

**立法會**  
**Legislative Council**

LC Paper No. CB(3) 445/11-12

**Paper for the House Committee meeting  
of 17 February 2012**

**Questions scheduled for the  
Legislative Council meeting of 22 February 2012**

Questions by:

- |      |   |                                |
|------|---|--------------------------------|
| (1)  | Dr Hon Margaret NG<br><i>(Replacing her previous question)</i>  | (Oral reply) (New question)    |
| (2)  | Hon LEUNG Kwok-hung   | (Oral reply)                   |
| (3)  | Hon Cyd HO Sau-lan  | (Oral reply)                   |
| (4)  | Hon Emily LAU Wai-hing<br><i>(Hon Alan LEONG Kah-kit has given up the<br/>question slot allocated to him)</i> | (Oral reply) (New question)    |
| (5)  | Hon LEE Wing-tat<br><i>(Replacing his previous question)</i>  | (Oral reply) (New question)    |
| (6)  | Hon CHEUNG Hok-ming<br><i>(Replacing his previous question)</i>   | (Oral reply) (New question)    |
| (7)  | Hon Mrs Sophie LEUNG LAU Yau-fun  | (Written reply)                |
| (8)  | Hon Miriam LAU Kin-yee  | (Written reply)                |
| (9)  | Hon WONG Ting-kwong   | (Written reply)                |
| (10) | Hon Starry LEE Wai-king   | (Written reply)                |
| (11) | Hon CHEUNG Hok-ming   | (Written reply)                |
| (12) | Hon KAM Nai-wai   | (Written reply)                |
| (13) | Hon Tanya CHAN<br><i>(Replacing her previous question)</i>  | (Written reply) (New question) |
| (14) | Dr Hon LAM Tai-fai<br><i>(Replacing his previous question)</i>  | (Written reply) (New question) |
| (15) | Hon Paul TSE Wai-chun<br><i>(Replacing his previous question)</i>   | (Written reply) (New question) |
| (16) | Hon Frederick FUNG Kin-kee  | (Written reply)                |
| (17) | Hon Paul TSE Wai-chun<br><i>(Replacing his previous question)</i>   | (Written reply) (New question) |
| (18) | Hon Frederick FUNG Kin-kee  | (Written reply)                |
| (19) | Hon Mrs Regina IP LAU Suk-yee   | (Written reply)                |
| (20) | Hon CHAN Kam-lam  | (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

## 內地孕婦來港分娩的問題

### # (1) 吳靄儀議員 (口頭答覆)

現時特區政府就配偶為香港永久性居民的內地孕婦(下稱“單非孕婦”)及配偶為非香港永久性居民的內地孕婦(下稱“雙非孕婦”)來港分娩實施劃一的政策。有評論指“單非孕婦”的子女屬香港人所生的子女，而政府於2009年11月回答本會議員提問時的數字顯示，自2002至2008年，每年約有七千多至九千多名“單非孕婦”所生的嬰兒在港出生，數目不算龐大，本港醫院足以應付，因此特區政府在制訂內地孕婦來港分娩的政策時，理應將“單非孕婦”和“雙非孕婦”分開處理。就此，政府可否告知本會：

- (一) 2009年至2011年，每年有多少名“單非孕婦”所生的嬰兒在港出生；及
- (二) 特區政府會否分別為“單非孕婦”和“雙非孕婦”來港分娩制訂不同的政策(包括公立醫院及私家醫院的產科服務配額，以及非本地孕婦使用公立醫院產科服務的收費等兩方面的措施)；如會，詳情為何；如否，原因為何？

The problem of pregnant mainland women giving birth  
in Hong Kong

(1) Dr Hon Margaret NG (Oral reply)

