

立法會

Legislative Council

立法會CB(3) 1009/10-11號文件

2011年7月8日內務委員會會議文件

定於2011年7月13日立法會會議上提出的質詢

提問者：

- | | | |
|------|--------|--------|
| (1) | 何秀蘭議員 | (口頭答覆) |
| (2) | 李卓人議員 | (口頭答覆) |
| (3) | 陳克勤議員 | (口頭答覆) |
| (4) | 劉秀成議員 | (口頭答覆) |
| (5) | 李永達議員 | (口頭答覆) |
| (6) | 陳健波議員 | (口頭答覆) |
| (7) | 梁劉柔芬議員 | (書面答覆) |
| (8) | 葉國謙議員 | (書面答覆) |
| (9) | 黃國健議員 | (書面答覆) |
| (10) | 譚偉豪議員 | (書面答覆) |
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| (12) | 梁美芬議員 | (書面答覆) |
| (13) | 梁家騮議員 | (書面答覆) |
| (14) | 何俊仁議員 | (書面答覆) |
| (15) | 梁家傑議員 | (書面答覆) |
| (16) | 李國麟議員 | (書面答覆) |
| (17) | 李國寶議員 | (書面答覆) |
| (18) | 湯家驊議員 | (書面答覆) |
| (19) | 劉健儀議員 | (書面答覆) |
| (20) | 涂謹申議員 | (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

規管政治委任制度官員的行為

(1) 何秀蘭議員 (口頭答覆)

就《行政長官選舉活動指引》及《政治委任制度官員守則》中，對於政治委任制度官員參與行政長官競選的規定，政府可否告知本會：

- (一) 鑒於在本年6月29日的本會會議上，有議員詢問政務司司長有否動用政府公共資源籌備行政長官選舉工程一事，本人在補充質詢中詢問政府，行政長官有否向政務司司長查詢，或有否責成任何人向其查詢，究竟籌備中的網站是政務司司長的官方網站，還是其本人的個人網站，但政制及內地事務局局長沒有提供所需資料，因行政長官有責任確保其委任官員依規章處理公私事務，當局可否就此作出明確的答覆；若經查詢後得悉該籌備中的網站屬官方網站，該網站是否由意加傳信有限公司製作，有否進行招標程序將網站製作服務合約批給該公司，以及該公司就是項服務的收費為何，是否與市場價格相符；若該公司並無收取與市場價格相符的費用，有關的政治委任制度官員以何渠道申報利益；
- (二) 當局有否就政治委任制度官員收取的服務、饋贈、折扣或贊助設定金額上限；若有，上限金額為何；有否評估，收取該等利益但沒有申報的官員，有否違反《防止賄賂條例》或《廉政公署條例》，以及有何機制審核該等利益與其公職有否衝突；及
- (三) 目前有何機制防止政治委任制度官員要求其公務員下屬，尤其是屬於政務主任或新聞主任職系或首長級的公務員，於辦公時間或公餘期間參與推廣政治委任制度官員個人形象的私人活動，包括參與籌備競選的工作？

Regulation of the conduct of politically appointed officials

(1) Hon Cyd HO Sau-lan (Oral Reply)

Regarding the provisions in the Guidelines on Election-related Activities in respect of the Chief Executive Elections and the Code for Officials under the Political Appointment System on the participation in the Chief Executive (“CE”) elections by politically appointed officials, will the Government inform this Council:

- (a) given that at the Council meeting held on 29 June this year, a Member of this Council asked whether the Chief Secretary for Administration (“CS”) had deployed public resources of the Government to prepare for the CE electioneering campaign, and when I raised a supplementary question on whether CE had asked CS or instructed anyone to ask CS if the web site under preparation was the official web site for CS or his own personal web site, the Secretary for Constitutional and Mainland Affairs did not provide the required information, whether the authorities can provide a clear response in this regard because it is the responsibility of CE to ensure that appointed officials follow all rules and regulations in both official business and their private life; if after making the enquiries they have learnt that the web site under preparation is an official web site, whether the web site has been produced by ePlus Communications Limited (“ePlus”), whether the service contract of web site production has been granted to ePlus through tendering, and of the fees charged by ePlus for this service as well as whether such fees are on a par with market prices; if ePlus has not charged fees that are on a par with market prices, of the channels through which the politically appointed official concerned has declared his interests;

- (b) whether the authorities have set upper limits in monetary terms on the services, gifts, discounts and sponsorships received by politically appointed officials; if they have, of these upper limits; whether they have assessed if officials accepting such advantages without making declarations have contravened the Prevention of Bribery Ordinance or the Independent Commission Against Corruption Ordinance, and of the mechanism in place to examine if such advantages will give rise to any conflict of interest with their official duties; and
- (c) of the existing mechanism to prevent politically appointed officials from requiring their civil servant subordinates, in particular those in the Administrative Officer or Information Officer grades or directorate civil servants, to participate during or outside office hours in private activities for promoting the personal image of politically appointed officials, including their participation in the preparatory work for electioneering activities?

在強制性公積金計劃下提供年金計劃

(2) 李卓人議員 (口頭答覆)

根據現行的強制性公積金(下稱“強積金”)計劃，計劃成員年滿65歲後，若要提取其強積金戶口的累算權益，只可以一筆過提清款項。就此，政府可否告知本會，當局會否研究規定強積金受託人須為計劃成員提供年金計劃，讓他們可選擇將全部或部分累算權益注入年金計劃，並在退休後按月提取固定款項，以確保退休後有穩定收入；若會，詳情為何；若否，原因為何？

Provision of annuity plans under
the Mandatory Provident Fund Scheme

(2) Hon LEE Cheuk-yan (Oral Reply)

Under the existing Mandatory Provident Fund (“MPF”) Scheme, if scheme members wish to withdraw the accrued benefits from their MPF accounts when they reach the age of 65, they may do so only by withdrawing all the benefits in one go. In this connection, will the Government inform this Council whether the authorities will conduct a study on requiring MPF trustees to provide annuity plans for scheme members, so that the latter can choose to inject all or part of the accrued benefits into such plans and withdraw a fixed amount of money on a monthly basis upon retirement, thereby ensuring a stream of stable income for their retirement; if they will, of the details; if not, the reasons for that?

使用空置政府土地

(3) 陳克勤議員 (口頭答覆)

當局在2006年計劃預留土地興建中央家禽屠宰中心，先後建議選址於上水石湖墟污水處理廠附近及文錦渡路旁的虎地拗村一帶，分別涉及土地面積達10 500平方米及15 000平方米，後來因本港的禽流感風險得以控制在低水平，食物及衛生局局長於去年6月宣布擱置中央家禽屠宰中心計劃。至今，上述兩幅土地均空置超過5年；據悉，現時亦有其他土地因政策改變或工程項目擱置而被空置。就此，政府可否告知本會：

- (一) 現時有否任何短期及長期使用上述兩幅土地的具體計劃；若有，詳情為何；若否，原因為何；
- (二) 鑒於新界北區居民對公營房屋需求殷切，會否考慮在上述土地興建公共租住房屋，或者預留作日後可能興建居者有其屋計劃單位之用；若會，詳情為何；若否，原因為何；及
- (三) 現時有多少幅政府土地，因政策改變或工程項目擱置而被空置；涉及的土地面積及地區分布分別為何；有何具體計劃善用該等空置土地？

Use of vacant government sites

(3) Hon CHAN Hak-kan (Oral Reply)

In 2006, the authorities planned to reserve a land for the construction of a centralized poultry slaughtering centre (“PSC”), and they first proposed to use the site near Shek Wu Hui Sewage Treatment Works in Sheung Shui and then proposed the site in the vicinity of Fu Tei Au Tsuen next to Man Kam To Road, which cover an area of 10 500 and 15 000 square metres respectively, but subsequently, as the risk of avian influenza in Hong Kong was kept at a low level, the Secretary for Food and Health announced shelving the centralized PSC project in June last year. To date, the aforesaid two sites have been left vacant for more than five years; and it has been learnt that at present, there are also other sites which are left vacant due to changes in policies or shelving of works projects. In this connection, will the Government inform this Council:

- (a) whether at present it has any specific short-term and long-term plans to use the aforesaid two sites; if it has, of the details; if not, the reasons for that;
- (b) given the keen demand for public housing from residents of the North District in the New Territories, whether it will consider constructing public rental housing at the aforesaid sites or reserving them for Home Ownership Scheme flats which may be constructed in the future; if it will, of the details; if not, the reasons for that; and
- (c) of the number of government sites which are vacant at present due to changes in policies or shelving of works projects; the respective areas of the sites involved and the districts in which the sites are located; of the specific plans it has in place to optimize the use of such vacant sites?

