

立法會
Legislative Council

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Finance Committee of the Legislative Council

Minutes of the 11th meeting
held at Conference Room 1 of the Legislative Council Complex
on Friday, 20 November 2015, at 5:10 pm

Members present:

Hon CHAN Kin-por, BBS, JP (Chairman)
Hon CHAN Kam-lam, SBS, JP (Deputy Chairman)
Hon TAM Yiu-chung, GBS, JP
Hon Tommy CHEUNG Yu-yan, GBS, JP
Prof Hon Joseph LEE Kok-long, SBS, JP, PhD, RN
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon Andrew LEUNG Kwan-yuen, GBS, JP
Hon WONG Ting-kwong, SBS, JP
Hon Cyd HO Sau-lan, JP
Hon CHAN Hak-kan, JP
Hon WONG Kwok-kin, SBS
Hon IP Kwok-him, GBS, JP
Hon LEUNG Kwok-hung
Hon Albert CHAN Wai-yip
Hon Claudia MO
Hon Michael TIEN Puk-sun, BBS, JP
Hon James TIEN Pei-chun, GBS, JP
Hon NG Leung-sing, SBS, JP
Hon Steven HO Chun-yin, BBS
Hon Frankie YICK Chi-ming, JP
Hon YIU Si-wing, BBS
Hon MA Fung-kwok, SBS, JP
Hon Charles Peter MOK, JP

Hon CHAN Chi-chuen
Dr Hon Kenneth CHAN Ka-lok
Hon CHAN Yuen-han, SBS, JP
Hon Kenneth LEUNG
Hon Alice MAK Mei-kuen, BBS, JP
Hon KWOK Wai-keung
Hon Christopher CHEUNG Wah-fung, SBS, JP
Hon SIN Chung-kai, SBS, JP
Hon IP Kin-yuen
Hon Martin LIAO Cheung-kong, SBS, JP
Hon POON Siu-ping, BBS, MH
Dr Hon CHIANG Lai-wan, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen, BBS

Members absent:

Hon Albert HO Chun-yan
Hon LEE Cheuk-yan
Hon James TO Kun-sun
Hon LEUNG Yiu-chung
Dr Hon LAU Wong-fat, GBM, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon Abraham SHEK Lai-him, GBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon Vincent FANG Kang, SBS, JP
Hon WONG Kwok-hing, BBS, MH
Hon Starry LEE Wai-king, JP
Dr Hon LAM Tai-fai, SBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Dr Hon LEUNG Ka-lau
Hon CHEUNG Kwok-che
Hon Mrs Regina IP LAU Suk-yee, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon Alan LEONG Kah-kit, SC
Hon WONG Yuk-man
Hon WU Chi-wai, MH
Hon Gary FAN Kwok-wai
Hon CHAN Han-pan, JP
Hon LEUNG Che-cheung, BBS, MH, JP

Dr Hon KWOK Ka-ki
Hon Dennis KWOK
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Helena WONG Pik-wan
Dr Hon Elizabeth QUAT, JP
Hon TANG Ka-piu, JP
Hon CHUNG Kwok-pan

Public officers attending:

Ms Elizabeth TSE Man-ye, JP	Permanent Secretary for Financial Services and the Treasury (Treasury)
Ms Esther LEUNG, JP	Deputy Secretary for Financial Services and the Treasury (Treasury) ¹
Mr Alfred ZHI Jian-hong	Principal Executive Officer (General), Financial Services and the Treasury Bureau (The Treasury Branch)
Ms Anissa WONG Sean-ye, JP	Permanent Secretary for the Environment / Director of Environmental Protection
Mr Howard CHAN Wai-kee, JP	Deputy Director of Environmental Protection (2)
Mr Samson LAI Yiu-kei	Assistant Director of Environmental Protection (Waste Management Policy)
Mr John LEE Ka-chiu, PDSM, PMSM, JP	Under Secretary for Security
Mr Alex CHAN Yuen-tak	Principal Assistant Secretary for Security (B)
Mr LI Kin-yat, FSDSM, FSMSM	Deputy Director of Fire Services
Mr Joseph LEUNG Wai-hung	Assistant Director of Fire Services (Special Duties)
Mr Joseph LAI Yee-tak, JP	Permanent Secretary for Transport and Housing (Transport)
Miss Joyce CHAN Lok-nga	Assistant Secretary for Transport and Housing (Transport) 11A

