

# 立法會

## Legislative Council

LC Paper No. CB(3) 414/11-12

### Paper for the House Committee meeting of 10 February 2012

### Questions scheduled for the Legislative Council meeting of 15 February 2012

Questions by:

- |      |  |                                |
|------|--|--------------------------------|
| (1)  | Dr Hon David LI Kwok-po  | (Oral reply)                   |
| (2)  | Hon Tanya CHAN<br><i>(Replacing her previous question)</i>         | (Oral reply) (New question)    |
| (3)  | Hon Albert HO Chun-yan<br><i>(Replacing his previous question)</i> | (Oral reply) (New question)    |
| (4)  | Hon LAU Wong-fat   | (Oral reply)                   |
| (5)  | Hon WONG Kwok-hing   | (Oral reply)                   |
| (6)  | Hon WONG Sing-chi<br><i>(Replacing his previous question)</i>      | (Oral reply) (New question)    |
| (7)  | Hon WONG Ting-kwong  | (Written reply)                |
| (8)  | Ir Dr Hon Raymond HO Chung-tai                                     | (Written reply)                |
| (9)  | Hon Starry LEE Wai-king  | (Written reply)                |
| (10) | Dr Hon LAM Tai-fai<br><i>(Replacing his previous question)</i>     | (Written reply) (New question) |
| (11) | Hon Paul TSE Wai-chun  | (Written reply)                |
| (12) | Hon Frederick FUNG Kin-kee   | (Written reply)                |
| (13) | Hon Tanya CHAN<br><i>(Replacing her previous question)</i>         | (Written reply) (New question) |
| (14) | Hon Paul TSE Wai-chun  | (Written reply)                |
| (15) | Hon Frederick FUNG Kin-kee   | (Written reply)                |
| (16) | Hon Albert HO Chun-yan   | (Written reply)                |
| (17) | Hon Cyd HO Sau-lan   | (Written reply)                |
| (18) | Hon Andrew LEUNG Kwan-yuen   | (Written reply)                |
| (19) | Hon James TO Kun-sun   | (Written reply)                |
| (20) | Hon Alan LEONG Kah-kit   | (Written reply)                |

註 :

NOTE :

# 議員將採用這種語言提出質詢

# Member will ask the question in this language

過境私家車一次性特別配額試驗計劃  
對內地孕婦來港產子問題的影響

# (2) 陳淑莊議員 (口頭答覆)

粵港過境私家車一次性特別配額試驗計劃(下稱“自駕遊計劃”)將於本年3月實行，首階段會容許香港的私家車申請一次性配額到廣東省自駕遊，第二階段則容許廣東省的私家車到香港，但兩地的車主在獲批配額前無須強制通過考核或上課。據報，反對自駕遊計劃的網上群組在本月初成立，部分加入群組的市民擔心自駕遊計劃會令“雙非”孕婦入境問題惡化。就此，政府可否告知本會：

- (一) 政府有否評估自駕遊計劃會否對“雙非”孕婦入境問題構成影響；若有，詳情為何；若否，會否進行評估；及
- (二) 鑒於目前有不少沒有預約醫院產科服務的內地孕婦，透過乘車過關避過香港入境事務處的人員在關口的堵截，政府有否措施防止及打擊有內地中介公司或人士，透過自駕遊計劃，安排沒有預約的內地孕婦來港，或內地孕婦藉此計劃自行來港產子；若有，詳情為何；若否，原因為何？

Impact of the trial scheme on one-off ad hoc quotas  
for cross-boundary private cars on the problem of  
pregnant mainland women giving birth in Hong Kong

(2) Hon Tanya CHAN (Oral reply)

The trial scheme on one-off ad hoc quotas for Guangdong/Hong Kong cross-boundary private cars (“self-drive tour scheme”) will be launched in March this year, and in the first phase Hong Kong private cars will be permitted to apply for one-off quotas for self-drive tour to Guangdong Province, and in the second phase private cars from Guangdong Province will be permitted entry to Hong Kong, but there is no mandatory requirement for car owners of the two places to sit for any examination or lesson before obtaining approval of the quotas. It has been reported that an online group against the self-drive tour scheme was established early this month and some members of the public joining the group worry that the self-drive tour scheme will worsen the problem of “doubly non-permanent resident pregnant women” entering the territory. In this connection, will the Government inform this Council:

- (a) whether the Government has assessed if the self-drive tour scheme will have an impact on the problem of “doubly non-permanent resident pregnant women” entering the territory; if it has, of the details; if not, whether it will conduct such an assessment; and
- (b) given that at present, quite a number of pregnant mainland women who have not made any advance appointment of hospital obstetric services bypass the interception of officers of the Hong Kong Immigration Department at boundary control points by crossing the border

by cars, whether the Government has any measure to prevent and combat agencies or agents on the Mainland arranging pregnant mainland women who have not made any advance appointment to come to Hong Kong through the self-drive tour scheme, or pregnant mainland women themselves making use of the scheme to give birth in Hong Kong; if it has, of the details; if not, the reasons for that?

## 推行過境私家車一次性特別配額試驗計劃

### # (3) 何俊仁議員 (口頭答覆)

據報，粵港兩地推行的粵港過境私家車一次性特別配額試驗計劃(下稱“自駕遊計劃”)將於本年3月實行，首階段先試行容許港人駕駛私家車北上自駕遊，第二階段會讓內地人士申請來港自駕遊，兩地駕駛者在自駕遊前均無須經過考核或修習駕駛課程。據本人瞭解，在兩地駕駛執照互通的情況下，兩地駕駛者持有由兩地的交通部門各自發出的駕駛執照，可自行駕車進出兩地。有市民關注，內地駕駛者的駕駛習慣及文化會對本港的交通秩序及路面安全構成影響。就此，政府可否告知本會：

- (一) 鑒於上述市民的關注，在推行自駕遊計劃時，政府有否評估兩地的民意，以及自駕遊計劃對兩地社會各方面(包括環境、交通和人流等)的影響；若有，詳情為何；若否，原因為何；
- (二) 當局有否與內地政府部門商討，採取相關措施及行動，以確保往來兩地的駕駛者遵守兩地的相關法例(例如交通和污染物排放等法例)；若有，商討的詳情為何，以及所採取的措施及行動詳情和時間表為何；另外，若有內地或香港自駕遊計劃司機在香港或內地違反交通法例，當局及內地相關部門有否討論執法及檢控的程序；若有，詳情為何；若否，原因為何；及
- (三) 鑒於兩地的駕駛習慣、文化及法例並不完全相同，為保障各道路使用者的安全，是否知悉，兩地政府會否主動安排為自駕遊人士提供駕駛課程；當

局會否強制兩地的駕駛者先通過兩地  
相關政府部門的考核，或修習兩地的  
駕駛課程，才可駕車往返兩地；若會，  
詳情為何；若否，原因為何？

Implementation of the trial scheme on one-off ad hoc quotas  
for cross-boundary private cars

(3) Hon Albert HO Chun-yan (Oral reply)

It has been reported that the trial scheme on one-off ad hoc quotas for Guangdong/Hong Kong cross-boundary private cars (“self-drive tour scheme”) will be launched in Guangdong and Hong Kong in March this year, and in the first phase of the scheme, Hong Kong people will be permitted to take northbound self-drive tours to the Mainland in their private cars, while in the second phase mainlanders will be permitted to apply for self-drive tours in Hong Kong. The drivers in both places are not required to sit for examinations or attend driving lessons before self-drive tours. I have learnt that under mutual recognition of driving licences between the two places, drivers in both places holding driving licences issued by their respective transport departments can drive to and from the two places. Some members of the public are concerned that the driving habits and culture of mainland drivers will have impact on the order of traffic and road safety in Hong Kong. In this connection, will the Government inform this Council:

- (a) given the aforesaid public concerns, whether the Government has, in taking forward the self-drive tour scheme, assessed the public view in the two places and the impact of the self-drive tour scheme on various aspects (including the environment, traffic and passenger flow, etc.) of the societies of the two places; if it has, of the details; if not, the reasons for that;
- (b) whether the authorities have discussed with mainland government departments to take relevant measures and actions, with a view to ensuring that drivers travelling between the two

places will comply with the relevant legislation (e.g. the legislation on transport and pollutant discharge, etc.) of the two places; if they have, of the discussion details, as well as the details of the measures and actions to be taken and the timetable; in addition, whether the authorities and the relevant departments on the Mainland have discussed the law enforcement and prosecution procedures in the event that a mainland or a Hong Kong driver under the self-drive tour scheme contravenes the traffic legislation in Hong Kong or on the Mainland; if they have, of the details; if not, the reasons for that; and

- (c) given that the driving habits, culture and legislation in both places are not entirely the same, in order to safeguard the safety of various road users, whether it knows if the governments of both places will take the initiative to arrange driving lessons for those who take part in self-drive tours; whether the authorities will make it mandatory that drivers in both places have to pass the examinations conducted by the relevant government departments of both places or attend the driving lessons offered in both places before they are permitted to drive between the two places; if they will, of the details; if not, the reasons for that?

## 對精神病患者和精神病康復者的支援服務

### # (6) 黃成智議員 (口頭答覆)

日前上水彩園邨發生精神病患者殺人事件。有評論指這是因為醫院管理局(下稱“醫管局”)近年削減精神科病床，在社區內生活的精神病康復者的人數大增，卻沒有足夠社區配套措施。此外，有些接受社會康復服務的精神病患者的個案曾經由警方、房屋署及社會福利署(下稱“社署”)等多個政府部門和非政府機構跟進，但各部門對患者的暴力行為紀錄各有不同。就此，政府可否告知本會：

- (一) 出現上述政府部門和機構跟進及記錄個案等問題，是否由於各部門的溝通和協調不足；政府設立的跨界別諮詢機制—精神健康服務工作小組曾否就此問題作出檢討；
- (二) 當局在加強社區支援方面的工作進展為何；引入“社區治療令”的進展為何；是否知悉，醫管局計劃在全港12區推行“個案管理計劃”需要招聘多少名個案經理，現時仍未填補的空缺數目為何，以及每名個案經理需要跟進多少名嚴重精神病患者；社署計劃中的精神健康綜合社區中心還有多少間未覓得地點，以及哪些區議會或地區的居民反對設立該等中心；及
- (三) 有否評估，精神病患者殺人事件如何影響市民對精神病患者的看法，會否造成排斥和歧視，以及對推行社區復康服務會造成甚麼困難；發生上述事件後，當局有何措施回應市民對精神病患者可能產生的成見；會否考慮參

考外國經驗，採取措施鼓勵傳媒持平  
正面地報道精神病和精神病患者？

Support services for people with mental illness and  
people recovering from mental illness

(6) Hon WONG Sing-chi (Oral reply)

An incident of a person with mental illness killing another person happened earlier at Choi Yuen Estate in Sheung Shui. There have been comments that this is a result of the reduction in psychiatric beds by the Hospital Authority (“HA”) in recent years, which has substantially increased the number of people recovering from mental illness in the community, but the ancillary facilities in the community are insufficient. In addition, some cases of people with mental illness receiving social rehabilitation services are followed up by various government departments such as the Police, Housing Department and Social Welfare Department (“SWD”) as well as non-governmental organizations, but the patients’ records of violence kept by such departments may be different. In this connection, will the Government inform this Council:

- (a) whether the aforesaid problems of follow-up by government departments and organizations and records of cases arose from insufficient communication and coordination among various departments; whether this problem has been reviewed by the Working Group on Mental Health Services, which is a multi-disciplinary consultation mechanism set up by the Government;
- (b) of the progress of the authorities’ efforts in enhancing community support; of the progress of introducing Community Treatment Orders; whether it knows the number of case managers to be recruited by HA for launching the Case Management Programme in the 12 districts

across the territory, the number of vacancies not yet filled at present, and the number of people with severe mental illness to be followed up by each case manager; of the number of Integrated Community Centres for Mental Wellness being planned by SWD for which the locations have yet to be identified, and of the District Councils or districts the residents of which oppose to the provision of such centres; and

- (c) whether it has assessed how incidents of people with mental illness committing killings affect the views of the public towards people with mental illness, and whether they will give rise to ostracism and discrimination, as well as what difficulties will be created for the implementation of community-based rehabilitation; of the authorities' measures to respond to members of the public having a prejudice against people with mental illness after the occurrence of the aforesaid incident; whether they will consider making reference to overseas experience and adopt measures to encourage the media to be impartial and positive in their reports about mental illness and people with mental illness?