改善分間樓宇單位消防安全的措施

(4) 劉秀成議員 (口頭答覆)

土瓜灣馬頭圍道111號唐樓的三級火警造成4屍5命、19傷的慘劇，再次引起公眾關注分間樓宇單位(俗稱“劏房”)的消防安全問題。本會樓宇安全及相關事宜小組委員會部分委員指出，由於劏房可滿足某些人士的住屋需求，不應全面取締，為保障市民的生命財產安全，必須進一步加強劏房的消防安全。就此，政府可否告知本會：

- (一) 鑒於現時並沒有法例規管私人住宅單位內的消防設備，當局會否考慮立法規管由私人住宅改建而成的劏房單位內的消防設備，以確保出租或出售的劏房單位，與其他受法例規管的出租小型房間一樣，也受到相應的規管；若否，原因為何；
- (二) 當局正逐步把劏房常見的工程納入小型工程監管制度，當局會否考慮盡快把消防設備(包括煙霧感應器、自動噴灑系統及火警警報系統等)也包括在內，以加快改善劏房單位的消防安全問題，保障劏房單位住客及其鄰居的人命安全；若否，原因為何；及
- (三) 除了“樓宇安全貸款計劃”及“長者維修自住物業津貼計劃”之外，當局會否考慮擴大其他相關的資助計劃，向全港私人住宅單位(包括劏房)的業主提供貸款或津貼，鼓勵他們主動改善該等單位的消防設備；以及會否考慮提升市區重建局就“樓宇維修綜合支援計劃”提供的支援，加強其教育公眾的角色，提高劏房業主、住客及普羅市民對私人住宅單位(包括劏房)的消防安全意識(例如利用立體建築設計模型向他們灌輸正確的樓宇及消防安全知識)；若否，原因為何？

Measures to improve the fire safety of
flat units divided into separate units

(4) Prof Hon Patrick LAU Sau-shing (Oral Reply)

The tragedy in which a No. 3 alarm fire broke out in a tenement building at 111 Ma Tau Wai Road in To Kwa Wan resulting in the death of four persons and an unborn child and 19 injured, has aroused public concern again about the fire safety problem of flat units divided into separate units (commonly known as “sub-divided units”). Some members of the Subcommittee on Building Safety and Related Issues of this Council pointed out that as sub-divided units could meet the housing needs of certain people, they should not be totally banned, and that in order to safeguard the lives and properties of the public, the fire safety of sub-divided units had to be further enhanced. In this connection, will the Government inform this Council:

- (a) given that the fire service equipment in private residential units is not regulated by law at present, whether the authorities will consider introducing legislation to regulate the fire service equipment in sub-divided units converted from private residential units, so as to ensure that sub-divided units for letting or sale are subject to corresponding regulation as in the case of other small-sized rooms for letting which are regulated by law; if they will not, of the reasons for that;
- (b) as items of works commonly found in subdivided units are gradually being included in the Minor Works Control System (“MWCS”) by the authorities, whether the authorities will expeditiously consider incorporating fire service equipment including smoke detectors, automatic sprinkler system and fire alarm system, etc. in MWCS to expedite the enhancement of fire safety in

sub-divided units, thereby safeguarding the lives and safety of sub-divided unit tenants and their neighbours; if they will not, of the reasons for that; and

- (c) whether, apart from the Building Safety Loan Scheme and Building Maintenance Grant Scheme for Elderly Owners, the authorities will consider expanding other relevant subsidy schemes to provide loans or subsidies to owners of private residential units, including sub-divided units, in Hong Kong to encourage them to take the initiative to improve the fire service equipment in their units; and whether the authorities will consider strengthening the support provided by the Urban Renewal Authority under the Integrated Building Maintenance Assistance Scheme by enhancing its role in public education, thereby increasing the awareness among the owners and tenants of sub-divided units and the general public of fire safety in private residential units, including sub-divided units (e.g. making use of 3D building design models to instil in them correct knowledge about building and fire safety); if they will not, of the reasons for that?

政府施政表現

(5) 李永達議員 (口頭答覆)

香港大學在本年6月進行的民意調查顯示，香港政府的管治危機在不斷加深，近期“僭建事件、葛輝事件、特首競選偷步及‘地產霸權’爭議”等，在在削弱政府的公信力。該民意調查亦顯示，行政長官的支持度評分為46.5分，是他出任行政長官以來的新低，甚至較前任行政長官更低，已被列入“表現失敗”類別，而政治委任制度官員中，已經沒有官員屬“表現理想”類別。就此，政府可否告知本會：

- (一) 有否檢討為何現任行政長官的民望更低於前一任；若然，民望低的原因為何，以及會否採取任何措施平息民怨；若否，原因為何；及
- (二) 有否檢討6年來政府有哪些施政過失；若有，當中過失為何，以及會否就此向全港市民道歉；若沒有檢討，原因為何？

Performance of the Government

(5) Hon LEE Wing-tat (Oral Reply)

A opinion poll conducted by the University of Hong Kong in June this year has revealed that the governance crisis of the Hong Kong Government continues to deepen and recent incidents concerning unauthorized, building works, Jeremy GODFREY, the foul start of the Chief Executive election campaigns and disputes over the “real estate hegemony”, etc. have eroded the Government’s credibility. The aforesaid opinion poll has also showed that the Chief Executive (“CE”)’s support rating stands at 46.5 marks, which is not only a record low since his assumption of office as CE but is even lower than the ratings scored by his predecessor, putting him under the category of “depressing” performance, and among all politically appointed officials, no official falls under the category of “ideal” performer any more. In this connection, will the Government inform this Council:

- (a) whether it has reviewed why the popularity rating of the incumbent CE is even lower than that of his predecessor; if it has, of the reasons for the low popularity rating, and whether it will adopt any measure to alleviate public grievances; if it has not, the reasons for that; and
- (b) whether it has reviewed what blunders in policy implementation the Government made in the past six years; if it has, of the blunders it made, and whether it will apologize for the blunders to all members of the public of Hong Kong; if it has not conducted any review, the reasons for that?

減少手提流動電話致癌影響的措施

(6) 陳健波議員 (口頭答覆)

近日，聯合國轄下的世界衛生組織(下稱“世衛”)將手提流動電話(下稱“手機”)列為可能致癌類別，與殺蟲劑，愛滋病病毒，及近日傳媒廣泛報道的塑化劑同級。世衛指出，長期使用手機與患上聽神經瘤的風險有關，每天使用手機超過30分鐘更會令用戶患上神經膠質瘤的機會大增四成。醫療專家指出，惡性神經膠質瘤不但無法被根治，病人的一年存活率更只有一半。就此，政府可否告知本會：

- (一) 當局會否就世衛的報告作出跟進，研究手機輻射對市民健康的影響；如會，詳情為何；如否，原因為何；鑒於國際醫學期刊刺針指出，兒童腦部吸收的輻射量比成年人高兩倍，衛生署也建議兒童避免經常使用手機，當局會否特別提醒有年幼子女的家長，並鼓勵市民盡量使用免提裝置，甚至使用短訊等減少輻射的聯絡方法；
- (二) 鑒於現時電訊管理局(下稱“電訊局”)鼓勵手機商以自願方式在手機貼上標明通過類型檢定的標籤，但標籤沒有顯示手機的比吸收率(即在使用電話時人體組織器官吸收的輻射數值)，而現時獲檢定為符合射頻輻射安全標準的手機之間的比吸收率可以相差超過27倍，是否知悉，電訊局會否考慮要求手機商於手機產品包裝盒加上產品輻射數據的標籤，供市民參考；及
- (三) 鑒於現時電訊局採用兩個不同的手機射頻輻射安全標準，是否知悉電訊局有否計劃只採用最嚴謹的標準；鑒於美國國家癌症研究中心的資料顯示，手機在接收欠佳的地區會發出較強的輻射，而電訊局亦指市民應考慮避免

