

立法會

Legislative Council

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提問者：

- (1) 梁家騮議員 (口頭答覆)
- (2) 湯家驊議員 (口頭答覆) (新的質詢)
(取代其原先提出的質詢)
- (3) 陳克勤議員 (口頭答覆)
- (4) 余若薇議員 (口頭答覆) (新的質詢)
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- (5) 劉慧卿議員 (口頭答覆) (新的質詢)
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- (6) 陳茂波議員 (口頭答覆)
- (7) 梁家傑議員 (書面答覆)
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- (19) 林大輝議員 (書面答覆) (新的質詢)
(取代其原先提出的質詢)
- (20) 謝偉俊議員 (書面答覆) (新的質詢)
(取代其原先提出的質詢)

註 :

NOTE :

議員將採用這種語言提出質詢

Member will ask the question in this language

查核登記選民的住址

(2) 湯家驊議員 (口頭答覆)

有傳媒報道，去年揭發區議會選舉“種票”事件後，選舉事務處早前透過不同的查核途徑選出29萬名選民，向他們發出查訊信件，要求他們確認是否仍居住於選民登記冊上的住址，以及提供住址證明。報道指出，回覆期結束後，只有約3萬8千人回覆，約有25萬名選民未有回信。就此，政府可否告知本會：

- (一) 按6種查核途徑(包括隨機抽樣查核、透過政府部門核實選民的登記住址、去年區議會選舉和選舉委員會界別分組選舉退回的投票通知卡、區議會選舉涉及懷疑虛假住址的投訴個案、區議會(第二)功能界別選民登記退回的信件及其他途徑)列出上述29萬封信件的分項數目；按該6種查核途徑列出上述25萬名未有回信的選民的分項數字；如未能提供該等資料，原因為何；
- (二) 上述25萬名未有回覆選舉事務處信件及遞交住址證明的選民，會否因此喪失投票資格；若會，當局根據甚麼法例或權力取消該等選民的投票資格；鑒於報道指選舉事務處的資料顯示，2011年及2010年分別有7萬6千及2萬7千人被剔除於選民登記冊外，而2009年、2008年及2007年則分別有6萬、9萬1千及3萬3千人被取消選民資格，當局基於甚麼原因剔除他們於選民登記冊外；若不能提供該等資料，原因為何；及
- (三) 自報章於2011年11月揭發“種票”事件後，至今政府發現了多少宗可疑個案；已就多少宗個案展開調查；有否提出檢控；若否，原因為何？

Verification of residential addresses of registered electors

- (2) Hon Ronny TONG Ka-wah (Oral reply)

It has been reported in the media that after the uncovering of “vote rigging” incidents in last year’s District Council Election, the Registration and Electoral Office (“REO”) had, through various verification means, selected 290 000 electors and issued inquiry letters to them, requesting them to confirm whether they were still residing in the residential addresses as registered in the register of electors by providing proof of their residential addresses. The reports have pointed out that after the deadline for giving replies, REO only received about 38 000 replies and about 250 000 electors have not yet replied. In this connection, will the Government inform this Council:

- (a) of a breakdown of the aforesaid 290 000 letters by the six verification means (including random checks, verification of electors’ registered addresses through government departments, undelivered poll cards in last year’s District Council Election and Election Committee Subsector Elections, complaints concerning suspected false addresses in the previous District Council Election, undelivered letters in the elector registration exercise for the District Council (second) functional constituency, and other means); a breakdown, by the six verification means, of the aforesaid 250 000 electors who have not yet replied; if such information cannot be made available, the reasons for that;
- (b) whether the aforesaid 250 000 electors who have not replied to REO’s letters to submit proof of their addresses will thus be disqualified from voting; if so, of the legislation or the power under which the authorities disqualify these electors from voting; as it has been reported that according to REO’s information, 76 000 and 27 000 electors were omitted from the register of

electors respectively in 2011 and 2010, while 60 000, 91 000 and 33 000 electors were disqualified in 2009, 2008 and 2007 respectively, of the reasons why the authorities had omitted them from the register; if such information cannot be made available, the reasons for that; and

- (c) of the number of suspected cases discovered by the Government so far after the uncovering of the “vote rigging” incidents by the press in November 2011; the number of cases into which investigation has been launched; whether prosecutions have been instituted; if not, of the reasons for that?

