

立法會

Legislative Council

立法會CB(3) 291/11-12號文件

2012年1月6日內務委員會會議文件

定於2012年1月11日立法會會議上提出的質詢

提問者：

- | | | |
|------|--------|--------|
| (1) | 李永達議員 | (口頭答覆) |
| (2) | 黃毓民議員 | (口頭答覆) |
| (3) | 林健鋒議員 | (口頭答覆) |
| (4) | 張文光議員 | (口頭答覆) |
| (5) | 梁耀忠議員 | (口頭答覆) |
| (6) | 葉劉淑儀議員 | (口頭答覆) |
| (7) | 陳茂波議員 | (書面答覆) |
| (8) | 譚耀宗議員 | (書面答覆) |
| (9) | 梁國雄議員 | (書面答覆) |
| (10) | 陳健波議員 | (書面答覆) |
| (11) | 黃國健議員 | (書面答覆) |
| (12) | 黃成智議員 | (書面答覆) |
| (13) | 余若薇議員 | (書面答覆) |
| (14) | 劉慧卿議員 | (書面答覆) |
| (15) | 張學明議員 | (書面答覆) |
| (16) | 陳淑莊議員 | (書面答覆) |
| (17) | 陳偉業議員 | (書面答覆) |
| (18) | 梁美芬議員 | (書面答覆) |
| (19) | 陳克勤議員 | (書面答覆) |
| (20) | 甘乃威議員 | (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

可供發展小型屋宇的土地

(1) 李永達議員 (口頭答覆)

發展局局長早前表示，興建新界小型屋宇(俗稱“丁屋”)的訴求至今不能量化，可能是無限量多，若大量擴展鄉村地帶興建丁屋，會對開拓土地應付房屋需求及產業發展帶來影響。目前可建丁屋的土地一般限於“認可鄉村範圍”內；若要在此範圍外建屋，只要是在包圍或與此範圍重疊的“鄉村式發展”地帶亦可獲考慮；若在“鄉村式發展”地帶外，須先獲城市規劃委員會(下稱“城規會”)的規劃許可。就此，政府可否告知本會：

- (一) 按地政處分區劃分，現時六百四十二條認可鄉村的“認可鄉村範圍”內及外可建丁屋的土地面積分別為何，約可建多少間丁屋；屬“鄉村式發展”用途的土地面積為何，約可建多少間丁屋；正處理的申請宗數為何；根據各村長提供的資料，未來10年的丁屋需求為何(包括丁屋數目及土地面積)；
- (二) 過去5年，每年向城規會申請規劃許可興建丁屋的宗數、獲批宗數、涉及的丁屋數目及土地面積為何；獲批個案涉及在“認可鄉村範圍”內及外的土地面積分別為何，並按土地用途列出分項數字；符合“鄉村式發展”的土地不足以應付未來10年丁屋需求的準則而獲批的個案數目為何；城規會有何審批準則；當局有否研究如何改善查證及核實丁屋需求的數據的方法；若有，進度為何；及

- (三) 當局會否盡快檢討丁屋政策及審批準則，以處理上述丁權無限，但土地有限的問題；有否評估容許丁屋向高發展(如興建6或9層)會對新界鄉村規劃發展有何影響？

Availability of land for the development of small houses

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

The Secretary for Development has indicated earlier that the demand for the construction of New Territories small houses cannot be quantified so far and may be infinite, and if the village zones are to be substantially extended for the construction of small houses, it will have an impact on the formation of land to cater for the demand for housing and development of industries. At present, the construction of small houses is in general restricted to within the “environs of a recognized village” (“village environs”). Construction of small houses outside “village environs” may also be considered provided that the sites concerned are located within a “village type development” zone which surrounds or overlaps with “village environs”; and planning permission from the Town Planning Board (“TPB”) must first be obtained if the sites concerned lie outside the “village type development” zone. In this connection, will the Government inform this Council:

- (a) of the respective area of land available for the construction of small houses inside and outside the environs of the current 642 recognized villages, and the approximate number of small houses that can be built, broken down by District Lands Office district; the area of land that is zoned as “village type development” land use, and the approximate number of small houses that can be built; the number of applications being processed; the demand for small houses (including the number of small houses and the area of land required) in the

next 10 years based on the information provided by the various village representatives;

- (b) of the number of planning permission applications submitted to TPB for the building of small houses in each of the past five years, and the number of cases approved as well as the number of small houses and area of land involved; among the cases approved, the respective area of the sites concerned which are located inside and outside the “village environs”, together with a breakdown by land use; the number of cases which had been approved based on the criterion that the supply of land within “village type development” zones is insufficient to meet the demand for small houses in the next 10 years; the vetting criteria adopted by TPB; whether the authorities have studied how to improve the approach of checking and verifying the statistics on the demand for small houses; if they have, of the progress; and
- (c) whether the authorities will review the small house policy and the relevant vetting criteria as soon as possible so as to tackle the aforesaid problem that land is scarce but small house concessionary rights may be infinite; whether they have assessed the impact of allowing small houses to increase in height (e.g. building six or nine floors) on the rural planning and development in the New Territories?

院舍及日間護理中心
長者基礎牙科外展服務

(2) 黃毓民議員 (口頭答覆)

政府在去年4月推出為期3年的長者基礎牙科外展服務先導計劃(下稱“先導計劃”)，預期會有17間非政府機構參加，為安老院舍或長者日間護理中心的長者免費提供多種牙科及口腔護理服務。就長者牙科服務，政府可否告知本會：

- (一) 鑒於現時先導計劃只包括牙齒檢查、洗牙、止痛和緊急牙科治療，政府可否擴充服務範圍至鑲配假牙及補牙等服務；
- (二) 鑒於現時全港有11間衛生署轄下的政府牙科診所為市民提供止痛及脫牙服務，但深水埗及油尖旺區等人口老化或人口集中的地區並沒有這些政府牙科診所，不少市民需要跨區求診，更有市民要在清晨開始排隊輪籌，政府現時有沒有計劃在各區增設診所，紓緩人口老化帶來的牙科服務壓力；及
- (三) 鑒於《公務員事務規例》列明，公務員、退休公務員和他們的合資格家屬，可享用政府提供的醫療及牙科福利，而港島及九龍各區設有多間專為公務員而設的政府牙科診所及牙齒矯正科診所，政府會否考慮開放這些診所讓長者接受牙科服務？

Outreach primary dental care services for the elderly
in residential care homes and day care centres

(2) Hon WONG Yuk-man (Oral Reply)

The Government launched a three-year pilot project on outreach primary dental care services for the elderly (“Pilot Project”) in April last year to provide various kinds of free dental care and oral health care services to elderly people in residential care homes or day care centres, and it was expected that 17 non-governmental organizations would participate in the Pilot Project. Regarding dental care services for the elderly, will the Government inform this Council:

- (a) given that at present, the Pilot Project only covers dental check-up, scaling and polishing, pain relief and emergency dental treatments, whether the Government will expand the scope of services to include denture-fixing and tooth-filling services, etc.;
- (b) given that the Department of Health currently provides pain relief and teeth extraction services to the public through its 11 government dental clinics in the territory, but no such government dental clinic is provided in districts with an ageing population or in densely populated districts, such as Sham Shui Po and Yau Tsim Mong District, etc., hence, quite a number of members of the public need to seek treatment from dental clinics in other districts, and some of them even have to queue up at the clinics in the early hours for consultation chips, whether the Government has any plan at present to set up additional clinics in various districts, so as to alleviate the

pressure brought by an ageing population on the provision of dental care services; and

- (c) given that it is set out in the Civil Service Regulations that civil servants and pensioners are provided with medical and dental benefits in respect of themselves and their eligible dependants, and there are a number of government dental clinics and orthodontic clinics dedicated to providing services to civil servants in various districts on Hong Kong Island and in Kowloon, whether the Government will consider opening up the dental care services in these clinics for use by the elderly?