在接收欠佳的地區使用手機，當局會否檢測個別地區(特別是偏遠地區)的流動電話網絡訊號強度，並進一步協助流動網絡營辦商改善訊號較差地區的流動網絡覆蓋，以防止手機需長期加大放射功率搜尋及維持訊號，影響香港市民的健康？

Measures to reduce the carcinogenic effect of mobile phones

(6) Hon CHAN Kin-por (Oral Reply)

The World Health Organization (“WHO”) of the United Nations has recently classified mobile phones as possibly carcinogenic to humans, and placed them in the same category as pesticides, human immunodeficiency virus and plasticizer which has attracted wide media coverage recently. WHO has advised that prolonged use of mobile phones is associated with the risk for acoustic neuroma, and that using mobile phones for more than 30 minutes daily will result in an increase in the risk for gliomas by 40%. Medical specialists have pointed out that a malignant glioma cannot be completely cured, and only half of the patients with such a tumour have a survival rate of one year. In this connection, will the Government inform this Council:

- (a) whether the authorities will follow up the WHO report by conducting a study on the effect of exposure to radiation from mobile phones on public health; if they will, of the details; if not, the reasons for that; given that it has been pointed out in the Lancet, an international medical journal, that the amount of radiation absorbed by the head tissues of children is two times higher than that of adults, and the Department of Health has also advised that children should avoid using mobile phones frequently, whether the authorities will specifically warn parents of young children about this and encourage members of the public to use hands-free devices as far as possible or even use communication means which can reduce exposure to radiation such as SMS messages;
- (b) given that the Office of the Telecommunications Authority (“OFTA”) currently encourages mobile phone

manufacturers, suppliers and dealers to affix labels on a voluntary basis to mobile phones stating that they are type-approved, yet these labels do not show the Specific Absorption Rate (“SAR”) of mobile phones, which is a measure of the amount of radiofrequency radiation absorbed by the organs of a person when he is using a mobile phone, and that among the mobile phones which are confirmed to have complied with OFTA’s standard on the safety limits of radiofrequency radiation at present, the difference in their SARs can be over 27 times, whether it knows if OFTA will consider requiring mobile phone manufacturers, suppliers and dealers to affix labels to the packaging boxes of mobile-phone products to state the products’ radiation data for public reference; and

- (c) as OFTA is applying two different standards on the safety limits of radiofrequency radiation for mobile phones, whether it knows if OFTA has any plan to apply the most stringent standard only; given that the information provided by the National Cancer Institute in the United States shows that mobile phones will have higher radiation emission level in poor reception areas, and OFTA has also advised that members of the public should consider avoiding using mobile phones in poor reception areas, whether the authorities will check the strength of signals of mobile phone networks in individual areas, in particular remote areas, and further assist mobile network operators in improving the coverage of mobile networks in poor reception areas, so as to obviate the need for mobile phones to increase the radiant power over a prolonged period in order to search and maintain signals, which will affect public health?

以平行進口貨品充當經由本地經銷商入口的貨品

(7) 梁劉柔芬議員 (書面答覆)

據悉，有商人以平行進口貨品(俗稱“水貨”)充當經由正式代理商入口的貨品(俗稱“行貨”)出售，這手法常見於電子產品的銷售。有店鋪聲稱貨品為“行貨”，但當消費者發現貨品為“水貨”，店員便以貨品為“日本行貨”或“中國行貨”而非“香港行貨”作為解釋；亦有商人以“香港行貨”的產品包裝盒把“水貨”重新包裝，或在“水貨”的包裝上貼上“香港原廠行貨”的標示，或在價錢牌標示貨品為“行貨”。“水貨”及“行貨”除了價格上的差別外，兩者的售後服務和規格等亦有不同，不少消費者及旅客因無法分辨“水貨”及“行貨”而受騙。就此，政府可否告知本會：

- (一) 本港有否法例訂明“行貨”的定義；有否評估店鋪在“水貨”的單據、包裝或價錢牌上標示貨品為“行貨”，或以“行貨”的包裝重新包裝“水貨”出售，是否違例；當局如何避免商人濫稱貨品為“行貨”，以及防止店鋪利用“行貨”的包裝魚目混珠；鑒於消費者難以憑貨品的包裝分辨貨品是否“行貨”，亦難以在每次購物時致電代理商查詢，當局有何措施避免消費者因此而受騙；
- (二) 有否評估以“水貨”充當“行貨”出售的行為是否違法；如評估的結果為是，相關的刑罰為何；除了退款以外，店鋪負責人是否還須承擔其他法律責任；被揭發以“水貨”充當“行貨”出售的店鋪是否仍可繼續經營；過去3年，當局接獲涉及該等銷售行為的投訴和檢控數字分別為何、當局採取過多少次行動巡查市面上有否該等銷售行為，以及多次被投訴以“水貨”充當“行貨”或負責人多次因該等銷售行為而被檢控的店鋪有多少間；

- (三) 當局有何措施保障旅客及消費者，讓他們因店鋪以“水貨”充當“行貨”出售而受騙後，能簡單和快捷地追討損失；以及已經離港的旅客可以循甚麼途徑追討及跟進；
- (四) 鑒於有店鋪利用網上平台、討論區及社交網站等宣稱貨品為“行貨”並列出售價，藉此吸引消費者，該等網上平台的負責人是否需要負上相關法律責任；如是，詳情為何；及
- (五) 政府會否設立以“水貨”充當“行貨”出售的“黑店”的名單，將多次因該等銷售行為被投訴或負責人被定罪的店鋪資料公開，以供消費者及旅客查閱？

Selling of “parallel-imported products” as products
imported by local dealers

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

It has been learnt that some merchants sell parallel-imported products (commonly known as “parallel imports”) as products imported through official dealers (commonly known as “authorized products”), and such practice is often found in the sale of electronic products. Some shops claimed that the products they sell are “authorized products”, but when consumers find that the products are actually “parallel imports”, the shopkeepers will use an excuse that the products are “authorized products for Japan” or “authorized products for China” instead of “authorized products for Hong Kong” as an explanation; some merchants also repack “parallel imports” with the packing of “authorized products for Hong Kong”, or put a label of “original authorized products for Hong Kong” onto the package of “parallel imports”, or mark on the price tags that such products are “authorized products”. Apart from the price differences, there are also differences in after-sales services and specifications, etc. between “parallel imports” and “authorized products”, but quite a number of consumers and tourists have been cheated as they are not able to distinguish between “parallel imports” and “authorized products”. In this connection, will the Government inform this Council:

- (a) whether in Hong Kong the interpretation of “authorized product” is stipulated in law; whether it has assessed if it is illegal for shops to indicate on the invoices, packages or price tags of “parallel imports” that the products are “authorized products”, or to repack “parallel imports” with the packing of “authorized products” for sale; how the authorities prevent merchants from indiscriminately claiming their products as “authorized products” and stop shops from using the packing of “authorized products” as disguise; as it is difficult for consumers to tell from the product packing

whether it is an “authorized product” or to call the dealer to make enquiries each time they make a purchase, what measures the authorities have in place to protect consumers from such frauds;

- (b) whether it has assessed if it is illegal to sell “parallel imports” as “authorized products”; if the assessment result is in the affirmative, of the relevant penalties; whether apart from making refunds, the persons-in-charge of the shops have to bear other legal liabilities; whether the shops which are uncovered to have sold “parallel imports” as “authorized products” may continue to operate; in the past three years, of the respective numbers of complaints received and prosecutions instituted in respect of such sales practice, the number of inspections carried out to check whether there is such sales practice in the market, as well as the number of shops which have repeatedly been complained for selling “parallel imports” as “authorized products” or of which the persons-in-charge have repeatedly been prosecuted for such sales practice;
- (c) of the measures the authorities have put in place to protect tourists and consumers by which they can claim their losses easily and quickly after being cheated by shops selling “parallel imports” as “authorized products”; and by what means tourists who have left Hong Kong can make claims and take follow-up actions;
- (d) given that some shops have made use of online platforms, discussion forums, and social networking sites, etc. to claim that their products are “authorized products” and list the prices to attract consumers, whether the persons-in-charge of such online platforms have to bear the relevant legal liabilities; if so, of the details; and

- (e) whether the Government will formulate a list of “unscrupulous shops” which sell “parallel imports” as “authorized products” for the reference of consumers and tourists and disclose the information of shops which have repeatedly been complained or of which the persons-in-charge have been convicted as a result of such sales practice?

