

**立法會**  
***Legislative Council***

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**Paper for the House Committee meeting  
of 8 May 2015**

**Questions scheduled for the  
Legislative Council meeting of 13 May 2015**

Questions by:

- |      |                       |                 |
|------|-----------------------|-----------------|
| (1)  | Hon Tommy CHEUNG      | (Oral reply)    |
| (2)  | Hon TANG Ka-piu       | (Oral reply)    |
| (3)  | Hon LEUNG Kwok-hung   | (Oral reply)    |
| (4)  | Hon YIU Si-wing       | (Oral reply)    |
| (5)  | Hon KWOK Wai-keung    | (Oral reply)    |
| (6)  | Dr Hon KWOK Ka-ki     | (Oral reply)    |
| (7)  | Dr Hon LEUNG Ka-lau   | (Written reply) |
| (8)  | Hon LEUNG Kwok-hung   | (Written reply) |
| (9)  | Hon TAM Yiu-chung     | (Written reply) |
| (10) | Hon IP Kin-yuen       | (Written reply) |
| (11) | Hon WONG Kwok-kin     | (Written reply) |
| (12) | Hon Abraham SHEK      | (Written reply) |
| (13) | Hon KWOK Wai-keung    | (Written reply) |
| (14) | Dr Hon LAM Tai-fai    | (Written reply) |
| (15) | Hon WU Chi-wai        | (Written reply) |
| (16) | Hon TANG Ka-piu       | (Written reply) |
| (17) | Hon Charles Peter MOK | (Written reply) |
| (18) | Hon Paul TSE          | (Written reply) |
| (19) | Hon Frederick FUNG    | (Written reply) |
| (20) | Hon CHAN Hak-kan      | (Written reply) |
| (21) | Hon Kenneth LEUNG     | (Written reply) |
| (22) | Dr Hon Elizabeth QUAT | (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

## Full implementation of the plastic shopping bag charging requirement

(1) Hon Tommy CHEUNG (Oral reply)

The plastic shopping bag (“PSB”) charging requirement at the retail level was fully implemented on 1 April this year. Free distribution of plastic bags is banned at all points of retail sales of goods, and customers must pay a charge of no less than 50 cents for each plastic bag requested by them. Owing to food hygiene considerations, plastic bags used to carry foodstuff which is without packaging, in non-airtight packaging or chilled or frozen state are exempted from the charge. Also, plastic bags provided alongside services are exempted from the charge. Some members of the public have relayed to me that since the Government’s publicity efforts are insufficient and the information it disseminated is confusing, both shop operators and customers generally do not understand the details of the PSB charging requirement, resulting in frequent disputes over PSB charging between them. In this connection, will the Government inform this Council:

- (1) as a member of the public has relayed to me that he was charged a fee for a plastic bag provided to him by the shop operator which was used for carrying both foodstuff in non-airtight packaging and items not provided alongside services, whether the charging of the fee was mandatory under the PSB charging requirement; if so, whether the authorities have assessed if such a requirement will give rise to confusion, resulting in members of the public being overcharged and shop operators breaching the law inadvertently;
- (2) as I have learnt that operators of small and medium shops generally have little understanding of the PSB charging requirement, whether the authorities will consider adopting a lenient approach in handling non-compliance cases during the initial stage of the implementation of the PSB charging requirement; if they will, of the general handling approach and procedures; if not, the reasons for that; and
- (3) whether the authorities will step up publicity on the PSB charging requirement, in particular by explaining to operators of small and medium restaurants as well as market traders the scope of the PSB charging requirement so as to allay their doubts; if they will, of the details; if not, the reasons for that?

## Electricity tariffs

(2) Hon TANG Ka-piu (Oral reply)

Between January 2009 and March this year, the average net tariffs of the Hongkong Electric Company Limited and the CLP Power Hong Kong Limited (“the two power companies”) increased respectively by 15 cents/kilowatt hour (“kWh”) from 119.9 cents/kWh to 134.9 cents/kWh (at an increase rate of 12.5%), and by 25 cents/kWh from 89.2 cents/kWh to 114.2 cents/kWh (at an increase rate of 28%). On the other hand, the Consumer Price Index (A) (“CPI(A)”) rose from 109.5 in December 2009 to 128.6 in February this year (at an increase rate of 17.4%). Some members of the public have relayed to me that the aforesaid increase rates for average net tariffs were close to or higher than that for CPI(A) in the same period, which have imposed a financial burden on them. Regarding electricity tariffs, will the Government inform this Council:

- (1) whether it knows, between January 2009 and March this year, the average monthly tariff expenditures of the residential electricity users of the two power companies, the average electricity tariffs per kWh and their increase rates in the period, broken down by consumption block based on bi-monthly electricity consumption (i.e. below 500 kWhs, 500 kWhs to below 1 000 kWhs, 1 000 kWhs to below 1 500 kWhs, 1 500 kWhs to below 2 000 kWhs and 2 000 kWhs or above); in the same period, the average monthly tariff expenditures of the commercial electricity users of the two power companies, the average electricity tariffs per kWh and their increase rates in the period, broken down by consumption block based on bi-monthly electricity consumption (i.e. below 2 000 kWhs, 2 000 kWhs to below 5 000 kWhs, 5 000 kWhs to below 10 000 kWhs, 10 000 kWhs to below 20 000 kWhs and 20 000 kWh or above);
- (2) as the tariffs of residential electricity users are computed on a progressive basis while those of commercial users are calculated on a regressive basis, whether the authorities have assessed if such computation methods for tariffs will encourage commercial users to consume huge amounts of electricity, and result in residential users subsidizing the electricity expenditures of commercial users; whether the authorities will consider providing the electricity charges subsidy again to residential users to alleviate their financial burden; and
- (3) as it is learnt that the two power companies may purchase several gas-fired generation units in the coming few years to cope with the new fuel mix and emission standards, and power generation units are part of the assets of the power companies, whether the authorities have assessed if electricity tariffs will rise as a result; whether the authorities have studied the impacts on basic tariffs of lowering the permitted profit rate of the two power companies from the current 9.9% to 6%; if so, of the details ?

Measures to assist low-income households  
in home purchases and flat renting

(3) Hon LEUNG Kwok-hung (Oral reply)

In February this year, the Hong Kong Monetary Authority lowered the maximum loan-to-value ratio for self-use residential properties with value below \$7 million to 60% across the board. Quite a number of members of the public have relayed to me that after the introduction of such a measure, the prices of low-priced residential flats have risen rather than dropped, which has also pushed up the rents of residential units continuously, causing members of the public enormous hardship. On the other hand, quite a number of members of the public hope that the Government re-launch the Tenants Purchase Scheme (“TPS”). In this connection, will the Government inform this Council:

- (1) whether the Government will go along with the wishes of the public by considering afresh the re-launch of TPS, which on the one hand allows the existing tenants of public rental housing (“PRH”) in the territory to purchase at low prices the PRH flats in which they are living and on the other reduces the fiscal deficit of the Hong Kong Housing Authority; if so, when it will re-launch TPS; if not, of the reasons for that;
- (2) as the Government said in reply to my question on 3 December last year that it would not be appropriate to implement rent control measures, whether the Government has any new measures to effectively help members of the public (especially those living on Comprehensive Social Security Assistance payments and those renting cubicle apartments and bed spaces) in the short run to rent private residential flats at reasonable rents; if so, of the implementation date and details; if not, the reasons for that, and whether the Government is turning a blind eye to the problem that members of the public cannot afford high rents; and
- (3) as the Government pointed out in the reply mentioned in (2) that there was currently a serious demand-supply imbalance in Hong Kong’s housing, whether the Government will immediately introduce measures to further restrict non-local residents in purchasing residential properties in Hong Kong and comprehensively implement the “Hong Kong Property for Hong Kong People” policy to honour the pledge of assisting middle-income families in buying their own homes made by the Chief Executive in his election manifesto; if so, of the timetable and details; if not, the reasons for that, and whether the Government has no intention to honour the Chief Executive’s pledge, and ignores the home purchase aspirations of members of the public?

## Hawker control and management

(4) Hon YIU Si-wing (Oral reply)

It has been reported that this year, the Food and Environmental Hygiene Department stepped up enforcement efforts against unlicensed hawkers, resulting in the night bazaar in Sham Shui Po, which had emerged during the Chinese New Year holidays in the past few years, no longer operating. On the other hand, the Financial Secretary has indicated in his Budget Speech this year that the Government will consider introducing food trucks, which are popular abroad, to Hong Kong. Moreover, the Food and Health Bureau put forward some improvement proposals in March this year after reviewing the existing policy on hawker control and management. In this connection, will the Government inform this Council:

- (1) of the respective numbers of licensed hawkers and prosecutions instituted against unlicensed hawkers in each of the past three years; whether it has studied the causes for the year-on-year changes in such numbers;
- (2) of the difference between the licence the authorities intend to issue for food trucks and itinerant hawker licence; whether the authorities will consider, in issuing such licence, giving priority to the existing itinerant hawker licence holders who intend to change their business to operate food trucks; and
- (3) in view of the changes in the number of licensed hawkers in the past few years and the problems caused by unlicensed hawkers, of the policies the authorities will put in place in future to tackle the problem of illegal hawking; whether it will adjust the existing policy on hawker control and management in the light of the introduction of food trucks?

## Regulation of online television and radio programmes

(5) Hon KWOK Wai-keung (Oral reply)

With the advancements in information technology and the prevalence of the Internet, viewing online television programmes or listening to online radio programmes through computers and smart phones is increasingly popular among the public. Some members of the public have relayed to me that as online television and radio programmes can reach out to different sectors of society, the views of the public (and in particular the younger generation) about social affairs may be influenced by online programmes. They consider that instances of the hosts of online programmes using indecent expressions or spreading objectionable ideas are quite common. In this connection, will the Government inform this Council:

- (1) as online programmes are not currently subject to regulation under the Broadcasting Ordinance and other relevant legislation, whether the authorities will consider establishing a framework (such as by enacting legislation or introducing a licensing regime) to regulate the operation of online television and radio stations as well as the contents of online programmes (including the expressions used by the hosts), as well as conducting studies and extensive consultation in this respect; if they will, of the details; if not, the reasons for that; and
- (2) how the authorities handle public complaints against online programmes at present; whether they handled and followed up relevant complaints in the past five years; if they did, of the ways in which they handled the complaints?

