

立法會
Legislative Council

LC Paper No. CB(1)2583/11-12
(These minutes have been seen
by the Administration)

Ref : CB1/PL/TP/1

Panel on Transport

**Minutes of special meeting held on
Wednesday, 29 February 2012, at 8:30 am
in Conference Room 1 of the Legislative Council Complex**

- Members present** : Hon Andrew CHENG Kar-foo (Chairman)
Hon CHEUNG Hok-ming, GBS, JP (Deputy Chairman)
Hon LAU Kong-wah, JP
Hon Miriam LAU Kin-ye, GBS, JP
Hon LI Fung-ying, SBS, JP
Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon WONG Kwok-hing, MH
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon Ronny TONG Ka-wah, SC
Hon KAM Nai-wai, MH
Hon Starry LEE Wai-king, JP
Hon CHAN Hak-kan
Hon WONG Sing-chi
Hon Tanya CHAN
Hon Albert CHAN Wai-yip
- Members attending** : Hon LEE Cheuk-yan
Hon Audrey EU Yuet-mee, SC, JP
- Members absent** : Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon Abraham SHEK Lai-him, SBS, JP

Hon IP Wai-ming, MH
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon LEUNG Kwok-hung

**Public Officers
attending** : **Agenda item I**

Mr YAU Shing-mu, JP
Under Secretary for Transport and Housing

Miss Petty LAI Chun-ye
Principal Assistant Secretary (Transport) 6
Transport and Housing Bureau

Miss Cinderella LAW Fung-ping, JP
Assistant Commissioner/Administration &
Licensing
Transport Department

Mr Stephen Harvey VERRALLS
Chief Superintendent of Police (Traffic)
Hong Kong Police Force

**Attendance by
invitation** : **Agenda item I**

Individual

Mr Martin OEI
Political Commentator

Hong Kong Christian Institute

Mr Andrew SHUM Wai-nam
Programme Secretary (Social Concern)

Individual

Mr Paul ZIMMERMAN
Southern District Councillor

Designing Hong Kong

Miss Eva TAM
Project Manager

Our Bus Terminal

Mr Leslie CHAN
Chairman

Individual

Mr CHEUNG Ki-tang
Kwun Tong District Councillor

Clean Air Network (CAN)

Miss Helen CHOY
General Manager

Hong Kong Police Law Enforcement Concern
Group

Mr KWAN Wai-kit
President

Individual

Miss AU Ka-po

Individual

Mr Ellis LEUNG Chi-fai
Marketing Manager

Community Development Initiative

Mr Jacky LIM

Sky Action

Mr Cody WONG Tze-hei
Spokesperson

反自駕遊車毀人亡協會

Mr WONG Yeung-tat
Representative

Individual

Mr SO Ho

Individual

Mr LAM Kong-ching

HK Redevelopment Concern Group

Mr NG Yin-keung
Chairman

Individual

Ms CHIK Yuk-chun

Civic Party

Mr Albert LAI
Exco, Civic Party

Individual

Mr Timothy CHENG Ka-chun

Green Sense

Ms HO Ka-po
Project Manager

Individual

Ms HO Loy
Campaign Initiator of 'A Green Harbourfront
Bikepath for Hong Kong Island'

