

立法會 *Legislative Council*

立法會CB(3) 730/09-10號文件

2010年5月28日內務委員會會議文件

定於2010年6月2日立法會會議上提出的質詢

提問者：

- | | | |
|------|--------|--------|
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| (2) | 梁耀忠議員 | (口頭答覆) |
| (3) | 涂謹申議員 | (口頭答覆) |
| (4) | 黃成智議員 | (口頭答覆) |
| (5) | 張學明議員 | (口頭答覆) |
| (6) | 林大輝議員 | (口頭答覆) |
| (7) | 梁劉柔芬議員 | (書面答覆) |
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註 :

NOTE :

議員將採用這種語言提出質詢

Member will ask the question in this language

各政府部門使用的非公務員人手

(1) 王國興議員 (口頭答覆)

根據政府對本人就本年度財政預算案提出的問題所作答覆，截至2010年2月28日，康樂及文化事務署(下稱“康文署”)使用的中介公司僱員及其非公務員合約僱員的人數分別相當於康文署總人手的百分之三及百分之十六，而外判服務合約聘用的員工(下稱“外判員工”)更有10 100人，上述3種非公務員的員工總人數大大超過該部門的8 060個常額編制職位。有市民向本人反映，康文署使用非公務員員工提供服務的情況十分嚴重，令人非常憂慮政府進一步推行“去公務員化”和“去僱傭關係化”。就此，政府可否告知本會：

- (一) 過去5年，康文署使用的中介公司僱員和外判員工，以及其非公務員合約僱員的數目；該等數目相當於該部門整體人手的百分比是多少，而期間部門內又有多少職位是由非常額轉為常額編制；
- (二) 康文署在外判服務及採購中介公司提供的人手服務時，會否優先選擇僱員工資水平最高的競投者；而在考慮競投者的僱員工資是否合理時，該部門會否參照相關公務員職位的薪酬水平，從而要求競投者提供相若薪酬；該部門有何機制監察投得合約的公司在合約期內不會削減其僱員工資及權益；及
- (三) 會否考慮為政府部門的非公務員員工數目相當於員工總數的比例設定上限，並限制部門在非公務員員工的比例超過該上限時，便須馬上審視其人手需求，把需要長期使用非公務員員工的職位轉為常額編制的公務員職位，從而避免政府員工“同工不同酬”、“去僱傭關係化”及“去公務員化”的趨勢擴大；若否，原因何在？

Non-civil service manpower used by various government
departments

(1) Hon WONG Kwok-hing (Oral Reply)

According to the Government's replies to the questions I raised in respect of the Budget of this year, the number of agency workers used by the Leisure and Cultural Services Department ("LCSD") and that of its non-civil service contract ("NCSC") staff as at 28 February 2010 are equivalent to 3% and 16% respectively of LCSD's total manpower, and there are even 10 100 staff employed under outsourced service contracts ("staff of outsourced service"). The total number of the above three types of non-civil service staff is much greater than the 8 060 posts on the permanent establishment of LCSD. Some members of the public have relayed to me that the situation of using non-civil service staff to provide services in LCSD is very serious, arousing grave concern that the Government may implement "engagement of non-civil service staff to provide services" and "de-employment" further. In this connection, will the Government inform this Council:

- (a) of the number of agency workers and staff of outsourced services used by LCSD as well as its number of NCSC staff in the past five years; the percentages of the total manpower of LCSD these figures represented, as well as the number of posts in non-permanent establishment which had been converted to permanent establishment in LCSD during that period;
- (b) whether LCSD will, in outsourcing services and procuring the manpower services of employment agencies, give priority to bidders offering the highest wage levels to employees; and in considering whether the bidders are offering reasonable wages to their employees, whether LCSD will make reference to the pay levels of the relevant civil service posts and request the bidders to offer pay at the same levels; and of the monitoring mechanism put in place by LCSD to ensure that the companies which have been awarded the contracts will not reduce their employees' wages

and benefits throughout the whole period of the contracts; and

- (c) whether it will consider setting a cap on the percentage, which the number of non-civil service staff represents in the total number of staff in a government department, as well as requiring the department to review its manpower need immediately when the percentage exceeds the cap, and convert posts which require the service of non-civil service staff on a long-term basis into civil service posts on the permanent establishment, so as to curb the trends of “different pay for the same job” among government staff, “de-employment” and “engagement of non-civil service staff to provide services”; if not, of the reasons for that?

私營靈灰安置所

(2) 梁耀忠議員 (口頭答覆)

政府可否告知本會：

- (一) 根據各政府部門現有的資料，現時私營靈灰安置所的數目和地區分布為何；
- (二) 去年，當局接到多少宗有關私營靈灰安置所的投訴，投訴的詳情及當局的跟進情況為何；及
- (三) 鑒於政府於本年年初回覆本會議員的質詢時表示，正研究制訂合適的措施，以促進私營靈灰安置所業界提高資訊透明度，以及加強保障消費者的權益，研究的進展為何，有否計劃將現有的私營靈灰安置所規範化；若有，詳情為何；若否，原因為何？

Private columbarium facilities

(2) Hon LEUNG Yiu-chung (Oral Reply)

Will the Government inform this Council:

- (a) of the current number and distribution of private columbarium facilities according to the information that various government departments have;
- (b) of the number of complaints about private columbarium facilities received by the authorities last year, details of the complaints, and how such complaints were followed up by the authorities; and
- (c) given that the Government indicated in its reply to the question of a Member of this Council early this year that it was considering the formulation of appropriate measures to promote information transparency in the trade of private columbarium facilities and to strengthen consumer protection, of the progress of such work, and whether it has any plan to regularize existing private columbarium facilities; if it has, of the details; if not, the reasons for that?