Constitutional reform package for selecting  
the Chief Executive by universal suffrage in 2017

(6) Dr Hon KWOK Ka-ki (Oral reply)

On 22 April this year, the Government published the Consultation Report and Proposals on the Method for Selecting the Chief Executive by Universal Suffrage. In addressing this Council on that day, the Chief Secretary for Administration pointed out that “after the Chief Executive (“CE”) is selected by universal suffrage through ‘one person, one vote’ in 2017, the ultimate aim of the selection of the CE by universal suffrage as prescribed in Article 45 of the Basic Law will have been attained.” There are comments that as the pan-democratic Members of the Legislative Council (“LegCo”) have repeatedly indicated that they will vote against the constitutional reform package proposed by the Government for selecting CE by universal suffrage in 2017, the chance for the passage of the constitutional reform package by this Council is very slim. In this connection, will the Government inform this Council:

- (1) whether the Government will, after the constitutional reform package is negated by this Council, expeditiously restart the “Five-step Process” of constitutional reform regarding the selection of CE by universal suffrage, so as to attain the ultimate aim of the selection of the CE by universal suffrage as prescribed in Article 45 of the Basic Law; if it will, of the specific timetable;
- (2) as some members of the public have criticized that the public consultation conducted by the Task Force on Constitutional Development (comprising the Chief Secretary for Administration, the Secretary for Justice and the Secretary for Constitutional and Mainland Affairs) was not comprehensive, ignoring the views of some members of the public, whether the Government has assessed if the three Secretaries of Departments and Director of Bureau should be held politically accountable for the constitutional reform package being negated by this Council and tender resignation; if it has, of the details; and
- (3) given that Article 50 of the Basic Law stipulates that if LegCo refuses to pass a budget or any other important bill introduced by the Government, and if consensus still cannot be reached after consultations, CE may dissolve LegCo, whether CE will dissolve LegCo after the constitutional reform package is negated by this Council, so as to restart the “Five-step Process” of constitutional reform regarding the selection of CE by universal suffrage?

## Blood inventories of the Hong Kong Red Cross

(7) Dr Hon LEUNG Ka-lau (Written reply)

On 9 January this year, the Hong Kong Red Cross (“Red Cross”) Blood Transfusion Service indicated on its web page that its blood inventories were persistently on the low side, standing at only 50% of its normal blood stock, and the average daily quantity of blood collected fell short of the average daily quantity of blood demanded by hospitals, which may affect blood supply and clinical transfusion treatment of patients. In this connection, will the Government inform this Council:

- (1) whether it knows the monthly number of blood donors in various districts in the past three years, with a breakdown by age group and gender;
- (2) whether it knows the breakdown of the number of blood donors in the past three years by (i) blood donation venue/occasion (i.e. donor centres, blood donation centres of tertiary institutions, mobile donation vehicles and mobile donation activities) and (ii) number of previous donations (once, twice, thrice, four times, five times or above);
- (3) whether it knows the average daily quantity of blood used by the specialties of various public and private hospitals in the past three years; and
- (4) whether it has estimated the average daily quantity of blood demanded by the specialties of various public and private hospitals in the next three years; whether any long-term measures are in place to ensure that Red Cross has sufficient blood inventories in stock; if so, of the details; if not, the reasons for that?

## Provision of food for persons detained in courts

(8) Hon LEUNG Kwok-hung (Written reply)

Quite a number of persons who were detained in the cell holding units in the Magistrates' Courts and the High Court awaiting transfers to correctional facilities ("detainees") have complained to me that the food provided there is small in portion and limited in choice. Also, such food does not cater for their cultural backgrounds, religions and health problems. In this connection, will the Government inform this Council:

- (1) of the criteria adopted by the authorities for selecting suppliers to provide food to detainees ("suppliers");
- (2) of the types of food and the average weight of each set of food provided to detainees by the authorities in the past five years;
- (3) of the list of suppliers designated by the authorities in the past five years, the relevant contract periods and the contract price of each set of food (set out the information by the Magistrates' Courts and the High Court);
- (4) whether the authorities provide detainees with appropriate food having regard to their cultural backgrounds, religions and health problems; if they do, of the average weight and price of each set of food provided by the authorities in the past five years to detainees (i) of different cultural backgrounds (such as Oriental, Western, Indian and Pakistani culture), (ii) of different religions (such as Buddhism, Christianity, Hinduism and Islam) and (iii) with different health problems (such as diabetes and high blood pressure), as well as the respective numbers of detainees involved; if not, the reasons for that, and whether the authorities will consider providing detainees with appropriate food with regard to their special needs;
- (5) whether the relatives and friends of detainees are allowed to arrange on their own food for detainees, such as buying food from designated suppliers; if so, of the relevant procedures; if not, how the authorities determine whether the food so provided caters for the special needs of detainees;
- (6) whether detainees are presently allowed to order food from designated suppliers by themselves; if so, of the list of suppliers, the relevant contract periods and the contract price of each set of food; and
- (7) whether the authorities regularly review the mechanism for providing food to detainees so as to ensure that the food cater for their special needs, and the interests of the detainees are protected; if the authorities do not, of the reasons for that; if they do, the frequency of such reviews, the government departments participating in such reviews as well as the dates and details of the last and the next review; whether the authorities will disclose the review information?