At present, the SAR Government implements the same policy in respect of pregnant mainland women whose spouses are permanent residents of Hong Kong (“singly non-permanent resident pregnant women”) and those whose spouses are not permanent residents of Hong Kong (“doubly non-permanent resident pregnant women”) giving birth in Hong Kong. There have been comments that children of “singly non-permanent resident pregnant women” are children born to Hong Kong people, and as indicated by the figures given by the Government in reply to a question of a Member of this Council in November 2009, the number of babies born in Hong Kong to “singly non-permanent resident pregnant women” in each of the years between 2002 and 2008 was some 7 000 to 9 000 which was not substantial, the hospitals in Hong Kong were able to cope with them, and therefore the SAR Government should deal with “singly non-permanent resident pregnant women” and “doubly non-permanent resident pregnant women” separately in formulating its policy on pregnant mainland women giving birth in Hong Kong. In this connection, will the Government inform this Council:

- (a) of the number of babies born in Hong Kong to “singly non-permanent resident pregnant women” in each of the years between 2009 and 2011; and
- (b) whether the SAR Government will respectively formulate different policies on “singly non-permanent resident pregnant women” and

“doubly non-permanent resident pregnant women” giving birth in Hong Kong (including measures regarding the two aspects of quotas for obstetric services in public and private hospitals as well as fees payable by non-local pregnant women using obstetric services in public hospitals, etc.); if it will, of the details; if not, the reasons for that?

## 行政會議成員申報利益

### # (4) 劉慧卿議員 (口頭答覆)

去年年底有報章報道，一名行政會議成員(下稱“行會成員”)兼立法會議員及其家人，於去年9月至12月減持在港擁有的資產(包括13個住宅單位和7幅地皮)；有輿論關注該名行會成員是否因接獲內幕消息而減持該等資產，令市民關注當局能否確保行會成員不會因獲得敏感的內幕消息而謀取暴利。另外於2010年，該名行會成員及其家人在當局推出打擊炒賣住宅樓宇措施前“摸貨”獲利，已有輿論懷疑這是否因為他取得內幕消息，但當局沒有就事件進行深入調查。就此，行政機關可否告知本會：

- (一) 自 2010 年該名行會成員及其家人“摸貨”獲利的事件後，有否收緊行會成員申報利益的制度，以加強透明度和問責性；
- (二) 過去 3 年，行政會議在討論房屋和土地等敏感議題時，曾否以涉及利益衝突為由，不容許持有大量物業單位和地皮的成員取得文件和參與討論；若有，詳情為何；及
- (三) 過去 3 年，行會成員因涉及利益衝突而向行政長官及行政會議申報利益的次數為何；行會成員就涉及房屋和土地的議題而須申報利益，以及避席不參與相關討論的詳情為何？

## Declaration of interests by Members of the Executive Council

- (4) Hon Emily LAU Wai-hing (Oral reply)

It was reported in the press at the end of last year that an Executive Council (“ExCo”) Member, who is also a Legislative Council Member, and his family members reduced holding of their assets in Hong Kong, including 13 residential units and seven lots, during the period from September to December last year. There were public comments expressing concerns whether the ExCo Member reduced holding of such assets because he had obtained inside information, arousing concerns among members of the public whether the authorities could ensure that ExCo Members would not reap excessive profits because they had access to sensitive inside information. Furthermore, in 2010 when the ExCo Member and his family members gained profits by way of “confirmor sale” prior to the launching of anti-speculation measures for residential properties by the authorities, public comments already suspected whether this was a result of his access to inside information, yet the authorities did not conduct any in-depth investigation into the matter. In this connection, will the Executive Authorities inform this Council:

- (a) since the incident of the ExCo Member and his family members gaining profits by way of “confirmor sale” in 2010, whether they have tightened the system of declaration of interests by ExCo Members to enhance transparency and accountability;
- (b) whether in the past three years when ExCo discussed sensitive issues such as housing and land, it had on the ground of conflict of interests

prohibited any Member holding a large amount of properties and lots from obtaining the papers and participating in the discussions on such issues; if it had, of the details; and

- (c) of the number of declarations of interests made by ExCo Members to the Chief Executive and ExCo in the past three years because conflict of interests was involved; of the details of cases in which ExCo Members had to declare their interests in relation to the issues of housing and land, as well as those in which they had withdrawn from the relevant discussions?

