

# 立法會

## Legislative Council

立法會CB(3) 376/09-10號文件

2010年1月22日內務委員會會議文件

定於2010年1月27日立法會會議上提出的質詢

提問者：

- |      |                     |        |        |
|------|---------------------|--------|--------|
| (1)  | 葉劉淑儀議員              | (口頭答覆) |        |
| (2)  | 何俊仁議員               | (口頭答覆) | (新的質詢) |
|      | <i>(取代其原先提出的質詢)</i> |        |        |
| (3)  | 張文光議員               | (口頭答覆) | (新的質詢) |
|      | <i>(取代其原先提出的質詢)</i> |        |        |
| (4)  | 黃毓民議員               | (口頭答覆) |        |
| (5)  | 馮檢基議員               | (口頭答覆) |        |
| (6)  | 劉皇發議員               | (口頭答覆) |        |
| (7)  | 黃國健議員               | (書面答覆) |        |
| (8)  | 何秀蘭議員               | (書面答覆) |        |
| (9)  | 余若薇議員               | (書面答覆) | (新的質詢) |
|      | <i>(取代其原先提出的質詢)</i> |        |        |
| (10) | 涂謹申議員               | (書面答覆) |        |
| (11) | 葉偉明議員               | (書面答覆) |        |
| (12) | 鄭家富議員               | (書面答覆) |        |
| (13) | 陳克勤議員               | (書面答覆) |        |
| (14) | 劉健儀議員               | (書面答覆) |        |
| (15) | 林大輝議員               | (書面答覆) |        |
| (16) | 李永達議員               | (書面答覆) |        |
| (17) | 李慧琼議員               | (書面答覆) | (新的質詢) |
|      | <i>(取代其原先提出的質詢)</i> |        |        |
| (18) | 張國柱議員               | (書面答覆) |        |
| (19) | 梁國雄議員               | (書面答覆) |        |
| (20) | 李國麟議員               | (書面答覆) |        |

註 :

NOTE :

# 議員將採用這種語言提出質詢

# Member will ask the question in this language

## 行政、立法及司法機關之間的關係

### # (2) 何俊仁議員 (口頭答覆)

據報，國家副主席習近平於2008年訪問香港時指出，行政、立法及司法機關要互相理解和互相支持。去年11月，國務院港澳事務辦公室副主任張曉明在澳門回歸10周年前夕，讚揚澳門行政、立法及司法機關之間的關係着重互相配合。中央人民政府駐香港特別行政區聯絡辦公室副主任李剛隨後回應有關言論時表示，港澳可以互相借鑒。此外，終審法院首席法官李國能在本法律年度開啟典禮上指出，在香港的制度下，行政、立法及司法機關互相制衡。他並在其後的記者會上指出，澳門的法制完全不適合香港。就此，政府可否告知本會：

- (一) 有否計劃促使本港的行政、立法和司法機關朝着互相理解、支持和配合的方向邁進；若然，該等計劃的內容為何；若否，不實行該等計劃的原因為何；
- (二) 會否願意繼續維持行政、立法和司法機關互相制衡的制度；若否，原因為何；及
- (三) 會否借鑒澳門的管治經驗；若然，有否評估在行政、立法和司法機關的組成和安排方面，澳門有哪些地方值得香港借鑒；若有評估，結果為何？

The relationship among the executive authorities,  
the legislature and the judiciary

(2) Hon Albert HO Chun-yan (Oral Reply)

It has been reported that during his visit to Hong Kong in 2008, State Vice-President XI Jinping pointed out that there should be mutual understanding and support among the executive authorities, the legislature and the judiciary. On the eve of the 10th anniversary of the reunification of Macao in November last year, Vice-Minister of the Hong Kong and Macao Affairs Office of the State Council ZHANG Xiaoming praised the relationship among the executive authorities, the legislature and the judiciary of Macao for putting emphasis on complementing one another. In response to such remarks, Deputy Director of the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region LI Gang stated that Macao and Hong Kong could draw reference from each other. Besides, Chief Justice Andrew LI of the Court of Final Appeal pointed out at the Ceremonial Opening of this Legal Year that the system in Hong Kong involved checks and balances among the executive authorities, the legislature and the judiciary. He also pointed out at a subsequent press conference that the legal system of Macao was entirely not suitable for Hong Kong. In this connection, will the Government inform this Council:

- (a) whether it has plans to cause the executive authorities, the legislature and the judiciary of Hong Kong to move towards the direction of understanding, supporting and complementing one another; if so, of the content of those plans; if not, the reasons for not implementing such plans;
- (b) whether it is prepared to maintain the system of checks and balances among the executive authorities, the legislature and the judiciary; if not, of the reasons for that; and
- (c) whether it will draw reference from the governance experience of Macao; if so, whether it has assessed which aspects of the composition and arrangements of the executive authorities, the legislature and the judiciary of Macao are worthy of Hong Kong drawing reference; if such an assessment has been made, of the results?