Problems of young people abusing drugs and committing drug offences

(9) Hon TAM Yiu-chung (Written reply)

Regarding the problems of young people abusing drugs and committing drug offences, will the Government inform this Council:

(1) of the number of young people arrested for alleged drug abuse or drug offences in each year since 2013, with a breakdown in the table below;

Alleged drug abuse/offences committed	Number of arrested persons					
	2013		2014		2015	
	Below 18	18 to 35	Below 18	18 to 35	Below 18	18 to 35
Abuse of soft drugs						
Trafficking of soft drugs						
Abuse of non-soft drugs						
Trafficking of non-soft drugs						
Total						

(2) whether the authorities analyzed in the past three years the data concerning drug abuse and drug offences committed by young people; if they did, of the details, whether the number of such persons shows an upward trend and whether the ages of such persons show a downward trend; if they did not conduct the analysis, the reasons for that; and

(3) whether the authorities have plans to implement new policies to curb young people abusing drugs and committing drug offences; if they do, of the details; if not, the reasons for that?

## Revision to the curriculum of the junior secondary subject of Chinese History

(10) Hon IP Kin-yuen (Written reply)

In December 2013, the Curriculum Development Council set up an Ad Hoc Committee to conduct a full review of the curriculum of the junior secondary subject of Chinese History (“Chinese History”). On 17 April this year, the Education Bureau put forward a short-term recommendation on the basis of the review and commenced consultation with the education sector. It is proposed that under the short-term recommendation, only minor revision will be made, on the premise of not inducing any change to the curriculum content and textbooks, to the Chinese History curriculum along the line of “in-depth teaching of modern history and cursory teaching of ancient history”, so as to enhance the teaching of modern history and to adjust the current proportion of modern history in the curriculum from one-third to one-half. Some Chinese History teachers have relayed to me that the authorities have all along not consulted the education sector extensively prior to introducing the short-term recommendation, and the consultation period of the short-term recommendation lasts merely one month. Such practices have deviated from those in the past. In this connection, will the Government inform this Council:

- (1) as there are views that the current practice of teaching Chinese History, with two years and one year respectively allocated to the teaching of ancient history which straddles over several thousand years and to the teaching of modern history which involves only a hundred years or so, is already working along the line of “in-depth teaching of modern history and cursory teaching of ancient history”, whether the authorities have assessed if the further increase in the proportion of modern history in the curriculum will weaken students’ overall understanding of Chinese history;
- (2) as the short-term recommendation does not involve any textbook revision, whether there are support measures and plans in place for the authorities to help teachers adapt to the new curriculum; if there are, of the details; if not, the reasons for that;
- (3) as there are views that modern history involves quite a number of controversial incidents, with some of them still at a developing stage, the history records concerned are thus not comprehensive, how the authorities will ensure that the content of the new curriculum will take into account various historical perspectives, the teaching materials will not be biased, and the subject of Chinese History will not be reduced to a tool for instilling political orientations;
- (4) of the factors that the authorities will consider when deciding whether the syllabus, teaching materials and textbooks of a particular subject are to be reviewed; and

- (5) of the established procedures adopted by the authorities respectively for reviewing the syllabuses, teaching materials and textbooks of various subjects at senior secondary and junior secondary levels?

Mortgage loans taken out for  
Home Ownership Scheme flats with unpaid premium

(11) Hon WONG Kwok-kin (Written reply)

Currently, owners of flats under the Home Ownership Scheme and the Private Sector Participation Scheme (“HOS/PSPS”) must not sell, let, mortgage or remortgage, or in any way alienate or part with possession of their flats before paying a premium or obtaining approval from the Director of Housing, or else they contravene section 27A of the Housing Ordinance (Cap. 283) (“section 27A”). On the other hand, it was reported last month that as the land title records of thousands of HOS/PSPS flats with unpaid premium contained entries of encumbrances in loan agreements with finance companies, the relevant owners were alleged to have illegally remortgaged their flats. In this connection, will the Government inform this Council:

- (1) of the number of applications received by the Housing Department from owners of HOS/PSPS flats with unpaid premium for remortgaging their flats and, among them, the number of approved cases, in each of the past five years;
- (2) of the respective numbers of cases involving alleged contraventions of section 27A into which investigations were conducted and in which prosecutions were instituted by the authorities, as well as the number of convictions, in the past five years;
- (3) whether, in the light of the aforesaid report, the authorities will take the initiative to conduct investigations; if they will, of the details and the timetable; if not, of the reasons for that;
- (4) given that in recent years, some HOS/PSPS flat owners have pointed out that quite a number of finance companies have launched loan schemes exclusively for HOS/PSPS flats with unpaid premium, thus misleading them into believing that remortgaging their flats is not illegal, how the authorities will step up publicity and law enforcement efforts to remind HOS/PSPS flat owners of the risks involved; and
- (5) whether the authorities and the relevant financial regulators have monitored the risks posed by mortgages of subsidized flats with unpaid premium, as well as the liabilities of the owners concerned, and assessed the impacts of the relevant situation on the overall property market; if not, whether the authorities will formulate measures to monitor and assess the relevant situation?

Residential units produced by the private sector

# (12) Hon Abraham SHEK (Written reply)

Will the Government inform this Council, in tabulated form, of the respective numbers of residential units produced from projects undertaken by the private sector in each of the years from 2012 to 2014 on sites involving applications for (i) lease modification, (ii) land exchange and (iii) private treaty grant?

Proposed enhancements to the licensing regime for guesthouses

(13) Hon KWOK Wai-keung (Written reply)

In March this year, the authorities informed the Panel on Home Affairs of this Council of the outcome of the public consultation on the review of the Hotel and Guesthouse Accommodation Ordinance (Cap. 349) (“the Ordinance”) and proposed that the Ordinance be amended to enhance the licensing regime for guesthouses and facilitate law enforcement actions against unlicensed guesthouses. In this connection, will the Government inform this Council:

- (1) as the authorities have estimated that around 280 licensed guesthouses are currently located in buildings whose Deeds of Mutual Covenant (“DMCs”) contain explicit provisions prohibiting the premises concerned to be used as a hotel or guesthouse, of the name, address, number of rooms, and the remaining term of the guesthouse licence granted, in respect of each of such guesthouses;
- (2) as the authorities have proposed to amend the Ordinance to empower the Hotel and Guesthouse Accommodation Authority (“the Authority”) to refuse to issue or renew a licence if the DMC of the building concerned contains any explicit provision prohibiting the premises concerned to be used as a hotel or guesthouse, or for commercial purpose, whether the authorities will, apart from giving the affected guesthouse licence holders a grace period of one year, support and assist such guesthouses, which are able to obtain licences under the original less-stringent policy, in relocating elsewhere to continue to operate; if they will, of the details; if not, the reasons for that; whether they have assessed the situation, after the enactment of the amendments to the Ordinance, of such guesthouses closing down because they cannot be relocated elsewhere for continuous operation; if they have, of the details; if not, the reasons for that; and
- (3) given that the authorities proposed in the relevant consultation paper three possible options regarding the local consultation on guesthouse licence applications, which included (i) conducting local consultation through District Officers and (ii) setting up an administrative independent panel, comprising non-official members, to make recommendations to the Authority after considering local views, and these two options received a similar level of support from respondents, whether the authorities have decided on the option to adopt; if they have, of the decision and the reasons for that; if not, the criteria based on which the authorities will decide on the option to adopt?

## Implementation and promotion of the Basic Law

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

This year marks the 25th anniversary of the promulgation of the Basic Law. In connection with the implementation and promotion of the Basic Law, will the Government inform this Council:

- (1) whether it has assessed if the Central People's Government ("CPG") is satisfied with the implementation of the Basic Law in the Hong Kong Special Administrative Region ("SAR"); if it has, of the details; if not, the reasons for that;
- (2) given that Article 23 of the Basic Law stipulates that SAR shall enact laws on its own to prohibit any act of treason, secession, etc., of the reasons why the SAR Government still has no specific timetable for enacting laws to implement this provision so far; whether it has assessed the risks to national security of not having such laws enacted yet; if it has, of the details; if not, the reasons for that;
- (3) whether it has assessed if any foreign forces have attempted to sabotage the effective implementation of the Basic Law since the reunification and hence have affected its efforts to promote constitutional reform and implement universal suffrage for the selection of the Chief Executive ("CE"), etc.; if it has made such an assessment, of the details; if it has not, the reasons for that;
- (4) given that a member of Hong Kong deputies to the National People's Congress has earlier proposed that attending national studies courses on the Mainland should be made an entry requirement for prospective teachers, whether the authorities will adopt such a proposal or require teachers to pass a special pre-employment examination on the Basic Law; if they will, of the details; if not, the reasons for that;
- (5) whether, prior to CE nominating and reporting to CPG for appointment of principal officials under the accountability system, the authorities will assess such persons' understanding of the Basic Law, establish a regular mechanism to conduct the relevant assessments or evaluations on them after their assumption of office, and provide them with systematic training in this respect; and
- (6) given that some District Council members, Legislative Council Members and Executive Council Members are often alleged to have different understanding of certain provisions of the Basic Law, whether the Government will provide training for them to ensure that they have a consistent understanding of the provisions of the Basic Law; if it will, of the details; if not, the reasons for that?