Clerk in attendance:

Ms Anita SIT	Assistant Secretary General 1
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Staff in attendance:

Mr Derek LO	Chief Council Secretary (1)5
Mr Raymond SZETO	Senior Council Secretary (1)7
Mr Frankie WOO	Senior Legislative Assistant (1)3
Ms Michelle NIEN	Legislative Assistant (1)5

Action

**Item No. 2 – FCR(2015-16)31
RECOMMENDATIONS OF THE ESTABLISHMENT
SUBCOMMITTEE MADE ON 23 AND 29 JUNE 2015**

EC(2015-16)3

Proposed creation of two supernumerary posts of one Administrative Officer Staff Grade B (D3) and one Administrative Officer Staff Grade C (D2) in the Environmental Protection Department for three years with immediate effect upon approval by the Finance Committee to lead a new Waste Management (Special Duties) Division

The meeting continued with the deliberation on the item EC(2015-16)3.

2. On Chairman's enquiry whether members had any further questions, Mr Albert CHAN requested to speak again on the item. The Chairman did not accede to Mr CHAN's request because discussion on the item had already ended at the previous meeting which started at 3:00 pm, and the permission he gave Mr CHAN to speak on the item for one round at that meeting was a special arrangement.

3. The Chairman put the item EC(2015-16)3 to vote. As members claimed a division, the Chairman ordered a division and the division bell was rung for five minutes. The Chairman announced that 30 members voted in favour of the item and three members voted against the item. The votes of individual members were as follows –

For:

Mr CHAN Kam-lam	Mr TAM Yiu-chung
Mr Tommy CHEUNG Yu-yan	Mr Andrew LEUNG Kwan-yuen
Mr WONG Ting-kwong	Ms Cyd HO Sau-lan
Mr CHAN Hak-kan	Mr WONG Kwok-kin
Mr IP Kwok-him	Mr Michael TIEN Puk-sun
Mr James TIEN Pei-chun	Mr NG Leung-sing
Mr Steven HO Chun-yin	Mr Frankie YICK Chi-ming

Mr YIU Si-wing	Mr MA Fung-kwok
Mr Charles Peter MOK	Dr Kenneth CHAN Ka-lok
Miss CHAN Yuen-han	Mr Kenneth LEUNG
Miss Alice MAK Mei-kuen	Mr KWOK Wai-keung
Mr Christopher CHEUNG Wah-fung	Mr SIN Chung-kai
Mr IP Kin-yuen	Mr Martin LIAO Cheung-kong
Mr POON Siu-ping	Ir Dr LO Wai-kwok
Mr Christopher CHUNG Shu-kun	Mr Tony TSE Wai-chuen
(30 members)	

Against:

Mr LEUNG Kwok-hung	Mr Albert CHAN Wai-yip
Mr CHAN Chi-chuen	
(3 members)	

4. The Chairman declared that the Committee approved the item.

EC(2015-16)4

Proposed creation of one permanent post of Deputy Chief Fire Officer (GDS(C)1) in the Headquarters Command of Fire Services Department with immediate effect upon approval of the Finance Committee for implementing quality assurance and training accreditation mechanisms

5. The Chairman said that the item sought the approval of the Committee for the creation of one Deputy Chief Fire Officer ("DCFO") post in the Fire Services Department ("FSD") with immediate effect to develop and implement structured quality assurance and training accreditation mechanisms for enhancing the quality of services on a sustainable basis.

6. The Chairman reminded members that wider policy issues should be deliberated at the relevant policy panel.

Recruitment situation and staff morale of the Fire Services Department

7. Citing a recent press report, Mr CHAN Chi-chuen expressed concern about the difficulty encountered by FSD in recruiting sufficient qualified Firemen/Firewomen leaving vacancies unfilled. Mr LEUNG Kwok-hung said that the lack of appeal of FSD positions was due to the inferior remuneration package for FSD staff vis-à-vis other disciplinary forces. Mr LEUNG enquired whether it was one of the duties of the proposed post to review the remuneration package for FSD staff.

