

立法會

Legislative Council

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定於2012年7月11日立法會會議上提出的質詢

提問者：

- (1) 劉健儀議員 (口頭答覆)
- (2) 譚耀宗議員 (口頭答覆)
- (3) 梁國雄議員 (口頭答覆)
- (4) 梁家傑議員 (口頭答覆) (新的質詢)
(取代其原先提出的質詢)
- (5) 涂謹申議員 (口頭答覆) (新的質詢)
(取代其原先提出的質詢)
- (6) 張文光議員 (口頭答覆)
- (7) 李華明議員 (書面答覆)
- (8) 何俊仁議員 (書面答覆)
- (9) 黃國健議員 (書面答覆)
- (10) 陳克勤議員 (書面答覆)
- (11) 梁國雄議員 (書面答覆)
- (12) 黃成智議員 (書面答覆)
- (13) 劉慧卿議員 (書面答覆)
- (14) 涂謹申議員 (書面答覆)
- (15) 張國柱議員 (書面答覆)
- (16) 謝偉俊議員 (書面答覆)
- (17) 甘乃威議員 (書面答覆)
- (18) 謝偉俊議員 (書面答覆) (新的質詢)
(取代其原先提出的質詢)
- (19) 梁家傑議員 (書面答覆) (新的質詢)
(取代其原先提出的質詢)
- (20) 葉劉淑儀議員 (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

審計署署長的委任

(4) 梁家傑議員 (口頭答覆)

新一屆政府的主要官員已經履新，其中據報被指與行政長官關係密切的人士，獲委任為審計署署長(下稱“署長”)，有異於過往由資深公務員出任或由審計署人員晉升署長的安排。報道又指出，現任署長在2005年年底成為安永會計師事務所(下稱“安永”)遠東區及中國區主席兼首席合夥人後，曾牽涉兩宗審計疏忽事件(包括在2006年安永曾發表報告，指中國的商業銀行潛在不良貸款總額高達9,000億美元，卻被人民銀行嚴正駁斥，安永事後收回報告。另外，在2009年安永捲入了雅佳控股(下稱“雅佳”)的清盤事件，當時雅佳入稟指控安永失職和疏忽，未有履行專業會計師職責，及早就公司帳目問題提出警告，並向安永提出巨額索償，當時署長更有參與雅佳的審計工作)。就此，政府可否告知本會：

- (一) 鑒於根據《核數條例》，署長是政府帳目的外部審計師，享有廣泛權力，署長須熟悉政府運作及保持政治中立，回歸後兩任署長皆是資深審計署人員或資深公務員，政府現時委任並非出身政府的人士出任署長，理據為何；有否評估有關任命對審計署日後工作帶來甚麼影響；如有，詳情為何；如否，原因為何；
- (二) 鑒於現任署長任職安永期間，涉及兩宗審計疏忽事件，政府對署長進行的品格審查的結果為何；有否評估其任命會否打擊審計署的公信力；如有，詳情為何；如否，原因為何；及
- (三) 鑒於有報道指出，澳門在回歸後的兩任審計長均由加入當地政府多年的官員出任；台灣現任及前兩任審計長，皆長年在審計部工作；美國現時負責國家審計工作的美國政府責任署總審計長亦長年在該署工作；外地例子顯示審計部

門首長絕少由並非出身政府的商界人士“空降”，政府在現任署長獲委任前，有否研究外地的有關委任安排；如有，詳情為何；如否，原因為何？

Appointment of the Director of Audit

- (4) Hon Alan LEONG Kah-kit (Oral reply)

The principal officials in the Government of the new term have assumed office, and it has been reported that among such officials, a person who has close relationship with the Chief Executive has been appointed the Director of Audit (“the Director”), and this arrangement differs from the previous arrangement of appointing experienced civil servants or promoting officials in the Audit Commission (“the Commission”) to take up the post of the Director. It has also been reported that the incumbent Director, after assuming office as the Chairman and Managing Partner of Ernst & Young (“EY”) Far East Area and Greater China in late 2005, had been involved in two audit negligence cases (including a report issued by EY in 2006 indicating that the aggregate amount of potential bad loans of commercial banks in China had reached US\$900 billion, of which the People’s Bank of China severely refuted, and EY subsequently withdrew the report. In addition, EY was drawn into an incident relating to the liquidation of Akai Holdings (“Akai”) in 2009, in which Akai filed an accusation of default and negligence and lodged a substantial amount of claim against EY, alleging the accountant’s failure to discharge its responsibility as a professional accountant to issue early warnings against the problems in the company’s accounts, and the Director even took part in the auditing work on Akai at that time). In this connection, will the Government inform this Council:

- (a) given that the Director is the external auditor of the accounts of the Government with wide powers under the Audit Ordinance, the Director has to be familiar with the Government’s operation and maintain political neutrality, and the previous two Directors after the reunification were either an experienced official in the Commission or an experienced civil servant, of the justifications for the Government to appoint a person not from the Government to take up the

office of the Director at present; whether it has assessed the impact of the appointment on the work of the Commission in the future; if it has, of the details; if not, the reasons for that;

- (b) as the incumbent Director had been involved in two incidents of audit negligence during his employment with EY, of the result of the Government's integrity checking on the Director; whether the Government has assessed if his appointment will undermine the Commission's credibility; if it has, of the details; if not, the reason for that; and
- (c) given that it has been reported that the two Commissioners of Audit in Macao after the reunification were both officials who had joined the local government for years, the incumbent and the previous two Auditor-Generals in Taiwan have served in the National Audit Office for years, the Comptroller General of the United States ("U.S.") of the U.S. Government Accountability Office currently responsible for national auditing work has also served in the Office for years, and these examples from other places illustrated that heads of audit departments are rarely persons without government experience "parachuted" from the commercial sector, whether the Government has studied the relevant appointment arrangements in other places before the appointment of the incumbent Director; if it has, of the details; if not, the reasons for that?

與政府高級官員有關的違例建築工程及品格審查

(5) 涂謹申議員 (口頭答覆)

根據《基本法》第四十七條，香港特別行政區行政長官必須廉潔奉公、盡忠職守，而新任行政長官位於港島山頂貝璐道裕熙園的兩間洋房住宅早前被發現有6項違例建築工程(下稱“僭建物”)。就此，政府可否告知本會：

- (一) 有否就過去一個月來所報道的涉及上述物業的違規僭建進行刑事調查；若有，詳情為何；若否，原因為何；
- (二) 當局現時對行政長官及問責制下主要官員(下稱“問責官員”)進行品格審查時，會否審查其持有的物業有否違反與僭建有關的法例；若否，鑒於社會關注他們這方面的違法及操守問題，當局會否在行政長官及問責官員的品格審查制度中加入相關審查；及
- (三) 鑒於上述物業於1999年轉讓時，已由註冊專業人士檢查有否僭建物，但當局早前卻證實有6項僭建物(包括停車位對下有一個240平方呎的地牢)，而早前有註冊專業人士再檢查該物業後，公開表示相信僭建的地牢不是在2000年入伙後加建，應是該洋房及庭園的原設計電源控制室，當局會否就於1999年負責檢查上述物業的註冊專業人士有否誠實地履行其專業職責，以及僭建的地牢是否在獲批入伙紙前已違例興建而展開調查？

Unauthorized building works and integrity checking
relating to senior government officials

(5) Hon James TO Kun-sun (Oral reply)

According to Article 47 of the Basic Law, the Chief Executive (“CE”) of the Hong Kong Special Administrative Region must be a person of integrity, dedicated to his or her duties and yet, in the two mansions owned by the new-term CE in Yue Hei Yuen at Peel Rise of The Peak on Hong Kong Island, six unauthorized building works (“UBWs”) were found earlier. In this connection, will the Government inform this Council:

- (a) whether any criminal investigation has been carried out into the UBWs involving the aforesaid properties as reported in the past month; if so, of the details; if not, the reasons for that;
- (b) whether, when performing integrity checking on CE and the principal officials under the accountability system (“accountable officials”), the authorities at present check if the properties they own breach the legislation relating to UBWs; if not, given the public concern about their illegal behaviours and integrity problems in this respect, whether the authorities will incorporate the relevant checking into the system of integrity checking for CE and accountable officials; and
- (c) given that the aforesaid properties were checked by registered professionals for UBWs at the time of transfer in 1999, but the authorities had earlier confirmed the existence of six UBWs (including a basement with an area of about 240 square feet right under the parking space) in these properties, and some registered professionals, after checking afresh the properties, had publicly said that they believed the unauthorized basement was not an additional structure built after occupancy in 2000 and should be the power

control room originally designed for the mansion and the garden concerned, whether the authorities will conduct an investigation to find out if the registered professionals responsible for checking the aforesaid properties in 1999 had honestly discharged their professional duties, and if the unauthorized basement had been built illegally before the occupation permit was granted?