## 漁農業的發展

### # (10) 林大輝議員 (書面答覆)

有本港漁農業人士向本人反映，漁農業界(“業界”)的經營環境不斷惡化，但政府多年來一直未有給予足夠的支援，令業界難以生存和持續發展。就此，政府可否告知本會：

- (一) 有否評估漁農業對本港的經濟、社會和民生的重要性；如有，詳情為何；如否，原因為何；
- (二) 現時本地漁業及農業的產量分別佔本地市場的百分比、與10年前的情況如何比較，以及出現變化的原因為何；
- (三) 現時本地魚類養殖場及農田的數目及面積與10年前的相關數字如何比較，以及出現變化的原因為何；會否考慮放寬更多土地和海域的用途，以改善漁農業的經營和發展空間；如會，詳情為何；如否，原因為何；
- (四) 會否加強協助到遠洋捕魚的本港漁船；如會，詳情為何；如否，原因為何；
- (五) 會否加強協助本地農民提高生產技術及改良農產品的質量；如會，詳情為何；如否，原因為何；
- (六) 有否考慮將本港漁農業結合其他產業(包括餐飲業及旅遊業)發展，以產生協同效應；如有，詳情為何；如否，原因為何；

- (七) 會否考慮成立一個專責委員會，由官員與業界代表共同參與制訂漁農業發展政策，以協助業界發展及建立香港優質品牌和提高業界的質素及地位；如會，詳情為何；如否，原因為何；
- (八) 會否檢討所有與漁農業界相關的貸款基金的運作(包括調低申請門檻、減少以物業抵押作為貸款條件，以及提高貸款或資助金額等)，以協助業界融資；如會，詳情為何；如否，原因為何；當局檢討漁業發展貸款基金的進度為何；何時按漁業可持續發展委員會的建議，成立一個“漁業可持續發展資助計劃”；
- (九) 會否檢討與業界相關的特惠補償機制(包括受鄰近工程污染或受禽流感影響的養殖場或種植場可獲得的合理補償等)，以支援業界渡過難關；如會，詳情為何；如否，原因為何；
- (十) 鑒於發展局現就25個可考慮填海的選址進行諮詢，當局有否與本港漁業界加強溝通，向他們解釋有關情況，以及評估填海對他們的影響；如有，詳情為何；如否，原因為何；
- (十一) 有否新措施協助業界轉型發展具香港特色的休閒漁農業和生態旅遊業(包括成立跨部門的專責小組，協助解決政府部門之間的不協調問題和培訓業界)，為業界提供創業和再就業機會；如有，詳情為何；如否，原因為何；
- (十二) 有何新措施協助漁農業打造具可持續競爭性的本地優質漁農品牌，開拓本港及海外更多銷售渠道；及

(十三) 有否任何政策或具體措施，確保在保護鳥類生態環境和維持漁農業可持續發展之間取得平衡；如有，詳情為何；如否，原因為何？

## Development of the agriculture and fisheries industries

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

Some members of the agriculture and fisheries industries (“the industries”) in Hong Kong have relayed to me that the operating environment of members of the industries continues to deteriorate but the Government has all along failed to provide sufficient support to them over the years, rendering it difficult for them to survive and sustain their development. In this connection, will the Government inform this Council:

- (a) whether it has assessed the importance of the industries in terms of their impact on the economy, society and people’s livelihood in Hong Kong; if it has, of the details; if not, the reasons for that;
- (b) of the respective local market share (in percentages) of the agriculture and fisheries production in Hong Kong at present, and how the current situation compares with that of a decade ago, as well as the reasons for the changes which had occurred;
- (c) how the current number and areas of fish breeding ground and farmland in Hong Kong compare with those of a decade ago, and the reasons for the changes which had occurred; whether it will consider relaxing the use of additional land and waters to provide more room for business and development of the industries; if it will, of the details; if not, the reasons for that;