政治助理的政治聯繫工作

(4) 余若薇議員 (口頭答覆)

政府在2008年進一步發展政治委任制度。在政治委任制度下，政治助理其中一項職能為政治聯繫。就此，政府可否告知本會：

- (一) 過去4年，各決策局的政治助理分別聯絡立法會議員所屬的13個政治團體(包括民主建港協進聯盟、民主黨、公民黨、經濟動力、專業會議、香港工會聯合會、香港職工會聯盟或工黨、自由黨、社會民主連線或人民力量、街坊工友服務處、香港民主民生協進會、新民黨及港九勞工社團聯會)及其他獨立議員的次數，並以表列形式提供分項資料；
- (二) 過去4年，各決策局的政治助理分別出席聯繫第(一)項所述的立法會議員所屬的13個政治團體及其他獨立議員的活動的名稱及詳情，並以表列形式提供分項資料；及
- (三) 鑒於政府自2008年進一步發展政治委任制度至今，並未曾檢討政治助理的職能及其工作效率，政府會否就此進行全面諮詢；如會，時間表為何；如否，原因為何？

Political liaison conducted by Political Assistants

(4) Hon Audrey EU Yuet-mee (Oral reply)

The Government further developed its Political Appointment System in 2008. Under the Political Appointment System, one of the functions of Political Assistants is political liaison. In this connection, will the Government inform this Council:

- (a) of the respective number of times that the Political Assistants of various policy bureaux had in the past four years liaised with the 13 political groups to which Legislative Council Members belonged (including the Democratic Alliance for the Betterment and Progress of Hong Kong, the Democratic Party, the Civic Party, the Economic Synergy, the Professionals Forum, the Hong Kong Federation of Trade Unions, the Hong Kong Confederation of Trade Unions or the Labour Party, the Liberal Party, the League of Social Democrats or People Power, the Neighbourhood and Worker's Service Centre, the Hong Kong Association for Democracy and People's Livelihood, the New People's Party and the Federation of Hong Kong and Kowloon Labour Unions) and with other independent Members, with a breakdown of the figures in table form;
- (b) of the respective titles and details of the activities attended by the Political Assistants of various policy bureaux in the past four years for the purpose of liaising with the 13 political groups to which Legislative Council Members belonged as mentioned in (a) and with other independent Members, with a breakdown of the information in table form; and
- (c) given that to date, the Government has not reviewed the functions and the work efficiency of Political Assistants since it further developed the Political Appointment System in 2008, whether the Government will conduct a

comprehensive consultation on the issue; if it will, of the timetable; if not, the reasons for that?

大專院校的性騷擾事件

(5) 劉慧卿議員 (口頭答覆)

死因裁判法庭最近進行研訊，個案涉及大學職員懷疑被高層職員性騷擾的事件。本年5月，傳媒又披露該大學有職員投訴遭高層職員性騷擾，並對大學處理事件的手法表示不滿。就教育資助委員會資助院校(下稱“院校”)處理性騷擾問題的制度和手法，行政機關可否告知本會，是否知悉：

- (一) 過往3年，每間院校接獲有關性騷擾的查詢數目、投訴個案數目及投訴成立的個案數目分別為何，並列出投訴成立個案的被投訴人士受到的懲處；對於事主沒有正式作出書面投訴但校方得悉的個案，各院校有否作記錄；若有，各院校所記錄的個案數目為何；
- (二) 對於涉嫌性騷擾事件，各院校有否設立機制，讓校方評估事件的嚴重性，並在有需要時，即使沒有事主或目擊者的正式投訴，亦可作出主動調查；及
- (三) 各院校有何措施確保其預防及處理性騷擾的政策能有效執行；在院校的校長和副校長中，曾接受處理性騷擾培訓的人數和百分比和培訓時數為何；院校的管理人員基於校譽或其他考慮，不恰當地處理涉嫌性騷擾事件或漠視事件，使當事人不作出正式投訴，他們會否受到校方懲處；哪些院校容許投訴人安排律師陪同出席校內聆訊；以及處理性騷擾投訴的委員會或秘書處處處理不當或漠視事件，會否受到校方懲處？

Sexual harassment in tertiary institutions

(5) Hon Emily LAU Wai-hing (Oral Reply)