預付服務費用

(3) 涂謹申議員 (口頭答覆)

現時不少個人服務提供者(例如美容瘦身中心和瑜珈中心等)，都會以折扣優惠來吸引顧客預付服務費。有銀行透過服務提供者向顧客提供私人貸款，讓顧客以貸款預付服務費，金額由數千元至數萬元不等。過去一年多，多間大型服務提供者突然倒閉，已預付服務費的顧客不能取回預付的費用。在現行制度下，當服務提供者被清盤時，顧客往往會成為無抵押債權人，很難取回預付的服務費。就此，政府可否告知本會：

- (一) 銀行透過服務提供者向顧客提供私人貸款的做法，是否受到香港金融管理局監管；當服務提供者的職員為顧客辦理貸款手續時，沒有向顧客解釋清楚一旦服務提供者倒閉，顧客可能蒙受的損失和有關風險，銀行會否因而違反了任何指引和須承擔責任；
- (二) 會否參照台灣的做法，訂立法例規定服務提供者收取預付服務費時，必須有金融機構提供足額的履行合約保證；及
- (三) 政府短期內有否計劃加強宣傳和教育，使市民認識消費者在預付服務費方面的法律權利和責任，以防止上述問題繼續發生；如果有計劃，會怎樣進行？

Pre-payment for services

(3) Hon James TO Kun-sun (Oral Reply)

At present, quite a number of providers of personal services (e.g. beauty care and slimming centres and yoga centres, etc.) lure customers to make pre-payment for services by offering discounts. Some banks have extended private loans through service providers to their customers to enable them to make pre-payment for services with the loans, and the amounts of money involved range from several thousand dollars to tens of thousands of dollars. In the past one-odd year, a number of large-scale service providers closed down suddenly and their customers who had made pre-payment for services could not recover the pre-paid amounts. Under the existing system, when service providers are put into liquidation, their customers often become unsecured creditors and it is difficult for them to recover their pre-paid money. In this connection, will the Government inform this Council whether:

- (a) the practice of banks offering private loans through service providers to their customers is subject to the regulation of the Hong Kong Monetary Authority; when the staff of service providers, when handling the formalities for securing loans for their customers, have not clearly explained to their customers the potential loss to them and related risks in case the service providers close down, whether banks have breached any guideline and are required to shoulder responsibilities as a result;
- (b) reference will be made to the practice adopted in Taiwan to introduce legislation to require that when service providers receive pre-payment for services, performance bond in full amount in respect of the contracts must be provided by financial institutions; and
- (c) the Government has any plan in the short-term to enhance its publicity and education efforts to let the public know the legal rights and obligations of consumers in respect of pre-payment for services, so as to prevent the recurrence of the above problems; if so, how the plan will be implemented?

向殘疾人士提供的支援

(4) 黃成智議員 (口頭答覆)

有團體向本人反映，現時政府向殘疾人士提供的服務並不足夠，包括提供持續教育機會、就業扶助、庇護工場名額及對家居照顧者的支援等。就此，行政機關可否告知本會：

- (一) 是否知悉，過去5年，每年有多少名智障人士在完成特殊學校課程後能夠繼續就學；因沒有經濟資助(例如資助專上課程學生資助計劃、專上學生資助計劃及相關的貸款計劃)而未能接受持續教育的智障人士數目，以及他們未能獲得資助的原因為何；有沒有專為智障人士而設的資助計劃；每年智障人士經勞工處展能就業科協助而成功就業的個案有多少宗；其他求助人士未能成功就業的原因為何；
- (二) 目前全港庇護工場提供的就業名額有多少個，以及平均輪候時間為何；過去5年，政府為嚴重肢體傷殘人士提供了多少個庇護工場名額及現時的輪候人數為何；新的日間展能中心(包括九龍西)的設立時間表為何；及
- (三) 過去5年，每年殘疾人士地區支援中心、殘疾人士家長／親屬資源中心及殘疾人士社區支援計劃的服務使用者當中，智障人士照顧者所佔的百分比，並按區議會分區列出分項數字？

Assistance for persons with disabilities

(4) Hon WONG Sing-chi (Oral Reply)

Some organizations have relayed to me that the services currently provided by the Government to persons with disabilities are inadequate, including the provision of opportunities for continuing education, employment assistance, places available in sheltered workshops, and support to family carers, etc. In this connection, will the Executive Authorities inform this Council:

- (a) whether they know, in each of the past five years, the number of persons with intellectual disability (“ID”) who managed to pursue continuing education after completing their education in special schools; of the number of persons with ID who were not able to receive continuing education because of the lack of financial assistance (such as the Tertiary Student Finance Scheme - Publicly-funded Programmes, the Financial Assistance Scheme for Post-secondary Students and other relevant loan schemes), as well as the reasons for their not receiving financial assistance; whether there is any financial assistance scheme exclusively for persons with ID; of the number of cases in which persons with ID succeeded in seeking employment under the assistance of the Selective Placement Division of the Labour Department, and the reasons why the others who sought assistance did not succeed in seeking employment;
- (b) of the current number of places provided by all the sheltered workshops in Hong Kong and the average waiting time for admission to such workshops; of the number of places provided by the Government in sheltered workshops for severely physically handicapped persons in the past five years, as well as the number of persons on the waiting list at present; of the timetable for the commissioning of additional Day Activity Centres (including those located in West Kowloon); and

- (c) of the percentage of carers of persons with ID among the service users of District Support Centres for Persons with Disabilities, Parents/Relatives Resource Centres for Disabled Persons and Community-based Support Projects for Persons with Disabilities and their Families in each of the past five years, together with a breakdown by District Council district?