規管短期出租的住宅單位

(3) 林健鋒議員 (口頭答覆)

本人最近收到市民投訴，指有地產代理張貼提供住宅單位日租或短期出租的廣告，懷疑有人將住宅單位出租給內地旅客或孕婦。根據《旅館業條例》，任何處所的佔用人、業主或租客顯示在他可提供的住宿的範圍內，會向到臨該處所的人士提供收費的住宿，而租出期少於連續28天，便必須領有旅館牌照。但根據民政事務總署轄下的牌照事務處的紀錄，上述廣告所列的處所並未登記為合法經營的旅館。據報，有網站更以出租民宿為名，提供位於旺角、油麻地、尖沙咀、北角及沙田等住宅單位的短期出租服務。就此，政府可否告知本會：

- (一) 去年，當局收到多少宗有關無牌經營旅館的投訴，以及提出檢控的個案和涉案人士被定罪個案的數字分別為何；
- (二) 就上述網站提供的住宅單位短期出租服務，當局有否主動巡察該等單位，以打擊非法經營旅館；若有，巡察結果為何；若否，原因為何；及
- (三) 就上述有地產代理張貼提供住宅單位日租或短期出租的廣告，是否知悉地產代理監管局有否主動調查有關做法是否違反執業的操守守則；若有，調查結果為何；若否，原因為何？

Regulation of residential flats for lease on a short-term basis

(3) Hon Jeffrey LAM Kin-fung (Oral Reply)

Recently, I have received complaints from members of the public that some estate agents have posted advertisements offering residential flats for lease on a daily or short-term basis, and they suspect that some people lease out residential flats to mainland tourists or pregnant women. Under the Hotel and Guesthouse Accommodation Ordinance, for any premises whose occupier, proprietor or tenant holds out that, to the extent of his available accommodation, he will provide sleeping accommodation at a fee for any person presenting himself with a tenancy term of less than 28 continuous days, a hotel/guesthouse licence must be obtained. Yet, according to the records of the Office of the Licensing Authority under the Home Affairs Department, the premises listed on the aforesaid advertisements have not been registered as licensed guesthouses. It has been reported that some web sites use home-stay lodgings as guise to lease out residential flats in Mong Kok, Yau Ma Tei, Tsim Sha Tsui, North Point and Sha Tin, etc. on a short-term basis. In this connection, will the Government inform this Council:

- (a) of the number of complaints involving the operation of unlicensed guesthouses received by the authorities last year, and the respective numbers of cases in which prosecutions were instituted and the persons involved were convicted;
- (b) whether the authorities have proactively inspected the residential flats offered for lease on a short-term basis on the aforesaid web sites, with a view to combating the operation of unlicensed guesthouses; if they have, of the

outcome of such inspections; if not, the reasons for that; and

- (c) in respect of the aforesaid estate agents who posted advertisements to offer residential flats for lease on a daily or short-term basis, whether it knows if the Estate Agents Authority has proactively investigated if the relevant practices contravene the code of ethics in respect of their practice; if it has, of the outcome of such investigations; if not, the reasons for that?

減低學童自殺率

(4) 張文光議員 (口頭答覆)

最近接連發生多宗學童輕生事件，當中，最年幼的事主只有10歲，引起社會各界關注。根據香港大學香港賽馬會防止自殺研究中心(下稱“研究中心”)的統計，2005年至2009年間，本港每年有2至5名15歲以下的兒童自殺身亡。就此，政府可否告知本會：

- (一) 過去5年，牽涉18歲以下人士的自殺個案的數目、該等人士的年齡分布及可能涉及的自殺原因分別為何；
- (二) 有否針對自殺年輕化的趨勢，追蹤調查涉及18歲以下人士的自殺個案，分析他們自殺的原因，以及採取預防措施；若有，政府如何評估最近發生的多宗學童自殺案件；若否，原因為何；及
- (三) 鑒於研究中心的統計分析顯示，考試壓力太大是導致學童輕生的重要誘因，政府有否檢討現時的教育及考試制度，並設法減輕學童的學業壓力；若有，政府如何解釋最近多宗懷疑因學業壓力而自殺的案件；若否，原因為何；鑒於研究中心亦曾進行“香港中學生自殺行為研究”，政府會否就最近多宗小學生輕生事件，委託研究中心對小學生進行同類調查，以尋找有效減低兒童自殺率的方法？

Reducing the risk of student suicide

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

The spate of student suicides which occurred one after another recently, with the youngest student involved being only 10 years old, has aroused concerns in various sectors of the community. According to the statistics compiled by the Hong Kong Jockey Club Centre for Suicide Research and Prevention of the University of Hong Kong (“CSRP”), two to five children aged below 15 took their own lives in each of the years between 2005 and 2009 in Hong Kong. In this connection, will the Government inform this Council:

- (a) of the number of suicide cases in the past five years which involved persons aged below 18, as well as the age profile of such persons and the possible causes of suicide involved;
- (b) whether it has focused on the trend of people committing suicide at a young age and conducted follow-up investigations into the suicide cases involving persons aged below 18, analyzed the reasons why they committed suicide and taken preventive measures; if it has, how the Government assesses the recent cases of student suicide; if not, of the reasons for that; and
- (c) given that CSRP’s statistical analysis indicated that excessive examination pressure was a major risk factor for student suicide, whether the Government has reviewed the existing education and examination system and strived to reduce the study pressure on students; if it has, how the Government explains why recently, there were several cases of students suspected to have

committed suicides due to study pressure; if not, of the reasons for that; given that CSRP also conducted a research on the “Suicidality among Secondary School Students in Hong Kong”, whether the Government will commission CSRP to conduct similar survey on primary school students with regard to the several suicide cases involving primary school students which occurred recently, so as to explore ways to lower the suicide rate for children effectively?

免費電視節目服務牌照

(5) 梁耀忠議員 (口頭答覆)

政府曾表示預計於2011年上半年內完成本地免費電視節目服務牌照(下稱“牌照”)申請的審批工作。2011年已過，廣播事務管理局亦已完成3份牌照申請的審批工作，並呈交行政長官會同行政會議考慮，但至今仍沒有進一步的消息。就此，政府可否告知本會：

- (一) 當局延遲公布審批結果，是否因為仍在處理亞洲電視有限公司就簽發新牌照一事，向行政長官會同行政會議提出的上訴；若否，真正原因為何；鑒於當局曾向本會表示，開放本地免費電視節目服務市場，是因為政府的一貫政策是促進本地廣播業持續發展，鼓勵業界公平競爭、投資及採用新科技，為市民提供高質素、有選擇的電視節目，現遲遲未就簽發新牌照作出決定，是否因政府改變初衷，偏向維持現狀；及
- (二) 鑒於3間已提交牌照申請的公司已承諾，在取得經營牌照後，會投放相當的資本和招聘員工，以就刺激本地經濟和推動就業作出貢獻，政府延遲作出決定，可有評估這會為社會帶來甚麼影響？

Free television programme service licences

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

The Government indicated that vetting of the domestic free television service licence applications was expected to be finalized within the first half of 2011. While the year 2011 is already over and the Broadcasting Authority had already finished vetting the three licence applications and submitted its recommendations to the Chief Executive in Council for consideration, yet no further news has been released so far. In this connection, will the Government inform this Council:

- (a) whether the reason for the authorities to postpone announcement of the vetting result is that they are still dealing with the appeal regarding the issuance of new licences lodged with the Chief Executive in Council by Asia Television Limited; if not, of the actual reasons for that; given that the authorities have indicated to this Council that it has opened up the domestic free television programme service market as it is the Government's established policy to promote the sustainable development of the local broadcasting industry, and encourage competition, investment and adoption of innovative technologies by the industry, thereby leading to the provision of more choices of quality programmes to the public, whether the reason why no decision has been made after a long time is that the Government has changed its original thinking and is inclined to maintain the status quo; and
- (b) given that the three companies which submitted applications for the new licences have undertaken that they will invest a considerable

amount of funds and recruit employees after obtaining the service licences, so as to make contributions in boosting the local economy and promoting employment, whether the Government has assessed what impact its postponement of making the decision will bring to the community?

