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22 August 2013

Council Business Division
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong
(Attn: Miss Katherine CHAN)

Fax No. : 2978 7569

Dear Miss CHAN,

**Legislative Council Panel on Transport
Subcommittee on Matters Relating to Railways**

List of Follow-up Actions as at 21 May 2013

Regarding the third item on the Subcommittee's list of follow-up actions as at 21 May 2013, the following supplementary information is provided.

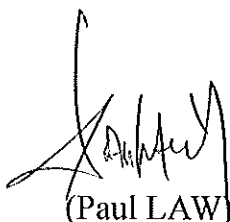
At the Subcommittee' meeting, Members requested the MTR Corporation Limited (MTRCL) to provide information on cases involving claims and relevant repairs carried out for the claimants concerned. According to the MTRCL's records, by the end of June 2013, the MTRCL had received 501 reports of damage in buildings or structures, suspected to be caused by the railway works for the West Island Line, the Hong Kong section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link, the South Island Line (East), the Kwun Tong Line Extension or the Shatin to Central Link. The MTRCL project team will first contact the residents/owners for a preliminary inspection. Depending upon the nature of the case, the MTRCL may refer the

case to a loss adjuster for assessment. The loss adjuster, which is employed by an insurance company (not the MTRCL) and acting as a third party, will assess the compensation claims independently in a professional and fair manner. This well-established practice has been widely adopted in Hong Kong and other countries for handling building damage claims. The loss adjuster will arrange for a joint inspection with the resident/owner, the MTRCL and its contractors. If the assessment by the independent loss adjuster indicates that the damages are caused by railway works, the MTRCL and its contractors will arrange the repair works for the resident/owner as soon as possible.

At present, the MTRCL and the loss adjuster have completed the investigation of 442 cases and have reported the results to the claimants. The claimants of 423 cases have not raised objection to the results of investigation, while the MTRCL and its contractors are negotiating with the claimants on 19 cases. The loss adjuster is processing the remaining 59 cases.

Of the 442 cases for which the MTRCL and the loss adjuster have completed investigation, 16 cases are confirmed to be related to railway works. However, they do not involve the structural safety of buildings. The contractors have followed up the compensation with the claimants concerned. The MTRCL also indicates that some contractors have, in the consideration of maintaining good neighbourliness, formed volunteer home visit teams to carry out minor maintenance or repair works for residents/owners who have such need in the vicinity of the construction site. As these voluntary works are not related to structural conditions or building safety and have no implication on both sides' liabilities.

Yours sincerely,



(Paul LAW)

for Secretary for Transport and Housing