8. Under Secretary for Security ("US for S") said that FSD currently recruited nine to ten candidates out of every one hundred candidates and there was a sufficiently large pool of candidates for FSD to select from in filling the vacancies. FSD's recruitment exercise was in progress and the Administration was confident that vacancies would be filled by suitable candidates.

9. Mr Albert CHAN expressed criticism that it was not uncommon that Government departments purposely created directorate posts as a reward to their own staff.

10. Mr Albert CHAN asserted that the Chairman held many positions in the insurance industry and had undisclosed pecuniary interests in many funding proposals being or to be considered by the Finance Committee ("FC"). The Chairman said that Mr CHAN's assertions were entirely false and warned Mr CHAN against making unsubstantiated or false accusations about another member in his speeches. Mr CHAN repeated his assertion and argued with the Chairman that he had the right to make such comment.

11. At 5:32 pm, the Chairman directed that the meeting be suspended for five minutes.

12. The meeting resumed at 5:37 pm.

13. In response to Mr Albert CHAN's query, US for S said that there was a need to create a directorate post so that an experienced officer with international vision and connections could spearhead the initiatives proposed under the new quality assurance ("QA") mechanism.

14. Mr CHAN Chi-chuen expressed concern about the morale of firefighters, which would in turn affect the quality of FSD's services.

15. US for S noted Mr CHAN's concern and said that the Administration would consult the relevant staff associations on implementation of new policies.

The Chairman's handling of the proceedings of the meeting

16. Mr Kenneth LEUNG expressed support for the item. He expressed dissatisfaction with the Chairman's handling of the proceedings of FC meetings particularly his response to Mr Albert CHAN's comment and the decision to suspend the meeting a while ago. The Chairman reminded Mr LEUNG to focus on the item and expressed regret on Mr LEUNG's remarks. On hearing this, Mr LEUNG rose from his seat and walked out of the conference room.

17. Ms Claudia MO considered that the Chairman's suspension of the meeting seemed impulsive and was entirely unjustified. The Chairman maintained that his decision to suspend the meeting was justified and reminded Ms MO to focus on the item instead. He also said that the item had been deliberated extensively at the relevant Panel and Establishment Subcommittee and members should not repeat what had been discussed.

18. Mr LEUNG Kwok-hung remarked that the Chairman should focus on chairing the meeting and should not get himself involved in a debate with members.

Motion that discussion on item EC(2015-16)4 be now adjourned

19. At 5:53 pm, Mr LEUNG Kwok-hung moved without notice under paragraph 39 of FC Procedure that discussion on the item EC(2015-16)4 be now adjourned.

20. The Chairman thereupon proposed the question that discussion on the item EC(2015-16)4 be now adjourned. He also directed that a member, when speaking on the question, might speak once for not more than three minutes.

21. Mr LEUNG Kwok-hung introduced his motion. He criticized the Chairman's handling of the proceedings of the meetings. He said that the Chairman should not debate with members.

22. Mr CHAN Chi-chuen and Mr Albert CHAN spoke in support of the motion. The members said that it was members' duty to raise questions to the Administration on FC items, and the Chairman should not interrupt members during their speaking time to debate with members.

23. Mr Kenneth LEUNG spoke against the motion to adjourn discussion on the item and requested the Chairman to allow sufficient time for members to deliberate on items.

24. Mr YIU Si-wing and Mr TAM Yiu-chung spoke against the motion. The two members said that it was the Chairman's responsibility to maintain order in the meeting, which included reminding members to focus on agenda item(s) under deliberation rather than making remarks about other members. Also, members should not challenge the decisions made by the Chairman regarding the procedure of the meeting.

25. When Mr YIU Si-wing was speaking, Mr LEUNG Kwok-hung spoke loudly without the Chairman's permission. The Chairman asked Mr LEUNG Kwok-hung to stop speaking.

26. Ms Claudia MO said that she would abstain from voting on the motion. She expressed support for the item EC(2015-16)4, but disagreement about the Chairman's handling of the meeting as he had not explained why he had suspended the meeting earlier.

