriously consider the voices of parents and school sponsoring bodies and respond to our demands by doing its utmost to nurturing the next generation. I hope the Government will really do that.

First of all, the voucher scheme introduced by the Government is full of inherent shortcomings. The use of vouchers is restricted to eligible non-profit-making kindergartens. In other words, the maximum annual school fees for half-day kindergartens and whole-day kindergartens are \$24,000 and \$48,000 respectively. In other words, if parents prefer kindergartens which charge a fee exceeding this amount, then even though such kindergartens are run by non-profit-making institutions — let us take a look at some kindergartens. Take the St Paul's Day Nursery (whole-day) or the Hong Kong Baptist University Kindergarten (half-day) as an example for both are very famous. Given that the annual fee charged by the former is more than \$60,000 while that charged by the later is \$34,000, parents are not entitled to the voucher subsidy. Besides, parents who prefer private independent schools in their neighbourhood, such as Luk Yeung Kindergarten in Tsuen Wan (whole-day), which charges an annual fee of only \$28,000, they are not entitled to any subsidy either. Thus, their choices are very limited.

Relatively speaking, if the Government provides subsidy for the construction of campuses by private primary and secondary schools in the form of land, the schools need not pay high rents. Meanwhile, low-income families can apply for fee remission from kindergartens and child care centres so that their children can study in those private independent kindergartens. Why does the Government discriminate against a group of middle class and middle-income

earners by limiting their freedom to choosing kindergartens, and depriving their children of the equal right to subsidy under the voucher scheme? How unfair and unreasonable is such a practice. I hope Mr SUEN can give us an explanation later.

According to the online information of *Kindergarten Profile*, there are more than 900 kindergartens and nurseries in Hong Kong, among which more than 700 (about 79%) have participated in the voucher scheme and around 160 (about 16%) have not. Therefore, the Democratic Party urges the Government to expeditiously review the scheme so that all school-age children can be eligible for the subsidy under the voucher scheme. All children should be treated equally and there must be no discrimination.

Secondly, under the current voucher scheme, the Government will only provide \$11,000 voucher subsidy per annum for both half-day and whole-day kindergartens. Although whole-day kindergarten teachers and school sponsoring bodies have to put in more resources and work longer hours than their counterparts running half-day classes, the number of intake is smaller. As voucher subsidy is calculated on the basis of fees charged by half-day kindergartens, whole-day schools will get very limited funding and parents still have to shoulder a heavy burden in terms of school fees. According to information on school fees for the 2008-2009 school year provided by the *Kindergarten Profile*, parents of students attending whole-day classes will need to pay fees ranging from \$15,000 to more than \$20,000 per annum after receiving voucher subsidy for half-day kindergartens. The Secretary can imagine how great their pressure is.

The Democratic Party hopes that the Government will review the practice of calculating the voucher subsidy for whole-day kindergartens on the basis of half-day kindergarten fees, and introduce a weighted average method in calculation which is more suitable so that full-day kindergartens will obtain more voucher subsidy and the financial burden of parents can be alleviated.

Thirdly, after the voucher scheme is implemented, the Government has also revised the calculation method for fee remission scheme by imposing the ceiling of fee remission at \$16,000 for half-day kindergartens and \$25,400 for whole-day kindergartens. Meanwhile, the weighted adjustment to fee remission on the basis of school fees conducted annually has also been cancelled. But the reality

is that the annual fee of most whole-day kindergartens has exceeded \$25,400. Therefore, under the new system, families which used to be eligible for total fee remission in the past have to make up the difference on their own. The Democratic Party hopes that the ceiling of fee remission can be removed and fee remission is calculated on the weighted average of fees so that poor families can get sufficient subsidies.

Besides, the administrative arrangements for the voucher scheme are also inflexible. Some parents are dissatisfied with the current arrangement that students are required to be born before a certain date when their applications are submitted. As for students who have not reached school age at the commencement of a school year, they will not be granted any subsidies. Can the Government review the arrangement and allow flexibility so that younger children can be provided pro rata voucher subsidy after they have reached school age.

Finally, under the voucher scheme, the amounts of subsidy in the 2007-2008 school year are \$900-odd million and \$1.5-odd billion respectively. Compared with \$2 billion expected to be spent annually by the Government when the scheme was first announced, there is much room for enhancing the scope of subsidy. The Democratic Party hopes that the voucher scheme can be reviewed expeditiously and the details of arrangements can be improved so that all children can benefit, while school sponsoring bodies and teachers can also obtain reasonable support. Thank you, President.

**MR WONG YUK-MAN** (in Cantonese): President, first of all, the SAR Government's fiscal management mentality is very problematic. Secondly, its resources allocation mentality is also problematic. Basically its brain is sick, am I right? I do not know what word can be used to describe it. The two words "sick brain" are most graphic, right? Why do I say that it has a sick brain? To peg public expenditure at 20% of Gross Domestic Product (GDP) is the first case proving that it has a sick brain. In such an advanced and prosperous society, in which the per capita annual income is as high as US\$30,000, equivalent to almost HK\$20,000 per month on average, the Secretary dares to put forward the excuse that the public expenditure accounts for 20% of the GDP. This is the first case showing the Government is having a sick brain. Right?

With this amount of money, how does the Government go about distributing it? The second case showing the Government is having a sick brain is in education. The Secretary always says that a lot of resources will be invested in education. Please take a look at this year's Budget, Secretary, how many additional resources have been earmarked for education? The problem is very clear. As long as money and allocation of resources are involved, there will often be inflexible bureaucratic mechanisms, mumbo-jumbo administrative procedures and numerous government hierarchies to go through. As a result, the money will be filtered out. When the resources for education are insufficient, the development of education will be hindered.

The mentally disabled were supposed to leave school at the age of 20. But now they have to leave school at the age of 18. Is this not because of money? After all, it is money that matters. Buddy, education is something which does not only involve money but also a touch of humanity. You have not handled the problems of the mentally disabled with a touch of humanity. The Ebenezer School and Home for the Visually Impaired is treated in the same way. Owing to insufficient intake, the Government refuses to increase resources for the school although it has to operate many different classes. There is no humanity in that. This shows that the Government has a sick brain, apart from lacking in humanity.