自資銜接學位課程

(6) 葉劉淑儀議員 (口頭答覆)

據報，香港城市大學(下稱“城大”)將大幅削減為副學位持有人提供的自資銜接學額，由本學年的六百九十二個減至下學年的九十個。就此，政府可否告知本會：

- (一) 是否知悉城大大幅削減自資銜接學額的詳情；有否評估對副學位課程學生升讀銜接學位課程的影響；現時政策是否容許院校完全自行決定削減自資銜接學額，而無須事先諮詢教育當局；
- (二) 鑒於城大仍未正式宣布上述決定，而該校某些副學位課程的資料介紹仍然宣稱可銜接將被削減學額的學位課程，當局對大學課程相關資料的發放有否規管；如何處理大學發放誤導資料；以及如何保障受影響的學生；及
- (三) 鑒於城大將自資開辦動物醫學院及獸醫學位課程，城大聲稱不會因此影響其他課程，但有學生指出校方會將第2座教學樓及桃源樓部分樓層改成動物醫學院的設施，變相縮減其他學院的空間，當局會否要求城大澄清成立動物醫學院與削減自資銜接學額有否關係；鑒於提供現有自資銜接學額所需資源遠比動物醫學院學額低，因而讓更多青年人有機會接受專上教育，當局會否要求城大重新檢視資源分配政策？

Self-financing top-up degree programmes

(6) Hon Mrs Regina IP LAU Suk-yee (Oral Reply)

It has been reported that the City University of Hong Kong (“CityU”) will substantially reduce the number of self-financing articulation places for sub-degree holders from 692 in this academic year to 90 in the next academic year. In this connection, will the Government inform this Council:

- (a) whether it knows the details of CityU’s substantial reduction in self-financing articulation places; whether it has assessed the impact on the students of sub-degree programmes articulating to degree programmes; whether the existing policy allows tertiary institutions to decide completely on their own the reduction in self-financing articulation places without consulting the education authorities in advance;
- (b) given that CityU has not officially announced the aforesaid decision, and the prospectus on some of its sub-degree programmes still states that articulation to those degree programmes which will reduce the number of places is possible, whether the authorities regulate the dissemination of information relating to university programmes; how they deal with dissemination of misleading information by the universities; and how they protect the affected students; and
- (c) given that CityU will set up a school of veterinary medicine (“vet school”) and run veterinary degree programmes on a

self-financing basis, and while CityU claims that other programmes will not be affected, some students have pointed out that some floors of Academic 2 and To Yuen Building will be converted into facilities for the vet school, which in effect will reduce the space for other faculties, whether the authorities will request CityU to clarify if the establishment of the vet school and reduction in self-financing articulation places are related; given that the resources required for the provision of the existing self-financing articulation places are far less than those for the places of the vet school, thereby enabling more young people to have the opportunity to receive tertiary education, whether the authorities will request CityU to review afresh its policy on resource allocation?

建議設立醫療衛生研究基金

(7) 陳茂波議員 (書面答覆)

食物及衛生局建議，把現時由其管理的衛生及醫護服務研究基金和控制傳染病研究基金合併為新的醫療衛生研究基金(“新基金”)。然而，合併兩個基金卻未能精簡秘書處的人手，當局解釋新基金的資助範圍將會擴大，而在去年12月舉行的財務委員會會議上，當局亦表示審批研究項目涉及很多程序，並須呈交季度中期報告，以及在研究項目完成後作整體評核，故此秘書處人手需增加10人。就此，政府可否告知本會：

- (一) 衛生及醫護服務研究基金和控制傳染病研究基金，與即將成立的新基金在審批研究項目的具體程序上的分別為何；有否評估前者的審批程序是否有不足之處或存有漏洞；新基金的審批程序是否在參考其他類似基金的經驗後訂立；如是，詳情為何；如否，審批程序如何制定；
- (二) 衛生及醫護服務研究基金和控制傳染病研究基金是否須要提交季度報告，並在項目完成後作整體評核；如須要，與新基金有何分別，以及當局如何評估涉及的人手需求；
- (三) 鑒於新基金在運作上的大部分行政費用將由食物及衛生局承擔，每年涉及金額多少；有否類似基金需由該局承擔大部分行政費用；如有，基金名稱和每年涉及多少費用；

- (四) 鑒於當局預計，因新基金的行政而直接涉及的其他行政費用，由新基金支付，並佔基金總額約1.4%，當中涉及的具體開支分布情況為何；該等開支的分布，與衛生及醫護服務研究基金和控制傳染病研究基金的相關情況如何比較；
- (五) 新基金秘書處新增人手每年涉及多少額外開支；當中由食物及衛生局及新基金承擔的額外開支分別為何；及
- (六) 有否評估新基金對推動本港醫療產業的經濟效益；如有，具體內容為何；如否，原因為何？

Proposed Health and Medical Research Fund

(7) Hon Paul CHAN Mo-po (Written Reply)

The Food and Health Bureau (“FHB”) has proposed to merge the Health and Health Services Research Fund (“HHSRF”) and the Research Fund for the Control of Infectious Diseases (“RFCID”), which are currently managed by FHB, into a new Health and Medical Research Fund (“HMRF”). Yet, the structure of HMRF’s secretariat cannot be streamlined after the merger, as the authorities have explained that the funding scope of HMRF will be expanded, and at the meeting of the Finance Committee held in December last year, the authorities also indicated that 10 additional secretariat staff would be required, as many procedures would be involved in vetting and approving research projects, and quarterly interim reports were to be submitted and overall assessments had to be made upon the completion of projects. In this connection, will the Government inform this Council:

- (a) of the differences between the specific procedures for vetting and approving research projects under HHSRF and RFCID, and those under HMRF which will be set up shortly; whether it has assessed if there is any inadequacy or loophole in the vetting and approving procedures under HHSRF and RFCID; whether the vetting and approving procedures under HMRF are formulated after making reference to the experiences of other similar funds; if so, of the details; if not, how the vetting and approving procedures are drawn up;
- (b) whether submission of quarterly reports and overall assessments upon the completion of

projects are required under HHSRF and RFCID; if so, how such requirements differ from those under HMRF, and how the authorities assessed the manpower requirements involved;

- (c) given that the administrative expenses on the operation of HMRF will mainly be borne by FHB, of the amount to be involved each year; whether there are similar funds the administrative expenses of which are mainly borne by FHB; if there are, of the names of such funds and the respective amounts involved each year;
- (d) given that the authorities have estimated that other administrative expenses directly incurred in operating HMRF, which represent about 1.4% of the fund's total value, will be borne by HMRF itself, of the specific distribution of the expenses involved; how such distribution of expenses compares with the relevant situation under HHSRF and RFCID;
- (e) of the annual additional expenses involved in the provision of additional secretariat staff for HMRF; the respective amounts of such expenses to be borne by FHB and HMRF; and
- (f) whether it has assessed the economic benefits to be brought by HMRF in promoting the medical industry in Hong Kong; if it has, of the specific details; if not, the reasons for that?

重建北角村渡輪碼頭

(8) 譚耀宗議員 (書面答覆)

南丫島北角村碼頭(“碼頭”)於1950年代由村民集資興建，並在1970年代由村民尋求資金重建。在1990年代，碼頭經已由供村民出入及運載貨物使用的街渡碼頭，轉型為來往“榕樹灣－北角村－香港仔”的渡輪碼頭，現時使用碼頭的人數達每日數百人或假日過千人。過去十多年，不少南丫島的地區人士均向本人及政府部門反映，要求將碼頭改建為一個符合標準、安全及設施完善的碼頭。本人曾經在2008年致函發展局，要求跟進重建碼頭一事，而當時的離島民政事務專員回覆，將會與運輸署及其他相關政府部門探討及研究重建的可行性，但當局至今仍未有任何回覆。就此，政府可否告知本會，當局有否計劃重建碼頭；若有，詳情為何(包括計劃將於何時展開、涉及的工程費用，以及整項工程由開始至完工啟用所需的時間等)；若否，原因為何；當局有否措施改善碼頭的安全設施，以符合乘客上落渡輪的安全標準？

Redevelopment of the ferry pier at Pak Kok Tsuen

(8) Hon TAM Yiu-chung (Written Reply)

The pier at Pak Kok Tsuen on Lamma Island (“the pier”) was built in the 1950s by the villagers with funds collected among themselves, and was redeveloped in the 1970s with the funds sought by the villagers. In the 1990s, the pier, which used to be a jetty used by the villagers for travelling to and from the island as well as transportation of goods, was already transformed into a ferry pier for the “Yung Shue Wan — Pak Kok Tsuen — Aberdeen” route, and the current number of passengers using the pier has reached a few hundreds per day or over a thousand during holidays. In the past 10-odd years, quite a number of the local people from Lamma Island had relayed to me and government departments their request to redevelop the pier into one which is up to standard, safe and is equipped with adequate facilities. I had written to the Development Bureau in 2008 requesting it to follow up on the redevelopment of the pier, and the then District Officer (Islands) replied that he would study and examine the feasibility of redeveloping the pier with the Transport Department and other relevant government departments, but the authorities have not given any reply so far. In this connection, will the Government inform this Council whether the authorities have any plan to redevelop the pier; if they have, of the details (including when the plan commences, the costs to be incurred for the works, as well as the time required for the whole works project counting from its commencement to commissioning of the pier, etc.); if not, the reasons for that; whether the authorities have any measure to improve the safety facilities at the pier, so that they will meet the safety

standard for passengers boarding and alighting the ferries?