香港浸會大學就2012年行政長官參選人  
民望進行的調查

# (5) 李永達議員 (口頭答覆)

香港浸會大學(下稱“浸大”)傳理學院轄下傳理調查實驗室的香港媒體變遷研究項目，於2011年12月和2012年1月進行了兩項有關2012年行政長官參選人民望的電話調查。當中2012年1月進行的民意調查的結果公布手法引起大學校內人士、傳媒和市民的關注。其後浸大成立由校內人員及校友組成的調查小組，並於本年2月6日公布調查小組的報告(下稱“報告”)。有報道指報告未能平息教職員、同學和社會輿論的不滿，調查小組未有探究是否有政治干預，只憑個別被調查人士的片面之詞，調查不是在公開、公平和公正的情況下進行，未能釋除公眾疑慮。就此，行政機關可否告知本會：

- (一) 會否成立獨立的調查委員會徹查上述事件；若否，有否具體和有效的方法，確保高等院校的學術及研究機構不受外來壓力或政治干預，以免影響教學和研究工作；及
- (二) 如何確保高等院校的教職員工會對院校管理層作出批評時，不受校方的任何壓力，可以充分發表意見，以保障學術自由？

Surveys on the popularity of the 2012 Chief Executive potential candidates conducted by the Hong Kong Baptist University

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

The HongCOMM Survey Lab of the School of Communication of the Hong Kong Baptist University (“HKBU”) conducted two telephone surveys on the popularity of the 2012 Chief Executive potential candidates in December 2011 and January 2012 respectively for its Hong Kong Media Transition Project. The way by which the January 2012 survey results were released has aroused concerns among members of the University, the media and the public. An Investigation Panel comprising staff members and an alumnus of the University was subsequently set up by HKBU, and its report (“the Report”) was released on 6 February this year. It has been reported that: the Report failed to address the discontent among the teaching staff and students of HKBU as well as the public; the Investigation Panel did not examine if there was any political interference and its findings were merely based on the one-sided story from the persons being investigated; and the investigation was not conducted in an open, fair and just manner and failed to address public concerns. In this connection, will the Executive Authorities inform this Council:

- (a) whether they will set up an independent investigation panel to thoroughly investigate the aforesaid incident; if not, whether there are specific and effective means to ensure that the academic and research institutes of tertiary institutions are not subject to external pressure or political interference, so as to prevent their teaching and research work from being influenced; and

- (b) how they ensure that teaching staff unions of tertiary institutions will not be subject to any pressure from the institutions concerned and can fully express their views when they criticize the management of the institutions, so as to protect academic freedom?

## 港鐵西港島線的爆破工程

### # (6) 張學明議員 (口頭答覆)

本人去年就廣深港高速鐵路香港段隧道爆破工程的安全問題提出質詢後，近日陸續收到西港島線地底爆破工程引致附近樓宇結構出現問題的投訴。就此，政府可否告知本會：

- (一) 是否知悉，截至本年 1 月 30 日，香港鐵路有限公司(下稱“港鐵公司”)共接獲多少宗關於現正施工的新鐵路線的隧道鑽挖或爆破工程導致附近樓宇出現問題的投訴，並按鐵路線及地區列出分項數字；當中有多少宗已轉交予公證行調查，以及結果為何；
- (二) 鑒於本人得悉，港鐵公司會在工程前進行樓宇勘察，然而不少居民、業主及業主立案法團不滿港鐵並沒有於勘察工作前進行諮詢以及完成勘察後披露結果，使受影響人士日後難以作出合理的追討，當局會否考慮促請港鐵公司增加勘察工作的透明度；除港鐵公司將有關投訴轉交其自行委聘的公證行調查外，當局會否考慮協助經濟有困難及年長的受影響人士另行聘請獨立的測量師或公證行，作出客觀的評估及仲裁，或透過其他渠道(例如屋宇署)協助受影響人士作出評估；如否，原因為何；及
- (三) 當局及港鐵公司有否評估，隧道的鑽挖或爆破工程所產生的氣流及震盪在沒有超出相關法例及規定上限的情況下，對樓齡較大或結構較為脆弱的樓宇所產生的影響；如有，詳情為何；

如否，會否考慮作出全面評估，以釋公眾疑慮？

## Blasting works for MTR West Island Line

(6) Hon CHEUNG Hok-ming (Oral reply)