政策局就立法會議員的質詢作出的回應

(18) 謝偉俊議員 (書面答覆)

旅遊業界及市民曾多次向本人反映，他們對官員回覆立法會議員質詢的答案問非所答，過於草率，對政府回應表示失望。例如本人曾質詢民航處批准航空公司對旅行代理商實施機票零銷售佣金的理據及航空公司客運燃料附加費的計算方法，運輸及房屋局所作的回應被旅遊業界及旅客指為問非所答。此外，就本人質詢內提出盡快增設及改善鯉魚門旅遊設施，以配合明年落成的郵輪碼頭的要求，政府亦無實質回應。就此，政府可否告知本會：

- (一) 有何機制確保新一屆政府重組架構後，各政策局日後會認真回覆立法會議員的質詢，確保回應對題，不會問非所答；
- (二) 有否評估各政策局過往多次未能充分回應立法會議員的質詢，對／將會對行政、立法互動和關係帶來甚麼負面影響；如有，評估結果為何；如否，原因為何；可否藉新一屆政府重組及立法會休會期間盡快評估；及
- (三) 曾否諮詢或評估，過往4年，議員對政府回覆立法會議員質詢的滿意程度，以及設法提高回覆質素確保回覆對題；如有，結果為何；如否，原因為何；新任行政長官管治團隊將透過甚麼政策及措施避免重蹈覆轍？

Policy bureaux's replies to questions
asked by Legislative Council Members

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

The tourism sector and some members of the public have repeatedly relayed to me their disappointment at the irrelevant and hasty replies of the government officials to the questions of the Legislative Council ("LegCo") Members. For instance, I once raised a question to query the Civil Aviation Department's justifications for approving the implementation of zero commission paid to travel agents by airlines in respect of air tickets sold and the method used for calculating passenger fuel surcharges of airlines, and the reply made by the Transport and Housing Bureau was regarded as irrelevant by the tourism sector and some tourists. Moreover, the Government has not given any concrete reply to my question which requested that the tourism facilities in Lei Yue Mun be enhanced and more tourism facilities be expeditiously constructed there to complement the commissioning of the cruise terminal next year. In this connection, will the Government inform this Council:

- (a) what mechanism is in place to ensure that the various policy bureaux will reply earnestly to the questions of LegCo Members in the future after the restructuring of the new Government and that their replies will not be irrelevant;
- (b) whether it has assessed if the inadequate replies to LegCo Members' questions previously made by various policy bureaux on many occasions have or will have any adverse impact on the interaction and relation between the executive authorities and the legislature; if it has, of the assessment results; if not, the reason for that; whether it can conduct such an assessment expeditiously with the restructuring of the new Government and prorogation of LegCo; and
- (c) whether in the past four years it had conducted any consultation or review of LegCo Members'

satisfaction level towards the Government's replies to their questions and striven to raise the quality of the replies and ensured their relevance; if it had, of the results; if not, the reasons for that; of the policies and measures which the governing team of the new Chief Executive will adopt to avoid recurrences of the aforesaid situation?

老年及少年兒童撫養比率

(19) 梁家傑議員 (書面答覆)

就老年及少年兒童撫養比率，政府可否告知本會，是否知悉：

(一) 需供養65歲及以上長者的成年人數目為何，並按下表列出分項數字；

需同時供養的 65 歲及 以上的長者數目	需供養長者的 成年人數目
5 名或以上	
4 名	
3 名	
2 名	
1 名	
0	

(二) 需供養65歲及以上長者的成年人的每月入息為何，並按下表列出分項數字；
及

需同時供養的 65 歲及 以上的長者數目	需供養長者的成年人的每月入息			
	\$10,000 以下	\$10,000 至 \$25,000	\$25,000 至 \$50,000	\$50,000 以上
5 名或以上				
4 名				
3 名				
2 名				
1 名				
0				

(三) 需同時供養65歲及以上長者及18歲以下子女的成年人的數目為何，並按下表列出分項數字？

需同時供養的 65歲及 以上長者數目	需同時供養的子女數目			
	1名	2名	3名	4名或 以上
5名或以上				
4名				
3名				
2名				
1名				
0				

The elderly and child dependency ratios

(19) Hon Alan LEONG Kah-kit (Written reply)

Regarding the elderly and child dependency ratios, will the Government inform this Council whether it knows:

(a) the number of adults who need to maintain elderly people aged 65 and above, with a breakdown according to the table below;

Number of elderly people aged 65 and above being concurrently maintained	Number of adults who need to maintain elderly people
5 or more	
4	
3	
2	
1	
0	

(b) the monthly income of the adults who need to maintain elderly people aged 65 and above, with a breakdown according to the table below; and

Number of elderly people aged 65 and above being concurrently maintained	Monthly income of adults who need to maintain elderly people			
	Below \$10,000	\$10,000 to \$25,000	\$25,000 to \$50,000	Above \$50,000
5 or more				
4				
3				
2				
1				
0				

(c) the number of adults who need to maintain concurrently elderly people aged 65 and above as well as children aged below 18, with a breakdown according to the table below?

Number of elderly people aged 65 and above being concurrently maintained	Number of children being concurrently maintained			
	1	2	3	4 or more
5 or more				
4				
3				
2				
1				
0				