對銷售人壽保險產品的銀行機構的監管

(9) 梁國雄議員 (書面答覆)

本人最近收到市民投訴，有銀行職員向長者客戶推銷儲蓄人壽保險，涉及未獲授權的個人資料轉移及欺詐等行為。就此，政府可否告知本會：

- (一) 當局有否評估銀行職員濫用客戶的個人資料銷售儲蓄人壽保險，是否違反私隱法例；若有，評估結果為何；
- (二) 鑒於根據現時法例，客戶向銀行購買投資產品前均須填寫風險評估問卷，此規定是否涵蓋儲蓄人壽保險；
- (三) 鑒於有長者家人投訴，銀行職員明知該長者有多份儲蓄人壽保險，仍然游說長者購買新的儲蓄人壽保險，而證券及期貨事務監察委員會及保險業監理處均拒絕受理投訴，政府如何避免類似的事件發生；及
- (四) 鑒於有投訴的市民指儲蓄人壽保險的銷售佣金甚高，惟個別該等產品的風險亦甚高，現時政府對此類產品有何監管？

Regulation of banking institutes engaging in the sale of
endowment insurance products

(9) Hon LEUNG Kwok-hung (Written Reply)

Recently, I have received complaints from members of the public that the sale of endowment insurance by some banking staff to elderly clients has involved practices of unauthorized transfer of personal data and frauds, etc. In this connection, will the Government inform this Council:

- (a) whether the authorities have assessed if the misuse of the clients' personal data by banking staff in the sale of endowment insurance constitutes a breach of the privacy legislation; if they have, of the findings of the assessment;
- (b) given that under the existing legislation, clients are required to fill out investment profile questionnaires prior to the purchase of investment products from banks, whether this requirement covers endowment insurance;
- (c) given that the family members of an elderly person complained that although the banking staff clearly knew that the elderly person concerned had already taken out a number of endowment insurance policies, the banking staff still persuaded the elderly person to take out a new endowment insurance policy, and both the Securities and Futures Commission and the Office of the Commissioner of Insurance refused to handle the complaint, how the Government prevents occurrence of similar incidents; and
- (d) given that some complainants have pointed out that while the commissions on the sale of

endowment insurance products are very high, some of such products also carry high risks, of the Government's regulation of this kind of products at present?

建造業的工業意外

(10) 陳健波議員 (書面答覆)

政府水務署地盤最近發生嚴重工業意外，工人第一日到地盤工作便慘被炸死。近年本港建造業工業意外頻生，單單在上月已經分別有醫院地盤工人活生生被起重機夾死，以及工人慘遭兩條鋼筋貫穿身體等。去年，香港建造業工人在工業意外中死亡的個案較2010年暴升144%，每千名建造業工人的意外死亡率高達0.4宗，較2010年英國只有0.024宗高出接近17倍。此外，2010年香港每千名建造業工人的意外率為52.1宗，較同年美國只有40宗高出超過3成。隨着來年多項大型基建工程(包括港珠澳大橋等)陸續展開，再加上強制檢驗舊樓規定落實，裝修及維修工程的數目將會增加，就加強本港建造業從業員的安全，政府可否告知本會：

- (一) 本港建造業每千人的意外傷亡率至今仍然遠高於外國的原因為何；
- (二) 鑒於去年首3季，勞工處加強了特別執法行動，巡查次數及發出警告的數目比2010年同期分別增加了約一成及兩成，建造業的致命意外數字仍大幅上升的原因為何，是否包括現行執法措施的速度、廣度及深度不足；
- (三) 鑒於現時工人加班超時工作並無規管，只由僱主與工人自行制定，亦有報道懷疑上述工人被鋼筋貫穿重創的意外，與該名工人長時間加班工作導致休息不足有關，當局會否考慮修改勞工法例，規管高風險行業工人加班工作的時間，確保工人能得到足夠休息；去年建

造業引致傷亡的工業意外中，分別有多少宗是在工人加班工作期間發生；

- (四) 鑒於建造業近年吸納了大量外籍工人，去年在港鐵地盤被大石擊中頭部斃命工人為尼泊爾裔，在馬鞍山地盤失足墮斃的紮鐵工人亦為越南裔，當局有否檢討現時對建造業外籍工人的職業安全支援是否足夠；
- (五) 鑒於根據建造業工業意外的類別，“滑倒、絆倒或在同一高度跌倒”及“踏在物件上”引致的意外宗數均有大幅上升的趨勢，當局會否盡快提出有效的改善方法；及
- (六) 鑒於現行《建築地盤(安全)規例》(第59I章)並無規定工人在進行普通挖掘工程前探測地底氣體，在上述水務署地盤發生1死3傷的嚴重工業意外後，當局有否檢討該規例有否不足之處？

Industrial accidents in the construction industry

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

A serious industrial accident occurred recently at a works site of the Government's Water Supplies Department ("WSD") where a worker was killed in an explosion on his first day of work. Industrial accidents occurred frequently in Hong Kong's construction industry in recent years and just last month, a worker was crushed to death by a crane at a hospital's construction site, and the body of a worker was pierced through by two steel reinforcement bars in another accident, etc. Fatal industrial accidents involving construction workers in Hong Kong last year surged by 144% as compared to those in 2010, and the fatal accident rate per 1 000 construction workers was as high as 0.4, which was nearly 17 times the rate of only 0.024 in the United Kingdom in 2010. In addition, the accident rate per 1 000 construction workers in Hong Kong in 2010 was 52.1, which was also higher than the rate of 40 in the United States in the same year by over 30%. Following the commencement of a number of major infrastructure projects (including the Hong Kong-Zhuhai-Macao Bridge, etc.) one after another in the coming year, as well as the implementation of the mandatory requirements for inspection of old buildings, the number of renovation and repair and maintenance works will increase, with regard to enhancing the safety of construction workers in Hong Kong, will the Government inform this Council:

- (a) of the reasons why the accident/injury rates per 1 000 workers in the construction industry in Hong Kong are still much higher than those in foreign countries;

- (b) given that in the first three quarters last year, the Labour Department had stepped up its special enforcement efforts whereby the number of inspections conducted and the number of warnings issued increased respectively by about 10% and 20% when compared to those in the same period of 2010, of the reasons why the number of fatal accidents in the construction industry still increased substantially, and whether such reasons include the current enforcement efforts not being fast enough, broad enough and sufficiently in-depth;
- (c) given that at present there is no regulation of workers' overtime work and employers and employees are left to work it out between themselves, and it has been reported that the aforesaid accident of a worker being seriously injured by steel reinforcement bars piercing through his body was suspected to be related to the worker having to working overtime for a long period and he did not have enough rest, whether the authorities will consider amending the labour law to regulate the overtime working hours for workers engaged in high-risk industries, so as to ensure that workers can have enough rest; and of the respective numbers of industrial accidents resulting in injuries and deaths in the construction industry last year which occurred when the workers were working overtime;
- (d) given that the construction industry has engaged many foreign workers in recent years, and a worker who died after being hit on the head by a falling stone at an MTR construction

site last year was a Nepalese, while a bar bender who slipped and fell to his death at a construction site in Ma On Shan was a Vietnamese, whether the authorities have reviewed if the occupational safety support provided to foreign workers in the construction industry at present is adequate;

- (e) given that among the types of industrial accidents in the construction industry, the numbers of those caused by “slip, trip or fall on same level” and “stepping on object” are increasing of substantially, whether the authorities will put forward effective improvement measures as soon as possible; and
- (f) given that under the existing Construction Sites (Safety) Regulations (Cap. 59I), workers are not required to conduct tests for underground gases before carrying out general excavation works, whether, after the aforesaid serious industrial accident at a works site of WSD resulting in a worker killed and three others injured, the authorities have reviewed if there is any inadequacy in the Regulations?