Mass Transit Railway By-laws and  
Mass Transit Railway (North-West Railway) Bylaw

(15) Hon WU Chi-wai (Written reply)

The former Secretary for Transport and Housing indicated in 2007 that the newly established MTR Corporation Limited (“MTRCL”) would conduct a comprehensive review of the Mass Transit Railway By-laws (Cap. 556 sub. leg. B) and the Mass Transit Railway (North-West Railway) Bylaw (Cap. 556 sub. leg. H) (collectively referred to as “the two sets of bylaws”) within 12 months after the merger of the MTR Corporation Limited and the Kowloon-Canton Railway Corporation. In June 2010, the Government submitted to the Subcommittee on Matters Relating to Railways of this Council the proposed amendments to the two sets of bylaws put forward by MTRCL, but has given no account of the progress afterwards. Regarding the implementation of and amendments to the two sets of bylaws, will the Government inform this Council:

- (1) whether the Government has already ceased its work on amending the two sets of bylaws; if it has, whether it is because the Government sees no need for making such amendments or the Government has ceased the relevant work upon the request of MTRCL, and whether the Government will restart the relevant amendment procedures; if it will, of the details; if it will not, the reasons for that;
- (2) whether it knows the respective total current numbers and contents of the notices and indicators within the railway premises under section 21 of the Mass Transit Railway By-laws and section 18 of the Mass Transit Railway (North-West Railway) Bylaw; and
- (3) of the respective numbers of prosecutions instituted under the two sets of bylaws in each of the past three years, with a breakdown by unlawful act?

Safety of the electricity supply system and  
related parts in Tenant Purchase Scheme estates

(16) Hon TANG Ka-piu (Written reply)

Quite a number of owners of the Tenants Purchase Scheme (“TPS”) flats have relayed to me that wiring faults and short circuits often occurred in their flats. However, when they had repair works carried out at their own expenses, they found that the wires and fuses in the meter rooms on their floors for supplying electricity to rental and sold units were of different specifications. They are worried that such situation will increase the risk of short circuits. In this connection, will the Government inform this Council:

- (1) of the number of units sold under TPS so far since its launch;
- (2) whether, in the past five years, the Hong Kong Housing Authority (“HA”) examined the risk of the wires and fuses in the meter rooms in housing blocks of TPS estates having different specifications causing short circuits, and whether HA received reports or complaints about related incidents; if so, how HA handled such cases;
- (3) given that HA provides a seven-year Structural Safety Guarantee for newly sold TPS units, whether the guarantee covers inspection and early replacement of power supply systems and related components; if not, how HA differentiates whether itself or the owners concerned should be held responsible for the repair works in the event of failures of the power supply systems for such units; whether TPS flat owners who purchased the flats at different time receive differential treatment in respect of the repair and maintenance of such systems; if so, of the details;
- (4) of the list of TPS estates for which HA carried out, in the past three years, large-scale inspections and repairs of the power supply systems, as well as the number of housing blocks involved, the scope of the repair works and the amount of expenditure incurred; whether, under the existing policy, HA is responsible for carrying out such repair works for TPS estates with rental units; if so, of HA’s maximum level of commitment for the costs of the works; and
- (5) whether HA has regularly provided owners’ corporations of TPS estates and owners of the sold TPS flats with a procurement list of spare parts for power supply systems to ensure that wires and fuses used in the same housing block are of the same specifications; if it has, of the details; if not, the reasons for that?

## Use and management of public sector information

(17) Hon Charles Peter MOK (Written reply)

In 2011, the Government launched the portal, Data.Gov.HK, for release of public sector information (“PSI”) in digital formats for re-use by the public free of charge. The information on the portal is provided by various government departments and public organizations with the aim of stimulating community creativity and ingenuity by enabling the public to make use of PSI data to develop innovative and practical applications for bringing convenience to the public and benefiting the community. In this connection, will the Government inform this Council:

- (1) whether an interconnection mechanism is in place among the various policy bureaux, government departments and public organizations for the integration of PSI data released through Data.Gov.HK and the facilitation of the shared use of such data; if so, of the details; if not, whether the authorities will study the feasibility of setting up such an interconnection mechanism;
- (2) whether it will consider putting in place an interconnection mechanism among the various policy bureaux, government departments and public organizations for the shared use of closed data, so as to improve work efficiency and encourage users to make use of the data to develop new applications;
- (3) whether the various policy bureaux and government departments have adopted common standards for the management and analysis of various kinds of PSI data at present, so as to enhance the Government’s electronic services and upgrade the quality of public services; if they have, of the details;
- (4) of the respective numbers of courses on information technology topics, such as Big Data analysis, data management, etc., among the induction courses, continuing education courses and e-learning resources as well as the external courses under the Training Sponsorship Scheme organized by the authorities for civil servants in the past three years; whether the authorities will allocate additional resources and manpower to provide more trainings in PSI data for civil servants;
- (5) whether it has studied adding requirements on the collection, management and release of PSI data when granting franchises, licenses or service contracts to public utilities, telecommunications service providers, public transport operators and the organizations providing education, financial and social services, so as to promote the application of PSI data and develop Hong Kong into a smart city; if it has, of the specific details;
- (6) whether it will study hiring private companies to assist the various government departments in the management and analysis of PSI data and engagement of the advisory services of such companies; and

- (7) whether the authorities will provide subsidies for developers of applications to assist them in developing new products using PSI data, so as to encourage more talents to join the telecommunications and information technology industries and promote the development of these industries?