有關使用勞工處互動就業服務後
個人資料外洩的投訴

(8) 葉國謙議員 (書面答覆)

近期本人接獲市民投訴，指他們使用勞工處的互動就業服務找工作，但在透過電郵把履歷表發給僱主後，即日便接到多間推銷公司來電推銷產品，感到十分滋擾。就此，政府可否告知本會：

- (一) 勞工處就其提供的各項就業及招聘服務，有否採取任何措施確保僱主透過在該處刊登招聘廣告而收集到應徵者的個人資料，僅限於作招聘用途；過去3年，勞工處有否接獲求職者的個人資料被濫用的投訴；若有，投訴的詳情為何；每年這類投訴個案的數字為何；當中有多少宗投訴成立；
- (二) 鑒於透過勞工處的各项就業及招聘服務發出的招聘訊息或廣告中，有部分是私營職業介紹所提供的職位空缺，過去3年，勞工處有否接獲求職者的投訴，指這些職業介紹所並無實質業務運作，或根本沒有就其招聘訊息或廣告所列的職位聘請員工；若有，每年這類投訴個案的數字及調查結果分別為何；及
- (三) 現時《個人資料(私隱)條例》(第486章)內適用於限制企業、僱主或任何人士不當地保存及使用透過招聘途徑所收集到的應徵者個人資料的條文為何；過去3年，每年因違反相關法例被檢控的個案數字分別為何；當中被定罪個案的百分比為何；涉及最高及最低的刑罰分別為何？

Complaints on the leak of personal data after using the
Interactive Employment Service of the Labour Department

(8) Hon IP Kwok-him (Written Reply)

I have recently received complaints from members of the public that on the same day after they submitted their resumes to employers via electronic mails when seeking jobs by using the Interactive Employment Service of the Labour Department (“LD”), they received calls from a number of telemarketing companies promoting their products, which caused much disturbance to them. In this connection, will the Government inform this Council:

- (a) whether LD has, in respect of the various employment and recruitment services it provides, taken any measure to ensure that employers will use the personal data of job seekers collected through posting of recruitment advertisements at LD only for recruitment purpose; whether LD had received complaints about the misuse of personal data of job seekers in the past three years; if it had, of the details of the complaints; the numbers of such complaint cases received in each of the years; and among them, the number of substantiated cases;
- (b) given that some of the recruitment information or advertisements released through LD’s various employment and recruitment services are on job vacancies of private employment agencies, whether LD had received, in the past three years, complaints from job seekers alleging that those employment agencies did not have actual business operation, or the vacancies listed in the recruitment information or advertisements did not even exist; if it had, of the respective numbers of such complaints it had received in each of the years and the investigation results; and

- (c) of the provisions in the existing Personal Data (Privacy) Ordinance (Cap. 486) which are applicable to restricting enterprises, employers or any other persons from the improper keeping and use of personal data of job seekers collected through recruitment channels; the respective numbers of cases in which prosecutions were instituted for breaching the relevant legislation in each of the past three years; among them, the percentage of convicted cases; the respective maximum and minimum penalties imposed for such cases?

人口普查統計員訪問住戶期間的安全問題

(9) 黃國健議員 (書面答覆)

2011年人口普查現正進行。據悉，有年輕女性人口普查統計員被安排單獨進入受訪住戶的單位內進行問卷調查。由於完成每份長問卷需時約40分鐘，這些統計員擔心人身安全問題，其家人亦有此憂慮。就此，政府可否告知本會，根據當局的指引，是否容許統計員單獨進入受訪住戶的單位內進行調查；若然，原因為何；若否，當局可否盡快重新編排統計員以2人為1組進行調查，並確保有關安排得以落實？

Safety of Census officers during visits to households

(9) Hon WONG Kwok-kin (Written Reply)

The 2011 Population Census is now underway. It has been learnt that some young female Census officers have been arranged to enter the flats of responding households alone to conduct questionnaire surveys. As each long-form questionnaire takes around 40 minutes to complete, these Census officers are worried about their personal safety, and their family members have the same concern. In this connection, will the Government inform this Council whether Census officers are allowed under the guidelines of the authorities to enter the flats of responding households alone to conduct the survey; if so, of the reasons for that; if not, whether the authorities will expeditiously rearrange the Census officers to conduct the surveys in pairs and make sure that the arrangement concerned will be implemented?

為保障消費者而制訂的流動電話合約實務守則

(10) 譚偉豪議員 (書面答覆)

本人近日接獲不少市民投訴，指他們因搬遷後新居沒有網絡覆蓋或線路設備不足，無法續用住宅寬頻網絡服務，他們要求終止合約卻遭互聯網服務供應商徵收服務費或罰款。電訊管理局(“電訊局”)於2010年2月推出新實務守則(“守則”)，要求電訊服務營辦商(“營辦商”)在上述情況下不收取任何費用，但該守則僅屬自願性質。就此，政府可否告知本會：

- (一) 當局於過去兩年接獲市民多少宗有關因新居沒有寬頻網絡覆蓋而要終止網絡服務合約但仍被徵收服務費或罰款的投訴個案，以及跟進情況為何；
- (二) 是否知悉，電訊局自推出守則後，有多少間營辦商表明遵從守則；有否評估自願性守則能否有效規管營辦商；若評估的結果為未能有效規管，何時會採取更嚴厲的措施保障消費者權益，以及該等措施的詳情為何；會否考慮在續牌時加入強制條款，規定營辦商必須遵從；及
- (三) 鑒於當局曾於2010年6月發出“解決顧客投訴計劃”諮詢文件，現時該諮詢的進展為何，以及何時會向公眾交代最新諮詢結果？

Code of Practice
for mobile phone contracts to protect consumers

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

I have recently received complaints from quite a number of members of the public that when they requested to terminate the contracts for residential broadband network services after moving house as they could not continue to use the services due to a lack of network coverage or insufficient cable capacity in their new residence, they were levied a service charge or fine by the Internet service providers. The Office of the Telecommunications Authority (“OFTA”) introduced the new Code of Practice (“CoP”) in February 2010, requiring telecommunications service operators (“operators”) to waive any fee for the aforesaid circumstances, but the CoP is implemented on a voluntary basis only. In this connection, will the Government inform this Council:

- (a) of the number of complaint cases received by the authorities from members of the public in the past two years in relation to the levy of service charge or fine on them upon termination of network service contracts because there was no broadband network coverage in their new residence, as well as the follow-up actions;
- (b) whether it knows the number of operators which have indicated their willingness to comply with the CoP since its issuance by OFTA; whether it has assessed if the voluntary CoP can effectively regulate the operators; if the result of the assessment is in the negative, when it will introduce more stringent measures to safeguard consumers’ rights, and of the details of such measures; whether it will consider incorporating into the licences upon renewal mandatory provisions to require full compliance by the operators; and

- (c) given that the authorities issued the consultation paper on the Customer Complaint Settlement Scheme in June 2010, of the progress of the consultation at present and when they will make public the latest consultation outcome?