Classic Car Club of Hong Kong (1989) Ltd

Mr Elton LAU C H
Honorary Advisor

Hong Kong Cycling Alliance

Mr CHAN Ka-leung

Hong Kong Automobile Association

Mr Lawrence YU
President

The Motor Sports Club of Hong Kong Ltd

Mr Danny Stacy CHAU
Vice-President

Hong Kong Motor Vehicles Import and Export
Association

Mr Paul LAW S H
President

Collectors Car Club of Hong Kong Ltd

Ms Connie LAU
Director of Membership Services &
Hon. Treasurer

車主會

Mr CHAN Yau-nan
Executive

Individual

Mr CHEUNG Shek-kan

Individual

Miss LI Shee-lin

Individual

Mr TO Cho-ki

Land Justice League/Anti-Hong Kong Forced
Planning Action Group

Mr CHEN Holok

Democratic Alliance for the Betterment and
Progress of Hong Kong

Mr CHAN Hok-fung
Deputy Spokesperson of Transport Affairs

Individual

Ms Christine FONG Kwok-shan
Sai Kung District Councillor

Individual

Mr AU Nok-hin
Southern District Councillor

Mini Race Car Club Ltd

Mr Simon FUNG
President

Taxi & P.L.B. Concern Group

Mr LAI Ming-hung
Chairman

Clerk in attendance: Ms Joanne MAK
Chief Council Secretary (1)2

Staff in attendance : Ms Macy NG
Senior Council Secretary (1)2

Ms Emily LIU
Legislative Assistant (1)2

Action

- I Ad hoc quota trial scheme for cross-boundary private cars**
- | | |
|--|---|
| (LC Paper
CB(1)1132/11-12(01) | No. - Administration's response to issues raised at the meeting on 16 February 2012 |
| LC Paper
CB(1)1055/11-12(01) | No. - Administration's paper entitled "Ad hoc quota trial scheme for cross-boundary private cars" |
| LC Paper
CB(1)1139/11-12 | No. - Verbatim record of special meeting on 16 February 2012 |
| LC Paper
CB(1)1051/11-12 | No. - Background brief entitled "Ad hoc quota trial scheme for cross-boundary private cars" prepared by the Legislative Council Secretariat |
| LC Paper
CB(1)1136/11-12(01) | No. - Submission from The Chamber of Hong Kong Logistics Industry Limited |
| LC Papers
CB(1)1136/11-12(02) to (79) | Nos. - Submissions from members of the public |
| LC Paper
CB(1)1170/11-12(01) | No. - Submission from Friends of the Earth |
| LC Paper
CB(1)1170/11-12(02) | No. - Submission from Mr CHIU Andrew Ka-yin, Eastern District Councillor |
| LC Paper
CB(1)1170/11-12(03) | No. - Submission from The Institute of the Motor Industry Hong Kong |
| LC Paper
CB(1)1170/11-12(04) | No. - Submission from The Conservancy Association |
| LC Paper
CB(1)1170/11-12(05) | No. - Further submission from The Chamber of Hong Kong Logistics Industry Limited |

LC Paper CB(1)1170/11-12(06)	No. -	Submission from Hong Kong Container Tractor Owner Association Limited
LC Paper CB(1)1170/11-12(07)	No. -	Submission from Hong Kong CFS and Logistics Association Ltd.
LC Paper CB(1)1170/11-12(08)	No. -	Submission from Hong Kong Container Drayage Services Association Ltd.
LC Paper CB(1)1198/11-12(07)	No. -	Submission from Federation of Hong Kong Industries
LC Paper CB(1)1198/11-12(08)	No. -	Submission from 2G THER
LC Paper CB(1)1198/11-12(09)	No. -	Submission from Mr CHAU Yin-ming, Sai Kung District Councillor
LC Paper CB(1)1198/11-12(10)	No. -	Submission from Business and Professionals Federation of Hong Kong
LC Papers CB(1)1198/11-12(11) to (12)	Nos. -	Submissions from members of the public
LC Paper CB(1)1205/11-12(03)	No. -	Further submission from a member of the public)

Meeting with deputations/the Administration

*Mr Martin OEI
(LC Paper No. CB(1)1198/11-12(01))*

Mr Martin OEI briefed members on his submission. He said that although the first phase of the ad hoc quota trial scheme for cross-boundary private cars (the Scheme) only allowed qualified owners of Hong Kong non-commercial private cars to apply for such quotas to enter Guangdong for a short stay, he opposed its implementation as it would worsen the serious traffic congestion problem currently in Shenzhen. He opined that the Government should encourage use of public transport means, such as East Rail, for travelling to Guangdong. He also considered that once the first phase of the Scheme was implemented, Hong Kong would be bound to implement the second phase, which allowed Guangdong private cars to enter Hong Kong. As a result, many problems would arise, such as influx of non-local pregnant women into Hong Kong to give birth, and difficulties in law enforcement when visiting Mainland drivers breached the traffic regulations of Hong

Kong.