## Regulation of vehicle repair workshops

(18) Hon Paul TSE (Written reply)

On the 26th of last month, an explosion and fire occurred in a vehicle repair workshop located on the ground floor of a residential building in Tsz Wan Shan, resulting in a number of casualties. Afterwards, many people residing on the floors above the workshop and in the vicinity called me to enquire about the regulation of vehicle repair workshops (especially those alleged to have engaged in illegal repair of liquefied petroleum gas (“LPG”) vehicles) and the safety of their premises. Besides, some taxi drivers pointed out at a radio interview that even though they knew that certain vehicle repair workshops were not workshops approved for repairing the fuel system of LPG vehicles (“approved workshops”), they still must patronize them as instructed by vehicle owners in order to keep their means of living. In this connection, will the Government inform this Council:`

- (1) of the number of vehicle repair workshops in Wong Tai Sin District, and among them, the number of workshops located on the ground floor of residential buildings;
- (2) among the 29 approved workshops in Hong Kong, of the number of those located in Wong Tai Sin District;
- (3) whether the authorities have immediately inspected the workshops in Wong Tai Sin District after the occurrence of the aforesaid incident to check if they have contravened the Fire Safety (Buildings) Ordinance (Cap. 572) and the Gas Safety Ordinance (Cap. 51); if so, of the details, including whether cases of repair of LPG vehicles without approval have been found; if not, whether they can conduct inspections immediately; and
- (4) what policies and measures are in place to impose regulation on taxi and minibus companies and vehicle owners who, for the purpose of saving repair costs, have the fuel systems of their vehicles repaired by workshops which they know are not approved workshops?

## Appointment of the Chief Executive

(19) Hon Frederick FUNG (Written reply)

It has been reported that the Central People's Government ("CPG") plans to draft the "Method for the Appointment of Chief Executives of Special Administrative Regions" ("the Appointment Method") within this year to regulate the appointment of the Chief Executives ("CEs") of both the Hong Kong and Macao Special Administrative Regions. Some members of the public are worried that the purpose of CPG formulating the Appointment Method is to impose new requirements on the eligibility for the office of CE beyond those in the Basic Law. In this connection, will the Government inform this Council:

- (1) whether it has approached CPG to gain an understanding on the drafting of the Appointment Method; if it has, of the details, including the purposes of formulating the Appointment Method as well as the effects expected to be achieved by, and the specifics of, the Appointment Method;
- (2) whether it has conducted any assessment on the possible impact of CPG's formulation of the Appointment Method on the selection procedures for CE, including (i) whether the inclusion of the new requirements on the eligibility for the office of CE in the Appointment Method will contravene local legislation, (ii) whether manipulation of the selection procedures for CE will be resulted, (iii) whether an unlevel playing field for the election of CE will be created, and (iv) whether corresponding amendments to local legislation are required; if it has not conducted such an assessment, of the reasons for that; and
- (3) whether the authorities will truly reflect to CPG the worries of Hong Kong people about CPG's formulation of the Appointment Method and urge CPG to respect the policy of "one country, two systems" and the principles of "Hong Kong people ruling Hong Kong" and "a high degree of autonomy" by avoiding taking any moves that may possibly violate such policy and principles; if they will not, of the reasons for that?

Safety of vehicle repair work and training for vehicle mechanics

(20) Hon CHAN Hak-kan (Written reply)

In connection with the safety of vehicle repair work and training for vehicle mechanics, will the Government inform this Council:

- (1) of the current number of liquefied petroleum gas (“LPG”) vehicles in Hong Kong, and the respective numbers of taxis and light buses among them;
- (2) of the current number of mechanics qualified for repairing the fuel systems of LPG vehicles; whether it knows the number of them who are currently engaged in vehicle repair work;
- (3) whether it knows the contents of the 19 training courses on motor vehicle repair currently provided by the Vocational Training Council;
- (4) of the current number of mechanics registered under the Voluntary Registration Scheme for Vehicle Mechanics; whether it knows (i) the number of them who are currently engaged in vehicle repair work, and (ii) the percentage of them in the total number of vehicle mechanics;
- (5) of the current number of workshops registered under the Voluntary Registration Scheme for Vehicle Maintenance Workshops, and the percentage of them in the total number of vehicle repair workshops in Hong Kong;
- (6) whether it has assessed if the implementation progress of the two schemes mentioned in (4) and (5) is satisfactory; if the assessment result is in the affirmative, whether the authorities will strengthen the regulatory measures (such as mandating all mechanics and workshops to be registered); if they will, of the implementation timetable;
- (7) whether the Government has regularly organized safety seminars for mechanics in respect of high-risk vehicle repair work; and
- (8) of the number of vehicle repair workshops inspected by the Electrical and Mechanical Services Department (“EMSD”), and whether EMSD took enforcement actions against contraventions of the Gas Safety Ordinance (Cap. 51), in each of the past three years; if so, of the details?