為的士提供的第三者風險保險

(5) 張學明議員 (口頭答覆)

本人接獲的士業人士的申訴，指現時的士第三者風險保險(下稱“第三保”)費用高昂，由以往的八千元普遍上升至一萬八千元水平，對的士業的營運成本造成壓力。此外，有的士從業員最近引入一套的士專用俗稱“黑盒”的記錄行車資料的儀器，並相信的士在安裝黑盒後，可大大提高司機對安全駕駛的警覺性，從而有助減少意外發生，保障道路使用者的安全。就此，政府可否告知本會：

- (一) 現時經營的士第三保業務的保險公司的數目；是否知悉該等保險公司一般收取的的士第三保保費，以及與私家車第三保保費如何比較；過去3年，的士及私家車的第三保保費的增幅分別為何；
- (二) 過去3年，當局有沒有研究的士第三保保費的增加是否與的士交通意外頻生有關；如果有關，期間的士交通意外及的士第三保保費因而增加的情況；及
- (三) 當局會否進一步研究在所有的士安裝黑盒的可行性；如果會，實施時間表為何；如果不會，當局考慮的因素是甚麼？

Third party risks insurance for taxis

(5) Hon CHEUNG Hok-ming (Oral Reply)

I have received complaints from members of the taxi trade about the pressure on the operating costs of the taxi trade caused by the existing high third party risks insurance premiums for taxis, which in general have been increased from \$8,000 to the level of \$18,000. Moreover, some taxi operators have recently introduced a data recording device specially for taxis, commonly known as “black box.” They believed that the installation of “black boxes” in taxis may substantially enhance taxi drivers’ awareness of safe driving, which will in turn reduce accidents and safeguard the safety of road users. In this connection, will the Government inform this Council:

- (a) of the number of insurance companies operating the business of third party risks insurance for taxis at present; whether it knows the third party risks insurance premiums for taxis charged in general by such insurance companies and how such premiums compare with those for private cars; of the respective rates of increase in the third party risks insurance premiums for taxis and private cars in the past three years;
- (b) whether the authorities had, in the past three years, studied if the increase in the third party risks insurance premiums for taxis was related to the frequent occurrence of traffic accidents involving taxis; if it was related, of the situation of traffic accidents involving taxis and the resultant increase in third party risks insurance premiums for taxis during this period; and
- (c) whether the authorities will study further the feasibility of installing “black boxes” in all taxis; if they will, of the implementation timetable; if not, of the factors considered by the authorities?

立法會補選

(6) 林大輝議員 (口頭答覆)

2010年立法會五個地方選區補選於5月16日結束，總投票率為百分之17.1，創下自特區政府成立以來，立法會換屆選舉及補選的歷史新低。據報，香港青年會於選舉前公布相關的民調結果顯示，百分之65的受訪者反對進行以“五區公投”為口號的補選，而行政長官於5月14日晚上發表聲明，表示社會上的主流意見是認為這次補選是無需要的，是濫用程序，甚至是浪費公帑。他決定在補選中不參與投票，更表示會考慮修改法例，避免議員於會期內辭職後又再次參與補選。就此，政府可否告知本會：

- (一) 是次補選的實質開支及政府動用的人力資源為何，包括警力及其他相關的輔助人員，並以表列形式詳細列出各項開支及人力資源的分項資料；
- (二) 是否已展開修改相關法例的法律草擬程序，以杜絕再有議員於會期內辭職後又再次參與補選；若已展開，何時會把法案提交本會審議；若否，原因為何；及
- (三) 在相關的法例獲修訂前，有否制訂任何應變機制，處理有議員於會期內辭職後又再次參與補選的情況；若有，詳情為何；若否，原因為何？

Legislative Council by-elections

(6) Dr Hon LAM Tai-fai (Oral Reply)

The 2010 Legislative Council (“LegCo”) by-election for the five geographical constituencies was completed on 16 May, and the voter turnout rate was 17.1%, which is a record low in LegCo general elections and by-elections since the establishment of the SAR Government. It has been reported that the outcome of a relevant opinion poll published by the Hong Kong Youth Association before the election indicated that 65% of the respondents were against the by-election under the slogan of “five geographical constituencies referendum”. The Chief Executive issued a statement in the evening of 14 May, stating that the mainstream community view was that this by-election could have been avoided, was an abuse of system and was even a waste of taxpayers’ money. He decided not to vote in the by-election and also indicated that he would consider amending the legislation to prevent Members from resigning and then standing for the by-elections again during the session. In this connection, will the Government inform this Council:

- (a) of the actual expenses and the manpower resources, including police manpower and other supporting staff concerned, deployed by the Government for this by-election, together with a breakdown in table form detailing various types of expenses and manpower resources;
- (b) whether it has commenced the law drafting procedure to amend the relevant legislation, so as to eliminate the recurrence of some Members resigning and then standing for the by-elections again during the session; if it has, when it will submit the bill to this Council for scrutiny; if not, the reasons for that; and
- (c) whether it has, before the relevant legislation is amended, formulated any contingency mechanism to handle cases of some Members resigning and then standing for the by-elections again during the session; if it has, of the details; if not, the reasons for that?

吸毒後駕駛的罪行

(7) 梁劉柔芬議員 (書面答覆)

據報，本年4月至5月期間，本港發生兩宗懷疑司機吸毒後駕駛貨車的事件。此外，本年1月上旬，有的士司機在20日內兩度吸食氯胺酮(俗稱“K仔”)後駕駛導致車禍，最後被判入獄18個月及停牌兩年。就此，政府可否告知本會：

- (一) 現時執法部門有否針對吸毒後駕駛向司機進行例行截查行動；若有，根據甚麼準則截查司機，以及截查行動的實際運作為何；
- (二) 在上述吸毒後駕駛的事件曝光後，當局有否針對此情況評估現行截查行動的做法，以及針對評估的結果作出即時改善，以免再有同類事件發生；
- (三) 鑒於有報道指出，當局已成立工作小組研究立法規管吸毒後駕駛的行為，該工作小組的工作進度為何；
- (四) 過去5年，針對在藥物影響下駕駛的罪行而作出的檢控個案數目，當中涉及非毒品及毒品的藥物的個案數目分別為何；涉及的非毒品藥物以甚麼藥物為主；吸毒後駕駛的個案有否錄得上升的趨勢；
- (五) 鑒於有報道指出，不少司機工作時吸食少量大麻或K仔，誤以為可達致提神及減壓的作用，針對此風氣，政府有何對策；及
- (六) 除研究立法規管外，當局有否其他配套計劃及措施，以防止吸毒後駕駛的不良風氣蔓延社區，危害市民的安全？

Drug driving offences

(7) Hon Mrs Sophie LEUNG LAU Yau-fun (Written Reply)