Hong Kong Christian Institute

2. Mr Andrew SHUM said that the Institute was dissatisfied with the Administration for not consulting the public on the Scheme and was very concerned about the environmental pollution and traffic congestion problems that might be caused by the Scheme. The Institute considered the Government's policies contradictory, as on one hand the Government prohibited the idling of motor vehicles and increased the first registration tax for private cars to tackle the problem of air pollution and to curb the growth of private cars, and on the other hand it allowed more cars to enter Hong Kong through issuance of quotas under the Scheme.

*Mr Paul ZIMMERMAN, Southern District Councillor
(LC Paper No. CB(1)1198/11-12(02))*

3. Mr Paul ZIMMERMAN briefed members on the salient points of his submission. He considered that Hong Kong could not allow more vehicles entering the city until it had the capability to manage traffic flows. In his view, the Scheme would test Hong Kong's ability to manage traffic with convenient park-and-ride facilities and effective road pricing to keep Hong Kong free from congestion and roadside air pollution.

Designing Hong Kong

4. Miss Eva TAM said that Designing Hong Kong was opposed to the Scheme, which was not in line with the Government's established policy of using railways as the backbone of Hong Kong's transport system and would aggravate the traffic congestion problem in Hong Kong, hence seriously affecting the living standard of Hong Kong people.

Mr CHEUNG Ki-tang, Kwun Tong District Councillor

5. Mr CHEUNG Ki-tang said that the Scheme had aroused wide public concerns on its impact on environment, road safety, vehicle inspections and law enforcement in Hong Kong. In taking forward the Scheme, the Government should take effective measures to address those concerns and conduct more public consultation. He considered that the implementation of the first phase of the Scheme would provide an additional choice for Hong Kong people to travel to Guangdong and urged the Administration to closely liaise with Guangdong Government

on enhancing the road safety in the Mainland with a view to safeguarding the safety of Hong Kong drivers. He also requested the Administration to duly review the first phase of the Scheme and implement the second phase only on the basis of solid support from the public and District Councils.

Clean Air Network (CAN)
(LC Paper No. CB(1)1135/11-12(01))

6. Miss Helen CHOY presented her views as detailed in her submission. She pointed out that due to differences in the fuel oil quality between the Mainland and Hong Kong, when Hong Kong vehicles issued with the quota returned to Hong Kong after filling up with high sulphur fuel oil on the Mainland, Hong Kong's air quality would be affected. She also considered that the Scheme violated the Government's established policy of promoting the use of public transport.

Hong Kong Police Law Enforcement Concern Group
(LC Paper No. CB(1)1135/11-12(02))

7. Mr KWAN Wai-kit briefed members on the Group's submission. In gist, the Group was very concerned about difficulties in prosecutions against Mainland drivers who breached the traffic regulations in Hong Kong and in law enforcement work during the implementation of the Scheme.

Miss AU Ka-po

8. Miss AU Ka-po expressed objection to the Scheme. She pointed out that due to different driving practices and traffic regulations between Hong Kong and the Mainland, allowing Mainland vehicles to be driven in Hong Kong would easily cause traffic accidents, hence scaring away tourists due to safety concerns.

Mr Ellis LEUNG Chi-fai

9. Mr Ellis LEUNG complained that the Government had not consulted the public on the Scheme. He expressed concern about whether support services would be made available by the Hong Kong Government for Hong Kong drivers when they were involved in traffic accidents on the Mainland, since the legal systems of the two places were different. He also considered that the second phase of the Scheme would lead to traffic congestion problem and inadequate parking spaces.