27. The Administration did not respond to the motion.

28. Mr LEUNG Kwok-hung made concluding remarks. The Chairman put the motion to vote. As members claimed a division, the Chairman ordered a division and the division bell was rung for five minutes. The Chairman announced that three members voted in favour of the motion and 21 members voted against the motion. One member abstained from voting. The votes of individual members were as follows –

For:

Mr LEUNG Kwok-hung
Mr CHAN Chi-chuen
(3 members)

Mr Albert CHAN Wai-yip

Against:

Mr CHAN Kam-lam
Mr Tommy CHEUNG Yu-yan
Mr Andrew LEUNG Kwan-yuen
Mr IP Kwok-him
Mr Steven HO Chun-yin
Mr YIU Si-wing
Mr Charles Peter MOK
Miss Alice MAK Mei-kuen
Mr Martin LIAO Cheung-kong
Dr CHIANG Lai-wan
Mr Tony TSE Wai-chuen
(21 members)

Mr TAM Yiu-chung
Mr Jeffrey LAM Kin-fung
Mr WONG Ting-kwong
Mr NG Leung-sing
Mr Frankie YICK Chi-ming
Mr MA Fung-kwok
Miss CHAN Yuen-han
Mr Christopher CHEUNG Wah-fung
Mr POON Siu-ping
Ir Dr LO Wai-kwok

Abstained:

Ms Claudia MO
(1 member)

29. The Chairman declared that Mr LEUNG's motion was negatived.

Quality assurance mechanism

30. Worried about inconsistencies between the practices of individual fire stations, Mr CHAN Chi-chuen enquired about the current QA regime across fire stations under the FSD. He said that the recent example where FSD's fireboat was slow to respond to a fire incident at Shau Kei Wan typhoon shelter had given rise to doubts on FSD's quality of service.

31. US for S explained that at present, fire stations had different specialised roles and firefighting techniques depending on their individual locations. For instance, a fire station close to a Mass Transit Railway station would specialise in handling railway incidents. Individual fire stations would conduct post-operation self-evaluation for enhancing training and improving service quality.

32. US for S further said that FSD's management recognised the need to standardise practices of handling different types of incidents. Hence it proposed to establish a specialised and institutionalized QA mechanism, which would be overseen by this new DCFO post-holder and underpinned by a dedicated team, to set out clear and consistent service quality standards and inspection criteria with a view to enhancing the service quality standards of firefighters.

33. Deputy Director of Fire Services ("DDFS") supplemented that FSD would enhance incident handling techniques with appropriate pre-operation briefings, post-operation evaluation and training. Under the new QA mechanism, lessons learned in past operations would incrementally improve future operations across different operational divisions and fire stations to ensure frontline firefighters were well-equipped with advanced techniques to meet the increasingly complicated challenges.

Fire safety inspections of buildings

34. Mr LEUNG Kwok-hung criticised that FSD had not performed up to standard in fire safety inspections for buildings. He remarked that in enforcing fire safety directions, FSD was lenient on commercial buildings, but at the same time was overly stringent on owners of old composite or domestic buildings.

35. DDFS said that FSD was committed to clearing the backlog of fire safety inspections for buildings in the territory. To facilitate owners of composite or domestic buildings to comply with fire safety directions, FSD had, in collaboration with other departments such as the Buildings Department and the Home Affairs Department, provided assistance to the owners, which

included provision of concrete guidelines and hotlines. Prosecutions against non-compliance had been handled with discretion and allowance had been given to the owners willing to adopt measures to comply with fire safety directions.

Alternative options

36. Mr Albert CHAN was not convinced of the necessity to create a directorate post and enquired whether the Administration had considered alternative arrangements such as hiring a qualified consultant.

37. US for S said that it was necessary to deploy a directorate officer with extensive local operational experience in FSD to spearhead the design of a QA mechanism suitable for FSD's needs, while the officer should also have exposure and vision to be highly alert to the evolving changes in the profession of firefighting and rescue.