Regarding early childhood education and pre-primary education, we in the League of Social Democrats have a very clear position: The Government should introduce 15 years of free education. This is our basic position which is very clear. We will certainly support today's motion on "Reviewing the Pre-primary Education Voucher Scheme" proposed by Mr CHEUNG Man-kwong and all the amendments. If the Government will genuinely conduct a review on the basis of our views expressed in this Chamber, we will reluctantly accept it. But ultimately, the Government must introduce 15 years of free education. We need to have three years of pre-primary education which should be free and subsidized by the Government. This is the ultimate solution, buddy.

Here we come to the position of the Hong Kong Professional Teachers' Union and the interests of teachers. Regarding Mr CHEUNG Man-kwong's proposal concerning the formulation of a pay scale for kindergarten teachers and relieving their work pressure, we agree to all of that. The Secretary will surely ask me where the money comes from. That is a problem for him. It is simply a

problem of money which should be solved by him, not me. What I have to do is to pay taxes to the Government. I do pay taxes. But the money has not been distributed evenly. On what ground should Joseph YAM be rewarded more than \$10 million every year as salary? On what ground should the government officials sitting here be each rewarded more than \$300,000 as monthly salary? The answer is simple: uneven distribution of wealth.

One more reason for saying that the Government has a sick brain which I have not mentioned earlier: the highest-paid civil servants in the world are those in Hong Kong. Do you know that? Our public expenditure accounts for 20% of the GDP while the salaries of civil servants account for 70% of public expenditure. This is grossly unfair. No government in the world will allocate resources in this way. Right? Let him think about this: if this amount of money will be set aside, what share should it take up?

Secretary, to be frank, what we are talking about is just common sense. Why is it so difficult to ask the Government to understand something which is just common sense? Why something which is just common sense or can be done easily has become such a difficult task for the SAR Government? First of all, there is a lack of credibility and public recognition for the SAR Government. Will the Secretary take a look at that? Each time after "bow tie" — our Chief Executive — went to Mong Kok and made carping comments about falling objects, more objects would fall from height. It was no exception last time. I guess he would go to Mong Kok and make nonsense remarks again. Not surprisingly, he went up to the rooftop and said, "Is it here this time? Is it CTMA Centre? It happened in Nelson Street last time." Incidents of throwing corrosive liquid on to the street happened one after another. It is so good that this time he has gone to Guangxi because he could not show up in Mong Kok and make nonsense comments any more. Am I right? He does not have to go there and patrol around. Nor does he have to give any nonsense remarks. Therefore, I can assure you, Secretary. Such incident will not happen for the fourth time.

Hong Kong people are innocent. Heaven should have mercy on them for having such a Chief Executive and such a government. The problem is a very simple, buddy. The current voucher scheme which has been implemented for some time is riddled with problems and not fair. Am I right? For families on Comprehensive Social Security Assistance, we should lend them a helping hand, right? But under the existing system, they may require to pay more in school

fees. Frankly, I really do not know what the Secretary is up to. As the saying goes, "The trouble lies not in scarcity but in uneven distribution". The voucher scheme is good method formulated with good intention with the purpose of providing subsidy to early childhood education and helping some families. But in the end, no one thinks it is a right policy.

Secretary, to be frank and to be fair, this system is designed by your predecessor and not by you, right? However, you have to bear the responsibility now. So, I hope you can truthfully tell us in your response ..... you have to take the blame for your predecessor but after that, you have to reform and be good, right? You cannot be led blindly by Arthur LI, right? He is now enjoying himself while you are suffering a lot. You are in a predicament, do you know that? The fine-tuning of the medium of instruction has actually become the worry for the medium of instruction. The fine-tuning policy has become everyone's worry. Regarding this issue, I will not be too critical of you for I am a very simple and nice person. But if you say that running education is like picking a dish from the menu in a restaurant, it is repugnant to me. Coincidentally I did not attend the meeting on that day, otherwise I would certainly target at you. Mr SUEN, let me tell you, you cannot make such an analogy. As you say that the effect of the voucher scheme is still under observation, we will give you the benefit of doubt. But we believe improvement must be made to the voucher scheme.

Let me tell you that I am now imploring you. The incumbent Legislative Council Members are wise people and everything has been institutionalized. I think many of my Honourable colleagues have fulfilled their responsibility as Legislative Council Members. On 20 March when the Panel on Education reviewed the voucher scheme, a concern group formed by the parents sent us some information which was almost accepted in its entirety by us. I would like to tell you that the motion was passed at that time — I think you are also aware of this — we have basically accepted all the views expressed by that concern group in its submission. After adding some more points, we proposed the following motion at the Panel meeting: "That this Panel urges the Government to establish instantly a committee which includes representatives of the pre-primary education sector and parents to immediately review the kindergarten fee subvention system, as well as to establish a remuneration system that is linked to teachers' training and qualifications". I hope the Secretary in the Chamber can hear that the

majority of Members (regardless of their political affiliation) are basically unanimous in their views, which also include the views of parents and teachers. If the Secretary does not accept such public opinion, he may go home and sleep with it. Thank you, President.

**MR RONNY TONG** (in Cantonese): President, I did not intend to speak because the issue does not fall within my portfolio. But I think it is an obvious example of maladministration. President, I would like to mention some figures or problems which have not been raised by my Honourable colleagues. Let us look at the current situation in fee remission, the ceiling of which is \$25,400. In the past, parents of students are eligible for 100% fee remission. But after the implementation of the voucher scheme, they face an additional burden of more than \$5,460 per annum, or more than \$450 per month. President, when the financial tsunami wreaks havoc on our economy, these additional fees will impose extra burden on the grass-roots people. This is a fact.

According to some surveys, among the 12 000-odd applicants who apply for school fee remission, 40% of them (5 200-odd applicants) need to pay extra school fees. Among them, 65% have to pay an extra fee of more than \$200, 26% have to pay an extra fee of more than \$300 per month, 5% have to pay an extra fee of more than \$400 per month. President, these figures precisely show that the so-called voucher scheme has run counter to original intention.