It has been reported that between April and May this year, there were two incidents in Hong Kong in which truck drivers were suspected of drug driving. Moreover, in early January this year, a taxi driver who drove after taking ketamine on two separate occasions within 20 days was eventually sentenced to imprisonment for 18 months with his driving licence suspended for two years. In this connection, will the Government inform this Council:

- (a) whether the law enforcement departments have conducted regular stop-and-search actions on drivers against drug driving; if they have, what criteria were used to stop and search drivers, as well as the actual operation of the stop-and-search actions;
- (b) after the aforesaid drug driving incidents have come to light, whether the authorities have assessed the existing practice for conducting stop-and-search actions in view of such a situation and have made improvements immediately in view of the review outcome, so as to avoid similar incidents from happening again;
- (c) given that it has been reported that the authorities have already set up a working group to study introducing legislation to regulate drug driving behaviour, of the work progress of the working group;
- (d) of the number of prosecutions instituted in the past five years against the offence of driving under the influence of medicines and, among them, the respective number of cases involving medicines which were not drugs and those which were drugs; the major types of medicines involved which were not drugs; whether an upward trend in the number of drug driving cases has been recorded;

- (e) given that it has been reported that quite a number of drivers, who took a small amount of cannabis or ketamine when working, mistakenly thought that this might freshen them up and ease their stress, of the Government's solution in view of such a trend; and
- (f) apart from studying introducing legislation for regulation, whether the authorities have other complementary plans and measures to prevent such an undesirable trend of drug driving from spreading in the community, posing hazard to public safety?

根據《工廠及工業經營條例》及
《職業安全及健康條例》檢控僱主及僱員

(8) 李鳳英議員 (書面答覆)

政府可否告知本會，過去3年，每年根據《工廠及工業經營條例》(第59章)及《職業安全及健康條例》(第509章)被檢控的僱主及僱員數目，並按他們的行業分別列出其控罪及引用的條文、定罪的個案數目和判罰？

Prosecution of employers and employees under
the Factories and Industrial Undertakings Ordinance and
the Occupational Safety and Health Ordinance

(8) Hon LI Fung-ying (Written Reply)

Will the Government inform this Council of the respective numbers of employers and employees who were prosecuted in each of the past three years under the Factories and Industrial Undertakings Ordinance (Cap. 59) and the Occupational Safety and Health Ordinance (Cap. 509), together with a breakdown, by the industry in which they were engaged, of the respective charges laid and provisions invoked, as well as the number of convicted cases and the penalties imposed?

精神病患者及康復者的支援服務

(9) 何俊仁議員 (書面答覆)

近年在社區發生多宗精神病患者傷人或傷害自己的嚴重事故。此外，亦有評論指出，政府著重該等人士的社區護理，但卻沒有周詳的規劃及社區支援作為配套。關於向精神病患者及康復者提供的支援服務，政府可否告知本會：

- (一) 過去5年，政府調撥給醫院管理局(“醫管局”)、社會福利署(“社署”)及非政府機構作支援精神病患者及康復者的資源分別為何，以及它們每年的開支增長分別為何；
- (二) 鑒於在新推行的個案管理計劃下的個案經理由醫療職系人員督導，有何機制確保個案經理有能力評估病人在醫療護理以外方面如社區和社交生活的需要；在運作上有何機制讓隸屬於醫管局的個案經理能統籌和安排社署等不同的政府部門，為其照顧的病人提供適切服務，尤其當部分復康服務(例如住宿宿位)嚴重不足的時候；及
- (三) 是否知悉過去5年，每年精神科病人的住院日數中位數、在社區的嚴重精神病患者或康復者的數目，以及他們傷害自己或他人的嚴重事故數目；當局有否探討出現該等傷人事故，是否與當局削減精神科病床，以及着重社區護理的同時，沒有周詳的規劃及社區支援作為配套有關；最急需改善的是哪些環節；會否邀請專家顧問全面檢討精神健康政策和服務，並制訂精神健康政策白皮書諮詢各界？

Support services for mental patients and
people recovering from mental illness

(9) Hon Albert HO Chun-yan (Written Reply)

A number of serious incidents of mental patients injuring others or themselves occurred in the community in recent years. In addition, there have been comments that while the Government puts emphasis on community care for such people, there is a lack of complementary comprehensive planning and community support. Regarding the support services provided to mental patients and people recovering from mental illness, will the Government inform this Council:

- (a) of the respective resources allocated by the Government to the Hospital Authority (“HA”), the Social Welfare Department (“SWD”) and non-government organizations in the past five years for supporting mental patients and people recovering from mental illness, as well as the respective increase in their expenditure in each year;
- (b) given that under the newly launched Case Management Programme, case managers are supervised by health grade personnel, of the mechanism in place to ensure that case managers are capable of assessing the needs of their patients in areas other than health care such as community and social life; the mechanism in place on the operational level to enable case managers who work under HA to coordinate and arrange for the provision of appropriate services to the patients they take care of by various government departments such as SWD, etc. especially when some rehabilitation services (e.g. residential places) are in acute shortage; and
- (c) whether it knows in each of the past five years, the respective median in-patient bed-days of mental patients, the respective numbers of persons with severe mental illness or those recovering from

severe mental illness in the community, as well as the respective numbers of serious incidents in which such persons injured themselves or others; whether the authorities have explored if the occurrence of such wounding incidents is related to the authorities reducing psychiatric beds as well as their putting emphasis on community care without complementary comprehensive planning and community support; which areas need improvement most urgently; whether they will invite a specialist consultant to thoroughly review mental health policy and services, and prepare a white paper on the mental health policy to consult various sectors?