租者置其屋計劃

(11) 黃國健議員 (書面答覆)

當局在1998至2002年期間，曾推行“租者置其屋計劃”(“租置計劃”)，協助公共屋邨的租戶置業安居。有不少公屋居民向本人反映，希望當局重推租置計劃，並指當年也曾傳出當局已把他們所居住的公共屋邨納入租置計劃，只因2002年11月政府改變房屋政策而告吹。就此，政府可否告知本會：

- (一) 在租置計劃下推售的39個屋邨當中，每個屋邨現時的居民總數，以及分別居於租住單位、及自置單位的人口數目和百分比分別為何；
- (二) 過去5年，每個租置屋邨內曾轉手的自置單位數目；該數目佔該屋邨的自置單位總數的百分比為何；其中有否曾被轉手多於一次；如有，單位數目及轉手次數為何；
- (三) 2002年11月，當時的房屋及規劃地政局局長就“政府的房屋政策”發表聲明時，除在2003年推售的第6期計劃外，還有多少公共屋邨已被納入租置計劃但未正式對外宣布，又或已開展了出售的研究工作，並列出該等屋邨的名稱、類型及原來計劃出售的年份；及
- (四) 鑒於不少居民指他們當年願意編配或調遷至租金較高的新型公共屋邨居住，主要是因為流傳甚至有房屋署職員暗示當局將會出售有關屋邨的單位，但後來卻因政府改變政策而置業無望，當局會否考慮發售當年已被納入租置計

劃但仍未公布，又或已開展預備出售研究工作的公共屋邨單位，讓當年因憧憬可透過租置計劃置業而遷入的居民可以買下自己的居所；如否，原因為何？

The Tenants Purchase Scheme

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

The authorities implemented the Tenants Purchase Scheme (“TPS”) to assist public rental housing (“PRH”) tenants in purchasing their own homes from 1998 to 2002. Quite a number of PRH tenants have relayed to me that they wish the authorities would re-launch TPS, and they also pointed out that it was rumoured at that time that their residing PRH estates had been included in TPS by the authorities, but this was dropped due to a change in the Government’s housing policies in November 2002. In this connection, will the Government inform this Council:

- (a) of the total number of residents in each of the 39 public housing estates with flats sold under TPS at present, and the respective numbers and percentages of persons residing in rental flats and ownership flats;
- (b) of the number of ownership flats in each TPS estate which had been resold in the past five years; the percentage of such number in the total number of ownership flats in that estate; whether any of these flats had been resold more than once; if so, of the number of such flats and the times they had been resold;
- (c) in November 2002, when the then Secretary for Housing, Planning and Lands announced the “Statement on Housing Policies” of the Government, apart from Phase 6 TPS which was launched in 2003, of the number of PRH estates which had been included in TPS but yet to be officially announced or of which the studies on the sale of these estates had

commenced, together with a list of the names and types of such estates and the years in which they were originally scheduled for sale; and

- (d) given that quite a number of residents claimed that they were willing to accept flat allocation at or transfer to new PRH estates of higher rental at that time mainly because it was rumoured and some staff of the Housing Department even hinted that the authorities would sell the flats of the estates concerned, but their hope of home ownership was dashed due to the subsequent change in government policies, whether the authorities will consider selling the PRH flats which had been included in TPS at that time but yet to be announced or the PRH flats on which preparatory studies on the sale of them had commenced, so that residents who have moved into such flats with the hope of home ownership through TPS can purchase the flats they live in; if not, of the reasons for that?

在港鐵車廂安裝閉路電視監察系統

(12) 黃成智議員 (書面答覆)

據報，香港鐵路有限公司(“港鐵公司”)首列內地組裝的列車已於2011年年底運行，列車內設有每卡4個鏡頭、全車共32個鏡頭的閉路電視監察系統(“監察系統”)。香港個人資料私隱專員公署(“公署”)表示，未接獲港鐵公司就使用閉路電視的書面查詢。就此，政府可否告知本會，是否知悉：

- (一) 港鐵公司有否就首列內地組裝的列車、或其他過去或現時運行的列車內的監察系統，知會公署及作出查詢；若有，詳情為何；若否，原因為何；現時有否任何程序或指引，規管公共交通工具(“交通工具”)安裝及使用閉路電視(例如是否必須知會相關政府部門或公署)；
- (二) 由2007年起，每年於港鐵各路線運行的列車數目為何，當中有安裝監察系統的列車數目和百分比分別為何(按年份及路線列出)；港鐵公司有否計劃在沒有安裝監察系統的車卡安裝該等系統；若有，詳情為何；若否，原因為何；
- (三) 港鐵公司在購置列車時的選取機制和考慮條件分別為何；閉路電視是否必要條件；
- (四) 鑒於港鐵公司指監察系統主要用作應付緊急事故，並會按慣例每星期清除影像紀錄，亦會限制可接觸影像的職員類別，但公署指計劃使用閉路電視的機構應先考慮其他可替代、較不侵犯私隱的

方法，並應在閉路電視旁設置清晰告示，讓市民知悉攝錄的事實和理由，以及須依期刪除影像資料及確保資料存放在安全的地方，港鐵公司如何界定應付緊急事故用途；政府及港鐵公司有何制度，確保監察系統的使用範圍及程度不會越界，並防止任何人誤用或濫用監察系統；港鐵公司有否考慮替代方法，以及有否設置告示；

- (五) 鑒於有報道指出，一個關注交通工具風化案的組織早前進行網上調查，收集對港鐵反性暴力措施的意見，結果最多受訪市民認為，港鐵公司應在車廂內增加監察措施(例如閉路電視)，港鐵公司會否把監察系統用於打擊風化案；及
- (六) 本港各類交通工具的車卡或車廂內，有否安裝閉路電視；若有，詳情為何，並列出各類交通工具有裝置閉路電視的車廂數目及佔該類別整體的百分比為何；該等交通工具營辦機構有否就安裝閉路電視的事宜向公署查詢；若有，詳情為何；若否，原因為何；沒有裝置閉路電視的交通工具營辦機構，有否安裝計劃？

Installation of CCTV cameras in MTR train compartments

(12) Hon WONG Sing-chi (Written Reply)

It has been reported that the first mainland-assembled train of the MTR Corporation Limited (“MTRCL”) came into service at the end of 2011, which is equipped with a closed circuit television (“CCTV”) monitoring system with four cameras on each train car and a total of 32 cameras in the whole train. According to the Office of the Privacy Commissioner for Personal Data (“PCPD”), it has not received any written enquiry about the use of CCTVs from MTRCL. In this connection, will the Government inform this Council if it knows:

- (a) whether MTRCL has informed PCPD of and made enquiry about the CCTV monitoring system in its first mainland-assembled train or other trains in service in the past or at present; if it has, of the details; if not, the reasons for that; whether at present there is any procedure or guideline regulating the installation and use of CCTVs on public transport vehicles (e.g. whether the relevant government departments or PCPD must be notified);
- (b) from 2007 onwards, the number of trains in service on each MTR rail line in each year and among them, the number and percentage of trains with CCTV monitoring system installed (list by year and rail line); whether MTRCL has any plan to install CCTV monitoring system on train cars which are not yet equipped with such system; if it has, the details; if not, the reasons for that;