On the other hand, the system is very unfair to school sponsoring bodies or teachers. The evaluation system of the voucher scheme has in fact become a loop around the neck of kindergarten teachers. In order to meet the evaluation requirements and various stipulations on the school imposed by the voucher scheme, they have to handle a lot of extra administrative work, including monthly reports on the number of students, handling subsidies for students who have changed school, the vouchers and training for kindergarten teachers in relation to the voucher scheme. All these have added a heavy burden to their work. It has even been reported by a newspaper that after implementation of the voucher scheme, a kindergarten teacher has ignored his/her family due to excessively long working hours, thus leading to a divorce and the family broke up. President, I do not wish to see such things happen to our Members, but we are very close to that.

President, when looking at these figures and facts, you may find it very strange and wonder whether the SAR Government is the only government which does not get any applause from the public even though it dishes out money to them. The more money it dishes out, the more criticisms it receives. The more help it offers, the more trouble it causes. When Mr WONG Yuk-man criticized the Government for having a sick brain, President, I found that Mr WONG was being exceptionally respectful to the Government. Why? President, because another possible criticism apart from saying that the Government has a sick brain is that the Government does not have any brain at all, which may be more insulting.

President, why do I make such a comment? The difficulties we face today do not warrant us to spend hours on a debate in the Legislative Council in order to point out these figures to the Government. If the Government, as a big public institution with almost unlimited resources, tells me that what has happened today is unforeseeable, and even if this is true, I would still wonder whether it is necessary for the Legislative Council to hold a debate before the Government can realize the unfavourable situation. President, this is incredible. While our taxpayers have paid so much money in taxes and you, the senior officials, including Directors of Bureaux, Under Secretaries and Political Assistants, are drawing hundreds of thousands of dollars per month as salaries, what on earth are you doing?

Hence, I think Mr WONG Yuk-man is really very respectful to all of you by just saying that you have a sick brain. I think you should have foreseen these problems. Even if you cannot, you should have realized it in a timely manner. The problem is: Even though we tell you all the problems today, and even though all the motions can be passed, it is obviously in vain because the SAR Government will never admit its mistake. It will certainly insist on its own ways because this is typical of the Government and this is what the Government is good at.

President, where does the crux of the problem lie? It lies in the attitude of the SAR Government in its governance. Whenever a policy that can be called benevolent is to be implemented, the Government will adopt two kinds of attitude: First, the policy should not benefit the poor; second, there must be a ceiling on the expenditure. The Government will consider that it has fulfilled its duty once it has paid the money and care little of the result. Even though your

burden has increased after being paid a sum of money, it is your problem rather than that of the Government. No change can be made, no matter what.

President, should this be the right mindset and attitude of our Government? If the Government is really people-oriented and accountable to the public, it should have the foresight even though the problems are unforeseeable. Even though it does not have the foresight, it should remedy the situation after the motion has been passed. However, I can guarantee you that the Government will not make any remedy. Even though today's motions are passed, the Government will not make any improvement. This is precisely because of its concept and attitude of governance are like this: I have paid the money and I do not care. President, this is not the right attitude of a government. Instead, it should regard education as an investment for society. In order to build a successful society so that the next generation can carry forward our success and continue to make history for Hong Kong, we have to sow the seed. If we are reluctant to sow the seed, we will not reap in the future. Although this is a simple fact in the eyes of many people, the Government does not see the point. So, I would not object to Mr WONG Yuk-man's remark that the Government has a sick brain.

President, after all, how should this problem be solved? As our party chairman has indicated earlier, we have proposed 15 years of free education when the Chief Executive sought re-election. The League of Social Democrats has also made the same demand. I believe no one in this Chamber will oppose it. Will a lot of money be incurred? I do not think so, President. Moreover, with a huge reserve of more than \$150 billion, a deficit budget will not arise even though fundings are earmarked for this purpose. So, basically, the Government is capable of fulfilling its obligation towards society and has the spare capacity to do so. Whether the Government will do it or not depends on whether it has a sick brain, or it has a brain or no brain at all.

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

**MR ALBERT CHAN** (in Cantonese): President, be it having a "sick brain" or being "brainless", as far as education is concerned, the Hong Kong Government has a special feature, which can be described as arrogant and conceited and it is

simply wallowing in self-complacency. In fact, it is difficult to use both "a miser" and "a prodigal son" to describe the same person at the same time, but in view of the Government's thinking in recent years, one may really describe it as "a miser-like prodigal son", and it is absolutely pertinent. Let us take a look at the past years, Hong Kong's leading position in many areas has gradually receded. In a recent survey, the World's Best Service Airport status of Hong Kong has been replaced by Seoul of South Korea, needless to mention the status of its container port. Hong Kong has been falling back over the years, regressing from the world's leading position to the present third or fourth places. Sooner or later, its position as the financial hub will be replaced by Shanghai.

In the TUNG Chee-hwa era, the Government often stressed that Hong Kong had to develop itself as the education hub of the entire South-East Asia in order to put its universities in a leading position. At present, the ranking of some of its universities is still doing not too bad, especially the Hong Kong University of Science and Technology. However, we can see that the overall education policy is falling behind. President, if we compare Hong Kong with our neighbouring regions, especially Macao, which has not only made public in 2005 that it would implement six-year free primary education, three-year free junior high school education plus three-year free senior high school education no later than the year 2009-2010, but would also implement the three-year free early childhood education within this year. President — it is Macao which will fully implement in the year 2009-2010 the free six years plus six years free education on top of the three-year early childhood education, that is, the implementation of a full 15 years of free education. What has the Hong Kong Government done? It is just trying to promote early childhood by a voucher scheme. Will you say that the Government has no brain on a sick brain and its education policy has come to a standstill as compared with our neighbours, if not gradually falling behind? If we do not keep the financial arrangement of the entire education policy on par with other neighbouring regions, it can really be said that Hong Kong is the "prodigal son" on the education front.

However, the Government is not in lack of money; it has recently given away \$10 billion to the public. It has such an enormous amount of reserves that it has a surplus every year. It can even transfer tens of billion dollars to the large consortia and tycoons during the economic downturn. The so-called tax rebate is just benefiting the rich people, because only those who have made a profit will have to pay tax. Speaking about rates rebate, most of the rates will be rebated to the consortia as they own the largest number of properties. Therefore, the

Government's policy is not a forward-looking policy. Very often, we say that development should be sustainable and it should be gradual, but let us see what development has been achieved in terms of education. Early childhood education is most basic and most needed and it has been messed up with, especially in the financial arrangements. The Government cannot even provide a clear and acceptable model to the public.