電子交易系統

(10) 譚偉豪議員 (書面答覆)

本年5月初美國股市大跌，創下自2009年2月以來最大點數跌幅。據金融市場人士分析，事件可能與電子交易系統的設定有關。雖然有報道指香港交易所稱本港有措施防範，但有專家指出難以保證可完全避免發生類似上述的情況。此外，近年本港的證券行及銀行亦為客戶提供程式盤交易。就此，政府可否告知本會：

- (一) 現時當局有何監管程式盤交易的措施，以及有否為銀行、證券行、股票交易員和投資者提供相關指引；
- (二) 是否知悉，證券及期貨事務監察委員會及香港金融管理局有否定期檢討電子交易系統的風險管理機制，以及有否評估現時電子交易系統的安全性；若有進行檢討及評估，詳情為何；及
- (三) 當局有何防範措施以避免同類事件於香港發生？

Electronic trading system

(10) Dr Hon Samson TAM Wai-ho (Written Reply)

In early May this year, the stock market of the United States dropped drastically, recording the largest point drop since February 2009. According to the analysis by members of the financial market, the incident may be related to the setting of electronic trading systems. Although it has been reported that the Hong Kong Exchanges and Clearing Limited indicated that there are preventive measures in Hong Kong, some experts have pointed out that it is difficult to guarantee that the situations similar to the above can be avoided completely. Moreover, securities firms and banks in Hong Kong have also offered programme trading to their clients in recent years. In this connection, will the Government inform this Council:

- (a) of the authorities' measures currently in place to monitor programme trading, and whether they have provided relevant guidelines to banks, securities firms, stock traders and investors;
- (b) whether it knows if the Securities and Futures Commission and the Hong Kong Monetary Authority have regularly reviewed the risk management mechanisms of electronic trading systems, and whether they have assessed the safety of the current electronic trading systems; if so, of the details; and
- (c) what preventive measures the authorities have to avoid similar incidents from occurring in Hong Kong?

電腦病毒

(11) 黃定光議員 (書面答覆)

據報，有研究指出，電腦病毒程式的種類正急劇增加，去年全球新增近2億4千萬種病毒程式，比2008年增加一倍，創歷來新高；以及估計香港去年共有4萬3千多部電腦被殭屍網絡的電腦病毒感染，在全中國城市中排名第3，僅次於廣州和深圳。就此，政府可否告知本會：

- (一) 過去3年，政府部門的電腦曾否被不同的電腦病毒感染；政府有何最新具體措施防範電腦病毒入侵電腦系統；隨着科技發展，政府會否增加資源防止電腦病毒入侵；若會，詳情為何；若否，原因為何；
- (二) 過去3年，涉案人士因惡意發放電腦病毒而被捕的個案數目，以及他們受到的懲處為何；
- (三) 當局會否瞭解本港中小型企業(“中小企”) 在防範電腦病毒方面的能力和意識是否足夠；當局有何措施支援中小企，以免其電腦系統受病毒入侵；若沒有措施，原因為何；及
- (四) 鑒於上述研究指香港去年共有4萬3千多部電腦被殭屍網絡的病毒感染，當局有否評估該情況是否值得關注；會否提供最新相關資訊和教育市民，讓他們增加認識和提高警覺；若會，詳情為何；若否，原因是甚麼？

Computer virus

(11) Hon WONG Ting-kwong (Written Reply)

It has been reported that a study has pointed out that the varieties of computer virus programs have been increasing drastically, with about 240 million new ones globally last year, which doubled the 2008 figure and broke all records; and it is estimated that a total of more than 43 000 computers in Hong Kong were infected by computer viruses of botnets last year, putting Hong Kong in the third place among all Chinese cities, only after Guangzhou and Shenzhen. In this connection, will the Government inform this Council:

- (a) whether the computers of government departments had been infected by various computer viruses in the past three years; of the Government's latest specific measures to prevent computer viruses from invading computer systems; given the development of technologies, whether the Government will increase its resources for preventing the invasion of computer viruses; if it will, of the details; if not, the reasons for that;
- (b) of the numbers of cases in the past three years in which the persons involved had been arrested for disseminating computer viruses with malicious intent and the penalties imposed on such persons;
- (c) whether the authorities will examine if the small and medium enterprises ("SMEs") in Hong Kong have adequate capability and awareness regarding the prevention of computer viruses; of the authorities' measures to support SMEs in avoiding invasion of their computer systems by viruses; if no such measures are in place, of the reasons for that; and
- (d) given that the aforesaid study has pointed out that more than 43 000 computers in Hong Kong were infected by computer viruses of botnets last year, whether the authorities has assessed if the situation merits its concern; whether they will provide the latest relevant information and educate the public so

as to enhance their awareness and alertness; if they will, of the details; if not, the reasons for that?

政府就公務員受傷或身亡支付賠償的法律責任

(12) 陳健波議員 (書面答覆)

政府現行的做法是不會為公務員購買僱員補償保險。如有公務員因為工作關係受傷或身亡，政府會根據《僱傭補償條例》(第282章)或有關的香港退休金法例作出賠償。就此，政府可否告知本會：

- (一) 截至本年第一季，共有多少名公務員由政府承擔《僱傭補償條例》下的責任；
- (二) 過去5年，每年政府就公務員因為工作關係受傷或身亡而作出的賠償總額；
- (三) 政府處理上述的賠償個案涉及多少行政費用和政府官員的薪酬開支；及
- (四) 現時政府有多少名非公務員合約僱員，以及他們的僱員賠償安排為何？

Government's compensation liability
in injury and death of civil servants

(12) Hon CHAN Kin-por (Written Reply)

It is the current practice of the Government not to take out employees' compensation insurance for civil servants. In case of injury or death of a civil servant arisen out of employment, the Government will make compensation under the Employees' Compensation Ordinance (Cap. 282) or the relevant Hong Kong pensions legislation. In this connection, will the Government inform this Council of:

- (a) the total number of civil servants for whom the Government bore its liability under the Employees' Compensation Ordinance as at the first quarter of this year;
- (b) the total amount of compensation paid by the Government for the injuries or deaths of civil servants arisen out of employment in each of the past five years;
- (c) the administration expenses and the payroll cost of government officers incurred by the Government in handling the aforesaid compensation cases; and
- (d) the current number of Non-Civil Service Contract staff employed by the Government and the employees' compensation arrangement for such staff?