After I raised a question last year concerning the safety of the tunnel blasting works for the Hong Kong section of Guangzhou-Shenzhen-Hong Kong Express Rail Link, I have recently received complaints one after another regarding the structural problems caused to nearby buildings by the underground blasting works for the West Island Line. In this connection, will the Government inform this Council:

- (a) whether it knows the total number of complaints received by the MTR Corporation Limited (“MTRCL”) as at 30 January this year about the problems caused to nearby buildings by the tunnel boring or blasting works for the new lines under construction, with a breakdown by railway line and district; among such complaints, the number of those which were referred to loss adjusters for investigation and the results of such investigations;
- (b) as I have learnt that while MTRCL will conduct condition surveys for buildings before the commencement of works, quite a number of residents, building owners and owners’ corporations are dissatisfied that MTRCL has neither consulted them before conducting the condition surveys nor disclosed the results after completing the surveys, making it difficult for the affected parties to claim reasonable compensation in the future, whether the authorities will consider urging MTRCL to enhance the transparency of its condition surveys; apart from the referral by MTRCL of

complaint cases to the loss adjusters commissioned by MTRCL itself for investigation, whether the authorities will consider assisting the affected parties who have financial difficulties and who are elderly in employing independent surveyors or loss adjusters to conduct objective evaluations and arbitration, or assisting the affected parties to conduct such evaluations through other means (e.g. through the Buildings Department); if not, of the reasons for that; and

- (c) whether the authorities and MTRCL have assessed the impact of the airflow and vibration, which are within the relevant statutory limits, generated by tunnel boring or blasting works on older buildings or buildings which are structurally more fragile; if they have, of the details; if not, whether they will consider conducting a comprehensive assessment so as to address public concerns?

## 香港股票市場的交易時間

### # (13) 陳淑莊議員 (書面答覆)

近日有證券業從業員向本人反映，指香港交易及結算所有限公司(“港交所”)更改交易時間後，不但令他們的午膳時間縮短，更嚴重影響他們過去於中午休市時間進行的行政或其他工作。有證券從業員更指他們因需時完成工作，根本無暇在中午休市時段用膳。就此，政府可否告知本會，是否知悉：

- (一) 自港交所更改交易時間後，監管當局和港交所接獲業界人士就更改交易時間提出的意見和投訴個案的數目是多少；監管當局和港交所有沒有跟進該等意見和投訴；若有，詳情是甚麼；若沒有，原因是甚麼；
- (二) 港交所有沒有就延長交易時間的具體成效進行評估和檢討；若有，評估和檢討的結果是甚麼；若沒有，港交所是否已計劃進行有關檢討；若已有具體計劃，詳情是甚麼；若沒有計劃，原因是甚麼；及
- (三) 鑒於港交所表示，未來可能會進一步縮短中午股市休市的時間，港交所現時有沒有計劃就有關安排進行諮詢，甚至落實推行進一步延長交易時間；若有，原因是甚麼？

## Trading hours of Hong Kong stock exchange market

(13) Hon Tanya CHAN (Written reply)

Some securities practitioners have recently relayed to me that after the Hong Kong Exchanges and Clearing Limited (“HKEx”) had changed the trading hours, not only was their lunch time shortened, but the administrative or other work done by them during the lunch break in the past was also seriously affected. Some securities practitioners have further pointed out that since they needed time to complete their work, they actually did not have time for meals during the lunch break. In this connection, will the Government inform this Council if it knows:

- (a) the number of views and complaints about the change in trading hours received by the regulatory authorities and HKEx from members of the trade since HKEx changed the trading hours; whether the regulatory authorities and HKEx have followed up such views and complaints; if they have, the details; if not, the reasons for that;
- (b) whether HKEx has conducted any assessment and review on the actual effectiveness of extending the trading hours; if it has, the assessment and review outcomes; if not, whether HKEx has already planned to conduct such a review; if there is a specific plan, the details; if there is no such plan, the reasons for that; and
- (c) given that HKEx has indicated that the lunch break in the stock exchange market may be further shortened in the future, whether HKEx has any plan at present to conduct consultation on such an arrangement or has even decided to

implement the further extension of trading hours; if it has, the reasons for that?