This Chamber has repeatedly pointed out the need to bring the three-year early childhood education in line with free primary education. However, it can be said that the Government is extremely insensitive when it comes to listening to public opinions. President, I hope the Secretary will change his slick and indifferent attitude, as the Secretary gives people the feeling he will only speak monotonously without much feelings. It is the style of the Secretary. But if the Secretary engages in education affairs without showing his feelings, and if he only treats education affairs with an indifferent attitude, it is rather depressing to Hong Kong's future and the students.

Therefore, if the Secretary finds that he has no feelings about the issue, will the Government replace him with another Secretary. If the Secretary really has got feelings, he will not think that he is able to change the public's attitude towards him by merely making a few bureaucratic remarks to evade and shirk his responsibilities. He must set off from solid policies, policies which will actually benefit the public and change the rigid and most unbearable bureaucracy. He should not ignore the people's needs and aspirations. As to the financial arrangement in respect of education, changes should be made in early childhood education policy, or one may say that changes should be made in its financial arrangement, in order to make sure that the provision of free education will receive top priority, and it must meet the requirements of members of the public. If the Secretary remains to be that indifferent, he will only cause resentment among members of the public, and he will make Hong Kong lose its competitive edge in education when we compare Hong Kong with our neighbouring countries and regions. Hong Kong has been enjoying a leading position in education and I believe that like its container port, airport and financial status, it will be gradually replaced by neighbouring countries. Besides, he will become the culprit who concedes everything to others — I do not know whether he will become a person condemned by history — but he is the Secretary for Education who refuses to accept the views of the public and recommendations put forward by the legislature.

**MR LEUNG KWOK-HUNG** (in Cantonese): President, just now I have heard that Mr Albert CHAN criticized the Secretary for being indifferent. I remember that I read a book entitled *Cuore* when I was a child. This book is still available on the market. There was this chapter called *The Little Mason*. The author himself was the son of a middle-class family. One day, he invited his classmate, the son of the mason, to his home. The little mason dropped some plaster and dust on the sofa, the author immediately intended to wipe it off as he thought that it would soil the sofa. However, his father indicated to him that it was unnecessary. After the little mason had left, his father told him, "There are plaster and dust on his clothes because his father is a mason. A mason is the person who builds houses for us. Perhaps you thought that it was wrong for him to have soiled the sofa, but he has not done anything disrespectful. His father is a worker, in the first place, he is your classmate, and next, because he is the son of a mason." This was how this father taught his son.

Yet our Government teaches us in a different way. When the Government implements any benevolent policy, the poor people will suffer ultimately. It is evidenced by the recent implementation of the voucher system in pre-primary education. The poor people may have to pay a few thousand dollars more under this reform measure, and originally when they received the direct subsidies, they did not have to pay the school fees. Now the Government implements this so-called benevolent policy, it will only put them in a constant state of anxiety. Secretary, do you know that these families have to pay a few thousand dollars more? Even if they can pay this sum of few thousand dollars by spreading it over 12 months, they still have to pay a few hundred dollars a month? At present, even the monthly average of the extra month of CSSA payment made to families is less than a few hundred dollars. Is the administration aware of what it is doing now? As long as there is no change in this regard, the reform itself will be a headache to the poor in the first place. Therefore, the League of Social Democrats (LSD) will not support it.

What is the stance of the LSD? We do not blindly seek equal treatment. Our stance is to benefit the low-income group and the needy first. I think that if the Secretary is in this Chamber today but does not respond to these issues, then he is worse than the mason. I do not know how he will teach his children. In these days, civil servants love to discuss how they teach their children in the Legislative Council, and I also wish that they will read the *Cuore*.

Having said that, what do we think is the key issue? Mr WONG Yuk-man has already spoken on that. We have a low tax regime, so low that it cannot be compared to other developed countries. Every time the Government says in this Council that the proportion of our education expenditure in public expenditure is on par with that of the developed countries, of course, this argument is true, because it does not levy taxes on the rich, it will let them increase rents as they please, it will let them loot, and they only have to pay at the lowest tax rate after the looting. How can there be money left? As the bygone Secretary YEOH Eng-kiong said, "Where does money come from? Will it fall from a tree? Will it fall from the sky?" He is now doing some other work. The Secretary has also asked the same question, where does the money come from? Of course, we should ask those who are making big bucks to contribute the money. The stamp duty, for example, I have repeatedly asked John TSANG to increase the stamp duty; even an increase of 0.02% will at least generate a revenue of \$70 billion to \$80 billion per year. Let us take a look at some figures ..... let me read them out for you, last time I asked Arthur LI to read them out, but he refused to do so. Among the developing countries, our investment in education accounts for 3.2% of the gross national product (that is, GDP). Let me read out the 2008 figures: Australia 5.8%; Belgium 6%; Canada 6.2%; Denmark 7.4%; Finland 6%; France 6%; Germany 5.1%; Japan 4.9%; South Korea 7.2%; United Kingdom 6.2%; the United States 7.1%. All of them have almost doubled Hong Kong's figure. How can we really stay competitive? This is the plight we find ourselves in. Now we are asking the Government to provide 15-year free education, which is just like milking the bull, buddy. Restrictions are put on spending and collecting tax. What kind of society are we living in? The Chief Executive is selected by a small group of people, and he transfers benefits to this small group of people.

How can our education be improved, may I ask the Secretary? He is already a role model of the bureaucratic system. The British Hong Kong Government used to ask him to secure a full direct election for district councils, which he has been talking big about it in this Council. Later, his boss, TUNG Chee-hwa, asked him to "scrap" the two municipal councils, he was stalling for time on that occasion, and everyone in Hong Kong could see how he performed. He is in charge of education today, which is exactly the same way as he was in charge of housing matters. With regards to housing matters, he launched the "SUEN's nine strokes" and single-handedly smashed the rule of rents of public rental units should not exceed 10% of the median household income of the tenants. Today, he is sent here, his progress up the career ladder has proved how

lamentable the Government's bureaucratic system is. In addition, it has also proved that the system of robbing the poor to help the rich does not work. For that reason ..... is he inhumane? I think you are correct — he is inhumane.