公務員離職後就業

(13) 張文光議員 (書面答覆)

最近有報道指出，政府有條件地批准前旅遊事務專員在離職只有4個月後便轉至香港貿易發展局出任高職，以及前房屋署副署長在離職只有3個月後便轉至香港金融管理局出任高職。就公務員離職後就業的事宜，政府可否告知本會：

- (一) 上述兩個離職公務員的就業申請及審批詳情為何；
- (二) 除上述兩個申請外，過去3年，當局共批准多少名以退休以外的原因離職的首長級公務員在離職後的一年內轉職至其他機構，以及詳情為何；
- (三) 對以退休以外的原因離職的公務員，當局現時如何對其再就業作出規管；及
- (四) 當局會否盡快檢討以退休以外的原因離職的公務員申請再就業的審批安排，使其與退休公務員的申請審批安排一致；若會，詳情為何；若否，原因為何？

Post-service employment of civil servants

(13) Hon CHEUNG Man-kwong (Written Reply)

It has been recently reported that the Government has given conditional permission to the former Commissioner for Tourism to take up a senior position in the Hong Kong Trade Development Council only four months after leaving the civil service, and that a former Deputy Director of the Housing Department has taken up a senior position in the Hong Kong Monetary Authority only three months after leaving the civil service. Regarding the post-service employment of civil servants, will the Government inform this Council:

- (a) of the details regarding the applications from the two aforesaid former civil servants for post-service employment and the vetting and approving of such applications;
- (b) apart from the two aforesaid applications, of the total number of directorate civil servants whose applications for post-service employment in other organizations within one year after leaving the civil service on grounds other than retirement were approved by the authorities in the past three years, and the details;
- (c) how the authorities at present regulate post-service employment of civil servants who left the civil service on grounds other than retirement; and
- (d) whether the authorities will expeditiously review the arrangements for vetting and approving post-service employment applications from civil servants who left the civil service on grounds other than retirement, so as to make the arrangements consistent with those for vetting and approving applications from retired civil servants; if a review will be conducted, of the details; if not, the reasons for that?

政府的閒置處所

(14) 石禮謙議員 (書面答覆)

儘管審計署署長於2008年3月公布的第五十號報告書中指出，有政府產業署管理的政府處所長期閒置，但近日有報道指有關問題至今未有改善，令公眾質疑政府產業署未有盡力達致其對政府處所的使用及進行商業項目方面的宗旨，即確保以最具效率和符合成本效益的方式使所有政府地方得以物盡其用；以及在合適的政府地方引入適當的商業活動，以期政府的資本投資取得最高回報。就此，政府可否告知本會：

- (一) 在審計署署長第五十號報告書指出的政府閒置處所中，現時仍閒置的處所的數目、面積、已閒置的年期、現時每月市值租金及累計應收租值為何；已租出或已改變作其他用途的處所為何；及
- (二) 自審計署署長第五十號報告書公布後，政府產業署就改善有關處所的閒置問題的工作詳情和進度為何；有否制訂工作時間表；若有，詳情為何；若否，原因為何？

Unused government premises

(14) Hon Abraham SHEK Lai-him (Written Reply)

Although the Director of Audit pointed out in his Report No. 50 published in March 2008 that some government premises under the management of the Government Property Agency (“GPA”) had remained unused for a long period of time, it has recently been reported that the situation has not yet improved since then, arousing public query that GPA has not strived to achieve its objectives in respect of the utilization and commercialization of government premises, i.e. to ensure that all government accommodation is fully utilized with maximum efficiency and value for money, and to introduce appropriate commercial activities in suitable government accommodation so as to maximize the return to the Government for its capital investment. In this connection, will the Government inform this Council:

- (a) among the unused government premises identified in Report No. 50 of the Director of Audit, of the current number of premises which are still left unused at present, as well as their sizes, the duration of being left unused, their monthly market rent at present and accumulative rent receivable; of the premises that have been leased out or converted for other uses; and
- (b) of the details and progress of the work undertaken by GPA to alleviate the problem of premises being left unused since the publication of Report No. 50 of the Director of Audit; whether it has formulated any work schedule in this regard; if so, of the details; if not, the reasons for that?

豪宅樓宇買賣

(15) 余若薇議員 (書面答覆)

關於豪宅買賣市場的活躍情況，政府可否告知本會：

(一) 2008年、2009年及2010年1月至3月的住宅樓宇買賣資料(按下表列出)；及

金額分類 (港元)	2008年		2009年		2010年1月至3月	
	住宅樓宇 買賣合約 數目	住宅樓宇 買賣合約 總值	住宅樓 宇買賣 合約 數目	住宅樓 宇買賣 合約 總值	住宅樓 宇買賣 合約 數目	住宅樓 宇買賣 合約 總值
1,000萬至 少於2,000萬						
2,000萬或 以上						

(二) 過去兩個財政年度，政府從價值1,000萬元或以上的住宅樓宇買賣合約徵得的印花稅金額為何(按下表列出)？

住宅樓宇價值(港元)	印花稅金額	
	2008-2009年度	2009-2010年度
1,000萬至少於2,000萬		
2,000萬或以上		

Sales and purchases of luxurious residential building units

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

Regarding the active sale and purchase activities in the luxury real estate market, will the Government inform this Council of:

(a) the information on the sales and purchases of residential building units in 2008, 2009 and from January to March in 2010 (set out in the table below); and

Range of considerations (HK\$)	2008		2009		January to March 2010	
	Number of agreements for sale and purchase of residential building units	Total consideration of agreements for sale and purchase of residential building units	Number of agreements for sale and purchase of residential building units	Total consideration of agreements for sale and purchase of residential building units	Number of agreements for sale and purchase of residential building units	Total consideration of agreements for sale and purchase of residential building units
10 million to below 20 million						
20 million or above						

(b) the amounts of stamp duty levied by the Government on the agreements for sales and purchases of residential building units which cost \$10 million or above in the past two financial years (set out in the table below)?