The Coroner's Court has recently inquired into a case which involves an incident of a university staff member suspected of being sexually harassed by a high-ranking officer of the university. In May this year, the media again revealed that a staff member of that university had complained against her being sexually harassed by a high-ranking officer and expressed dissatisfaction about the university's approach in handling the incident. In connection with the system and approach adopted by University Grants Committee-funded institutions ("institutions") in handling the problem of sexual harassment, will the Executive Authorities inform this Council whether they know:

- (a) the respective numbers of enquiries and complaints relating to sexual harassment received by each institution in the past three years, together with the number of substantiated cases and the penalties imposed on the persons under complaint in substantiated cases; whether the various institutions had documented those cases known to them although the victims had not made any formal written complaint; if they had, the numbers of cases recorded by the various institutions;
- (b) whether the various institutions have set up mechanisms to facilitate their assessment of the seriousness of incidents of alleged sexual harassment and to enable them to proactively launch investigation, if necessary, into such cases even in the absence of formal complaints from the victims or eye-witnesses; and
- (c) the measures adopted by the various institutions to ensure effective implementation of their policies on prevention and handling of sexual harassment; the number and percentage of the heads and deputy heads of the institutions who have received training in handling sexual

harassment, as well as the number of training hours; whether the management staff of the institutions who improperly handle or ignore incidents of alleged sexual harassment for the sake of reputation of the institutions or other considerations, thus making the victims refrain from lodging formal complaints, are subject to disciplinary actions of their institutions; which institutions allow the complainants to arrange the company of lawyers in attending internal hearings; and whether the committee or secretariat which handles sexual harassment complaints improperly or ignore such incidents is subject to disciplinary actions of its institution?

中一學位的分配

(13) 梁國雄議員 (書面答覆)

最近，有不少小學學生家長(尤其是沙田馬鞍山區)及家長教師會成員向本人反映，他們的子女準備在本年9月升讀中一，他們子女現時就讀的小學的教師，為求提高其學生升讀收錄大部分屬第一派位組別(“組別”)的中一學生的學校(“第一組別學校”)的比率，以威逼利誘的手法，要求家長在自行分配學位階段及統一派位階段選擇小學班主任所建議的中學。該等家長又指出，該等老師刻意抹黑或貶低某些中學，令家長接納其意見。當中不少家長向本人反映，學校與家長對各組別評級的理解各有不同，教育局亦沒有提供各組別的中學名單，令學校與家長無所適從，並產生不同的衝突。就此，政府可否告知本會：

- (一) 政府會否改變現時的制度，在中學完成自行分配學位的一部分後，立刻將結果通知學生及家長，不需他們再為統一派位的選擇而煩惱，或與小學老師發生不必要的衝突；若會，何時執行；若否，原因為何；
- (二) 政府有否措施監管現時的小學老師，以免他們為求提高其小學學生升讀第一組別學校的比率，以不同的手法，妄顧家長的意願及學生的能力，要求家長在自行分配學位階段及統一派位階段選擇老師所建議的中學，同時更誤導家長，抹黑或貶低某些中學，令家長接納其意見；若有，詳情為何；若否，原因為何；
- (三) 過去3年，教育局將小學學生派往沙田、大埔、北區及西貢的第一、第二及第三組別的學校的百分比分別為何，並按下表列出分項數字；及

年份	地區	中學名稱	收錄屬第一派位組別(“組別”)的中一學生數目佔該組別的學生總數的百分比	收錄屬第二組別的中一學生數目佔該組別的學生總數的百分比	收錄屬第三組別的中一學生數目佔該組別的學生總數的百分比

- (四) 政府會否立即將每年各中學分別收錄第一、第二及第三組別中一學生的百分比上載到教育局的網頁，以便家長查閱；若會，何時執行；若否，原因為何？

Allocation of Secondary One places

(13) Hon LEUNG Kwok-hung (Written reply)

Recently, quite a number of parents of primary students, in particular those in Ma On Shan of Sha Tin, and members of Parent-Teacher Associations have relayed to me that the teachers in the primary schools of their children who will move up to Secondary One (“S1”) in September this year have called on them, with coercion and inducement, to choose the secondary schools recommended by the class teachers during the discretionary places allocation stage and central allocation stage, with a view to increasing the percentage of their students moving up to those secondary schools (“top band schools”) which admit mainly S1 students belonging to Band One. These parents have also pointed out that those teachers have deliberately smeared or played down certain secondary schools in order to make the parents accept the teachers’ recommendations. Quite a number of these parents have relayed to me that schools and parents have different interpretations about school banding while the Education Bureau (“EDB”) has not provided the list of secondary school of various banding, leaving the schools and parents not knowing what to follow, as well as giving rise to various disputes. In this connection, will the Government inform this Council:

- (a) whether the Government will make changes to the existing system to inform students and parents of the outcome immediately upon the completion of the discretionary places allocation stage by secondary schools, so that parents and students need not worry about their choices of schools at the central allocation stage any more or have unnecessary disputes with the primary school teachers; if it will, of the time to do so; if not, the reasons for that;
- (b) whether the Government has any measure in place to monitor serving primary school teachers to prevent them from adopting different

approaches to request parents to choose the secondary schools recommended by the teachers during the discretionary places allocation stage and central allocation stage, oblivious to parents' wishes and students' abilities, and also to prevent such teachers from misleading the parents into accepting their recommendations by smearing or playing down certain secondary schools, with a view to increasing the percentage of their primary students moving up to top band schools; if it has, of the details; if not, the reasons for that;

- (c) of the respective percentages of primary students being allocated by EDB to secondary schools belonging to Bands One, Two and Three in Sha Tin, Tai Po, the North District and Sai Kung in the past three years, with a breakdown in the table below; and

Year	District	Name of secondary school	Percentage of the number of admitted S1 students belonging to Band One in the total number of students in this band	Percentage of the number of admitted S1 students belonging to Band Two in the total number of students in this band	Percentage of the number of admitted S1 students belonging to Band Three in the total number of students in this band

- (d) whether the Government will immediately upload to the web site of EDB the respective percentages of S1 students belonging to Bands One, Two and Three admitted to various secondary schools each year to facilitate access by parents; if it will, of the time to do so; if not, the reasons for that?

餐飲業的經營環境

(19) 林大輝議員 (書面答覆)

有不少本港餐飲業人士向本人反映，本港通脹問題日益嚴重，商舖租金和食材價格不斷上升，加上法定最低工資的實施，引致食肆的經營成本持續增加，餐飲業要面對被迫加價、裁員及結束營業的壓力。就此，政府可否告知本會：

- (一) 過去5年，每年食肆開張及結束營業的數目為何，並按食肆類別列出分項數字；
- (二) 過去5年，每年餐飲業的從業員人數為何，並按食肆類別列出分項數字；
- (三) 過去5年，每年餐飲業共有多少宗勞資糾紛、涉及金額和受影響的僱員人數分別為何，並按食肆類別列出分項數字；
- (四) 是否知悉，自2003年7月“個人遊”計劃推行以來，每年“個人遊”旅客為本港不同類別的食肆帶來的收益為何；
- (五) 是否知悉，過去5年，每年香港市民在不同類別的食肆消費的總額為何，以及市民在不同類別食肆的消費平均佔其收入的百分比為何；
- (六) 有否評估法定最低工資的實施對不同類別食肆的經營成本和人手產生甚麼影響；如有，詳情為何；如否，原因為何；
- (七) 有否評估，過去5年，本港商舖租金的變動對不同類別食肆的經營成本和盈利產生甚麼影響；如有，詳情為何；如否，原因為何；
- (八) 有否評估，過去5年，食材價格的變動對不同類別食肆的經營成本和盈利產

生甚麼影響；如有，詳情為何；如否，原因為何；

- (九) 現時各類食肆辦理所需牌照一般需要的時間為何；會否研究進一步簡化有關程序以縮短辦理時間；如會，詳情為何；如否，原因為何；
- (十) 過去5年，有何針對性支援本港餐飲業持續經營和發展的措施；及
- (十一) 有否評估現時餐飲業面對甚麼經營和持續發展的困難和機會，從而推出針對性的政策和措施去協助業界解決困難和把握機會？

The operating environment of the catering industry

(19) Dr Hon LAM Tai-fai (Written reply)

Quite a number of members of Hong Kong's catering industry have relayed to me that the inflation problem in Hong Kong has become increasingly serious, with continuous rising shop rents and prices of food materials, and coupled with the implementation of the statutory minimum wage, the operating costs of food establishments continue to increase; the catering industry has to face the pressure of raising prices, laying off staff and closing down businesses. In this connection, will the Government inform this Council:

- (a) of the respective numbers of food establishments newly opened and closed down in each of the past five years, together with a breakdown by type of food establishments;
- (b) of the respective number of people engaged in the catering industry in each of the past five years, together with a breakdown by type of food establishments;
- (c) of the respective total numbers of labour disputes in the catering industry in each of the past five years, the amounts involved and the numbers of employees affected, together with a breakdown by type of food establishments;
- (d) whether it knows the revenues brought to different types of food establishments in Hong Kong by visitors under the Individual Visit Scheme ("IVS") each year since the implementation of IVS in July 2003;
- (e) whether it knows the total amount spent by members of the public in Hong Kong in different types of food establishments in each of the past five years, and the average percentage of the amount spent by members of the public in different types of food establishments in their income;

- (f) whether it has assessed the impact of the implementation of the statutory minimum wage on the operating costs and manpower of different types of food establishments; if it has, of the details; if not, the reasons for that;
- (g) whether it has assessed the impact of changes in shop rents in Hong Kong on the operating costs and profits of different types of food establishments in the past five years; if it has, of the details; if not, the reasons for that;
- (h) whether it has assessed the impact of changes in the prices of food materials on the operating costs and profits of different types of food establishments in the past five years; if it has, of the details; if not, the reasons for that;
- (i) of the time normally taken at present for processing the required licences for various types of food establishments; whether it will conduct a study on further simplifying the relevant procedures to shorten the processing time; if it will, of the details; if not, the reasons for that;
- (j) of the targeted measures put in place in the past five years to support the continuous operation and development of the catering industry in Hong Kong; and
- (k) whether it has assessed the difficulties and opportunities in operations and sustainable development faced by the catering industry at present, so as to introduce targeted policies and measures to help the industry resolve the difficulties and seize the opportunities?

強制性公積金計劃的收費比率

(20) 謝偉俊議員 (書面答覆)

據報，本港僱員及自僱人士每年支付強制性公積金(“強積金”)受託人63.5億元，收費率高達1.74%，冠絕可比較的發展成熟國家(包括新加坡、澳洲、英國及智利)。報道引述的基金經理，更指1.8%的收費絕對算高，以及過去數年強積金表現強差人意，每每有蝕無賺，政府要採取行動，不可讓受託人盡賺，特別是這生意在愈後期利潤愈大。就此，政府可否告知本會：

- (一) 政府有否瞭解現時強積金收費冠絕上述地區的原因，以及評估強積金收費是否合理；有否依據市民對強積金收費的滿意程度及整個強積金計劃的成效，評估強積金落實情況，並考慮整個計劃的存廢；如有，評估結果為何；如否，原因為何，以及會否盡快評估；
- (二) 有否估計“強積金半自由行”(即“僱員自選計劃”)政策，將可使強積金收費下調至甚麼水平；及
- (三) 除“強積金半自由行”政策外，有何新政策及措施使強積金收費盡快下調，以保障市民的供款？

Charging rates of Mandatory Provident Fund schemes

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

It has been reported that employees and self-employed persons in Hong Kong paid \$6.35 billion a year to Mandatory Provident Fund (“MPF”) trustees at a charging rate as high as 1.74%, which is the highest among comparable developed countries (including Singapore, Australia, the United Kingdom and Chile). The fund manager quoted in the report even pointed out that a charging rate of 1.8% was absolutely high, and the performance of MPF in the past few years had been far from satisfactory, always resulting in losses rather than gains, and that the Government had to take actions to prevent the trustees from maximizing their profits, especially because the profits generated from this business would become increasingly substantial towards the later stage. In this connection, will the Government inform this Council:

- (a) whether the Government has looked into the reasons why MPF charges at present are the highest among the aforesaid regions; whether it has assessed if MPF charges are reasonable; whether it has assessed the implementation of MPF and considered the abolition or otherwise of the entire MPF Scheme based on the level of satisfaction towards MPF charges and the effectiveness of the entire Scheme of members of the public; if it has, of the outcome of such assessment; if not, the reasons for that and whether it will conduct an assessment as soon as possible;
- (b) whether it has estimated the level to which MPF charges may be lowered under the “MPF Semi-portability” (i.e. the “Employee Choice Arrangement”) policy; and
- (c) of the new policy and measures in place, besides the “MPF Semi-portability” policy, to expeditiously lower MPF charges so as to protect the contributions of members of the public?