Ladies and gentlemen, even if a regime is not elected by the people, even if it is not a government of the people, it should be a government for the people. He often says that he is working for Hong Kong people, then please do something! He should wise up! Next time when I read out these data, I hope the figure will go up to 5%.

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

(No Member indicated a wish to speak)

**PRESIDENT** (in Cantonese): Mr CHEUNG Man-kwong, you may now speak on the two amendments. You may speak up to five minutes.

**MR CHEUNG MAN-KWONG** (in Cantonese): First, I am very grateful to Ms Starry LEE and Mr Tommy CHEUNG for proposing their friendly amendments in this Council today, which have served to enrich my motion. In fact, this also highlights the popular support for this motion relating to kindergartens, namely, the demand for the provision of subsidies to kindergartens and that for a review of the Pre-primary Education Voucher Scheme. Since the previous occasion on which the people concerned expressed their views in the Legislative Council, they have reaped the reward for their devotion to this cause and their sincerity, while the views advanced by Members of this Council on the provision of subsidies to kindergarten students and a review of the voucher scheme are unprecedentedly unanimous.

First, let me give a reply to the amendment proposed by Ms Starry LEE, which revolves around several areas. The first area relates to extending the period for the pursuit of further studies by kindergarten teachers (KG teachers). Although I support this proposal, what is more important is that a pay scale commensurate with the qualifications they obtain as a result of their further studies should be formulated. At present, the pathetic thing about KG teachers lies in the fact that they, after making dedicated considerable efforts to further studies, however, after completing their studies, as they return to their teaching

posts at schools, they find that have lost the protection given by the pay scale. Many years ago, KG teachers were not required to possess any special qualifications. Later, the KG teachers followed the Government's instructions and acquired the status of qualified teachers by means of further studies. On the Government's further instructions, some of them have now gained the qualification of certificated mistresses by the same means. Some have even gone beyond the Government's instructions and obtained the qualification of graduate mistresses by way of further studies. Worse still, they may encounter discrimination relating to their qualifications. Although their further studies may be helpful to their teaching, this is worthless in the eyes of the Government. For that reason, subsequent to their further studies, their pay remains the same and receives no protection, not to mention any pay rise. Anyone will find this situation unfair merely by using their common sense. Therefore, I hold that KG teachers, having devoted a great deal of efforts to further studies and experienced all kinds of hardships, must be entitled to a remuneration based on a reasonable pay scale. This is more vital than extending the period for further studies allowed.

The second area pertains particularly to the provision of subsidies to whole-day kindergartens, which is found in the amendment proposed by Ms Starry LEE and which I have pointed out earlier. Honourable colleagues, I specify "whole-day" kindergartens for a special reason, that is, when it comes to the provision of subsidies to kindergartens, whole-day kindergartens receive the most unfavourable treatment. Whole-day kindergartens, as its name suggests, provide whole-day services. Given that the parents of some students attending whole-day kindergartens are both working parents, KG teachers are often required to take care of these students after school hours and wait for their parents to come and pick them up. Sometimes, they may even have to stay behind until 8.00 pm. This makes it impossible for KG teachers to have dinner at home and even makes them late in attending classes for their further studies. For what reasons is the amount of voucher for whole-day kindergartens the same as that for half-day kindergartens? Despite the different nature of whole-day and half-day kindergartens, the amounts of subsidies are the same. This is another issue that again reveals a lack of common sense.

The third point relates to the amendment proposed by Mr Tommy CHEUNG, who has raised the request of offering voucher subsidies on a fair and equal basis. This of course should be the case because the voucher is people-oriented. Put simply, students constitute a predominant factor for consideration under the scheme while schools and the nature of schools do not.

For what reasons are students attending those so-called independent private kindergartens ineligible for the voucher? For what reasons are students attending those kindergartens charging a tuition fee of \$24,000 for a half-day place or \$48,000 for a whole-day place ineligible for the voucher? These conditions are not justified and must be changed.

Finally, the principle of fairness and equality should of course be applied to the provision of subsidies to KG teachers who need to further their studies. I agree fully with the proposal made by Mr WONG Yuk-man earlier. What we are seeking is the provision of subsidies for students receiving three years of pre-primary education, rather than the piecemeal provision of voucher subsidies of a limited amount. On this issue, there are indeed considerable differences between the views advanced by Members of this Council and those by the Government. I strongly believe that the goal of comprehensive provision of subsidy for pre-primary education will be achieved someday when Members become aware of the importance of pre-primary education and realize that pre-primary education is education to open up the minds of the children which they should at least enjoy. The demand made by parents in this regard will be never-ending and unfaltering. Thank you, President.

**SECRETARY FOR EDUCATION** (in Cantonese): President, I deeply thank Members for their valuable views. I would like to give a comprehensive response to several main points brought up by Members.

First, I will respond to the provision of subsidy to parents under the pre-primary education voucher scheme. The Government has in fact ploughed in vast amount of additional resources in this respect to launch the scheme, with the intention of easing the burden of parents on kindergarten fees. Before the launching of the scheme in the 2006-2007 school year, the Government's annual recurrent expenditure in pre-primary education stood at \$1.1 billion. Just as Ms Audrey EU said earlier, by the 2011-2012 school year, the annual net additional recurrent expenditure of the scheme is estimated at \$2 billion. Let me repeat, the amount is \$2 billion. Just now, Ms Audrey EU and Mr WONG Sing-chi queried this \$2 billion. They were only too much in a hurry and missed the phrase "by the 2011-2012 school year". The net expenditure for that year is \$2 billion. Of course, the amount of \$2 billion may not have reached this year, the major reason being that the level of the vouchers which we have cashed in so far has not reached the ceiling of \$16,000. As this level will increase annually,

even though what has been cashed in now is relatively less, the level will increase by the 2011-2012 school year. Thus, there can be no doubt over the Government's commitment to pre-primary education.

As regards the original intention of providing fee subsidy under the scheme, I think the views expressed by Members today are already very clear, despite slight deviation from the Government's original intention. When the Government introduced the scheme, it has said explicitly that the scheme is not to subsidize all parents to cover the fees for kindergarten education in full. As I understand it, in general, when parents choose kindergartens, they will consider the diversified and multi-faceted features of the pre-primary education sector, and as long as they can afford financially, they are willing to pay part of the fees.