As a result, parking fees would be driven up. Besides, it would be difficult to seek compensation from Mainland car drivers/owners in case of traffic accidents.

Community Development Initiative

(LC Papers Nos. CB(1)1198/11-12(03) and CB(1)1205/11-12(02))

10. Mr Jacky LIM briefed members on the views of the group. He pointed out that a lot of members of the public had voiced their opposition to the Scheme on the Internet. He complained that little detail of the Scheme had been provided to the public and requested the Administration to disclose all the relevant documents regarding the Scheme. He also asked why the international circulation permits issued to left-hand drive vehicles were not required to be surrendered within 12 months and when they departed from Hong Kong under Regulation 33 of Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374E).

Sky Action

11. Mr Cody WONG queried about the actual benefits that the Scheme would bring about to local residents and whether the road capacity of Hong Kong could cope with additional cars anymore. He considered that the Scheme would pose a high risk to road safety in Hong Kong and would drive up the parking fees. In light of the strong public reaction against the launch of the Scheme, he suggested that the Government should suspend its implementation.

反自駕遊車毀人亡協會

12. Mr WONG Yeung-tat said that the public had expressed grave concern about the Scheme, particularly its impact on road safety and law enforcement. He considered that the Scheme, together with the problem of "doubly non-permanent resident pregnant women" entering the territory, would add fuel to the conflicts and confrontation between the Mainland and Hong Kong. He also criticized that the Government's plan to allow more private cars entering Hong Kong under the Scheme was contradictory to the policy of environmental protection.

Mr SO Ho

13. Mr SO Ho expressed objection to allowing Mainland private cars entering Hong Kong. Considering that the transport network connecting Hong Kong and the Mainland was already very well-developed, he queried if there was a genuine need for the Scheme, which might increase the risks of traffic accidents in Hong Kong. He also expressed concern on whether the Hong Kong Government had given any undertaking to the Guangdong Government and the consequences if Hong Kong did not launch the Scheme.

Mr LAM Kong-ching

14. Mr LAM Kong-ching shared some deputations' views that the Scheme contradicted the Government's policy to curb the growth of private cars in the territory. He considered that the Administration and those Members who supported the Scheme should be fully responsible for any fatal traffic accidents which occurred as a result of implementation of the Scheme.

HK Redevelopment Concern Group

(LC Papers Nos. CB(1)1135/11-12(03) and CB(1)1198/11-12(04))

15. Mr NG Yin-keung briefed members on the Group's submissions. The Group considered that the policy intent of the Scheme was to boost the traffic flow of the Hong Kong-Zhuhai-Macao Bridge (HZMB), so as to finance HZMB's construction cost. The Group suggested that the Administration should set some objective benchmarks for assessment of the effectiveness of the first phase of the Scheme. In addition, the possible impact of the Scheme on Hong Kong's traffic load should be duly considered before launching the second phase.

Ms CHIK Yuk-chun

(LC Paper No. CB(1)1198/11-12(05))

16. Ms CHIK Yuk-chun briefed members on her submission. In gist, she expressed strong objection to the Scheme and considered that it should not be implemented until improvements had been made to the air quality and road traffic condition of Hong Kong, as well as the driving attitude of Mainland drivers.

Mr Timothy CHENG Ka-chun
(LC Paper No. CB(1)1135/11-12(04))

17. Mr Timothy CHENG briefed members on his submission. He considered that the Scheme should not be implemented hastily as there were many problems pending to be solved, which included the different "driving culture" of Hong Kong and Mainland drivers, the expected adverse impact brought about by the Scheme on Hong Kong's traffic and the environment, as well as law enforcement difficulties.

Green Sense
(LC Paper No. CB(1)1135/11-12(05))

18. Ms HO Ka-po briefed members on the views of Green Sense as detailed in its submission. She said that Green Sense was strongly opposed to the Scheme and requested the Administration not to implement it in March 2012. Green Sense considered that visitors in Hong Kong should be encouraged to make use of its well-developed public transport facilities which would be more convenient than by driving their own cars.

