

立法會
Legislative Council

LC Paper No. FC221/15-16
(These minutes have been
seen by the Administration)

Ref : FC/1/1(13)

Finance Committee of the Legislative Council

Minutes of the 22nd meeting
held at Conference Room 1 of the Legislative Council Complex
on Friday, 15 January 2016, at 5:27 pm

Members present:

Hon CHAN Kin-por, BBS, JP (Chairman)
Hon CHAN Kam-lam, SBS, JP (Deputy Chairman)
Hon Albert HO Chun-yan
Hon LEE Cheuk-yan
Hon LEUNG Yiu-chung
Hon Emily LAU Wai-hing, JP
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, GBS, JP
Hon Tommy CHEUNG Yu-yan, GBS, JP
Hon WONG Kwok-hing, BBS, MH
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 Paul TSE Wai-chun, 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 WU Chi-wai, MH
Hon YIU Si-wing, BBS
Hon Gary FAN Kwok-wai
Hon MA Fung-kwok, SBS, JP
Hon CHAN Chi-chuen
Hon CHAN Han-pan, JP
Hon LEUNG Che-cheung, BBS, MH, JP
Hon Alice MAK Mei-kuen, BBS, JP
Hon Christopher CHEUNG Wah-fung, SBS, JP
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Elizabeth QUAT, JP
Hon Martin LIAO Cheung-kong, SBS, JP
Hon TANG Ka-piu, JP
Dr Hon CHIANG Lai-wan, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon CHUNG Kwok-pan
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen, BBS

Members absent:

Hon James TO Kun-sun
Dr Hon LAU Wong-fat, GBM, GBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon Vincent FANG Kang, SBS, JP
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 Alan LEONG Kah-kit, SC
Hon WONG Yuk-man
Hon Charles Peter MOK, JP
Dr Hon Kenneth CHAN Ka-lok
Hon CHAN Yuen-han, SBS, JP
Hon Kenneth LEUNG
Dr Hon KWOK Ka-ki
Hon KWOK Wai-keung
Hon Dennis KWOK

Hon SIN Chung-kai, SBS, JP
Dr Hon Helena WONG Pik-wan
Hon IP Kin-yuen
Hon POON Siu-ping, BBS, MH

Public officers attending:

Ms Elizabeth TSE Man-yee, JP

Ms Esther LEUNG, JP

Mr Alfred ZHI Jian-hong

Mr YAU Shing-mu, JP

Ms Judy CHUNG Sui-kei

Mr Peter LAU Ka-keung, JP

Mr Albert LEE Wai-bun

Mr MA Kuen

Permanent Secretary for Financial
Services and the Treasury (Treasury)
Deputy Secretary for Financial
Services and the Treasury (Treasury)1
Principal Executive Officer (General),
Financial Services and the Treasury
Bureau (The Treasury Branch)
Under Secretary for Transport and
Housing
Principal Assistant Secretary for
Transport and Housing (Transport) 5
Director of Highways
Project Manager (Hong Kong-
Zhuhai-Macao Bridge Hong Kong
Project Management Office),
Highways Department
Chief Engineer (Hong Kong Boundary
Crossing Facilities), Hong Kong-
Zhuhai-Macao Bridge Hong Kong
Project Management Office, Highways
Department

Clerk in attendance:

Ms Anita SIT

Assistant Secretary General 1

Staff in attendance:

Mr Derek LO

Mr Ken WOO

Mr Raymond SZETO

Mr Keith WONG

Mr Frankie WOO

Miss Yannes HO

Chief Council Secretary (1)5

Senior Council Secretary (1)5

Senior Council Secretary (1)7

Council Secretary (1)5

Senior Legislative Assistant (1)3

Legislative Assistant (1)6

Action

Item No. 1 – FCR(2015-16)45

**RECOMMENDATION OF THE PUBLIC WORKS SUBCOMMITTEE
MADE ON 19 DECEMBER 2015**

PWSC(2015-16)14

HEAD 706 – HIGHWAYS

Transport – Roads

**845TH – Hong Kong–Zhuhai–Macao Bridge Hong Kong Boundary
Crossing Facilities – Reclamation and Superstructures**

The Committee continued deliberation on agenda item FCR(2015-16)45 – PWSC(2015-16)14.