## 穩定學校發展的措施

### # (3) 張文光議員 (口頭答覆)

據報，教育局指出，下學年入讀中一的新生人數將大減6 300人，未來5年更會由本年的6萬3千人減至4萬2千人。報道又指有學界人士估計，新學年可能有50至60所中學消失。教育局局長最近探訪各區的校長會，就謀求對策以減輕人口下降對中學的衝擊諮詢校長。鑒於有學界人士指出，新高中學制已於本學年正式展開，學校急待當局制訂穩定學校的措施，讓校長和教師集中精神處理新高中學制及其他繁重的改革工作，包括新增通識教育科、其他學習經歷和學生學習概覽、部分科目的整合、校本評核科目和比重的遞增，新一個周期的校外評核，以及為教學語言微調作出安排，政府可否羅列諮詢所獲得的各項意見，並告知本會當局將會推出甚麼穩定學校的新措施，以協助學校順利推行新高中學制的各項改革，以及措施會否包括停止執行學校收生不足便須停辦的政策？

## Measures to stabilize the development of schools

(3) Hon CHEUNG Man-kwong (Oral Reply)

It has been reported that according to the Education Bureau, the intake of Secondary 1 students in the coming school year will substantially decrease by 6 300, and will decrease further from this year's 63 000 to 42 000 within the next five years. It has also been reported that according to the estimation of some members of the school sector, around 50 to 60 secondary schools may cease operation in the new school year. The Secretary for Education recently visited associations of school heads in various districts to consult the principals on measures to mitigate the impact of declining population on secondary schools. Given that it has been pointed out by some members of the school sector that with the commencement of implementation of the new senior secondary ("NSS") academic structure in this school year, schools are keenly waiting for the authorities to formulate measures to stabilize the development of schools, so that both the principals and teachers can concentrate their efforts on implementing the NSS academic structure and dealing with other onerous reform-related matters, including the addition of the Liberal Studies subject, Other Learning Experiences and Student Learning Profile, integration of certain subjects, gradual increase in the number of subjects with school-based assessment ("SBA") and increasing weightings of SBA components in the concerned subjects, next cycle of external school reviews, and arrangements related to fine-tuning of the medium of instruction for schools, will the Government set out the views collected in the consultation exercise and inform this Council of the new measures which the authorities will implement to stabilize the development of schools, in order to help schools implement various reform measures under the NSS academic structure smoothly, and whether the new measures will include suspending the policy under which under-enrolled schools have to be closed?

## 向白內障病人提供的醫療援助

### # (9) 余若薇議員 (書面答覆)

近年，輪候在公立醫院接受白內障手術的病人數目持續上升，而輪候時間亦不斷增加。就此，政府可否告知本會：

- (一) 是否知悉，醫院管理局在上個財政年度共撥出多少資源應付白內障病人的醫療需求；
- (二) 現時公立醫院白內障手術的平均輪候時間；
- (三) 現時不同年齡組別(50歲以下，之後每10歲為一組至80歲或以上)的公立醫院白內障病人的數目；及
- (四) 政府有沒有計劃向輪候接受白內障手術的長者病人提供更多津貼(例如以醫療券方式)，以便他們使用私營醫療服務？



Medical assistance for patients with cataract

(9) Hon Audrey EU Yuet-mee (Written Reply)

In recent years, the number of patients waiting to receive cataract surgery at public hospitals has persistently increased and the waiting time has also continued to increase. In this connection, will the Government inform this Council:

- (a) whether it knows the amount of resources allocated by the Hospital Authority to cope with the medical needs of patients with cataract in the last financial year;
- (b) of the average waiting time for cataract surgery in public hospitals at present;
- (c) of the current number of patients of public hospitals with cataract, broken down by age groups (below 50 years old, followed by groups covering 10 years each and up to 80 years old or above); and
- (d) whether the Government has any plan to provide more medical allowances (such as in the form of health care vouchers) for elderly patients waiting to receive cataract surgery, so as to facilitate their use of private medical services?

## 私營靈灰安置所的規管

### # (17) 李慧琼議員 (書面答覆)

據報，有業主利用現時法例的灰色地帶，把其位於住宅(甲類)規劃用地上的唐樓單位，在沒有申領廟宇牌照及申請更改土地用途的情況下，改建該單位並以道觀形式經營，提供數百個私人骨灰龕位。報道亦指出，在現時沒有發牌制度規管私營靈灰安置所下，政府表示會研究設立一個自願性質的登記制度，但此登記制度的成效被質疑。就此，政府可否告知本會：

- (一) 過去3年，每年當局收到多少宗涉及在唐樓以不同形式經營廟宇的投訴，當中涉及骨灰龕位的投訴數字，投訴的性質，以及當局如何跟進；
- (二) 鑒於在唐樓經營靈灰安置所的問題涉及規劃署、地政總署及食物環境衛生署等多個政府部門的工作範圍，政府會否考慮由一個政府部門統一處理上述的問題；若會，詳情為何；若不會，原因為何；及
- (三) 會否重新考慮訂立發牌制度以規管私營靈灰安置所，令私營靈灰安置所的經營納入正軌；若否，原因為何？

## Regulation of private columbarium facilities

(17) Hon Starry LEE Wai-king (Written Reply)

It has been reported that some property owners have, in exploitation of the grey areas of existing legislation, renovated their units in tenement buildings on land zoned as Residential (Group A) and, without obtaining the license for operating a temple or applying for changes in land use, operate them in the form of Taoist monasteries to provide hundreds of private columbarium niches. It has also been reported that in the absence of any licensing regime for the regulation of private columbarium facilities at present, the Government has indicated that it will examine setting up a voluntary registration system. However, the effectiveness of such a registration system is open to question. In this connection, will the Government inform this Council:

- (a) of the number of complaints received by the authorities in respect of operation of temples in different forms in tenement buildings in each of the past three years and, among them, the number of complaints involving columbarium niches, the nature of such complaints, and how the authorities followed up the complaints;
- (b) given that the problem of operating columbarium facilities in tenement buildings falls within the scope of work of various government departments such as Planning Department, Lands Department and Food and Environmental Hygiene Department, whether the Government will consider designating a government department to deal with the problem in a uniform manner; if it will, of the details; if not, the reasons for that; and
- (c) whether it will consider afresh the setting up of a licensing system for the regulation of private columbarium facilities, so as to put the operation of private columbarium facilities onto the right track; if it will not, of the reasons for that?