All kindergartens in Hong Kong are privately run, and they mainly fall into the two categories of non-profit-making kindergartens and private and independent kindergartens. For the former, some offer whole-day sessions while others just half-day. Some Members have also mentioned earlier that among them, about 250 used to be subsidized child care centres, with the majority still providing after-school care service subsidized by the Social Welfare Department (SWD). I would like to say that the features of pre-primary institutions are diversified and varied, and in great numbers. Under the scheme, direct subsidy is given to parents, and the scheme is operated in the form of "subsidies following the students". Not only is the scheme flexible, but also, it fits into many scenarios and can most meet the needs of operators and students. We consider that giving direct subsidy to parents and banking on market forces to push ahead with revamping and improving the quality of pre-primary education will further perfect pre-primary education, resulting in a healthier development for the whole sector. Currently, 820 kindergartens have joined the scheme, with close to 117 000 kindergarten students. These account for almost 85% respectively of the total, benefiting most of the parents.

Now, I would like to talk about the kindergarten fee remission scheme.

(Ms Audrey EU raised her hand)

**PRESIDENT** (in Cantonese): Secretary, please wait. Ms EU, what is your point of order?

**MS AUDREY EU** (in Cantonese): President, before the Secretary moves on to another issue, I would like to elucidate my earlier speech. Should I elucidate now, or should I wait until the Secretary has finished his speech? This is because he has mentioned my speech earlier.

**PRESIDENT** (in Cantonese): You can wait until the Secretary has finished his speech.

**MS AUDREY EU** (in Cantonese): Thank you, President.

**PRESIDENT** (in Cantonese): Secretary, please continue.

**SECRETARY FOR EDUCATION** (in Cantonese): Thank you, President. At present, apart from subsidy in the form of vouchers, families in financial need can apply for fee remission under the Kindergarten and Child Care Centre Fee Remission Scheme (Remission Scheme). The ceiling for fee remission (including voucher subsidy) is an annual \$16,000 for each student. Meanwhile, for families with social need, if their children are enrolled in whole-day kindergartens, the annual fee remission for each student will be capped at \$25,400.

We very much appreciate and understand that now in the second year of the voucher system, the fees of a large number of kindergartens already exceed the ceiling of the remission level. We also realize that for some families in financial need, even with the full amount of their fees remitted, they may still have to pay a part out of their pockets. These families may feel a bit worried when choosing kindergartens. This increase in school fees is mainly due to the fact that kindergartens have to offer higher salaries to attract and retain quality teachers. We are facing this problem squarely and hope that there could be a resolution soon so as to assist families with this need. We also hope to respond positively and timely in this respect and take action.

So, I would like to respond to what Mr Ronny TONG has said earlier. I do not know on what basis he said he could guarantee that there would not be much action by the Government in this regard, nor do I intend to elucidate Mr

Ronny TONG's comment. However, I feel very sorry because Mr TONG's speech reflected his prejudice and attitude which I consider very unfavourable. His attitude shows that he has no confidence in the Government, and he took the opportunity here to disseminate his negative message. President, this is my response to Mr TONG's earlier speech.

I understand that some Members think that the remission level for school fees of whole-day kindergartens should double that for half-day kindergartens to cater for families which choose to enrol their children into whole-day kindergartens but are in financial need. I would like to point out that school fees for whole-day kindergartens are not double those of their half-day counterparts. Right now, the school fees for participating non-profit-making half-day kindergartens range from below \$11,000 to \$24,000 a year, while the average school fees for non-profit-making whole-day kindergartens range from \$15,800 to \$48,000 a year. The average school fees for whole-day kindergartens are 1.6 to 1.7 times those of their half-day counterparts. This difference has been fully reflected on the fee remission amount.

Members have also mentioned kindergarten staffing. At the moment, regardless of whole-day or half-day kindergartens, the Education Bureau requires that the teacher-to-student ratio should not be under 1:15, and kindergartens can recruit freely according to their teaching and non-teaching needs. Kindergartens have all along been making their own recruitment decisions in accordance with their situation. They will then prepare their estimates of expenditure and reflect those on their school fees to meet their operation need. Kindergartens should continue to make good use of the present mode of operation to tie in with their needs. In fact, the present overall ratio of kindergarten teachers to students is not 1:15 which we require. Rather, it has presently been adjusted downward to roughly 1:9.7. This ratio is better than what is suggested, showing that kindergartens are recruiting teachers according to their individual needs so as to enhance the quality of teaching. This may perhaps explain why some kindergartens have increased their school fees in the last two years.

Now, I would like to talk about the groups of children who benefit from the scheme. The scheme should benefit all children from the age of zero to six, and some Members hold the same view. We consider that first, in 1999, the Education Commission discussed in detail the different needs of children of different age groups, as well as the nature of services which they need. Then,

the former Education Department and the SWD also set up working groups to take follow-up action and consulted the academic sector extensively. The mainstream view is that taking into account the development needs of children, pre-primary education should not begin before the age of three.

The scheme only welcomes the participation of non-profit-making kindergartens which offer local curriculum, and which charge less than \$24,000 annually for half-day sessions and below \$48,000 annually for whole-day sessions. This is to ensure that public money can directly benefit the students and to the greatest extent. On the other hand, all along, the Government's recurrent subsidy for education has been limited to local non-profit-making organizations, the extension of the scheme to all kindergartens, regardless of their curriculum or mode of operation will spawn a substantial chain effect. With limited resources at hand, we must act cautiously. Actually, when the Government floated the idea of the voucher system in 2006, stakeholders had sufficient discussion on the topic. The scheme has been in operation for two years only and we have seen no sufficient argument for the time being to change our then decision.