Ms HO Loy
(LC Papers Nos. CB(1)1135/11-12(06) and CB(1)1205/11-12(01))

19. Ms HO Loy briefed members on the salient points of her submission. In gist, she criticized the Government for refusing to build more cycling tracks for Hong Kong people but planning at the same time to allow Mainland private cars coming to Hong Kong. She also considered that the Administration failed to come up with any effective measures to address the various concerns raised by the public on the Scheme.

Classic Car Club of Hong Kong (1989) Ltd

20. Mr Elton LAU said that the Club had been organizing self-drive tours to the Mainland since 80s' and those tours were well-received by Hong Kong people. With the introduction of the Scheme, Hong Kong people would be able to drive freely on the Mainland and it seemed easy to apply for the ad hoc quotas under the Scheme. In addition, the Scheme would bring economic benefits to Hong Kong by speeding up its integration with the Pearl River Delta region. According to the Club's experience, driving on the Mainland could be very safe with sufficient preparations. As such, the Club supported the Scheme and would be

willing to share its experience with interested drivers after commencement of the Scheme.

Hong Kong Cycling Alliance
(LC Paper No. CB(1)1135/11-12(07))

21. Mr CHAN Ka-leung presented the views of the Alliance as detailed in its submission. The Alliance expressed doubt about the merits of the Scheme and considered that its economic benefits might not be able to offset its social costs such as problems of traffic congestion, air pollution and the health risk posed to the public. The Alliance recommended that the Government should encourage the Mainland visitors to use the public transport in Hong Kong during their stay here.

Hong Kong Automobile Association

22. Mr Lawrence YU said that the majority of the Association's members supported the Scheme and considered that the Scheme would bring much enjoyment to Hong Kong drivers as they could drive their own vehicles northbound easily. He considered that the Administration should formulate a series of supportive measures to facilitate the implementation of the first phase of the Scheme, including equipping drivers with the traffic regulations on the Mainland, and perfecting the insurance and liability arrangements for traffic incidents under the Scheme. He pointed out that driving across different countries/provinces was common in overseas countries, such as Singapore and Malaysia, as well as European countries, so Hong Kong should not isolate itself.

The Motor Sports Club of Hong Kong Ltd

23. Mr Danny Stacy CHAU said that the Club had been organizing activities for cross-boundary vehicles for many years and considered that Mainland drivers should also be given an opportunity to drive to Hong Kong. The Club expressed support for the Scheme and that adequate facilities should be made available to facilitate self-drive tours. He supplemented that the Club had also organized training courses about knowledge of driving in the Mainland for enrollment by those Hong Kong drivers who were not familiar with the driving environment in the Mainland. He did not see any problem of implementing the Scheme.

Hong Kong Motor Vehicles Import and Export Association

24. Sharing the views of Hong Kong Automobile Association, Mr Paul LAW considered that Hong Kong, as an international city, should follow the overseas practices of allowing driving across boundaries. He considered the Scheme workable if it was properly regulated, for examples, by requiring Mainland drivers to follow local traffic regulations when they were driving in Hong Kong, by carefully vetting and screening applications for quotas, by perfecting the insurance and liability arrangements for handling any traffic accident, and by conducting emission tests or other inspections on vehicles participating in the Scheme. He considered that Hong Kong owners/drivers should not be deprived of their right to drive to the Mainland.

Collectors Car Club of Hong Kong Ltd

25. Ms Connie LAU said that to her experience, driving on the Mainland was safe if drivers complied with local traffic regulations. She pointed out that there were also strict requirements of vehicle inspections on the Mainland and the roads met the international safety standard. To facilitate driving on the Mainland, she considered that Hong Kong drivers should be provided with adequate training on the traffic regulations and knowledge on handling of traffic accidents on the Mainland. She also considered that the Scheme was practicable if it was taken forward in a gradual manner, and would benefit Hong Kong economy as a whole. In response to some deputations' views, she considered that Hong Kong drivers should have the right to choose any transportation means to take to travel to Guangdong, such as by public transport or self-driving, and they should not be restricted to use public transport only.

