

立法會
Legislative Council

LC Paper No. CB(1)2582/09-10
(These minutes have been seen
by the Administration)

Ref : CB1/SS/8/09

**Subcommittee on Tate's Cairn Tunnel Ordinance
(Amendment of Schedule) Notice 2010**

**Minutes of the second meeting on
Tuesday, 15 June 2010, at 4:30 pm
in Conference Room B of the Legislative Council Building**

Members present : Hon Miriam LAU Kin-yee, GBS, JP (Chairman)
Hon Andrew CHENG Kar-foo
Hon WONG Kwok-hing, MH
Hon CHEUNG Hok-ming, GBS, JP
Hon Ronny TONG Ka-wah, SC

Member absent : Hon IP Wai-ming, MH

**Public Officers
attending** : **Agenda item I**

Mr Alan K M CHU
Deputy Secretary for Transport and Housing
(Transport) 3

Ms Estrella CHEUNG
Assistant Secretary for Transport & Housing(Transport)
2A

Mr David TO
Assistant Commissioner / Planning
Transport Department

Attendance by invitation : **Agenda item I**

Tate's Cairn Tunnel Co Ltd

Mr T K WONG
General Manager

Ms Rowena LEE
Head of Finance & Administration Department

Ms Donna YIP
Corporate Affairs Manager

Clerk in attendance : Ms Joanne MAK
Chief Council Secretary (1)2

Staff in attendance : Mr Stephen LAM
Assistant Legal Adviser 4

Ms Sarah YUEN
Senior Council Secretary (1)6

Action

I Meeting with the Administration

(L.N. 67 of 2010

— Tate's Cairn Tunnel Ordinance (Amendment of Schedule) Notice 2010

File Ref: THB(T) CR 1/4651/94

— The Legislative Council Brief issued by the Transport and Housing Bureau

LC Paper No. LS 68/09-10

— Legal Service Division Report on Subsidiary Legislation Gazetted on 20 May 2010

LC Paper No. CB(1)2133/09-10(01)

— Marked-up copy of the Schedule to Tate's Cairn Tunnel Ordinance (Cap.393) prepared by the Legal Service Division

LC Paper No. CB(1)2150/09-10

— Background brief on Tate's Cairn Tunnel Ordinance (Amendment of Schedule) Notice 2010 prepared by the Legislative Council

LC Paper No. CB(1)2241/09-10(01) — Secretariat
Administration's letter dated 11 June 2010 reporting on Tate's Cairn Tunnel Company Limited's response to members' request for offer of promotional discounts for public buses)

The Subcommittee deliberated (index of proceedings attached at **Annex**).

2. The Administration and Tate's Cairn Tunnel Company Limited (TCTC) briefed members on TCTC's decision that it would not be able to provide promotional discounts for public buses as requested by members. Mr WONG Kwok-hing and Mr CHEUNG Hok-ming expressed disappointment at the response, and urged TCTC to reconsider members' request in the light of the following –

- (a) Similar to public light buses which would be exempted from the toll increase, buses were providing a mass transport service;
- (b) TCTC was making a profit; and
- (c) The income foregone for TCTC if promotional discounts were offered to public buses was estimated to be \$1.7 million, which was insignificant when compared to the possible bus fare increase consequent to the toll increases.

3. TCTC responded that its decision was made after carefully weighing TCTC's financial position against those of franchised bus operators, and emphasized that while the average toll increase rate was 5.9%, the toll increase rate for double-decker bus was only 3%. In fact, the toll increase had in general already been minimized after taking into due consideration the interests of all parties concerned, in particular public interest.

Examination of the Notice

4. The Subcommittee noted the content of the Notice.

The way forward

5. The Subcommittee completed its deliberations on the Notice and agreed to report its deliberations to the House Committee at its meeting on 2 July 2010. The Chairman advised that since the scrutiny period of the Notice would expire on 23 June 2010 if not extended, she would move a motion at the Council meeting on 23 June 2010 to extend the scrutiny period to 14 July 2010. She further advised that the deadline for giving notice of minor technical amendments to the Notice, if any,

Action

Clerk was 7 July 2010. The Clerk was requested to prepare a report to the House Committee.

II Any other business

6. There being no other business, the meeting ended at 4:50 pm.

Council Business Division 1
Legislative Council Secretariat
23 July 2010

**Proceedings of the second meeting of
the Subcommittee on Tate's Cairn Tunnel Ordinance
(Amendment of Schedule) Notice 2010
on Tuesday, 15 June 2010, at 4:30 pm
in Conference Room B of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
000120– 000242	Chairman	- Opening remarks	
000243 – 000436	Chairman Administration TCTC	- Administration's and TCTC's report on TCTC's decision not to provide promotional discounts for public buses at members' request	
000437 – 000755	Chairman Mr WONG Kwok-hing Administration	- Mr WONG's expression of disappointment at TCTC's decision above on grounds that public buses, similar to public light buses which would be exempted from the toll increase, were providing a mass transport service, and that TCTC was making a profit - TCTC's explanation that the decision had been made after carefully weighing its financial position against those of franchised bus operators and considering public interest, and its emphasis that while the average toll increase rate was 5.9%, the toll increase rate for double-decker bus was only 3% - Discussion on the progress of the study on rationalizing the utilization of road harbour crossings - TCTC's explanation in response to the Chairman that \$1 promotional discount would be provided for empty taxis between midnight and 6 a.m after the toll increase took effect	
000756 – 001107	Chairman Mr CHEUNG Hok-ming Administration	- Discussion on the income foregone for TCTC if promotional discounts were offered to public buses vis-à-vis the likely impact of the toll increase on bus fares	
001108 – 001239	Chairman Administration	- Examination of the Notice (LC Paper No. CB(1)2133/09-10(01))	
001240 – 001310	Chairman	- Recapitulation of the legislative timetable, in particular the date of reporting to the House Committee	The Clerk to take follow-up action (paragraph 5 of minutes)