Regarding the pay scale for KG teachers, Mr CHEUNG Man-kwong proposed in the motion that the Government should formulate a pay scale for kindergarten teachers which is commensurate with their qualifications. In our opinion, kindergartens have always been operated by private organizations, they have been effectively making their own decisions on the remuneration for teachers according to market forces. In fact, the scheme has injected new resources for kindergartens to come up with appropriate remuneration and working conditions to attract and retain quality teachers. In this regard, the Government has committed greatly to pre-primary education, and kindergartens should be capable of formulating their own pay scale and providing qualification subsidies. According to the comparisons of the academic years 2007-2008 and 2008-2009, the salaries of kindergartens teachers have been raised. Therefore, we do not consider it necessary to formulate pay scales for them. However, we would encourage kindergartens to formulate their own pay scale which the academic sector considers appropriate as reference for kindergarten operators and KG teachers.

On the workload of KG teachers, in replying to Mr CHEUNG Man-kwong's oral question in the Legislative Council on 27 May, I have

expressed our concern and given an account of our follow-up action. I would like to supplement a bit here. We understand the work pressure of KG teachers and one year after the launching of the scheme, that is last year, we have streamlined the relevant administrative procedure. Based on the experience from the implementation of the scheme, we will further streamline the work flow of cashing the vouchers so as to help ease the administrative burden of the schools and the workload of KG teachers. Regarding arrangement for assessing the quality of kindergartens, I would like to stress that this is not a novel measure. Back in 2001, the Education Bureau has put in place the relevant quality assessment mechanism, the purpose of which is to urge schools to perfect themselves and aim at sustainable development. External assessors will refer to the "school self-evaluation report" and the "annual school plan", both of which are required for the normal running of the school. They will also verify the organization's self-evaluation results through class inspections and interviews. Thus, it is not necessary for schools to prepare in particular other documents for quality assessment.

We realize that kindergarten staff are concerned about the workload and pressure generated by quality assessment, but the majority of the kindergarten teachers who have participated in the assessment agree that it can help schools improve the practical work of teaching and can enhance sincere dialogue and professional co-operation among the staff. The Education Bureau will continue to assist the sector in clearing its misunderstandings through seminars and professional exchange activities, and remind schools to minimize clerical work and avoid lengthy<sup>1</sup> minutes of meetings. The sector can then grasp the concept of self-evaluation and accept external evaluation more effectively, prompting schools to constantly raise their quality.

As for the time limit for serving KG teachers to pursue a Certificate in Early Childhood Education, Ms Starry LEE proposes in her amendment that the Government should allow KG teachers who are still taking the Certificate in Early Childhood Education course at the end of the 2011-2012 school year to keep their teaching posts. Currently, over 80% of the KG teachers have completed or are taking certificate in kindergarten education courses or related courses and they are making good progress. We anticipate that the remaining KG teachers will draw up suitable plans for further studies according to their need, and will obtain the relevant qualification before the close of the 2011-2012

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<sup>1</sup> The Secretary wrongly pronounced "冗長" which is the Chinese term for "lengthy" as "沈長"

school year. We will exercise our discretion and consider allowing qualified KG teachers who are taking the course but have not obtained the Certificate in Early Childhood Education to continue their work in the pre-primary education sector.

On the review of the mechanism under which KG teachers are subsidized to pursue further studies, Mr Tommy CHEUNG proposes in his amendment that the Government should review the mechanism under which KG teachers are given subsidies to pursue further studies, so that teachers working in independent private kindergartens or non-profit-making kindergartens which do not receive or cannot benefit from voucher subsidies and those working in kindergartens receiving voucher subsidies may enjoy the same opportunities and subsidies for further studies. I must point out that subsidies for teachers' professional development included in the vouchers are special funding with a time limit, they form part of the vouchers which will be paid in four years with the vouchers. Kindergartens joining the scheme can retain those subsidies up to the 2011-2012 school year for reimbursing teachers' school fees for further studies, recruiting supply teachers and offering school-based training plans for professional development. Any remaining sum has to be handed back to the Government by that time.

For teachers teaching at kindergartens not joining the scheme, the Government also encourages them to upgrade their professional qualification. If they take approved courses, they can apply for reimbursement of up to 50% of the course fees, with the subsidy capped at \$60,000. I believe the existing arrangement is operating effectively. For example, this year, the Education Bureau is still resorting to tendering to provide places in certificate courses for KG teachers. The number of applications from KG teachers who are from kindergartens not in the scheme and who are eligible falls short of the number of reserved places. Therefore, they can also have adequate opportunity for further studies and they can enjoy the same subsidy.

Regarding the face value of vouchers for whole-day kindergarten students, some Members have asked earlier for an increase in the subsidy level of the vouchers for these students. Considering the development needs for children, half-day kindergarten education should suffice, therefore, the subsidy level of vouchers is based on half-day kindergarten education. Nonetheless, some families may enrol their children in whole-day schools because both parents have to work or because of other practical reasons. For these families, if they have

financial difficulties, they can apply for remission of school fees for whole-day kindergartens.

Since the implementation of the scheme, most parents have really benefited. The scheme works on market forces. Through providing parents with direct subsidy, coupled with pushing kindergartens to boost their professional standards and introducing a transparent mechanism to guarantee quality, the quality of pre-primary education is therefore enhanced.

Members are concerned that under the original plan, the Government will only review the implementation of the scheme in the 2011-2012 school year. The Education Bureau understands the concern expressed by the sector and the parents over the problems caused by the implementation of the scheme. Taking into account their views and suggestions on those matters, we are handling them according to the priorities accorded. Just as I have said earlier, we will first tackle the remission ceiling for school fees so that the need of families with financial difficulties can be more appropriately catered for. As for the other issues, we have also begun collating the data to make preparation for the review. We will surely consult the different stakeholders fully in the review process and try our best to accomplish this task. Finally, I wish to thank Members again for their valuable views expressed.

Thank you, President.

**PRESIDENT** (in Cantonese): Ms Audrey EU, you may now clarify what has been misunderstood in your speech.

**MS AUDREY EU** (in Cantonese): President, just now, the Secretary made a false accusation against me of omitting the year in giving my speech because I did so in haste, adding that I might have overlooked it. President, for that reason, I have to reiterate that the part referred to in my speech was an excerpt from paragraph 22 of Paper No. CB(2)277/06-07(01) of the Legislative Council. I absolutely had not omitted the year in giving my speech. President, in the light of this, I now read out that paragraph once again.