打擊由內地帶運受管制物品往香港的措施

(11) 方剛議員 (書面答覆)

本人收到業界投訴，指有人從內地採購物品或食品(包括在內地和香港分別受進出口管制的蔬果、雞蛋及肉類)後，再以“螞蟻搬家”方式攜帶回港出售的情況日益嚴重。就此，政府可否告知本會：

- (一) 過去12個月，平均每天經港深各口岸出入境的香港居民和內地自由行旅客的數目分別為何，以及每月的變動百分比；有否統計當中分別有多少人在一天內入境兩次或以上；當局會否逐一檢查在一天內入境兩次或以上的人士所攜帶的物品；
- (二) 邊境管制人員會採取哪些措施檢查入境人士有否攜帶受進口管制的物品(包括瀕危物種、未經煮熟的肉類、禽鳥及蔬菜，以及雞蛋等)；邊境管制人員去年發現多少人攜帶該等受管制物品入境；涉及的物品種類、數量，以及重量為何；當局有否向該等人士提出檢控或予以警告，以及如何處理檢獲的物品；當局如何核實攜帶入境的受管制物品只供個人食用的聲稱；會否採取跟進行動以調查該等人士隨後有否將物品出售；有否計劃管制旅客攜帶香港受管制的物品入境；及
- (三) 對於有不少本港市民投訴有人經常佔用港鐵站附近的地方作上述物品的集散場地，造成嚴重的環境衛生問題，當局有何措施處理該情況？

Measures to combat couriering of controlled items
from the Mainland to Hong Kong

(11) Hon Vincent FANG Kang (Written Reply)

I have received complaints from the industry about the increasingly serious situation of people purchasing products or foods (including vegetables, fruits, eggs and meat that are subject to respective export and import controls on the Mainland and in Hong Kong) on the Mainland and then bringing them back, by adopting the “ants moving home” tactics, to Hong Kong for sale. In this connection, will the Government inform this Council:

- (a) of the respective daily average numbers of Hong Kong residents and mainland visitors under the Individual Visit Scheme crossing the boundary via various control points in Hong Kong and Shenzhen in the past 12 months, as well as the percentage changes in each month; whether statistics have been compiled on the respective numbers of people entering the territory twice a day or more; whether the authorities will inspect one by one the items carried by those persons who enter the territory twice a day or more;
- (b) of the measures adopted by the staff at boundary control points to check whether persons entering the territory bring in items which are subject to import control (including endangered species, uncooked meat, birds and vegetables, and eggs, etc.); of the number of persons found by staff at boundary control points to have brought such items into the territory last year; of the types, quantities and weights of the items involved; whether the authorities had instituted prosecution against or given warnings to these persons, and how the seized items were disposed of; how the authorities verified claims that such items

which are subject to import control were brought into the territory only for personal consumption; whether follow-up actions would be taken to find out if these persons had subsequently put the items on sale; whether they have any plan to regulate the bringing into the territory by visitors items which are subject to import control in Hong Kong; and

- (c) given that quite a number of members of the public of Hong Kong have complained that the areas adjacent to MTR stations are often occupied for use as distribution points for the aforesaid items, thus creating serious environmental hygiene problems, of the measures the authorities have in place to deal with the situation?

規管跨境旅遊巴士服務的運作

(12) 梁美芬議員 (書面答覆)

本人接獲多位市民投訴指，有多間跨境旅遊巴士公司，在九龍太子運動場道及砵蘭街一帶營運每天合共近200班次的巴士服務，導致馬路擠塞，危害行人過路安全，亦造成大量噪音及廢氣排放等社區問題。此外，有市民更質疑這些跨境旅遊巴士公司“無王管”，可隨意在街道上設置上落客站，產生更大的社區問題。就此，政府可否告知本會：

- (一) 除落馬洲—皇崗過境穿梭巴士服務外，當局有否就其他跨境旅遊巴士服務進行規管(包括設置上落客站的地點及巴士班次數目等)；若有，負責監管的政府部門及細則為何；若否，這種以商業形式運作的公共運輸服務為何可以免受法例監管；
- (二) 當局有否統計現時全港各區有多少地點已被這些跨境旅遊巴士利用作上落客總站；當中有多少個獲政府正式批准設立；有否研究其餘的是否屬於違法，以及當中有否涉及任何法例上的灰色地帶；
- (三) 過去5年，對於證實違法佔用路面以設立跨境旅遊巴士上落客站的公司，政府有否採取跟進行動(例如要求即時搬走上落客站或作出票控)；若有，詳情為何；
- (四) 過去5年，政府有否接獲市民就跨境旅遊巴士站造成噪音、廢氣或阻街問題作出的投訴；若有，投訴的數字及事項為何(按年以表列出)；及
- (五) 當局會否考慮參照現行規管經營居民巴士服務的方法，去處理及整頓跨境旅遊巴士服務？

Regulation of the operation of cross-boundary coach services

(12) Dr Hon Priscilla LEUNG Mei-fun (Written Reply)

I have received complaints from a number of members of the public that nearly 200 trips of cross-boundary coaches (“CBC”) are operated by a number of bus companies each day in the area of Playing Field Road and Portland Street in Kowloon, causing traffic congestion, endangering the safety of pedestrians as well as creating problems such as serious noise nuisances and vehicular emissions in the community. In addition, some members of the public even queried why these CBC companies are not subject to any regulation and can freely set up pick-up/set-down points on the street, thereby creating even more serious problems in the community. In this connection, will the Government inform this Council:

- (a) whether the authorities have, apart from Lok Ma Chau – Huanggang Cross-boundary Shuttle Bus Service, regulated the operation of other CBC services (including the locations of pick-up/set-down points and coach frequencies, etc.); if they have, of the government departments which are responsible for monitoring such operation and the details; if not, the reasons why this type of public transport services operating on a commercial basis is not regulated by the law;
- (b) whether the authorities have compiled statistics on the number of locations in various districts in the territory which are currently used as CBC terminals; among them, of the number of those for which formal approval has been granted by the Government; whether they have examined if the remaining ones have been set up illegally, and whether such a situation involves any grey area in the law;
- (c) whether the Government had, in the past five years, taken any follow-up actions (such as

requesting the immediate removal of the pick-up/set-down points or instituting prosecutions) against those CBC companies which were found to have illegally occupied the roads to set up pick-up/set-down points; if it had, of the details;

- (d) whether the Government had, in the past five years, received any complaints from the public regarding the noise nuisances, vehicular emissions or street obstruction caused by CBC stops; if it had, of the number and the subject of such complaints (with a breakdown by year set out in table form); and
- (e) whether the authorities will consider making reference to the existing means of regulating the operation of residents' service coaches to handle and rationalize the provision of CBC services?

在樓宇更新大行動下進行石棉的評估

(13) 梁家驩議員 (書面答覆)

關於發展局局長於本年2月16日就有關樓宇更新大行動涉及石棉物料清拆事宜的質詢作出的答覆，政府可否告知本會：

- (一) 鑒於政府在答覆中只表示，“截至2010年年底，環[境]保[護]署已為約1 400幢目標樓宇進行初步評估，證實含有石棉物料的樓宇約有1 100幢”及“環保署亦曾派員到上述樓宇進行評估及巡查共約1 500次”，當局會否進一步公布已進行石棉評估、並證實含有石棉物料及環境保護署(“環保署”)曾派人進行石棉物料清拆工程巡查的目標樓宇名單，讓工人及市民瞭解相關資訊，可於目標樓宇進行維修前，採取相關的預防措施；若否，原因為何；及
- (二) 勞工處及環保署有否於目標樓宇抽取空氣樣本化驗，以確定工人在進行工程期間沒有吸入石棉纖維的風險；若否，原因為何；若有，抽取空氣樣本的日期、時間、地點、抽樣化驗方式、化驗次數、樣本數量及化驗結果(包括樣本含有的石棉種類及工程現場的空氣含有的石棉水平)為何；若未能提供該等資料，原因為何？

Asbestos assessments under Operation Building Bright

(13) Dr Hon LEUNG Ka-lau (Written Reply)

Regarding the Secretary for Development's reply on 16 February this year to a question on the removal of asbestos materials under Operation Building Bright, will the Government inform this Council:

- (a) given that the Government only indicated in its reply, “[U]p to the end of 2010, the EPD [Environmental Protection Department] has conducted initial assessment for about 1 400 target buildings and confirmed that about 1 100 buildings contain asbestos containing material.” and “[T]he EPD has also sent staff to the abovementioned buildings to carry out assessments and inspections for about 1 500 times”, whether the authorities will further publish the list of the target buildings which are subjected to asbestos assessment and confirmed to contain asbestos materials and were inspected by EPD staff for the purpose of asbestos material removal works, to let workers and members of the public become aware of the relevant information and take precautions accordingly before carrying out maintenance for the target buildings; if not, of the reasons for that; and
- (b) whether the Labour Department and the Environmental Protection Department have collected air samples for testing in the target buildings to ascertain that there is no risk of inhaling asbestos fibres by the workers when carrying out the works; if not, of the reasons for that; if yes, the dates, times and locations of taking air samples, the sampling and testing methods, number of tests conducted, number of samples taken and the test results (including the types of asbestos contained in the samples and the level of asbestos content in the air of the work sites); if it cannot provide such information, the reasons for that?

