

立法會 *Legislative Council*

立法會CB(3) 397/10-11號文件

2011年1月14日內務委員會會議文件

定於2011年1月19日立法會會議上提出的質詢

提問者：

- | | | | |
|------|-----------------------|--------|--------|
| (1) | 林大輝議員
(取代其原先提出的質詢) | (口頭答覆) | (新的質詢) |
| (2) | 葉偉明議員 | (口頭答覆) | |
| (3) | 張學明議員 | (口頭答覆) | |
| (4) | 陳淑莊議員 | (口頭答覆) | |
| (5) | 梁耀忠議員 | (口頭答覆) | |
| (6) | 王國興議員 | (口頭答覆) | |
| (7) | 李卓人議員 | (書面答覆) | |
| (8) | 梁家傑議員 | (書面答覆) | |
| (9) | 梁美芬議員 | (書面答覆) | |
| (10) | 李國麟議員 | (書面答覆) | |
| (11) | 林健鋒議員 | (書面答覆) | |
| (12) | 陳克勤議員
(取代其原先提出的質詢) | (書面答覆) | (新的質詢) |
| (13) | 李永達議員 | (書面答覆) | |
| (14) | 劉慧卿議員 | (書面答覆) | |
| (15) | 梁國雄議員 | (書面答覆) | |
| (16) | 張國柱議員 | (書面答覆) | |
| (17) | 劉江華議員
(取代其原先提出的質詢) | (書面答覆) | (新的質詢) |
| (18) | 黃成智議員 | (書面答覆) | |
| (19) | 葉劉淑儀議員 | (書面答覆) | |
| (20) | 馮檢基議員 | (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

《稅務條例》第39E條

(1) 林大輝議員 (口頭答覆)

有業界人士指出，稅務局對《稅務條例》第39E條(下稱“第39E條”)的詮釋及執行，對工商企業的經營造成極大影響，但財經事務及庫務局局長(下稱“局長”)卻拒絕修改該條文，亦未有安排與本人會面商討第39E條的問題。就此，政府可否告知本會：

- (一) 鑒於本人曾分別於2010年11月8日和22日及12月1日致函局長，以及透過本人的辦事處多次致電局長辦公室要求會面商討第39E條的問題，但一直未能成功獲得局長安排會面，局長不與本人會面的原因為何，以及當局有否評估這是否局長與立法會議員保持良好溝通的恰當和有效的做法；如有評估，結論為何；如沒有評估，原因為何，以及會否進行評估；
- (二) 鑒於局長於2010年11月24日答覆本會議員的補充質詢時表示，他本人透過不同的機會與業界進行很多很詳細的溝通，並與業界面對面溝通很多次，但局長卻沒有安排與作為工業界(工業界(第二))的立法會代表的本人會面，當局有否評估局長在11月24日的說法是否含有誤導議員的成分，以及對本人存在不公平的情況；如有評估，詳情為何；如沒有評估，原因為何；及
- (三) 本屆政府會否考慮為了發展本港經濟和持續提升中小型企業的競爭力而啟動其他機制去檢討第39E條的問題；如

會，詳情為何；如否，是否準備將檢討工作交由下一屆政府處理？

Section 39E of the Inland Revenue Ordinance

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

Some members of the trade have pointed out that although the interpretation and enforcement of section 39E of the Inland Revenue Ordinance (“section 39E”) by the Inland Revenue Department have profound implications on the operation of industrial and commercial enterprises, the Secretary for Financial Services and the Treasury (“SFST”) has refused to amend the provision and has not arranged any meeting with me to discuss the issue of section 39E. In this connection, will the Government inform this Council:

- (a) given that despite my letters to SFST on 8 and 22 November and 1 December 2010 respectively, as well as the several phone calls from my office to his, to request for a meeting to discuss the issue of section 39E, I have never succeeded in securing the arrangement of such a meeting with SFST, of the reasons for SFST not meeting with me and whether the authorities have assessed if this approach of SFST is appropriate and effective for maintaining good communication with Legislative Council Members; if they have assessed, of the conclusion; if not, the reasons for that, and whether they will make such an assessment;
- (b) given that SFST indicated in his reply to the supplementary question of a Member of this Council on 24 November 2010 that he had conducted a lot of communication in great detail with the sectors through different opportunities and had conducted face-to-face communication with the sectors numerous times, yet he has not made any arrangement to meet with me, as the representative of the

industrial sector (Industrial (Second)) in the Legislative Council, whether the authorities have assessed if the speech of SFST on 24 November has misled Members and was unfair to me; if they have assessed, of the details; if not, the reasons for that; and

- (c) whether the Government of the current term will consider invoking other mechanisms to review the issue of section 39E so as to develop the local economy and continuously enhance the competitiveness of the small and medium enterprises; if it will, of the details; if not, whether it is going to pass the review exercise to the Government of the next term?