It reads, "The introduction of the proposed voucher scheme, rationalization of the existing subsidy schemes for operators and parents, and the implementation

of other supporting measures will lead to a net additional recurrent expenditure of about \$2 billion per annum, in addition to the recurrent expenditure of about \$1.1 billion per annum on existing schemes for the pre-primary education sector". I absolutely had not omitted the year in giving my speech. It reads \$2 billion per annum.

**PRESIDENT** (in Cantonese): Mr LEUNG Kwok-hung, what is your point?

**MR LEUNG KWOK-HUNG** (in Cantonese): I wish to seek an elucidation because Secretary Michael SUEN, when reading out the script of his speech just now, told those kindergartens .....

**PRESIDENT** (in Cantonese): Mr LEUNG Kwok-hung, this is not the time for you to speak.

**MR LEUNG KWOK-HUNG** (in Cantonese): I wish to ask him to enlighten me on one question. He said, "This 沉長 (which means full of trivial details) .....

**MR WONG YUK-MAN** (in Cantonese): He pronounced it as "沈長".

**MR LEUNG KWOK-HUNG** (in Cantonese): He was not attentive on the previous occasion, was he? I have already taught Chief Executive Donald TSANG once. It should be pronounced as "冗" instead .....

**PRESIDENT** (in Cantonese): Mr LEUNG Kwok-hung, the speech given by you at this juncture is inconsistent with the Rules of Procedure.

**MR LEUNG KWOK-HUNG** (in Cantonese): He is the Secretary for Education, buddy. I now wish to seek an elucidation from him on what he has actually said.

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

(Mr LEUNG Kwok-hung sat down)

**PRESIDENT** (in Cantonese): I now call upon Ms Starry LEE to move her amendment to the motion.

**MS STARRY LEE** (in Cantonese): President, I move that Mr CHEUNG Man-kwong's motion be amended.

**Ms Starry LEE moved the following amendment: (Translation)**

"To add "the purpose of introducing the Pre-primary Education Voucher Scheme is to lessen the financial burden of parents and provide them with direct fee subsidy, but" after "That,"; to delete "in accordance with" after "the level of fee remission" and substitute with "with reference to the changes in"; to add "on an annual basis" after "price indices"; to delete "including" after "education institutions," and substitute with "as well as"; to delete "whole-day kindergartens" after "resources for" and substitute with "such institutions, so as to ensure the quality of early childhood education"; to add "and parents are free to choose the early childhood education institutions" after "benefited"; to delete "and" after "the burden on parents;"; and to add "; and (f) allowing kindergarten teachers who are still taking Certificate in Early Childhood Education courses at the end of the 2011-2012 school year to keep their teaching posts" immediately before the full stop."

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Ms Starry LEE to Mr CHEUNG Man-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): Mr Tommy CHEUNG, as Ms Starry LEE'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. You may now move your revised amendment.

**MR TOMMY CHEUNG** (in Cantonese): President, I move that Mr CHEUNG Man-kwong's motion as amended by Ms Starry LEE be further amended by my revised amendment.

President, the proposed revision of the terms of my amendment is very straightforward in that the three suggestions raised in my original amendment are to be moved to the end without any changes made to their respective wordings, so as to ensure that the authorities will not omit the three points of concern raised earlier by me when conducting the review.

President, I so submit.

**Mr Tommy CHEUNG's further amendment to the motion as amended by Ms Starry LEE: (Translation)**

"To add "; (g) reviewing the mechanism under which kindergarten teachers are subsidized to pursue further studies, so that teachers working in independent private kindergartens or non-profit-making kindergartens which do not receive or cannot benefit from voucher subsidies and those working in kindergartens receiving voucher subsidies may enjoy the same

opportunities and subsidies for further studies, thereby eliminating the unfair treatment faced by kindergarten teachers in receiving subsidies for further studies; (h) expeditiously resolving the discrepancies between the voucher system and the various fee subsidy schemes for child care centres and kindergartens, so as to avoid the problem of parents with financial difficulties having to pay higher school fees after the implementation of the voucher system; and (i) immediately reviewing the existing problem that the proportion of voucher subsidies received by students attending whole-day kindergartens is substantially lower than that received by students attending half-day kindergartens, as well as appropriately raising the proportion, so that parents of whole-day students can receive subsidies in a fair manner" immediately before the full stop."

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That Mr Tommy CHEUNG's amendment to Mr CHEUNG Man-kwong's motion as amended by Ms Starry LEE 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 CHEUNG Man-kwong, you may now reply and you have one minute 40 seconds.

**MR CHEUNG MAN-KWONG** (in Cantonese): President, the views advanced in the course of today's motion debate are just worlds apart: On the one hand, some Members have endeavoured to improve the Pre-primary Education Voucher Scheme (the scheme) and requested that a comprehensive review of the scheme be conducted, so that all kindergarten students may benefit. On the other hand, Michael SUEN, who lets himself get into a rut, still rigidly adheres to the rules set up during the early introduction of the scheme and remains unwilling to introduce any changes. However, I have to point out that if contradictions exist, and when a review of the scheme is not conducted to resolve such contradictions, it will eventually give rise to conflicts and the situation will only worsen. This is not beneficial to education.

I remember clearly that the amber rainstorm warning was issued on the day when 2 000 KG teachers, parents and kindergarten students took to the street and those Members who took part on that occasion would know. The fact that 2 000 people took part despite the amber rainstorm warning indicates their strong belief and perseverance, that is, to introduce changes to the scheme in place. This explained why they would rather brave the pouring rain and take to the street.

I remember even more clearly many years ago the amber rainstorm warning was also issued on the day when I took to the street for the first time in a bid for small-class teaching. On that occasion, a considerable number of people also took part. Eventually, small-class teaching has been implemented in primary schools at present. For that reason, I strongly believe the changes proposed with respect to the scheme on this occasion will be realized, only that this situation may perhaps come about after Donald TSANG has stepped down because changes will follow whenever someone steps down.

**PRESIDENT** (in Cantonese): I now put the question to you and that is: That the motion moved by Mr CHEUNG Man-kwong, as amended by Ms Starry LEE and Mr Tommy CHEUNG, 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.

### **NEXT MEETING**

**PRESIDENT** (in Cantonese): I now adjourn the Council until 11.00 am on Wednesday, 17 June 2009.

*Adjourned accordingly at eleven minutes to Seven o'clock.*