Voting on EC(2015-16)4

38. There being no further questions from members, the Chairman put the item to vote. As members claimed a division, the Chairman ordered a division and the division bell was rung for five minutes. The Chairman announced that 22 members voted in favour of the item and none voted against the item. The votes of individual members were as follows –

For:

Mr CHAN Kam-lam	Mr Jeffrey LAM Kin-fung
Mr Andrew LEUNG Kwan-yuen	Mr WONG Ting-kwong
Ms Cyd HO Sau-lan	Mr WONG Kwok-kin
Mr IP Kwok-him	Mr LEUNG Kwok-hung
Mr Albert CHAN Wai-yip	Ms Claudia MO
Mr NG Leung-sing	Mr Steven HO Chun-yin
Mr Frankie YICK Chi-ming	Mr YIU Si-wing
Mr MA Fung-kwok	Mr Charles Peter MOK
Mr CHAN Chi-chuen	Miss CHAN Yuen-han
Mr Christopher CHEUNG Wah-fung	Mr Martin LIAO Cheung-kong
Mr POON Siu-ping	Mr Tony TSE Wai-chuen
(22 members)	

39. The Chairman declared that the Committee approved the item.

EC(2015-16)5

Proposed creation of one supernumerary post of Administrative Officer Staff Grade C (D2) in Division 5 of the Transport Branch of Transport and Housing Bureau for about five years with immediate effect upon the approval by the Finance Committee up to 31 March 2020 to steer and oversee the promotion of the long-term development of the maritime industry in Hong Kong

40. The Chairman said that the item sought the Committee's approval for the creation of one supernumerary post of Administrative Officer Staff Grade C (D2) ("AO SGC") in Division 5 of the Transport Branch of Transport and Housing Bureau for about five years with immediate effect upon the approval by the Finance Committee up to 31 March 2020 to promote the long-term development of the maritime industry in Hong Kong.

41. Mr CHAN Chi-chuen and Mr Albert CHAN enquired about the details of the Administration's plan on establishing a new maritime body, and whether legislative amendments or additional funding were necessary. Mr Albert CHAN remarked that creating merely one AO-SGC post would have minimal effect on ending Hong Kong's decline from the former glory of being an international maritime centre ("IMC").

42. Mr WONG Kwok-kin remarked that the Administration's lack of policy support for the maritime industry had all along attracted criticisms. He questioned whether the proposed one supernumerary AO-SGC post was adequate for the intended tasks.

43. Permanent Secretary for Transport and Housing (Transport) ("PSTH(T)") responded that a consultancy study was commissioned by the Government in 2014 to look into the business case of setting up a new maritime body. Having consulted the industry and relevant stakeholders, the Consultant suggested that it was not absolutely necessary for the new maritime body to be a statutory organisation as all its functions could be performed administratively. Besides, a non-statutory body could be set up within a short time to address matters raised by the industry expeditiously. The Administration would consult the Panel on Economic Development of the Legislative Council on the findings of the consultancy study shortly.

44. PSTH(T) further said that the Administration was committed to enhancing Hong Kong's status as an IMC, and the proposed directorate post was essential for providing the necessary directorate support for the effective functioning of the new maritime body.

45. In response to Mr WONG Kwok-kin's question, PSTH(T) said that the new AO-SGC post would be subject to higher policy supervision by a Deputy Secretary and underpinned by a team of non-directorate posts. After the establishment of the new maritime body, the Administration would review the need to strengthen the administrative support of the AOSGC post and, if necessary, seek additional manpower resources through the Administration's internal procedures.

46. Mr Albert CHAN queried that if the consultancy study was incomplete and required further inputs from the Legislative Council, it would be premature to create the proposed post as suggested by the consultancy study.

47. PSTH(T) clarified that the proposal of setting up a maritime body had been widely supported by the maritime industry, and the business case study was to examine in detail its scope of work and institutional arrangements. The findings and recommendations of the Consultant had been set out in a paper (LC Paper No. CB(4)217/15-16(06)) for discussion at the meeting of the Panel on Economic Development on 23 November 2015. Subject to the views of the Panel, the Consultant would finalise its recommendations on the new maritime body and submit a final report to the Government thereafter. The Administration accepted the consultant's recommendations and considered the staffing proposal necessary and appropriate at this stage.

48. The Chairman directed that the meeting be adjourned and the unfinished business of the meeting be carried over to the next meeting.

49. The meeting was adjourned at 7:10 pm.

Legislative Council Secretariat
15 March 2016