## 中醫藥業及中醫診所的發展

### # (14) 林大輝議員 (書面答覆)

有本港中醫藥業人士向本人反映，雖然政府已在1999年訂定《中醫藥條例》(第549章)和成立香港中醫藥管理委員會，但中醫藥業的發展一直緩慢，政府的重視程度和支援都不足夠。就此，政府可否告知本會：

- (一) 會否考慮成立一個專責委員會，以制訂促進中醫藥業發展的政策；如會，詳情為何；如否，原因為何；
- (二) 鑒於政府表示正積極落實於全港分階段開設 18 間公營中醫診所(“中醫診所”)的計劃，而至今已開設了 16 間，當局計劃何時開設其餘兩間中醫診所，以及會否考慮進一步增加中醫診所的數目；如否，原因為何；
- (三) 鑒於政府表示，各中醫診所現時的服務時間視乎地區需要而定，希望在善用資源的前題下盡量方便求診者，現未有計劃延長服務時間，當局是否進行了研究或調查，確定各區中醫診所的服務時間已經符合地區需要和盡量方便求診者；如是，詳情為何；如否，為何不考慮延長服務時間以利民生；
- (四) 鑒於政府宣布廣華醫院除會重新發展現有醫療設施外，還會加強中西醫療結合服務(包括中醫住院服務)，是否知悉加強該院中西醫療結合服務的措施的詳情為何(包括中醫住院服務的病床數目及中醫數目)，以及醫院管理局有否計劃將該等措施推展至其他醫院；

- (五) 會否再次考慮研究設立公營中醫院；如會，詳情為何；如否，原因為何；
- (六) 有否評估，過去 10 年，當局推行的措施能否積極將中醫藥納入公營醫療體系；如有評估，詳情為何；如沒有評估，原因為何；
- (七) 有何措施協助中醫持續發展個人事業，以推動中醫藥業的發展；
- (八) 現時有何措施或政策引進內地中醫藥專家來港，以培養本地人才和提升香港中醫藥業的專業水平；
- (九) 會否考慮在資源和融資上向中小型的中成藥製造商提供協助(包括增設特別稅務優惠)，以減輕它們在測試、研發及改良生產設備等方面的負擔和提高產品的質量水平；如會，詳情為何；如否，原因為何；
- (十) 鑒於有業界人士表示，現時保險公司提供的保險計劃中，中醫治療費用的賠償額一般較西醫治療費用的賠償額為低，當局是否知悉原因；如知悉，詳情為何；如不知悉，會否深入瞭解；及
- (十一) 鑒於現時中醫藥並不屬於公務員及合資格人士醫療福利的範圍，當局會否考慮將中醫藥包括在範圍內，為平等看待中西醫起帶頭的作用；如否，原因為何？

## Development of Chinese medicine industry and clinics

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

Some members of the Chinese medicine industry (“CM industry”) in Hong Kong have relayed to me that the CM industry has all along been developing slowly although in 1999, the Chinese Medicine Ordinance (Cap. 549) was enacted and the Chinese Medicine Council of Hong Kong was established by the Government, and that the Government has neither attached enough importance nor provided sufficient support to the CM industry. In this connection, will the Government inform this Council:

- (a) whether it will consider setting up a dedicated committee to formulate policies on promoting the development of the CM industry; if it will, of the details; if not, the reasons for that;
- (b) given that the Government has indicated that it is actively implementing the plan to establish 18 public Chinese medicine clinics (“CMCs”) in Hong Kong in phases, and that 16 CMCs have been established so far, when the authorities plan to set up the remaining two CMCs, and whether they will consider further increasing the number of CMCs; if not, of the reasons for that;
- (c) given that the Government has indicated that while the current operating hours of various CMCs are subject to district needs with a view to facilitating patients to seek treatment as convenient as possible under the premise of optimizing the use of resources, it does not have any plan at present to extend their operating hours, whether the authorities have conducted any study or investigation to ascertain if the

operating hours of CMCs in various districts have already met district needs and facilitated patients to seek treatment as convenient as possible; if they have, of the details; if not, why they do not consider extending such operating hours to facilitate the public;