Prosecutions in relation to public processions and assemblies

(21) Hon Kenneth LEUNG (Written reply)

It has been reported that there have been recent prosecution cases involving public assemblies which were withdrawn by prosecutors right before trial. Some members of the public suspect that this situation was caused by the Police instituting prosecutions without prior consultation with the Department of Justice on whether the relevant evidence was sufficient to justify a reasonable prospect of conviction. Besides, when recently trying a case involving a public assembly, a magistrate criticized a police officer for testifying dishonestly and advised the authorities to refer the matter to the Complaints Against Police Office for follow up. In this connection, will the Government inform this Council:

- (1) whether the Police seek, as a general practice, the advice of the Department of Justice before deciding if prosecution is to be instituted against persons involved in public processions and assemblies; if they do, of the details of the relevant guidelines and procedures; of the number of such cases in which the Police sought the advice of the Department of Justice beforehand and the number of persons involved in such cases between September last year and April this year; whether the Police is obliged to follow the advice of the Department of Justice if the advice is against the institution of prosecution;
- (2) of the following information on the prosecution cases involving public processions and assemblies each month from September last year to April this year: (i) the number of persons arrested, (ii) the number of persons prosecuted, (iii) the number of persons who were prosecuted but then the prosecutions were unconditionally withdrawn by prosecutors, (iv) the number of persons who were prosecuted but then allowed to enter into the “offering no evidence” bind-over arrangement instead of being prosecuted, (v) the number of persons involved in cases that are under trial or listed for trial, (vi) the number of persons convicted, and (vii) the number of persons acquitted;

Year	Month	(i)	(ii)	(iii)	(iv)	(v)	(vi)	(vii)
2014	September							
	October							
	November							
	December							
2015	January							
	February							
	March							
	April							

- (3) regarding the prosecution cases mentioned in (2), of the number of cases in which the Police did not seek the advice of the Department of Justice before prosecutions were instituted and the relevant reasons for that; and
- (4) of the measures in place for the Department of Justice and the Police to ensure that police officers testify honestly and accurately; the

consequences to be faced by a police officer when he/she is alleged of testifying dishonestly by the judge during the trial, and how the Department of Justice and the Police follow up such cases; the number of such cases investigated by the authorities in the past five years, and among such cases, the respective numbers of cases in which police officers were disciplined, prosecuted and convicted?

## Regulation of gas safety and vehicle repair workshops

(22) Dr Hon Elizabeth QUAT (Written reply)

Last month, an explosion and fire accident occurred in a vehicle repair workshop located on the ground floor of a residential building, resulting in a number of casualties. As a liquefied petroleum gas (“LPG”) taxi under repair was found at the scene, the authorities are investigating if the accident was caused by LPG leakage from the taxi. Some members of the public are concerned whether there are loopholes in the mechanisms for regulating vehicle repair workshops and gas safety, and whether the authorities have strictly enforced the Fire Safety (Buildings) Ordinance (Cap. 572) and the Gas Safety Ordinance (Cap. 51). In this connection, will the Government inform this Council:

- (1) of the current number of gas safety inspectors in Hong Kong; in the past three years, the number of vehicle repair workshops inspected by them and the number of improvement notices issued by them;
- (2) in the past three years, of the number of vehicle repair workshops inspected by the Fire Services Department and the number of fire safety directions issued to those workshops which had contravened the requirements;
- (3) whether the authorities will step up inspections on high-risk spots, such as vehicle repair workshops, so as to ensure that gases and inflammable substances are properly disposed of; whether they will conduct a comprehensive review on whether there are loopholes in the existing regulatory systems for gases and dangerous goods;
- (4) whether it has assessed if the existing 29 workshops approved for repairing the fuel systems of LPG vehicles in Hong Kong can meet the demand of about 20 000 LPG taxis for repair services;
- (5) given that some members of the public have pointed out that some taxi drivers, for the sake of convenience, have their LPG taxis repaired by vehicle repair workshops nearby, without regard to whether these workshops are approved for repairing the fuel systems of LPG vehicles, what measures the authorities have in place to eradicate these practices; and
- (6) of the current number of vehicle repair workshops located on the ground floor of residential buildings; given that some members of the public have pointed out that a large number of inflammable substances are generally stored in these workshops, in case of explosion, the residential areas in the vicinity may be affected, what measures the authorities have in place to make these workshops move out of residential areas; whether they will consider introducing a licensing regime for vehicle repair workshops in order to regulate them?