香港的吸毒問題

(12) 陳克勤議員 (書面答覆)

近年吸食毒品的人數有所增加，對濫用精神藥物者輔導中心(“輔導中心”)的服務需求漸大。有前線輔導人員表示，輔導中心需處理大量求助個案，出現人手及資源短缺的問題，尤其是政府推行自願的大埔區校園驗毒試行計劃(“驗毒計劃”)後，情況更見嚴峻，令輔導中心未能進一步拓展其他服務(例如派員前往邊境管制站接觸前往內地吸毒的人士)。就此，政府可否告知本會：

- (一) 過去3年，現有11間輔導中心分別收到的求助及需要跟進的個案數字為何，以及求助者的年齡組別及性別分別為何(以列表形式列出)；
- (二) 過去3年，內地執法部門知會本港執法機構有關香港居民在內地吸毒被捕的個案數字為何；被捕人士的年齡組別及性別分別為何；他們在哪些省市及地點被捕；以及被內地判處的刑罰為何(以列表形式列出)；
- (三) 鑒於不少人士選擇在周末或公眾假期吸毒，驗毒計劃有否特別增加在復課後抽驗的學生數目和頻密程度；若有，詳情為何；若否，原因為何；
- (四) 針對港人前往內地娛樂場所吸毒的問題，除了安排官員和禁毒常務委員會委員不定期在邊境管制站派發單張宣傳外，政府有何具體措施和計劃協助輔導機構推展相關服務；及

(五) 政府如何追蹤在內地吸毒後返港人士的情況，尤其是已經離開了校園的人士，以便向他們提供適切的輔導及協助？

Drug abuse problem in Hong Kong

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

As the number of drug abusers has increased in recent years, the demand for the services provided by the Counselling Centres for Psychotropic Substance Abusers (“Counselling Centres”) has become bigger. Some frontline counsellors have indicated that since the Counselling Centres need to handle a large number of requests for assistance, the problem of shortage of manpower and resources has emerged. The problem has deteriorated particularly after the Government’s introduction of the voluntary Trial Scheme on School Drug Testing in Tai Po District (“Trial Scheme”), which has prevented the Counselling Centres from further developing other services, e.g. sending staff to boundary control points to reach out to those who go to the Mainland to take drugs. In this connection, will the Government inform this Council:

- (a) of the respective numbers of cases seeking assistance received by the 11 existing Counselling Centres in the past three years, and the number of cases which needed to be followed up, as well as the age group and gender of the assistance seekers (set out in table form);
- (b) of the number of cases involving Hong Kong residents being arrested on the Mainland for taking drugs that the mainland law enforcement agencies had notified Hong Kong law enforcement agencies in the past three years, the age group and gender of the arrested, in which provinces/municipalities and locations they were arrested, and the penalties imposed by the mainland authorities (set out in table form);

- (c) given that quite a number of people choose to take drugs over the weekends and during public holidays, whether the number of students to be tested and the frequency of the tests under the Trial Scheme will be increased after classes resume; if so, of the details; if not, the reasons for that;
- (d) focusing on the problem concerning Hong Kong residents taking drugs in entertainment venues on the Mainland, apart from arranging for government officials and members of the Action Committee Against Narcotics to distribute publicity leaflets at boundary control points on an irregular basis, what specific measures and plans the Government has put in place to assist counselling agencies to launch relevant services; and
- (e) how the Government tracks the situations of those who return to Hong Kong after taking drugs on the Mainland, especially those who have already left school, so as to provide them with appropriate counselling and assistance?