車主會

26. Mr CHAN Yau-nan expressed support for the Scheme, which had been longed for by the Club. He explained that driving was not enjoyable in Hong Kong due to the congested road conditions with many restrictions. However, the Scheme would enable Hong Kong people to drive freely in Guangdong with relatively low cost, as they were not required to meet the relevant investment requirements of the Mainland to obtain approval for regular quotas (commonly known as "cross-boundary vehicle licences").

Mr CHEUNG Shek-kan

27. Mr CHEUNG Shek-kan expressed objection to both phases of the Scheme and considered that it should be shelved. He opined that the Administration should properly consult the public on the Scheme with all the details made available. He also queried whether it was legitimate for the Hong Kong Government to have reached an agreement with the Mainland authorities on introducing the Scheme without first obtaining the endorsement of the Legislative Council (LegCo), as implementation of the Scheme would involve legislative amendment exercise and require funding support for its implementation.

Miss LI Shee-lin

28. Miss LI Shee-lin considered that the Scheme violated the principle of "One Country Two Systems" and would pose safety hazards to both Hong Kong and Mainland residents because of the difference in road environment and "driving cultures" between the two places. In her view, the Scheme should only be implemented with enhanced supporting facilities, including road and parking facilities. In addition, Mainland drivers should be required to sit for and pass a driving test before obtaining permit for driving in Hong Kong and to hire local vehicles only for driving here. It should also be required that the vehicles concerned had to have insurance coverage.

Mr TO Cho-ki

29. Mr TO Cho-ki expressed concern about the profound impact of the Scheme on Hong Kong. In particular, he highlighted the different driving practices of Hong Kong and the Mainland drivers, such as that the latter would not stop their cars before pedestrian crossings when the green light was on or even when there were pedestrians crossing the road. He considered that with the construction of the Guangzhou-Shenzhen-Hong Kong Express Rail Link and Hong Kong-Zhuhai-Macao Bridge (HZMB), Hong Kong would be even better connected with the Mainland and there was no need to introduce the Scheme to further facilitate cross-boundary travel. Moreover, the economic value of the Scheme to Hong Kong was also doubtful.

*Land Justice League/Anti-Hong Kong Forced Planning Action Group
(LC Paper No. CB(1)1135/11-12(08))*

30. Mr CHEN Holok briefed members on the salient points of his submission. He requested the Administration to make public the content of the Framework Agreement on Hong Kong/Guangdong Co-operation (Framework Agreement), all the records of meetings detailing the discussions between the two governments on the Scheme, and relevant development plans regarding way forward of the Scheme to address the public concerns.

Democratic Alliance for the Betterment and Progress of Hong Kong

31. Mr CHAN Hok-fung considered that the driving attitudes of Mainland drivers could be examined through the issuance of international circulation permits, so as to address the public's worries about the different driving practices of the Mainland and Hong Kong drivers. In view of the public's grave concern about the adverse impact of the Scheme on the road traffic and the air quality of Hong Kong, the Administration should introduce mandatory Park-and-Ride schemes for visiting Mainland drivers under the Scheme to minimize impacts on Hong Kong's road system and environment. In addition, it should also thoroughly consult the public on taking forward the second phase of the Scheme. He supported the implementation of the first phase as it would allow Hong Kong drivers to enjoy driving on the Mainland.

