

**Arrangements for Reconstruction Works
in the Sichuan Earthquake Stricken Areas Supported by HKSAR
FCR (2008-09)66
Supplementary Note**

Purpose

At the Finance Committee meeting on 20 February 2009, the Administration was requested to provide information about the involvement of international expert(s) in vetting the design of the reconstruction of the Provincial Road 303 from Yingxiu to Wolong. This paper sets out the Administration's response to the above request.

Reconstruction Works Design Responsibility and International Experts' Involvement

2. In October 2008, the Sichuan Provincial Government and the HKSAR Government signed the "Cooperation Arrangement" which clearly stipulates the arrangements and mechanisms on project management, funding arrangement, communication and coordination between the two sides. Section 5.1(4) under paragraph 5 of the "Cooperation Arrangement" states that "as a fund provider, the Hong Kong side shall not carry any legal responsibilities arising from the reconstruction projects supported by HKSAR. These include any contractual, civil and other legal responsibilities arising from, for example, the planning, design, construction and subsequent use, operation and maintenance of the projects concerned." As such, the design responsibility of the Provincial Road 303 reconstruction works rests with the Sichuan side.

3. Section 5.1(1) of paragraph 5 of the "Cooperation Arrangement" further stipulates that for works projects funded by the Hong Kong side, the technical standards should comply with the legislation and regulations of the Mainland, and should be subject to the appropriate monitoring mechanism. The Hong Kong side can bring in HKSAR's experience and technical know-how in planning, design and management, and can provide professional advice on the funded projects to Sichuan side whenever necessary, which should be within the parameters of the relevant requirements and policies of the State. Therefore, for the Provincial Road 303 reconstruction project, the HKSAR Government has been maintaining close contacts with the project implementation entity of Sichuan side and has arranged experts of the "Hong Kong Construction Sector 5.12 Reconstruction Joint Conference" ("RJC") to actively participate in the planning and design of the reconstruction works. Experts of the RJC are experienced professionals from reputable universities or international engineering consultant firms. Through their participation in expert group meetings and review of the engineering feasibility study report and design proposals, the RJC experts have provided valuable and independent professional advice to the Sichuan project implementation entity.

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