委聘多媒體製作公司推行政府資助項目

(14) 何俊仁議員 (書面答覆)

據悉，互聯網專業協會(iProA)旗下的意加傳訊有限公司(ePlus)曾為政務司司長製作網站，而ePlus又與協通科技有限公司、Chinese World Ventures Limited、中國多媒體資源有限公司及聯眾醫療信息科技國際有限公司關係密切；又，一間名為出格創作室的有限公司曾受政府委聘，進行分析及散播網上政治言論的工作。就此，政府可否告知本會：

- (一) 過去5年，上述公司或機構(互聯網專業協會、意加傳訊有限公司、協通科技有限公司、Chinese World Ventures Limited、中國多媒體資源有限公司、聯眾醫療信息科技國際有限公司及出格創作室有限公司)是否曾受政府委聘以推行政府工作或公帑資助項目，如是，該等政府工作或公帑資助項目分別為何及涉及的公帑開支分別為何；
- (二) 是否曾進行分析或散播網上政治言論的工作或相關工作；如有，是否曾委聘任何公司或機構進行該等工作；如是，該等公司或機構的名稱及涉及的公帑開支為何；及
- (三) 在決定委聘公司或機構推行政府工作或公帑資助項目時，會否考慮該等公司或機構成員的政治背景？

Appointment of multimedia production companies
to undertake government-funded projects

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

It has been learnt that ePlus Communications Limited (“ePlus”), a subsidiary of the Internet Professional Association (“IProA”), produced a web site for the Chief Secretary for Administration, and ePlus also has close connections with Letlink Technology Limited (“Letlink”), Chinese World Ventures Limited (“CWV”), China Multi Media Resources Limited (“CMMR”) and Portal Health International Limited (“PHI”); and that a company named TOOB Creative Workshop Limited (“TOOB”) was appointed by the Government to carry out work on analyzing or disseminating political comments. In this connection, will the Government inform this Council:

- (a) whether the Government had appointed the aforesaid companies or organizations (IProA, ePlus, Letlink, CWV, CMMR, PHI and TOOB) to undertake government work or publicly-funded projects in the past five years; if so, of such government work or publicly-funded projects and the respective amounts of public funds involved;
- (b) whether it had carried out work on analyzing or disseminating political comments on the Internet or related work; if so, whether it had appointed any company or organization to carry out such work; if it had, of the names of those companies or organizations and the amounts of public funds involved; and
- (c) whether it will, in deciding the companies or organizations to be appointed for undertaking government work or publicly-funded projects, take into account the political background of the members of those companies or organizations?

路政署佔用九龍灣麗晶花園附近的休憩用地

(15) 梁家傑議員 (書面答覆)

最近有報道指，九龍灣麗晶花園附近，位於宏光道及宏照道(分別在麗晶花園西面、北面和東北面)的3幅“休憩用地”，被長期佔用作路政署的臨時工程倉庫，造成空氣及噪音污染。就此，政府可否告知本會：

- (一) 現時全港所有政府工程臨時工地或倉庫的地點、與該等用地距離最近的民居(屋苑、大廈或鄉村)、該等用地首次被徵用的日期和原定期限、至今每次被續期徵用的開始日期，以及現時徵用該等用地的期限為何(按下表列出)；

政府工程臨時工地或倉庫的地點	與該政府工程臨時工地或倉庫距離最近的民居	首次被徵用的日期和原定期限	至今每次被續期徵用的開始日期	現時徵用該用地的期限

- (二) 鑒於上述3幅用地分別於1996年及2002年起被用作路政署的臨時工程倉庫，至今最長達15年，期間地政總署有否另覓用地於其他地點重置上述臨時工程倉庫；若有，詳情為何；若否，原因為何；
- (三) 鑒於據悉上述兩幅位於麗晶花園北面和東北面的用地自1986年開始劃為“地區休憩用地”，但康樂及文化事務署在過去近30年一直沒有將用地發展作休憩用途，原因為何；
- (四) 鑒於有報道指，有麗晶花園居民對於上述用地被長期用作臨時工程倉庫而未有發展作休憩用途感到十分不滿，

當局有何措施回應該等市民的訴求；

- (五) 鑒於道路維修工程屬路政署長期及恆常的工作之一，而該等工程的建築機械及各種物料(包括泥沙及混凝土)必須放置在不同區域的工程倉庫以便調動及用作處理緊急事故，政府會否為路政署設置長期及固定的工程倉庫；若會，詳情為何；若否，原因為何；及
- (六) 當局選擇政府工程臨時工地或倉庫的地點時，有否機制或指引以評估對附近居民日常生活的影響；若有，詳情為何；若否，會否考慮訂立有關機制或指引？

Occupation by Highways Department of open spaces
near Richland Gardens in Kowloon Bay

(15) Hon Alan LEONG Kah-kit (Written Reply)

Recently, it has been reported that three “open spaces” sites at Wang Kwong Road and Wang Chiu Road near Richland Gardens (respectively located at its western, northern and north-eastern sides) in Kowloon Bay, have been occupied by the Highways Department (“HyD”) as temporary work depots for a long time, causing air and noise pollution. In this connection, will the Government inform this Council:

(a) of the locations of all temporary sites or depots of government works in the territory at present, the residential premises (estates, buildings or villages) nearest to such sites, the dates on which they were first deployed for such uses and the initial expiry dates for such deployments, the subsequent dates on which such deployments were extended each time, as well as the expiry dates of the current deployments of such sites (to be listed in the table below);

Locations of the temporary sites or depots of government works	Residential premises nearest to the temporary sites or depots of government works	Dates on which they were first deployed for such uses and the initial expiry dates for such deployments	Subsequent dates on which such deployments were extended each time	Expiry dates of the current deployments of such sites

(b) as the aforesaid three sites have been used by HyD as temporary work depots since 1996 and 2002 respectively, among which the longest duration of use to date has reached 15 years,

whether the Lands Department has looked for alternative sites in other locations in the interim to relocate the aforesaid temporary work depots; if it has, of the details; if not, the reasons for that;

- (c) as it has been learnt that the aforesaid two sites located respectively on the northern and north-eastern sides of Richland Gardens have been zoned as “district open spaces” since 1986, but the Leisure and Cultural Services Department had all along not yet developed the sites for leisure use over a period of almost 30 years in the past, of the reasons for that;
- (d) as it has been reported that some residents in Richland Gardens are deeply discontented that the aforesaid sites have been used as temporary work depots for a long time instead of being developed for leisure use, of the measures of the authorities to respond to the requests of such members of the public;
- (e) as road maintenance works are one of the long-term and recurrent undertakings of HyD, and the construction plant and various materials (including sand and concrete) of such works must be stored in work depots in different areas to facilitate deployment and for use in handling contingencies, whether the Government will set up long-term and fixed work depots for HyD; if it will, of the details; if not, the reasons for that; and
- (f) whether the authorities have in place a mechanism or guidelines for assessing the impact on the daily lives of the residents nearby when selecting the locations of temporary sites or depots of government works; if they have, of the details; if not, whether they will consider establishing such mechanism or guidelines?