Price of the residential building unit (HK\$)	Amount of stamp duty levied	
	2008-2009	2009-2010
10 million to below 20 million		
20 million or above		

將軍澳支綫(第二期)

(16) 陳克勤議員 (書面答覆)

香港鐵路有限公司(“港鐵公司”)將軍澳支綫(第二期)(簡稱“支綫第二期”)由去年7月通車至今，約有1年時間。有將軍澳區的居民向本人反映，雖然居民已經逐漸適應“3+1”的列車服務模式(即每4班列車中有一班會行走北角至康城)，但他們認為服務未能配合需求，尤其是在繁忙時間，車廂和月台均十分擠迫。就此，政府可否告知本會：

(一) 是否知悉自支綫第二期通車至今，各個路段的下列資料；

	路段	每小時平均 乘客量		列車負載比率	
		通車前 的預測	通車後 的數字	通車前 的預測	通車後 的數字
繁忙 時間	寶琳往返 將軍澳				
	寶琳往返 北角				
	康城往返 將軍澳				
	康城往返 北角				
非繁 忙時 間	寶琳往返 將軍澳				
	寶琳往返 北角				
	康城往返 調景嶺				

(二) 鑒於寶琳站為單月台的設計，是否知悉港鐵公司在技術上能否進一步加密將軍澳支綫的班次，以紓緩車廂和月台的擠迫情況；若能夠，詳情為何，包括增加的班次密度，以及額外可接載的乘客數目；若不能夠，港鐵有甚麼其他措施應對；

(三) 是否知悉，港鐵公司有否計劃檢討“3+1”的列車服務模式；若有，詳情為何；若否，原因為何；

(四) 鑒於將軍澳區人口正不斷增加，其交通需

求將會越來越大，政府會否考慮增設一些行走區內的巴士線或公共小型巴士線，往來康城站一帶，以解決居民只能依賴港鐵出入的情況；及

- (五) 是否知悉，與之前3年比較，自支綫通車至今，整條將軍澳支綫的故障比率為何；故障的性質是甚麼；支綫通車後有否加劇路軌和列車老化的情況？

Tseung Kwan O Extension (Phase II)

(16) Hon CHAN Hak-kan (Written Reply)

It has been approximately one year since the commissioning of the Tseung Kwan O Extension (Phase II) (“TKOE II”) of the MTR Corporation Limited (“MTRCL”) in July last year. Some Tseung Kwan O residents have relayed to me that although the residents have gradually got used to the “3+1” train service pattern (i.e. every one out of four trains will be running from North Point to LOHAS Park), they consider that the service has failed to meet the demand, particularly during peak hours when train compartments and platforms are very crowded. In this connection, will the Government inform this Council:

(a) whether it knows the following information about the relevant sections of the extension since the commissioning of TKOE II;

	Section of the extension	Hourly average number of passengers		Train loading	
		Estimates before commissioning	Figures after commissioning	Estimates before commissioning	Figures after commissioning
Peak hours	Between Po Lam and Tseung Kwan O				
	Between Po Lam and North Point				
	Between LOHAS Park and Tseung Kwan O				

	Between LOHAS Park and North Point				
Non-peak hours	Between Po Lam and Tseung Kwan O				
	Between Po Lam and North Point				
	Between LOHAS Park and Tiu Keng Leng				

- (b) given that Po Lam Station is of a single-platform design, whether it knows if it is technically feasible for MTRCL to further increase the train frequencies of the Tseung Kwan O Extension, so as to alleviate the crowded conditions in train compartments and on platforms; if it is feasible, of the details, including the train frequencies after the increase and extra number of passengers to be carried; if it is not feasible, what other measures MTRCL has to deal with the situation;
- (c) whether it knows if MTRCL has plans to review the “3+1” train service pattern; if so, of the details; if not, the reasons for that;
- (d) given that the population in Tseung Kwan O district is increasing and the demand for transport service in the area will be growing, whether the Government will consider introducing additional bus or public light bus routes plying the vicinity of the LOHAS Park Station, so as to solve the problem that

residents can only rely on MTR for travelling to and from the area; and

- (e) whether it knows the service breakdown rates of the entire Tseung Kwan O Extension since the commissioning of TKOE II as compared with those in the previous three years; the nature of the breakdowns; and whether the commissioning of TKOE II has aggravated the aging of rail tracks and trains?

鐵路服務的表現

(17) 李永達議員 (書面答覆)

關於香港鐵路有限公司(“港鐵公司”)的鐵路服務及事故，政府可否告知本會：

- (一) 2005年至今，各鐵路走線分別發生服務延誤逾8分鐘、30分鐘及一小時的事故的數目及受影響乘客的人數，並按發生事故的原因，按下列表格分別提供服務延誤8分鐘以上至30分鐘、30分鐘以上至一小時，以及超過一小時的事故的各項數字；

原因／年份	服務延誤 _____ 分鐘／小時的事故						
	2005	2006	2007	2007	2008	2009	2010 (一月至今)
	合併前地鐵及九廣鐵路(“九鐵”)	合併前地鐵及九鐵	合併前地鐵及九鐵	合併後港鐵	港鐵	港鐵	港鐵
機件故障							
人為失誤							
乘客行為及外在因素							
其他原因(請註明)							
總計							

- (二) 現時政府有否準則及指引決定於甚麼情況下可對港鐵公司施加懲罰；若有，過去5年，政府對港鐵公司施加懲罰的詳情；若否，原因為何；
- (三) 政府有否考慮就鐵路服務延誤設立記分懲罰制度，以促使港鐵公司改善服務質素；若有，詳情為何；若否，原因為何；及
- (四) 是否知悉，自兩鐵合併後，港鐵公司每年投放於改善列車服務措施的金額及改善措施的詳情為何，以及有否檢討相關措施的成效為何；若有檢討，詳情為何；若否，

原因為何？

Railway service performance

(17) Hon LEE Wing-tat (Written Reply)

Regarding the railway service and incidents of the MTR Corporation Limited (“MTRCL”), will the Government inform this Council:

- (a) of the respective numbers of incidents of service being delayed for more than eight minutes, 30 minutes and one hour on various railway alignments since 2005, as well as the numbers of passengers affected, with a breakdown by cause of the those incidents of delays in service for over eight minutes to 30 minutes, over 30 minutes to one hour, and over one hour respectively, as set out in the following table:

Incidents of service being delayed for _____ minutes/hour(s)							
	2005	2006	2007	2007	2008	2009	2010 (up to the present)
Cause/Year	MTR and Kowloon- Canton Railway ("KCR") before merger	MTR and KCR before merger	MTR and KCR before merger	MTRCL after merger	MTRCL	MTRCL	MTRCL
Mechanical fault							
Human error							
Passenger action and external factor							
Other reasons (please specify)							
Total							

- (b) whether the Government has any criteria and guideline for deciding the circumstances under which penalties may be imposed on MTRCL; if it has, of the details of the penalties imposed on MTRCL by the Government in the past five years; if not, the reasons for that;
- (c) whether the Government has considered setting up a punitive demerit points system in connection with delays in railway service with a view to urging MTRCL to improve its quality of service; if it has, of the details; if not, the reasons for that; and
- (d) whether it knows the annual amounts allocated by MTRCL on measures to improve train service since the rail merger and the details of such improvement measures, and whether MTRCL has reviewed the efficacy of the relevant measures; if it has, of the details; if not, the reasons for that?