- (d) given that the Government has announced that in addition to revamping existing medical facilities, the redevelopment of Kwong Wah Hospital will also strengthen the Chinese and Western medicines shared care services of the hospital (including Chinese medicine in-patient service), whether it knows the details of the initiatives of the hospital in this respect (including the respective numbers of beds and Chinese medicine practitioners (“CMPs”) of the Chinese medicine in-patient service), and if the Hospital Authority has any plan to extend these initiatives to other hospitals;
- (e) whether it will reconsider studying the establishment of a public Chinese medicine hospital; if it will, of the details; if not, the reasons for that;
- (f) whether it has assessed if the authorities’ initiatives in the past decade were able to incorporate Chinese medicine into the public healthcare system proactively; if it has assessed, of the details; if not, the reasons for that;
- (g) of the measures in place to facilitate sustainable career development of CMPs with a view to promoting the development of the CM industry;
- (h) of the measures or policies currently in place to attract Chinese medicine experts from the

Mainland to Hong Kong to nurture local talents and lift the professional standard of the CM industry in Hong Kong;

- (i) whether it will consider offering assistance (including creating special tax concessions in this respect) to small and medium-sized proprietary Chinese medicine manufacturers in terms of resources and financing to allay their burden in various aspects such as testing, research and development and plant improvement, etc., and to upgrade the quality of products; if it will, of the details; if not, the reasons for that;
- (j) given that some members of the industry have indicated that under the insurance coverage provided by insurance companies at present, the amounts of compensation granted for claims made in respect of fees for treatment by CMPs are generally lower than those granted for claims made in respect of fees for treatment by medical practitioners, whether the authorities know the reasons for that; if they do, of the details; if not, whether they will seek an in-depth understanding of the matter; and
- (k) given that Chinese medicine is outside the scope of medical benefits for civil service eligible persons at present, whether the authorities will consider including Chinese medicine in such scope so as to take the lead in promoting equality between CMPs and medical practitioners; if they will not, of the reasons for that?

## 航空公司超額銷售機票

### # (15) 謝偉俊議員 (書面答覆)

近年，本人的議員辦事處經常接獲本港市民對航空公司(特別是佔本港航空客運量最大市場份額的航空公司)超額銷售機票的投訴。投訴人指在抵達機場後或將近登機前，才知悉沒有機位，被迫在機場與該公司的職員交涉，但其職員往往態度惡劣；而航空公司往往只承諾提升客位級別或補償一晚酒店住宿，沒有理會對乘客的行程可能造成的延誤、他們的經濟損失及不便。他們認為航空公司恃佔有龐大的市場份額，無視個別缺乏議價能力乘客的權益。他們亦質疑較早前疑因航空公司超額銷售機票而引致航班延誤的事件中，有飲食界名人通知記者到場報道其與航空公司交涉，而獲得的賠償遠比其他同類事件多。他們批評這與近日兩電原擬加電費賺盡9.9%利潤上限，無視整體社會及廣大市民利益的霸權作風無異。就此，政府可否告知本會：

- (一) 是否知悉，過去 3 年，政府部門、香港旅遊業議會及消費者委員會每年接獲多少宗涉及航空公司超額銷售機票的求助及投訴，以及該等個案的詳情為何；
- (二) 有否指定的政府部門及既定程序及機制處理涉及航空公司超額銷售機票的求助及查詢；此外，有否向公眾宣傳相關程序及機制；若有，詳情為何；若否，原因為何；
- (三) 有否研究航空公司超額銷售機票對航班乘客以至本港客運航空業的影響；

若有，影響為何；若否，原因為何，以及可否盡快研究；及

- (四) 鑒於航空公司(包括涉及航空公司本身或代理銷售機票的旅行代理商)與消費者有關超額銷售機票的糾紛越來越多，而當局現正研究改革香港旅遊業的監管架構，會否考慮同時研究加入規管及協調機制，以處理旅客與航空公司之間的糾紛；若會，詳情為何；若否，原因為何；如何針對上述情況加強保障消費者的利益？