輔助醫療器材受塑化劑污染的風險

(16) 李國麟議員 (書面答覆)

據報，台灣學者早前檢驗輔助醫療器材(例如輸血袋和輸液袋)時，發現聚氯乙烯(“PVC”)質料極易釋出塑化劑，而且濃度極高。由於PVC質料廣泛應用於醫療用品，故本港同樣存在塑化劑污染風險。報道更指溶脂性高的液體(例如化療用藥劑和血液等)接觸含PVC質料的輔助醫療器材後會釋出更多塑化劑，經這些醫療器材輸入體內，後果較進食受塑化劑污染的食品更嚴重，對早產嬰兒、長期病患者及患重病的病人的傷害尤甚。就此，政府可否告知本會：

- (一) 當局是否知悉，現時本港是否有輔助醫療器材含有PVC質料；如有，列出該等器材的種類；
- (二) 當局有否檢驗本港慣常採用的輔助醫療器材所含的塑化劑水平，以確保該等器材不受塑化劑污染；若有，當局檢驗該等器材的標準和準則為何；若否，會否進行檢驗，以釋除市民的疑慮；及
- (三) 當局有否研究使用替代品，以代替含有PVC質料因而存在受塑化劑污染風險的輔助醫療器材；若有，詳情為何；若否，會否考慮研究？

The risk of contamination
of auxiliary medical devices by plasticizers

(16) Dr Hon Joseph LEE Kok-long (Written Reply)

It has been reported that some Taiwanese academics found, in testing auxiliary medical devices (e.g. blood bags and infusion bags) earlier, that Polyvinylchloride (“PVC”) materials could easily release plasticizers, and the concentration was at an exceedingly high level. As PVC materials are widely used in medical supplies, Hong Kong is equally exposed to the risk of contamination by plasticizers. It has also been reported that when fatty solutions (e.g. chemotherapy drugs and blood, etc.) come into contact with auxiliary medical devices containing PVC materials, more plasticizers will be released, which may be transmitted into the body through these medical devices and may cause more serious harm than consuming food contaminated by plasticizers, in particular to premature babies, chronic patients and patients with severe illness. In this connection, will the Government inform this Council:

- (a) whether the authorities know if, at present, there are auxiliary medical devices in Hong Kong which contain PVC materials; if there are, set out such devices by type;
- (b) whether the authorities have tested the level of plasticizers contained in auxiliary medical devices commonly used in Hong Kong, to ensure that the devices are not contaminated by plasticizers; if they have, of the standards and criteria adopted by the authorities for testing such devices; if not, whether they will conduct such tests to address the concerns of the public; and
- (c) whether the authorities have explored using alternatives to auxiliary medical devices containing PVC materials, which may have the risk of being contaminated by plasticizers; if they have, of the details; if not, whether they will consider conducting studies?

Statistics on household income and expenditure

(17) Dr Hon David LI Kwok-po (Written Reply)

The “2009-2010 Household Expenditure Survey and the Rebasing of the Consumer Price Indices” (“2009-2010 HES”) published in April this year offers up-to-date information on the expenditure patterns of households. Based on the 2009-2010 HES results, the 2009-2010-based Consumer Price Index (“CPI”)(A), CPI(B) and CPI(C) have been compiled respectively according to the expenditure patterns of households in the various expenditure ranges, and the Composite CPI has been compiled based on the expenditure pattern of all the households taken together. Separately, the “Quarterly Report on General Household Survey” publishes, on a quarterly basis, the overall median household income. In this connection, will the Government inform this Council:

- (a) of the median and average monthly expenditures of households in 1999-2000, 2004-2005 and 2009-2010, by households in the respective expenditure ranges of CPI(A), CPI(B) and CPI(C);
- (b) of the median and average monthly expenditures of households in 1999-2000, 2004-2005 and 2009-2010 with the effects of the Government’s one-off relief measures (if any) being removed, by households in the respective expenditure ranges of CPI(A), CPI(B) and CPI(C); and
- (c) of the median incomes of households in 1999-2000, 2004-2005 and 2009-2010, by households in the respective expenditure ranges of CPI(A), CPI(B) and CPI(C)?

有關住戶入息及開支的統計數字

(17) 李國寶議員 (書面答覆)

本年4月發表的《2009-2010年住戶開支統計調查及重訂消費物價指數基期》(“2009-2010年住戶開支統計調查”), 提供有關住戶開支模式的最新資料。根據上述2009-2010年住戶開支統計調查結果, 以2009-2010年為基期的甲類、乙類及丙類消費物價指數分別按不同開支範圍的住戶的開支模式編製而成, 而綜合消費物價指數則按所有住戶的整體開支模式編製而成。另外, 《綜合住戶統計調查按季統計報告書》按季公布整體住戶入息中位數。就此, 政府可否告知本會:

- (一) 1999-2000、2004-2005及2009-2010年的住戶每月開支中位數及每月平均開支分別為何(按屬甲類、乙類及丙類消費物價指數的開支範圍內的住戶分別提供有關分項數字);
- (二) 在剔除政府一次性紓困措施(如有的話)的影響後, 1999-2000、2004-2005及2009-2010年的住戶每月開支中位數及每月平均開支分別為何(按屬甲類、乙類及丙類消費物價指數的開支範圍內的住戶分別提供有關分項數字); 及
- (三) 1999-2000、2004-2005及2009-2010年的住戶入息中位數分別為何(按屬甲類、乙類及丙類消費物價指數的開支範圍內的住戶分別提供有關分項數字)?

治療濕性老年黃斑病變

(18) 湯家驊議員 (書面答覆)

醫院管理局(“醫管局”)在本年6月16日回應傳媒提問時指出，醫管局會聯同香港大學及香港中文大學就“癌思停”和“樂明睛”兩種藥物對治療濕性老年黃斑病變的成效，於本年年底前在本港公立醫院進行臨床研究，以總結本地病人的臨床治療實證和經驗，藉以訂定公立醫院的治療方案。此外，在政府的額外撥款下，醫管局於2010-2011年度預留了1,200萬元為臨床情況合適的濕性老年黃斑病變病人提供治療上的資助。就此，政府可否告知本會：

- (一) 是否知悉，上述已於上一財政年度預留的撥款至今有否用來資助濕性老年黃斑病變病人接受治療；若有，有多少名病人已獲得資助；若否，原因為何；當局估計因上年度未有動用該筆撥款，令多少名病人未能獲得及時治療；
- (二) 是否知悉，醫管局會否將該筆撥款用作上述臨床研究的經費；
- (三) 是否知悉，醫管局與上述兩間大學計劃展開以“癌思停”治療濕性老年黃斑病變的臨床研究的目的為何；是否包括測試該藥物的安全性；若是，將按照甚麼方案和標準進行該項臨床研究；該項臨床研究是否達到歐美藥物監管部門認可的藥物安全性的最高要求；
- (四) 鑒於生產“癌思停”的藥廠並沒有表明該藥物可用來治療濕性老年黃斑病變，當局有否評估醫管局或政府是否須就有濕性老年黃斑病變病人因接受“癌思停”治療而出現嚴重副作用或引致失明、或因藥物本身的質量問題而

受損害負上賠償責任；若評估的結果為是，每名病人的最高賠償額為何；政府以何理據動用公帑承擔此賠償責任；

- (五) 是否知悉，根據現時的政策，醫管局是否只會依據藥物在香港衛生署註冊的用途，考慮把有關藥物納入《醫院管理局藥物名冊》(包括通用藥物、專用藥物及自費藥物)；若是，訂立該政策的原因及目的為何；若否，原因及理據為何；及
- (六) 是否知悉，醫管局有否監管公立醫院為病人處方藥物的情況，確保只作已註冊的用途，以及限制公立醫院處方藥物作已註冊用途以外的治療之用，以保障病人的安全；若有，如何執行？

Treatment of Neovascular Age-Related Macular Degeneration

(18) Hon Ronny TONG Ka-wah (Written Reply)

In response to media enquiries, the Hospital Authority (“HA”) indicated on 16 June this year that HA would conduct a local clinical trial in collaboration with the University of Hong Kong and The Chinese University of Hong Kong on the use of Avastin and Lucentis in wet Age-Related Macular Degeneration (“AMD”) patients by the end of this year, in order to gather local evidence and experience for devising a specific treatment protocol in public hospitals. In addition, with additional funding from the Government, HA reserved a sum of \$12 million in the year 2010-2011 for providing subsidies to wet AMD patients in suitable clinical conditions for their treatment. In this connection, will the Government inform this Council:

- (a) whether it knows if the aforesaid funding already reserved in the last financial year has to date been used for subsidizing wet AMD patients to receive treatment; if so, of the number of patients who have received the subsidy; if not, the reasons for that; of the number of patients estimated by the authorities who were not given timely treatment because the funding had remained unused last year;
- (b) whether it knows if HA will use the funding for conducting the aforesaid clinical trial;
- (c) whether it knows the purposes of the plan of HA and the aforesaid two universities to launch the clinical trial on the use of Avastin in the treatment of wet AMD; whether testing the safety of the drug is among such purposes; if so, of the protocols and standards based on which such clinical trial will be conducted; whether such clinical trial will meet the highest safety requirements for drugs approved by drug regulatory authorities of European countries and the United States;

- (d) given that the manufacturer of Avastin has not indicated that the drug can be used for the treatment of wet AMD, whether the authorities have assessed if HA or the Government are liable for compensation to wet AMD patients who suffer from severe side-effects or blindness induced by receiving Avastin treatment, or damages associated with the quality problems of the drug itself; if the assessment outcome is in the affirmative, of the maximum amount of compensation for each patient; of the justifications for the Government to deploy public funds to bear such liability for compensation;
- (e) whether it knows, under the current policy, if HA will solely base on the indications of drugs registered with the Department of Health in considering listing the relevant drugs, including general, special and self-financed drugs, on the Hospital Authority Drug Formulary; if it will, of the reasons for and purposes of introducing such policy; if not, the reasons and justifications; and
- (f) whether it knows if HA monitors the prescription of drugs for patients in public hospitals to ensure that drugs are used only for their registered indications, and restricts public hospitals from prescribing drugs in treatments which are beyond their registered indications, in order to safeguard the safety of patients; if it does, how these are enforced?