- (d) whether it will step up efforts in assisting local vessels engaged in offshore fishing; if it will, of the details; if not, the reasons for that;
- (e) whether it will step up efforts in assisting local farmers in improving their production techniques and enhancing the quality of their agricultural products; if it will, of the details; if not, the reasons for that;
- (f) whether it has considered developing the local industries by integrating them with other industries, including the catering and tourism industries, so as to achieve synergy; if it has, of the details; if not, the reasons for that;
- (g) whether it will consider establishing a dedicated committee with joint participation of government officials and representatives of the industries to formulate policies on the development of the industries, with a view to assisting them in developing and establishing local quality brand names, as well as improving the quality and status of members of the industries; if it will, of the details; if not, the reasons for that;
- (h) whether it will conduct a review of the operation of the agriculture and fisheries related loan funds, including lowering the application threshold, reducing the requirement of secured properties as loan conditions and increasing the amounts of loans or subsidies, etc., so as to facilitate financing of members of the industries; if it will, of the details; if not, the reasons for that; of the progress of the review of the Fisheries Development Loan Fund conducted by the authorities; when the “Sustainable Fisheries

Funding Scheme” will be established as proposed by the Committee on Sustainable Fisheries;

- (i) whether it will conduct a review of the mechanism for granting ex-gratia payments relating to members of the industries (including offering reasonable compensation for breeding ground or farms which are contaminated by works in the vicinity or affected by avian flu) so as to provide support for members of the industries to tide over the difficulties; if it will, of the details; if not, the reasons for that;
- (j) given that the Development Bureau is now conducting consultation on 25 potential sites suitable for reclamation, whether the authorities have enhanced communications with members of the fisheries industry in Hong Kong and explained the situation to them, as well as assessed the impact of reclamation on them; if they have, of the details, if not, the reasons for that;
- (k) whether it has put in place any new measure to assist members of the industries in restructuring by developing leisure agriculture and fishery trades and eco-tourism with Hong Kong characteristics, including setting up inter-departmental ad hoc groups to assist in solving problems of lack of coordination among government departments and providing training for members of the industries, with a view to providing ownership and re-employment opportunities for them; if it has, of the details; if not, the reasons for that;

- (l) of the new initiatives to help the industries establish sustainable and competitive local quality brand names to open up more local and overseas sales channels; and
- (m) whether it has put in place any policy or specific measure to ensure that a balance is struck between safeguarding the ecological environment for birds and maintaining sustainable development of the industries; if it has, of the details; if not, the reasons for that?

## 對私營靈灰安置所設施的規管

### # (13) 陳淑莊議員 (書面答覆)

最近有市民向本人反映，指有在政府公布的私營靈灰安置所(“靈灰安置所”)的資料內被列入第二部分(“表二”)(即不屬第一部分“符合土地契約的用途限制及城市規劃規定及未有非法佔用政府土地”)的靈灰安置所，撤回向城市規劃委員會尋求更改土地規劃許可的申請。據瞭解，該等靈灰安置所仍然繼續運作，並向市民銷售骨灰龕位，意味着該等靈灰安置所在違反規劃許可的情況下仍然運作，而至今政府仍未落實任何規管靈灰安置所的發牌制度。據悉，地政總署發現屯門有靈灰安置所涉及佔用官地，亦拒絕了大埔馬屎洲一靈灰安置所的更改土地契約申請。就此，政府可否告知本會：

- (一) 現時被列入表二的靈灰安置所提供的骨灰龕位數目和骨灰龕位的訂價水平；若當局未有掌握有關數據，會否考慮立即收集有關的數據；若會，詳情是甚麼；若否，原因是甚麼；
- (二) 過去3年，當局接獲靈灰安置所涉嫌違反土地契約的用途限制或規劃許可的投訴數目為何；當中有多少間靈灰安置所被當局確定為違反土地契約的用途限制或規劃許可，以及是否已經全數納入表二之內；若否，未被納入表二的靈灰安置所數目是多少及未被納入的原因是甚麼；
- (三) 當局會否根據《城市規劃條例》(第131章)向已撤回更改規劃許可申請的靈灰安置所採取執行管制行動；若會，詳情是甚麼；若否，原因是甚麼；