## Oversale of air tickets by airlines

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

In recent years, my Member's Office has from time to time received complaints from members of the public in Hong Kong against the oversale of air tickets by airlines, in particular the airline that has the largest market share in terms of air passenger volume in Hong Kong. The complainants alleged that they were notified of the unavailability of seats only upon arrival at the airport or shortly before boarding, and they were forced to negotiate with the staff members of the airline concerned at the airport, but the attitude of its staff members was usually very poor, and the airline concerned usually only undertook to upgrade their seats or offer one-night hotel stay as a compensation, without regard to delay in the itinerary of the passengers that might have caused, as well as the financial loss suffered by and the inconvenience brought to the passengers. They were of the view that the airline concerned, because of its large market share, had ignored the rights and interests of those individual passengers who lacked bargaining power. They also queried that in an earlier incident of flight delay suspected to be caused by the oversale of air tickets by an airline, a celebrity in the catering industry brought along journalists to cover the process of his negotiation with the airline concerned at the scene and was subsequently offered compensation that was much higher than that in similar incidents. They criticized that this was no different from the hegemonic style of the two power companies which ignored the overall interest of the community and the public, and initially sought to make the maximum permitted return of 9.9% recently. In this connection, will the Government inform this Council:

- (a) whether it knows the number of requests for assistance and complaints involving the oversale of air tickets by airlines received by government departments, the Travel Industry Council of Hong Kong and the Consumer Council in each of the past three years, as well as the details of such cases;
- (b) whether it has designated any government department or established any procedure and mechanism to handle requests for assistance and enquiries involving the oversale of air tickets by airlines; further, whether it has publicized the relevant procedures and mechanisms; if it has, of the details; if not, the reasons for that;
- (c) whether it has examined the impact of the oversale of air tickets by airlines on flight passengers and the passenger flight industry in Hong Kong; if it has, of the impact; if not, the reasons for that, and whether it can examine the issue as soon as possible; and
- (d) given that the number of disputes between airlines (including those involving the airlines themselves or the travel agents that sell air tickets on behalf of airlines) and consumers over the oversale of air tickets has been on the rise, and that the authorities are currently examining the issue of reforming the regulatory framework of the tourism sector of Hong Kong, whether it will consider concurrently studying the introduction of a regulatory and coordination mechanism to handle the disputes between flight passengers and airlines; if it will, of the details; if not, the reasons for that; how it will step up efforts in safeguarding consumer interest in the light of the aforesaid situations?

## 過境私家車一次性特別配額及內地人士在港駕駛

### # (17) 謝偉俊議員 (書面答覆)

近日，應否容許國內公民通過粵港過境私家車一次性特別配額試驗計劃(“自駕遊計劃”)駕車來港的問題在本港引起頗大爭議。大量市民在網上表態反對，更醞釀組織遊行抗議。就此，政府可否告知本會：

- (一) 現時，內地及其他國籍(例如歐洲各國、美國和加拿大等實行左軚駕駛的國家)的人士要在港合法駕駛車輛，除了須具備其原居國家簽發的駕駛執照外，還須持有甚麼駕駛執照及具備甚麼資格；
- (二) 過去 3 年，每年符合第(一)項的資格獲許可在港駕駛的內地公民人數為何；
- (三) 過去 3 年，在港發生的交通意外中，分別有多少宗涉及來自內地及其他國籍的駕駛者，並按駕駛者的國籍列出分項數字；
- (四) 過去 3 年，本港的執法機關分別向違反交通條例的內地及其他國籍的駕駛者發出多少張告票或提出檢控，並按違例個案的類別和涉及的交通意外類別以表列出分項數字；
- (五) 現時獲批常規配額(俗稱“中港車牌”)並在本港行駛的車輛數目為何；當中在香港登記和在內地登記的車輛數目分別為何；該等車輛須否符合特定的技術規格；若須要，詳情為何；以非香港登記車輛、非經製造商或入口商

輸入，以及曾在外地(例如日本、美國、澳洲及歐洲)使用的外地登記車輛申請“中港車牌”的途徑為何；審批該等申請的準則，與審批一般申請的準則有否不同；若有，詳情為何；是否知悉，可向內地或本港哪些政府部門或機關提交“中港車牌”申請；哪些內地及本港的政府部門及機關有權簽發“中港車牌”；申請“中港車牌”須符合甚麼資格，以及申請費用為何；