- (c) the selection mechanism adopted and the conditions taken into account by MTRCL in acquiring trains; if CCTV is a necessary condition;
- (d) given that MTRCL has indicated that the CCTV monitoring system is mainly used for coping with emergency incidents, and the recorded images will be erased weekly according to the usual practice, while access to these images is restricted to certain categories of staff, yet according to PCPD, organizations which plan to use CCTVs should first consider other less privacy-intrusive alternatives, post clear notices near CCTV cameras to inform the public of the CCTV monitoring and the reasons for such monitoring, as well as erase the recorded images according to a schedule and ensure safe custody of the records, how MTRCL defines the use for coping with emergency incidents; what mechanism has been put in place by the Government and MTRCL to ensure that the CCTV monitoring systems will not be used beyond the original scope and extent, and to prevent any misuse or abuse of the CCTV monitoring systems; whether MTRCL has considered alternative means, and whether it has posted notices;
- (e) as it has been reported that according to the results of an online survey conducted earlier by a concern group for sex crimes occurred on public transport vehicles to collect public views on MTRCL's measures against sexual violence, most respondents consider that MTRCL should step up monitoring measures such as installing CCTVs in train compartments, whether

MTRCL will use the CCTV monitoring system to curb sex crimes; and

- (f) whether CCTVs are installed in the train cars or compartments of various kinds of public transport vehicles in Hong Kong; if so, of the details, together with the respective numbers of compartments in various categories of public transport vehicles which are equipped with CCTVs and the percentages of such numbers in the total number of train cars or compartments of the respective categories; whether the operators of these public transport vehicles have enquired PCPD in respect of the installation of CCTVs; if they have, of the details; if not, the reasons for that; whether public transport operators which have not installed CCTVs on their vehicles have any plan to install such devices?

微細粒子空氣污染

(13) 余若薇議員 (書面答覆)

世界衛生組織和不少學術研究均指出，微細懸浮粒子(即氣動直徑2.5微米以下的粒子)(“PM2.5”)對人體健康的影響較可吸入懸浮粒子(即氣動直徑10微米以下的粒子)更大。本港現行的空氣質素指標並未將PM2.5列為須量度的污染物，更未有就空氣中PM2.5的濃度訂定指標。就此，政府可否告知本會：

- (一) 政府有否量度PM2.5的濃度；若有，詳情為何；有否向公眾公布；若沒有公布，原因為何；若沒有量度，原因為何；
- (二) 政府有否計劃制訂PM2.5濃度的指標；若有，詳情為何；若否，原因為何；及
- (三) 政府何時才會更新沿用接近25年的空氣質素指標？

Fine particulate air pollution

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

The World Health Organization and many academic studies have pointed out that fine suspended particulates (i.e. particulates of a size smaller than an aerodynamic diameter of 2.5 microns) (“PM2.5”) have greater impact on the health of a person than respirable suspended particulates (i.e. particulates of a size smaller than an aerodynamic diameter of 10 microns). The existing Air Quality Objectives (“AQOs”) in Hong Kong has not included PM2.5 as a pollutant that requires to be measured, and an indicator of the concentration of PM2.5 in the air has not been formulated. In this connection, will the Government inform this Council:

- (a) whether the Government has measured the concentration of PM2.5; if it has, of the details; whether this has been released to the public; if this has not been released, of the reasons for that; if it has not measured the concentration, of the reasons for that;
- (b) whether the Government has any plan to formulate an indicator of the concentration of PM2.5; if it has, of the details; if not, the reasons for that; and
- (c) when the Government will update the AQOs which have been in use for nearly 25 years?

香港在消除性別歧視方面的現況

(14) 劉慧卿議員 (書面答覆)

平等機會委員會(“平機會”)負責執行《性別歧視條例》(第480章)(“《條例》”),以消除基於性別、婚姻狀況及懷孕而產生的歧視。就此,行政機關可否告知本會:

- (一) 是否知悉,過去3年,平機會接獲涉及《條例》的各類別投訴數目和每年的增減變化分別為何;
- (二) 是否知悉,平機會有否針對不同類別的投訴進行教育、宣傳和執法行動,以減少性別歧視;各項行動的成效為何;
- (三) 是否知悉,平機會及教育局會否調查中學、小學、幼稚園及特殊學校有否制訂及執行消除性別歧視(包括性騷擾)的政策,從而知悉有制訂政策的學校的數目、名稱及實施該政策的情況;若學校未有制訂有關政策,教育局會如何跟進;一旦在教育機構內發生性別歧視或性騷擾事件,教育局的角色和責任為何;
- (四) 是否知悉,平機會及教育局會否就各教育機構使用教育局發出的防止性騷擾政策綱要的情況及使用率進行調查;
- (五) 鑒於香港仍未就《條例》制訂教育實務守則,是否知悉平機會及教育局會否跟進制訂該守則的時間表;
- (六) 教育局會否考慮將性別平等及防止性騷擾列為師資及校長培訓課程中的必修科目;及

(七) 有否調查並檢討公眾對性別歧視的認知；若有，詳情為何？

Current situation on the elimination of sex discrimination in
Hong Kong

(14) Hon Emily LAU Wai-hing (Written Reply)

The Equal Opportunities Commission (“EOC”) is responsible for implementing the Sex Discrimination Ordinance (Cap. 480) (“SDO”) to eliminate discrimination on the grounds of sex, marital status and pregnancy. In this connection, will the Executive Authorities inform this Council:

- (a) whether they know the respective numbers of complaints involving discrimination of various types under SDO received by EOC in the past three years and the annual changes in such numbers;
- (b) whether they know if EOC has initiated any education, publicity, and enforcement action with specific focuses on different types of complaints, with a view to reducing sex discrimination; and the effectiveness of such actions;
- (c) whether they know if EOC and the Education Bureau (“EDB”) will conduct surveys on whether secondary schools, primary schools, kindergartens and special schools have drawn up and implemented policies for the elimination of sex discrimination (including sexual harassment), in order to find out the number and names of schools which have such policies in place, as well as the situation of their implementation of such policies; if there is any school which does not have such policies in place, how EDB will follow up; in case of incidents of sex discrimination or sexual

harassment occurring at educational institutions, of the role and responsibilities of EDB;

- (d) whether they know if EOC and EDB will conduct surveys on the application and utilization rates of the Brief Outline on the Policy on Preventing Sexual Harassment issued by EDB at various educational institutions;
- (e) given that Hong Kong has not yet formulated a code of practice on education under SDO, whether they know if EOC and EDB will follow up on a timetable for formulating such a code;
- (f) whether EDB will consider listing gender equality and prevention of sexual harassment as compulsory subjects under teacher and principal training programmes; and
- (g) whether they have conducted any survey and review on public awareness of sex discrimination; if they have, of the details?

保障網上購物消費者的權益

(15) 張學明議員 (書面答覆)

網上購物活動越來越盛行，有不少購物網站設置於境外。關於對在網上購物的消費者提供的保障，政府可否告知本會：

- (一) 政府在近兩年接獲涉及網上購物的投訴有多少宗；當中有多少宗涉及境外的購物網站；
- (二) 現時有何措施監管不符合香港法例所訂明標準的產品經購物網站販賣給本港市民；及
- (三) 長遠而言，會否考慮制定專為監管網上營商活動的法例，以保障消費者？

Protecting the rights of consumers who make online purchases

(15) Hon CHEUNG Hok-ming (Written Reply)

Online purchases have become increasingly popular and quite a number of shopping web sites are set up outside Hong Kong. Regarding the protection afforded to consumers who make online purchases, will the Government inform this Council:

- (a) of the number of complaints involving online purchases received by the Government in the past two years; and among them, the number of those involving offshore shopping web sites;
- (b) of the measures currently in place to monitor the sale of products which do not meet the standards stipulated in the laws of Hong Kong to members of the public in Hong Kong through shopping web sites; and
- (c) in the long run, whether it will consider enacting legislation dedicated to monitoring online trades so as to protect consumers?