Ms Christine FONG Kwok-shan, Sai Kung District Councillor

32. Pointing out that at present, cross boundary vehicles were regulated under a quota system jointly administered by the Government of Hong Kong and the Guangdong Provincial Government (regular quota system), which allowed cross boundary vehicles to travel between Hong Kong and Guangdong, Ms Christine FONG expressed doubt about the need to implement the Scheme as Hong Kong drivers could already enjoy driving on the Mainland through the current mechanism. In fact, the number of Closed Road Permits issued under the regular quota system was large. She objected to allowing additional Mainland vehicles to enter Hong Kong on the grounds that it would aggravate the air pollution problem of Hong Kong, hence discouraging foreign investments. She opined that the Scheme should not be implemented on a reciprocal enforcement basis.

Mr AU Nok-hin, Southern District Councillor

33. Mr AU Nok-hin shared some deputations' views that the Scheme was unfavorable to Hong Kong's traffic. He considered that both phases of the Scheme were impracticable and posed high risks to road safety given the differences between right-hand drive and left-hand drive vehicles. In addition, Mainland drivers might easily get lost while driving in Hong Kong as they were unfamiliar with Hong Kong's road environment and vice versa.

Mini Race Car Club Ltd

34. Mr Simon FUNG welcomed the implementation of the Scheme which enabled driving on the Mainland with lower costs. He considered that Hong Kong people's concern about the second phase could be addressed through discussion. He pointed out that Mainland vehicles were also quite modern as they were required to be replaced every ten years and their engines were of good quality, though there was room for improvement in the quality of fuel oil and in Mainland drivers' driving attitude. He anticipated that there would not be so many Mainland drivers conducting self-driving tours in Hong Kong when they realized how serious the traffic congestion problem in Hong Kong was.

Taxi & P.L.B. Concern Group

35. Mr LAI Ming-hung queried how enforcement actions could be taken against Mainland private cars involved in traffic accidents in Hong Kong, and how summonses could be served on the drivers concerned and what actions could be taken if they did not appear in court. He also expressed worry that the coverage of insurance procured by Mainland drivers might not be adequate to cover the liability claim arising from the traffic accident concerned.

Our Bus Terminal

36. Mr Leslie CHAN expressed the following concerns of allowing Mainland vehicles to be driven in Hong Kong under the Scheme :

- (a) the traffic congestion problem in areas such as Tsim Sha Tsui would be worsened;
- (b) fuel oil in Hong Kong, particularly in the New Territories, might be snatched up when there was a shortage of motor

vehicle diesel on the Mainland;

- (c) while the Government had formulated measures to improve roadside air quality, for example, by replacing diesel taxis and light buses with liquefied petroleum gas ones, it was inappropriate for it to allow Mainland vehicles which were running on diesel to enter Hong Kong; and
- (d) the Scheme would affect the livelihood of cross-boundary vehicle drivers.

Based on the above reasons, he requested the Administration to shelve the Scheme immediately.

Civic Party

(LC Paper No. CB(1)1198/11-12(06))

37. Mr Albert LAI briefed members on the submission of the Civic Party. In gist, it requested the Administration to immediately shelve the Scheme as it violated the transport, environmental and economic policies of the Government. He opined that the Scheme would pose serious risks to road safety and affect Hong Kong's air quality. It might also aggravate the problem of "doubly non-permanent resident pregnant women" faced by Hong Kong.

Discussion

38. Due to the shortage of time, the Chairman invited members to raise questions immediately after the presentation of views by deputations.

39. Mr WONG Sing-chi said that the Democratic Party opposed the Scheme which, in his view, would cause the society to become more divided. He considered that the economic value of the Scheme to Hong Kong would be very limited and there were no sound justifications for its introduction. He requested the Administration to shelve both phases of the Scheme. Mr Ronny TONG also considered that given the strong opposing views of the public against the Scheme, it was inappropriate for the Government to proceed with its implementation. Mr TONG asked why the Administration did not agree to scrap the Scheme as requested by most of the deputations attending the meeting.

40. Under Secretary for Transport and Housing (USTH) responded that the major concern expressed by the deputations at the meeting was about the implementation of the second phase of the Scheme. He assured members that there was at present no concrete timetable for the implementation of the second phase of the Scheme, and that legislative amendments were necessary for its implementation. USTH further said that under the first phase of the Scheme, only 50 quotas would be issued to Hong Kong private car owners per day, which would have insignificant impact on the current cross-boundary vehicular traffic.