- (六) 決定落實容許國內公民通過自駕遊計劃駕車來港的政策前，有否預計政策實施後，每年駕車來港的國內公民人數為何；此外，有否評估是否需要諮詢市民的意見；若有，評估結果為何；若評估的結果為有此需要，曾否進行諮詢；若沒有評估，可否立即作出評估；及
- (七) 政府有否考慮在口岸附近設“自駕遊車輛停泊區”，限制自駕遊車輛在進入香港後只可在該處停泊，而駕駛者則可再乘搭接駁交通工具進入市區，以避免自駕遊計劃對本港的道路使用量、交通秩序、交通規例的執行、保險索償，以及空氣污染等方面帶來重大影響？

Ad hoc quotas for cross-boundary private cars  
and mainlanders driving in Hong Kong

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

Recently, the issue of whether mainland citizens should be allowed to drive to Hong Kong under the trial scheme on one-off ad hoc quotas for Guangdong/Hong Kong cross-boundary private cars (“Self-drive Tour Scheme”) has aroused much contention in Hong Kong. A lot of members of the public have voiced their opposition on the Internet, and the organization of a march in protest of the Scheme is brewing. In this connection, will the Government inform this Council:

- (a) of the driving licenses other than the driving licenses issued by the drivers’ countries of origin that mainland people and people of other nationalities (e.g. European countries, the United States, and Canada, etc. where left-hand drive is implemented) should possess as well as the eligibility criteria they should meet at present in order to drive legally in Hong Kong;
- (b) of the number of mainland citizens who met the criteria set out in (a) and were permitted to drive in Hong Kong in each of the past three years;
- (c) among the traffic accidents occurred in Hong Kong in the past three years, of the respective numbers of those involving mainland drivers and drivers of other nationalities, together with a breakdown by the nationality of the drivers;
- (d) of the respective numbers of penalty tickets issued or prosecutions instituted by the law enforcement authorities of Hong Kong against mainland drivers and drivers of other

nationalities for violation of traffic legislation in the past three years, together with a breakdown by category of the offences and type of traffic accidents involved (set out in table form);

- (e) of the number of vehicles that have obtained approval for regular quotas (commonly known as “cross-boundary vehicle licences”) and are running in Hong Kong at present; among those vehicles, the respective numbers of those that are registered in Hong Kong and on the Mainland; whether they are required to meet certain technical specifications; if so, of the details; of the channels for submitting applications for “cross-boundary vehicle licences” for vehicles not registered in Hong Kong, not imported through manufacturers or importers, as well as for those vehicles registered in overseas countries and were used outside Hong Kong (e.g. in Japan, the United States, Australia, and Europe); whether there is any difference between the vetting criteria for such applications and those for ordinary applications; if so, of the details; whether it knows which mainland or Hong Kong government departments or authorities accept applications for “cross-boundary vehicle licences”, and which mainland or Hong Kong government departments or authorities have the authority to issue such licences; of the eligibility criteria for applying for “cross-boundary vehicle licences”, and the application fees;
- (f) before deciding to implement the policy on allowing mainland citizens to drive to Hong Kong under the Self-drive Tour Scheme, whether it had estimated the number of mainland

citizens driving to Hong Kong each year after the implementation of the policy; further, whether it had assessed if public consultation would be needed; if it had, of the result of the assessment, and if the assessment result was in the affirmative, whether it had conducted consultation; if no assessment had been made, whether it can immediately conduct such an assessment; and

- (g) whether it has considered setting up parking areas for Self-drive Tour Scheme vehicles in the vicinity of boundary control points to impose a restriction that Self-drive Tour Scheme vehicles may only park in such parking areas after entering Hong Kong, and the drivers may use feeder transport services to travel to the urban areas, so as to avoid the substantial impact of the Self-drive Tour Scheme on road usage, traffic order, enforcement of traffic regulations, insurance claims and air pollution, etc. in Hong Kong?