減少使用不織布購物袋

(16) 陳淑莊議員 (書面答覆)

去年政府完成就擴大塑膠購物袋環保徵費計劃(“徵費計劃”)諮詢後，環境保護署在提交本會的文件中指出，近七成受訪者支持擴大徵費計劃。據報，自徵費計劃於2009年7月7日實施以來，本港市民紛紛轉用俗稱“環保袋”的不織布袋購物。有業界團體指出，不織布袋的生產量急升96%，而製造一個不織布袋所需的塑膠材料比製造一個背心膠袋為多，在商戶濫發不織布袋的情況下，造成浪費。此外，製造不織布袋的化學品及染料亦會影響環境。就此，政府可否告知本會：

- (一) 過去4年，政府有否統計各政府部門在舉辦活動、推行公眾教育及宣傳政策期間共訂購及派發多少個不織布袋；涉及款項為多少，並按下表列出該等數字；

年份	政府部門	訂購不織布袋數量	派發不織布袋數量	涉及款項
2008				
2009				
2010				
2011				
	總數			

- (二) 現時當局有否制訂指引防止政府部門濫發不織布袋；如有，詳情為何；如否，當局會否考慮制訂有關指引；
- (三) 鑒於過去4年，部分公營機構及議會在不同的活動中派發不織布袋，過去4年，政府及區議會共批出多少項區議會

議員印製不織布袋的撥款申請；涉及款項為多少；政府會否要求相關的機構及議會減少派發不織布袋；如否，原因為何；及

- (四) 政府在擴大徵費計劃時，除擴大涵蓋的範圍至所有零售商外，會否考慮加入額外措施(例如與環保團體合作，向公眾宣傳使用以麻布製造的購物袋取代不織布袋)，或以其他行政措施，防止商戶濫發不織布袋；如會，詳情為何；如否，原因為何？

Reducing the use of non-woven shopping bags

(16) Hon Tanya CHAN (Written Reply)

After the completion of the consultation exercise on the Extension of the Environmental Levy Scheme on Plastic Shopping Bags (“the Scheme”) by the Government last year, the Environmental Protection Department pointed out in its paper submitted to this Council that close to 70% of the respondents supported the extension of the Scheme. It has been reported that since the implementation of the Scheme on 7 July 2009, quite a number of members of the public in Hong Kong have switched to using non-woven shopping bags which are commonly known as “eco-friendly bags”. Some industry groups have pointed out that the production volume of non-woven bags has surged by 96%, and that more plastic materials are needed to make a non-woven bag in comparison with a plastic T-shirt bag, and the excessive distribution of non-woven bags by shop operators has resulted in wastage. In addition, the chemicals and dyes used for producing non-woven bags will also affect the environment. In this connection, will the Government inform this Council:

- (a) whether the Government has compiled statistics on the number of non-woven bags which were ordered and distributed by various government departments in the past four years while organizing activities, conducting public education programmes and publicizing government policies, as well as the amounts of money involved, and list the statistics in the following table;

Year	Government department	Quantity of non-woven bags ordered	Quantity of non-woven bags distributed	Amount of money involved
2008				
2009				
2010				
2011				
Total				

- (b) whether, at present, the authorities have drawn up guidelines to prevent government departments from excessively distributing non-woven bags; if they have, of the details; if not, whether the authorities will consider drawing up the relevant guidelines;
- (c) given that in the past four years, some public organizations and councils had distributed non-woven bags in various activities, of the total number of applications submitted by District Council (“DC”) members for funds to print non-woven bags which were approved by the Government and DCs in the past four years, as well as the amounts of money involved; whether the Government will request the relevant organizations and councils to reduce the distribution of non-woven bags; if it will not, of the reasons for that; and
- (d) in the course of extending the Scheme, whether the Government will, apart from extending the scope of the Scheme to all retailers, consider introducing additional measures (e.g. cooperating with environmental groups in publicizing the use of linen shopping bags to replace non-woven bags), or adopting other administrative measures, in order to prevent shop operators from excessively distributing

non-woven bags; if it will, of the details; if it will not, the reasons for that?

准許在香港實施安樂死

(17) 陳偉業議員 (書面答覆)

過去多年，不少市民向本人反映，希望政府批准該些病況處於末期的病人安樂死(根據香港醫務委員會的《香港註冊醫生專業守則》，安樂死指“直接並有意地使一個人死去，作為提供的醫療護理的一部分”)。就此，政府可否告知本會：

- (一) 是否知悉，過去3年醫院管理局每年接獲市民要求進行安樂死的個案數目為何；
- (二) 過去3年，當局有否就安樂死合法化及具體施行準則進行研究；若有，研究結果為何；若否，原因為何；及
- (三) 鑒於據瞭解，現時部分美國州份及歐洲國家，容許末期病患者在清醒的情況下向醫生要求施行安樂死，經多名醫生評估確定後，醫生會處方致命藥物讓病人自行服食，政府會否參考該等國家的政策，就本港應否准許安樂死諮詢公眾，並進行進一步的研究；若會，詳情為何；若否，原因為何？

Permitting euthanasia in Hong Kong

(17) Hon Albert CHAN Wai-yip (Written Reply)

In the past few years, quite a number of members of the public have relayed to me their wish that the Government would permit euthanasia (which, according to the Code of Professional Conduct for the Guidance of Registered Medical Practitioners of the Medical Council of Hong Kong, is defined as “direct intentional killing of a person as part of the medical care being offered”) be performed on terminally ill patients. In this connection, will the Government inform this Council:

- (a) whether it knows the numbers of requests for euthanasia from members of the public received by the Hospital Authority in each of the past three years;
- (b) whether the authorities had conducted any study in the past three years on the legalization of euthanasia and the specific criteria for performing euthanasia; if they had, of the outcome of the study; if not, the reasons for that; and
- (c) given that it is understood that certain states of the United States and some European countries now permit a terminally ill patient in clear consciousness to request his doctor to perform euthanasia on him and, upon confirmation by several doctors after assessments, the doctor will prescribe lethal drugs for consumption by the patient on his own initiative, whether the Government will draw reference from the policies adopted in these countries and conduct public consultation on whether euthanasia

should be permitted in Hong Kong as well as carry out a further study; if it will, of the details; if not, the reasons for that?

大型私人屋苑成立業主立案法團

(18) 梁美芬議員 (書面答覆)

按照現行的《建築物管理條例》(第344章)(“《條例》”)第8(1A)條：“凡一份公契就某建築物而有效，土地註冊處處長不得就該建築物向多於一個法團發出註冊證書”。現時本港某些超大型私人屋苑(例如黃埔花園、美孚新邨和麗港城等)，大廈座數及居民眾多，而全屋苑卻只有一份公契，因此根據《條例》，這些擁有近萬名居民的超大型私人屋苑各自只能成立一個業主立案法團(“法團”)。就此，政府可否告知本會：

- (一) 現時本港有超過30幢大廈的大型私人屋苑中，仍未成立法團的屋苑數目及名稱分別為何；
- (二) 是否知悉，第(一)項未成立法團的大型私人屋苑中，有關業主有否嘗試成立法團；若有，他們在成立法團時遇到甚麼困難，以致無法成功；鑒於現時《條例》第4(10)條規定，議決成立法團的會議必須有10%或以上業主出席，才符合法定人數，這是否他們在籌備成立法團時遇到的困難之一；而即使屋苑能夠成立法團，有關法團在維持其日常運作及召集開會方面有否遇到困難；
- (三) 現時當局在協助大型私人屋苑業主成立法團方面，會提供甚麼協助，有否包括提供法律意見或支援；對於那些在成立法團方面遇到困難的大型私人屋苑業主，當局曾否提供任何協助；若有，詳情為何；及

- (四) 當局有否考慮修改《條例》中就一份公契只能成立一個法團的規定，容許只得一份公契的超大型私人屋苑按大廈座數或發展期數，分拆成立多個法團？

Formation of owners' corporations in large private housing estates

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

In accordance with section 8(1A) of the existing Building Management Ordinance (Cap. 344) ("the Ordinance"), "[t]he Land Registrar shall not issue a certificate of registration to more than one corporation for a building in respect of which a deed of mutual covenant is in force". At present, certain mega private housing estates in Hong Kong (e.g. Whampoa Garden, Mei Foo Sun Chuen and Laguna City, etc.) with a large number of building blocks and residents, are each covered under only one deed of mutual covenant ("DMC") for the entire estate, thus under the Ordinance, only one owners' corporation ("OC") can be formed in respect of the respective mega private housing estates each with nearly 10 000 residents. In this connection, will the Government inform this Council:

- (a) of the number and names of those large private housing estates in Hong Kong which comprise more than 30 blocks and still do not have an OC at present;
- (b) whether it knows if the owners of the large private housing estates in (a) which do not have an OC have made any attempt to form an OC; if they have, of the difficulties encountered by them in the course of forming an OC that had rendered their efforts in vain; given that at present, section 4(10) of the Ordinance requires that a quorum of at least 10% of the owners be present at any meeting resolving to form an OC, whether this was one of the difficulties that they encountered when they were preparing for

the formation of an OC; and even for those housing estates where an OC can be formed, whether the OCs concerned have encountered difficulties in maintaining their daily operation and convening meetings;

- (c) what assistance the authorities will offer to the owners of the large private housing estates in order to facilitate their formation of OCs, and whether such assistance includes the provision of legal advice or support; whether the authorities have ever given any assistance to those owners of large private housing estates who encountered difficulties in forming OCs; if they have, of the details; and
- (d) whether the authorities have considered amending the provision under the Ordinance which requires that only one OC may be formed in respect of each DMC, so as to allow those mega private housing estates with only one DMC to split and form many different OCs according to the number of building blocks or development phases?

公立醫院的重建及擴建

(19) 陳克勤議員 (書面答覆)

據報，醫院管理局(“醫管局”)未有具體計劃重建瑪麗醫院及廣華醫院，但上述兩間醫院均為其聯網內重要的急症醫院，加上落成及投入服務多年，醫院的設計早已不能配合現今的運作需要，影響醫護人員的工作效率及提供服務的質素，亦對病人構成不便。就此，政府可否告知本會：

- (一) 是否知悉，未來3個財政年度，醫管局預計展開的各項基本工程項目(包括名稱、內容、地點和涉及的開支等，並詳細以表列出該等資料)；
- (二) 是否知悉，過去3年，醫管局為每間公立醫院進行維修保養的開支為何，並按醫院名稱以表列出分項數字；
- (三) 是否知悉，醫管局有否任何計劃，在短期內改善瑪麗醫院及廣華醫院的環境；若有，詳情為何，以及在工程展開期間，如何減少對醫護人員及病人的影響；若否，原因為何；會否在現階段先就重建或擴建上述兩間醫院進行前期研究，以便日後可縮短工程所需時間；
- (四) 是否知悉，醫管局在評估重建或擴建醫院時，會考慮哪些因素，以及如何定出優先次序；及
- (五) 鑒於現時政府財政較為充裕，政府會否率先預留款項予醫管局作重建或擴建醫院之用，並要求醫管局作出長遠規劃，以應付未來的服務需求？

Redevelopment and expansion of public hospitals

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

It has been reported that the Hospital Authority (“HA”) does not have any specific plan to redevelop the Queen Mary Hospital (“QMH”) and Kwong Wah Hospital (“KWH”), yet as both of them are major acute hospitals in their respective hospital clusters and have been completed and commissioned for years, their designs have long been unable to cater for the operation needs of the present day, thus affecting the work efficiency of healthcare staff as well as the quality of the services provided, and causing inconvenience to patients. In this connection, will the Government inform this Council:

- (a) whether it knows the various capital works projects (with the relevant information including the project title, description, location and expenditure incurred, etc. set out in detail in table form) to be taken forward by HA in the coming three financial years;
- (b) whether it knows the respective expenditure on maintenance and repairs incurred by HA for each public hospital in the past three years, with a breakdown (in table form) by name of hospital;
- (c) whether it knows if HA has any plan to improve the respective environment of QMH and KWH in the near future; if it has, of the details and the way to reduce the impacts on the healthcare staff and patients when the works projects are in progress; if not, the reasons for that; whether preliminary studies will first be conducted on the redevelopment or expansion

of QMH and KWH at the current stage so that the time required for the works projects can be reduced in future;

- (d) whether it knows the factors to be considered by HA in assessing the redevelopment or expansion of hospitals, and how priorities are set; and
- (e) given the Government's relatively strong financial position at present, whether the Government will take the lead to earmark funds for HA to redevelop or expand its hospitals, and request HA to make long-term planning to meet its future service needs?

本港的空氣質素

(20) 甘乃威議員 (書面答覆)

有環保團體就本港的空氣質素及空氣質素指標進行研究，指出根據世界衛生組織(“世衛”)就空氣中微細懸浮粒子(即氣動直徑2.5微米以下的粒子)(“PM2.5”)數值的城市排名，在566個城市中，香港位列第559位(即倒數第8位)。就此，政府可否告知本會：

- (一) 本港現有的3個路邊及11個一般空氣質素監測站在過去10年有否每年收集PM2.5的數據；若有，詳情為何；若否，原因為何，以及將來會否持續地收集該等數據；
- (二) 是否知悉，根據世衛或其他國際機構或組織的統計資料，本港的各種空氣污染物(例如PM2.5、可吸入懸浮粒子、二氧化硫及二氧化氮等)的數值，與世界各城市的相關數值如何比較(例如在各城市中的排名為何)；若知悉，詳情為何；
- (三) 鑒於現時本港的空氣質素指標並未涵蓋PM2.5，政府會否把PM2.5數值納入空氣質素指標，並主動向公眾公開有關數據；若會，詳情及具體時間表為何；若否，原因為何；及
- (四) 鑒於在去年5月19日及6月8日，行政長官及環境局局長分別先後於本會的答問會及本會會議上表示，將於2011年內就新的空氣質素指標作出公布，讓社會一起討論，但至今政府仍未提出新的空氣質素指標，原因為何；行政長官於答問會上表示會作出公布的理據為何，以

及當時更新空氣質素指標的工作進度及詳情為何；其後工作進度及詳情是否有所改變而未能作出公布；若是，現時的工作進度、詳情及時間表為何；政府會否要求相關的政治任命官員為未能如行政長官所言於2011年內提出新的空氣質素指標而承擔政治責任？

Hong Kong's air quality

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

An environmental group has conducted a study on Hong Kong's air quality and Air Quality Objectives ("AQOs"), pointing out that according to the ranking of cities released by the World Health Organization ("WHO") in respect of the value of fine suspended particulates (i.e. particulates of a size smaller than an aerodynamic diameter of 2.5 microns) ("PM2.5") in the air, Hong Kong is ranked the 559th (i.e. the bottom eighth) among 566 cities. In this connection, will the Government inform this Council:

- (a) whether the existing three roadside monitoring stations and 11 general monitoring stations in Hong Kong had collected data on PM2.5 in each of the past 10 years; if they had, of the details; if not, the reasons for that, and whether such data will be collected continuously in the future;
- (b) whether it knows, according to the statistical data of WHO and other international institutions or organizations, how the values of various types of air pollutants (e.g. PM2.5, respirable suspended particulates, sulphur dioxide and nitrogen dioxide, etc.) in Hong Kong compare with the relevant values in various cities in the world (e.g. of its ranking among various cities); if it knows, of the details;
- (c) given that the current AQOs of Hong Kong do not cover PM2.5, whether the Government will include the value of PM2.5 in the AQOs, and proactively release the relevant data to the

public; if it will, of the details and the specific timetable; if not, the reasons for that; and

- (d) given that on 19 May and 8 June last year, the Chief Executive and the Secretary for the Environment respectively said at the Chief Executive's Question and Answer Session and the meeting of this Council that announcements on the new AQOs would be made within 2011 for discussion by the whole community, but so far the Government has not yet put forward the new AQOs, of the reasons for that; of the justifications for the Chief Executive to indicate at the Question and Answer Session that announcements would be made, and the progress and details of updating the AQOs at that time; whether there was any subsequent change regarding the work progress and details so that it could not make the announcements; if so, of the present work progress, details and timetable; whether the Government will require the relevant politically appointed officials to assume political responsibility for failing to put forward the new AQOs within 2011 as the Chief Executive had mentioned?