41. Ms Audrey EU requested the Administration to note that the submissions made to the Panel were overwhelmingly opposed to the Scheme. She said that although the Scheme could fulfill the aspirations of some private car clubs which wanted to organize self-drive tours to the Mainland, they could still do so under the existing mechanism whereby Hong Kong-licensed vehicles were allowed to drive northbound. Ms EU pointed out that Hong Kong people were deeply concerned about the second phase of the Scheme as it would have profound impact on various aspects of Hong Kong such as the environment and road safety. Ms EU and Miss Tanya CHAN both considered that the Administration should provide to the Panel a copy of the Framework Agreement and information concerning the discussion and decisions on the Scheme at the Hong Kong/Guangdong Co-operation Joint Conference (HKGDCJC), including the records of its meetings. Ms EU said that the public wanted to know whether the Administration had given any undertaking to the Guangdong government during their discussion on the Scheme that the first phase of the Scheme, after launched, was bound to be followed by implementation of the second phase. Besides, the public wanted to know how the review of the effectiveness of the first phase would be conducted.

42. With reference to the Administration's letter dated 27 February 2012 to the Panel (LC Paper No. CB(1)1132/11-12(01), USTH invited members to note that the Framework Agreement was a public document which could be downloaded from the Government's website. However, for records of other Government-to-Government meetings, such as the records of Plenary and Working Meeting of HKGDCJC, they were not public documents and could not be disclosed to the public.

43. Mr LEE Cheuk-yan echoed other members' view that the crux of the problem was whether there was a mutual agreement between the Governments of Guangdong and Hong Kong that, once Hong Kong people were allowed to drive northbound to the Mainland under the first

phase, Mainland residents would then be allowed to drive southbound to Hong Kong. He reiterated that given its small size of area, Hong Kong would not be able to stand the impact of the implementation of the second phase of the Scheme on its environment, air quality and road traffic, etc. He opined that if the Scheme were implemented in the principle of reciprocity, to be fair to the Mainland and Hong Kong, both phases should not be implemented.

44. USTH responded that as pointed out by the Secretary for Transport and Housing (STH) at the Panel meeting on 16 February 2012, back in 2009, the Administration had already advised that the Scheme would be implemented in two phases, starting with the issue of ad hoc quotas to Hong Kong private cars first, to be followed by Guangdong private cars at a later stage upon satisfactory implementation of the first phase. USTH reiterated that the implementation of the second phase of the Scheme would involve legislative amendments, and that it was only the first phase that would be implemented in March 2012. In taking forward the second phase of the Scheme, the Administration would first review the effectiveness of the first phase of the Scheme in accordance with factors such as impact on the traffic and the environmental impact. The Administration would have to further study and discuss the specific arrangements of the second phase with the relevant Guangdong authorities.

45. The Chairman thanked the deputations for their views. He requested the Administration to note that the deputations at this meeting were largely opposed to the Scheme and they considered that the entire Scheme should be shelved. The Chairman expressed concurrence with some members' view that disclosure of the relevant records of HKGDCJC was necessary to enable the public to know whether the Administration had given any undertaking to the Guangdong government, during their discussion on the Scheme, that the implementation of the first phase of the Scheme was bound to be followed by implementation of the second. At the request of some members, the Chairman directed to revise the agenda of the next Panel meeting on 9 March 2012 to include discussion on whether the LegCo's authorization should be sought to empower the Panel to exercise the powers under the LegCo (Powers and Privileges) Ordinance to order the production of information concerning the discussion and decisions on the Scheme at HKGDCJC, including the records of its meetings.

Clerk

II Any other business

46. There being no other business, the meeting ended at 10:55 am.

Council Business Division 1
Legislative Council Secretariat
14 September 2012