- (四) 針對佔用官地或違反土地契約條款的靈灰安置所，地政總署會否採取執行管制行動；若會，署方將如何處理違反地契條款但仍在運作的靈灰安置所；當局會如何減少執行管制行動對已安放於違規靈灰安置所的先人靈灰構成的影響；
- (五) 鑒於現時仍有不少違規靈灰安置所向市民銷售骨灰龕位，當局會否加強公眾教育，以增加市民對靈灰安置所的監管政策的瞭解，並勸諭市民避免購買違規靈灰安置所的骨灰龕位；若會，詳情是甚麼；若否，原因是甚麼；及
- (六) 鑒於目前不少被納入表二的靈灰安置所仍然透過不同渠道進行宣傳推廣，不少市民被吸引購買該等靈灰安置所的骨灰龕位，當局會否考慮限制被列入表二的靈灰安置所進行任何形式的宣傳推廣；若會，詳情是甚麼；若否，原因是甚麼？

## Regulation of private columbarium facilities

(13) Hon Tanya CHAN (Written reply)

Recently, some members of the public have reflected to me that some of the private columbaria (“columbaria”) in Part B (“List B”) (i.e. those columbaria that do not fall under Part A which sets out the columbaria that are “compliant with the user restrictions in the land leases and the statutory town planning requirements and are not illegally occupying government land”) in the Information on Private Columbaria published by the Government have withdrawn their applications to the Town Planning Board for revising the planning permissions for land. It is understood that these columbaria continue to operate and are still selling niches to members of the public, which means that these columbaria are operating in breach of the planning permissions granted to them; however, up until now, the Government has not put in place any licensing scheme to regulate the columbaria. It has been learnt that the Lands Department (“LandsD”) has detected a case of occupation of government land by a columbarium in Tuen Mun, and has also rejected an application from a columbarium in Ma Shi Chau of Tai Po for revising its land lease conditions. In this connection, will the Government inform this Council:

- (a) of the number of niches currently provided by the columbaria in List B, as well as their prices; whether the authorities will consider immediately collecting the relevant data if they do not have such data in hand; if they will, of the details; if not, the reasons for that;
- (b) of the number of complaints received by the authorities in the past three years about columbaria being suspected of breaching the

user restrictions in land leases or planning permissions; among these columbaria, the number of those which are confirmed by the authorities to have breached the user restrictions in land leases or planning permissions, and whether all such columbaria have been included in List B; if not, the number of those columbaria which have not been included in List B and the reasons for their exclusion from List B;

- (c) whether the authorities will take law enforcement and regulatory actions under the Town Planning Ordinance (Cap. 131) against the columbaria which have withdrawn their applications for revising planning permissions; if they will, of the details; if not, the reasons for that;
- (d) whether the LandsD will take law enforcement and regulatory actions against the columbaria which have occupied government land or breached land lease conditions; if it will, how it will deal with the columbaria which have breached land lease conditions but are still operating; how the authorities will reduce the impact of their enforcement and regulatory actions on the ashes of the deceased which are placed in the niches of non-compliant columbaria;
- (e) given that at present, quite a number of non-compliant columbaria are still selling niches to members of the public, whether the authorities will strengthen public education, so as to enhance their understanding of the regulatory policy on columbaria, and advise members of the public to refrain from buying niches from non-compliant columbaria; if they

will, of the details; if not, the reasons for that;  
and

- (f) given that at present, quite a number of columbaria that have been included in List B are still conducting publicity and promotion through various channels, and that quite a number of members of the public are attracted by such promotion efforts to buy niches from these columbaria, whether the authorities will consider restricting the conduct of promotion activities in any form by the columbaria in List B; if they will, of the details; if they will not, the reasons for that?