Management of public records

(19) Hon Miriam LAU Kin-yee (Written Reply)

With a view to improving the administrative arrangements for management of public records, the Government introduced a set of mandatory records management requirements (“the requirements”) in April 2009 for compliance by policy bureaux and government departments (“B/Ds”). However, criticisms from the public remain that this is insufficient to ensure that government records are properly managed and disposed of. There are still calls from the community for introduction of an archival law or public records law in Hong Kong. In this connection, will the Government inform this Council:

- (a) whether the Government Records Service (“GRS”) has carried out records audits to ensure compliance with the requirements; if it has, of the details of such audits conducted in the past two years; if not, the reasons for that;
- (b) whether GRS can make it mandatory for B/Ds to make all their records available for appraisal and transfer to the archives; if not, what mechanism is at present in place to ensure that B/Ds do not withhold their records from GRS; whether B/Ds are required to maintain and comply with a record disposal schedule;
- (c) whether the present public records management system requires the submission of policy records to GRS from the following public offices: Office of the Chief Executive, Chief Secretary for Administration’s Office, Financial Secretary’s Office, the Central Policy Unit, Invest Hong Kong, the Hong Kong Monetary Authority and the Independent Commission Against Corruption; if not, of the reasons for that;

- (d) in view of the relocation of the offices at the Central Government Offices to Tamar in September this year, what measures will be taken to ensure that government records will not be misplaced or disposed of improperly during the removal process; whether an inventory of all the record series will be taken to identify which records will be moved, as well as which records will be otherwise dealt with, etc.;
- (e) in respect of the records kept by B/Ds, of the percentages of those in electronic form, and those in paper format; what mechanism is in place to ensure that these electronic records will not be manipulated or deleted improperly; and
- (f) given that there is an absence of an archival law or public records law to underpin the present public records management system, can the Government give an undertaking that no government record will be destroyed until proper appraisal has been conducted by GRS or other qualified archivists?

政府檔案管理

(19) 劉健儀議員 (書面答覆)

為改善政府檔案管理的行政安排，政府於2009年4月推出一套檔案管理的強制性規定(“規定”)，各政策局及政府部門(“局及部門”)均須遵守。然而，公眾批評此舉不足以確保政府檔案能獲妥善管理及處置。市民仍要求在香港實施檔案法或政府檔案法。就此，政府可否告知本會：

- (一) 政府檔案處(“檔案處”)有否進行檔案審核，以確保規定獲得遵守；若然，在過去兩年進行此類審核的詳情為何；若否，原因為何；
- (二) 檔案處可否規定各局及部門須讓其所有檔案接受鑒定及把該等檔案移交檔案處；若否，現時有何機制確保各局及部門不會拒絕把檔案交給檔案處；各局及部門須否備存檔案存廢期限表並予以依循；
- (三) 現時政府檔案管理制度是否規定以下公共辦事處須向檔案處提交政策檔案：行政長官辦公室、政務司司長辦公室、財政司司長辦公室、中央政策組、投資推廣署、香港金融管理局及廉政公署；若否，原因為何；
- (四) 鑒於中區政府合署內的辦公室將於本年9月遷至添馬艦，當局將採取甚麼措施，以確保政府檔案在搬遷過程中不會被錯置或不當地處置；會否編訂所有檔案系列的清單，以確定哪些檔案會被遷移及哪些檔案會以其他方法處理等；
- (五) 各局及部門保存的檔案中，電子檔案和紙張檔案的百分比為何；有何機制

確保這些電子檔案不會被操控或不當地刪除；及

- (六) 鑒於沒有檔案法或政府檔案法支持現有的政府檔案管理制度，政府可否承諾，任何政府檔案均不會在檔案處或其他合資格的檔案主任妥為鑒定之前被銷毀？

對推廣德育及國民教育的支援

(20) 涂謹申議員 (書面答覆)

教育局計劃於2013-2014學年，將“德育及國民教育”列為獨立科目，於全港中學及小學全面推行；而早於2001年的課程改革中，“德育及公民教育”已被列為4個關鍵項目之一。此外，教育局及民政事務局支持成立的“國民教育中心”及“國民教育服務中心”，每年為全港學生及教師就國民教育提供支援。不同學術團體對國民教育推行至今的成效均表示關注。每年“國民教育中心”進行的國民身份調查的結果顯示，學生對國民身份的認同感近年雖有提升，但最近兩年的增長緩慢。另一方面，該中心的總監指出，中心每年為學生提供的500個內地交流名額經常供不應求，反映學生對國民教育的需求殷切。就此，政府可否告知本會：

- (一) 過去5年，教育局每年投放於國民教育方面的資源為何，以及投放於多少類別的國民教育活動和資源的分配為何；
- (二) 教育局會否定期就其資助舉辦的各項國民教育活動(例如交流團和國情培訓班等)，在加強學生對其國民身份的認同感方面的成效作出評核及檢討；若會，評核的準則為何；
- (三) 過去5年，由教育局資助舉辦的各項國民教育活動(例如交流團和國情培訓班等)的統計數字為何(包括舉辦次數、投放資源金額和參與學生人數等)；
- (四) 過去5年，每年教育局資助學校舉辦內地交流團的總額為何；及
- (五) 過去5年，政府設立的各個基金(例如公民教育基金或社區投資共享基金等)有否撥款資助有關國民教育的計劃；若有，各項計劃的資助額為何？

Support for the promotion of moral and national education

(20) Hon James TO Kun-sun (Written Reply)

The Education Bureau (“EDB”) has planned to make “moral and national education” an independent subject and fully implement it in secondary and primary schools in Hong Kong in the 2013-2014 school year; and as early as in 2001, moral and civic education had already been identified as one of the four key tasks in the curriculum reform. In addition, the National Education Centre (“NEC”) and the National Education Services Centre, which have been established with the support from EDB and the Home Affairs Bureau, provide support on national education each year for students and teachers in Hong Kong. Different academic groups have expressed concerns over the effectiveness the national education implemented so far. The results of the annual surveys on national identity conducted by NEC have revealed that the sense of national identity amongst students has been strengthened in recent years, but it has only been improving slowly in the last two years. On the other hand, the officer-in-charge of NEC has pointed out that each year NEC is offering 500 student exchange places on the Mainland, but the quotas are often not sufficient to meet the demand, reflecting that there is a keen demand from students for national education. In this connection, will the Government inform this Council:

- (a) of the resources injected by EDB into the area of national education in each of the past five years, the types of national education activities covered, and the allocation of resources to such activities;
- (b) whether EDB will conduct regular assessments and reviews on the effectiveness of the various national education activities funded by it (such as exchange trips and national study programmes, etc.) in strengthening the sense of

national identity amongst students; if it will, of the evaluation criteria;

- (c) of the statistics (including the number of activities organized, the amount of resources injected and the number of participating students, etc.) on the various national education activities funded by EDB (such as exchange trips and national study programmes, etc.) in the past five years;
- (d) of the total amount of subsidies from EDB for schools to organize exchange trips to the Mainland in each of the past five years; and
- (e) whether the various funds (such as the Civic Education Fund or the Community Investment and Inclusion Fund) set up by the Government have funded programmes relevant to national education in the past five years; if so, of the respective amounts of funds for various programmes?