長者家居環境改善計劃

(18) 張國柱議員 (書面答覆)

政府於2008-2009年度撥款2億元透過全港各長者地區中心推行為期5年的長者家居環境改善計劃(“改善計劃”),至今已兩年。就此,政府可否告知本會:

- (一) 改善計劃於2008-2009及2009-2010年度在各長者地區中心的開支及所接獲的個案數目為何;
- (二) 當局有否為改善計劃訂下指標,以確保長者地區中心在某一時限內完成處理指定數目的個案(例如指定每個中心於一年內要處理多少宗個案);及
- (三) 鑒於有長者社區中心在過去兩年均向本人表示,當局就推行改善計劃而招致的行政費用所給予的撥款,不足夠處理眾多的個案申請,而由政府分配為期3年的活動工作員職位將於明年4月1日被取消,當局會否增加相關的撥款;若會,詳情為何?

Home Environment Improvement Scheme for the Elderly

(18) Hon CHEUNG Kwok-che (Written Reply)

It has been two years since the Government allocated \$200 million in 2008-2009 for the implementation of the five-year Home Environment Improvement Scheme for the Elderly (“the Home Improvement Scheme”) through the District Elderly Community Centres (“DECCs”) in Hong Kong. In this connection, will the Government inform this Council:

- (a) of the expenditure of various DECCs under the Home Improvement Scheme and the number of cases they received in 2008-2009 and 2009-2010;
- (b) whether the authorities have set any target for the Home Improvement Scheme, so as to ensure that DECCs complete a specified number of cases within a time frame (such as specifying the number of cases to be handled by each centre in a year); and
- (c) given that some DECCs had relayed to me in each of the past two years that the funds allocated by the authorities for covering the administration expenses incurred in implementing the Home Improvement Scheme was not sufficient to meet the expenses incurred in handling the heavy application caseload, and the three-year Programme Worker posts allocated by the Government will be cancelled on 1 April next year, whether the authorities will increase the relevant funding; if they will, of the details?

六四事件

(19) 甘乃威議員 (書面答覆)

鑒於公民教育委員會致力向市民推廣公民及國民教育，而有評論指出，1989年發生的六四事件，是當代中國歷史中最重要的一頁，其影響更遍達歐洲，對德國柏林圍牆的倒下及東歐各國的民主運動有著重要啟示。就此，政府可否告知本會：

- (一) 當局有否評估六四事件是否當代中國歷史的重要部分；如果評估的結果為否，原因為何；
- (二) 香港回歸至今已14年，當局曾以甚麼方式和投放了多少資源，讓市民更認識六四事件；當局在未來3年有何計劃加深市民對六四事件的認識；
- (三) 鑒於有評論指，當局過去於學校課程內拒絕更詳細描述六四事件的情況，有否評估這樣做會否令學生難以理解六四事件在中國及世界各地所發揮的影響力；及
- (四) 在香港回歸至今的14年內，上述委員會有否批出任何有助市民認識六四事件的資助；若有，共有多少個計劃及涉及的金額；若否，原因為何？

The 4 June incident

(19) Hon KAM Nai-wai (Written Reply)

Given that the Committee on the Promotion of Civic Education is tasked to promote civic and national education among members of the public, and there have been comments that the 4 June incident in 1989 is one of the most important chapters in the contemporary history of China, with its impact spreading across Europe and has significant inspiration for the fall of the Berlin Wall in Germany and the pro-democracy movements in many Eastern European countries. In this connection, will the Government inform this Council:

- (a) whether the authorities have assessed if the 4 June incident is an important part of the contemporary history of China; if the assessment outcome is in the negative, of the reasons for that;
- (b) what ways the authorities had used to enable members of the public to know more about the 4 June incident since the reunification of Hong Kong 14 years ago and of the amount of resources allocated for this purpose; of the authorities' plans to deepen the understanding of members of the public of the 4 June incident in the next three years;
- (c) given that there have been comments that in the past, the authorities have refused to describe the 4 June incident in school curriculum in a more detailed manner, whether it has assessed if this would make it difficult for students to understand the impact of the 4 June incident in China and many places in the world; and
- (d) whether the aforesaid Committee has approved any grant to help members of the public to understand the 4 June incident since the reunification of Hong Kong 14 years ago; if so, of the number of such projects and the amount of grants involved; if not, the reasons for that?

支付予旅行代理商的佣金

(20) 謝偉俊議員 (書面答覆)

據報，上月澳洲聯邦法庭裁定，某航空公司向旅行社支付的佣金的計算基數，須包括燃油附加費。就此，政府可否告知本會，會否參考該案例，研究規定航空公司須按同樣原則，計算應向本港旅遊代理商支付的佣金；若會，研究的時間表為何；若否，原因為何？

Commissions payable to travel agents

(20) Hon Paul TSE Wai-chun (Written Reply)

It has been reported that last month, the Federal Court of Australia ruled that fuel surcharges were to be included in the base figures for calculating the commissions payable to travel agencies by an airline. In this connection, will the Government inform this Council whether it will make reference to the case and conduct a study on requiring airlines to adopt the same principle in calculating the commissions payable to travel agents in Hong Kong; if it will, of the timetable of the study; if not, the reasons for that?