沙頭角墟的發展

(17) 劉江華議員 (書面答覆)

政府於2008年公布，計劃進一步縮減邊境禁區範圍，但礙於走私和非法入境活動等保安問題的考慮，沙頭角墟未被全面剔出邊境禁區外。有該區居民向本人反映，對沙頭角墟未能和其他邊境禁區同步開放發展感到失望，而政府將新的禁區界線移至沙頭角墟入口，更會影響居民的日常起居生活。就此，政府可否告知本會：

- (一) 鑒於沙頭角墟及中英街一帶仍被列為禁區，而當局亦沒有提供該區開放發展的時間表，當局有否計劃改善該區內居民的生活環境及社區設施；若有，詳情為何；
- (二) 鑒於有居民指出，由於沙頭角墟區內現時唯一的公共屋邨 — 沙頭角邨，只提供662個單位，而居民入伙至今已逾20年，居民的適婚子女因無法在區內租屋居住，只好租住內地單位，當局會否在沙頭角墟覓地興建更多公屋單位，以應付該區人口增加的需求及解決區內擠迫戶的問題；若否，原因為何；
- (三) 鑒於有居民指出，當局現時向沙頭角原居民簽發為期5年的禁區通行證(“通行證”)，以普通紙張印刷，其耐用性低及容易破爛，當局會否改用如香港身份證或港澳居民來往內地通行證(俗稱“回鄉卡”)所採用的較耐用物料印製該通行證，並考慮向居民發出為期10年的通行證，免卻原居民每5年辦理續證申請的手續；及

(四) 鑒於有居民反映，沙頭角墟現有社區設施不足，例如，區內並無鮮肉檔，居民礙於車資昂貴，鮮有前往北區購買肉食，但若經中英街前往內地街市購買鮮肉，入境時又會被香港海關充公，令想享用鮮肉的居民十分不便，當局會否考慮酌情處理禁區居民攜帶鮮肉入境的個案，或在區內增加如街市及商場等設施，以改善該區居民的生活？

Development of Sha Tau Kok town

(17) Hon LAU Kong-wah (Written Reply)

In 2008, the Government announced its plan to further reduce the coverage of the Frontier Closed Area (“FCA”), but due to security concerns about smuggling activities and illegal immigration, Sha Tau Kok town (“STK”) was not excluded entirely from FCA. Some residents of STK have relayed to me that while they are disappointed that STK cannot be opened up for development concurrently with other FCAs, Government’s plan of pushing the new FCA boundary up to the entrance to STK will also affect their daily lives. In this connection, will the Government inform this Council:

- (a) given that the area around STK and Chung Ying Street is still within FCA, and the authorities have not provided any timetable for opening up the area for development, whether the authorities have any plan to improve the residents’ living environment and the community facilities in the area; if they have, of the details;
- (b) given that some residents have pointed out that Sha Tau Kok Chuen, the only public housing estate in STK at present, only provides a total of 662 housing units, and while the residents have been living in the estate for over 20 years, their children, who have reached marriageable ages, have to rent flats on the Mainland because they are unable to rent flats in the area, whether the authorities will identify sites within STK for construction of more public housing units to meet the needs of population growth in the area and to address the problem of overcrowded households there; if they will not, the reasons for that;

- (c) given that some residents have pointed out that the Closed Area Permits (“CAPs”) issued to STK indigenous residents at present are valid for five years and printed on ordinary paper which is not durable and easily torn, whether the authorities will switch to using more durable material, such as that for the Hong Kong Identity Cards or the Hong Kong and Macao Residents Entry and Exit Permits (commonly known as “home return cards”), to print these CAPs, and consider issuing CAPs of 10 years’ validity to indigenous residents to save them the need to apply for renewal once every five years; and

- (d) given that some residents have relayed that the existing community facilities in STK are inadequate, for example, not having fresh meat stalls in the area, which has caused much inconvenience to the residents who want to buy fresh meat, as they seldom go to the North District to buy meat due to the high transport fares, and if they travel to markets on the Mainland via Chung Ying Street to buy meat, the meat will be confiscated by the Customs and Excise Department when they bring it back to Hong Kong, whether the authorities will consider exercising discretion in handling cases of FCA residents bringing fresh meat back to Hong Kong, or providing new facilities such as markets or shopping malls in the area to improve the livelihood of the residents in the district?