2. Mr Albert HO remarked that, according to the Administration's papers, the second phase of works ("Stage II works") of the Hong Kong Boundary Crossing Facilities ("HKBCFs") required coordination with future road construction on the Airport Island. He asked whether the Administration would not invite tenders for Stage II works right away even if the additional funding proposal was approved. In addition, he asked whether the Administration would further request the Committee to approve additional funding in future in the event that Stage II works required additional funds upon the completion of the coordination with road construction on the Airport Island.

3. Director of Highways ("DHy") advised that the Administration hoped to invite tender for the Stage II works upon the completion of the coordination works between HKBCFs and future road development on the Airport Island in mid-2017. He added that it was currently estimated that the road design would not be changed substantially, and even if minor changes were required after coordination and additional funding was thus needed, it was believed that it could be settled by the contingency funds.

4. Dr Fernando CHEUNG requested the Administration to explain how it arrived at the estimate of the daily vehicular flow of 14 000 vehicles for the Hong Kong-Zhuhai-Macao Bridge ("HZMB") after its commissioning.

5. In response, Under Secretary for Transport and Housing ("USTH") advised that the Administration provided a paper to the Legislative Council in 2008 explaining the method adopted for estimating the vehicular flow of HZMB after its commissioning. On the basis of the estimates then, it was estimated that the daily vehicular flow would be between 9 200 to 14 000 vehicles at the time of the commissioning of HZMB in 2016.

6. Mr LEUNG Kwok-hung considered that the Administration's estimates of the vehicular flow of HZMB after its commissioning, which were made many years ago, had not given due consideration to the current economic situation of Macao and Zhuhai. As such, he was concerned that the vehicular flow after the commissioning of HZMB would not be adequate for generating the revenue needed to repay the loans secured for the construction of HZMB.

Motion that further proceedings of the Committee be now adjourned

7. At 5:39 pm, Mr LEUNG Kwok-hung moved that further proceedings of the Committee be then adjourned under paragraph 39 of the Finance Committee Procedure ("FCP"). The Chairman thereupon proposed the question that further proceedings be then adjourned. He directed that each member, when speaking on the motion, might speak once for not more than three minutes.

8. Mr LEUNG Kwok-hung introduced his motion. He again queried that the Administration's estimate of vehicular flow of HZMB after its commissioning was not accurate.

9. Mr WU Chi-wai, Dr Fernando CHEUNG, Mr Gary FAN, Mr LEUNG Yiu-chung, Mr CHAN Chi-chuen, Ms Claudia MO and Mr Albert CHAN expressed support for the motion that further proceedings of the Committee be now adjourned. These members opined that the Administration all along had not provided the latest estimate of the vehicular flow of HZMB after its commissioning. Among these members, some were also dissatisfied with the Administration for moving forward this agenda item of requesting additional funding to precede items that were related to people's livelihood, and they also pointed out that the Administration had already requested the Committee to approve proposals for additional funding for many times due to cost overruns of projects, and it was inappropriate of the Administration to take the Committee's approval for granted.

10. Dr CHIANG Lai-wan opposed the motion that further proceedings of the Committee be now adjourned. She criticized that the pan-democratic members often delayed processing the Administration's applications for funding by moving motions to adjourn further proceedings of the Committee or discussion on an item.

11. In responding to Mr LEUNG Kwok-hung's motion, USTH said that the Administration would update its estimates of the vehicular flow of HZMB upon commissioning. He also remarked that the contingency funds for the HKBCFs project had nearly run out. If additional funding could not be secured in time, there would be a shortage of cash flow if the project encountered any unexpected situations, and it might not be possible for HKBCFs to be commissioned by end-2017 as scheduled. As such, this application for additional funding was urgent.

12. Mr LEUNG Kwok-hung spoke in reply on his motion. The Chairman thereafter put Mr LEUNG's motion to vote. At the request of members, the Chairman ordered a division and the division bell was rung for five minutes.

13. When the division bell was ringing, Mr LEUNG Kwok-hung spoke loudly for many times without the Chairman's permission. The Chairman asked Mr LEUNG Kwok-hung to stop speaking, but to no avail. After giving him a warning, the Chairman ruled that Mr LEUNG Kwok-hung's conduct was grossly disorderly and he ordered Mr LEUNG Kwok-hung to withdraw from the Committee and leave the conference room.

14. The Chairman announced that 9 members voted in favour of and 27 members voted against the motion. The votes of individual members were as follows –

For:

Mr LEE Cheuk-yan
Ms Emily LAU Wai-hing
Mr Albert CHAN Wai-yip
Mr WU Chi-wai
Dr Fernando CHEUNG Chiu-hung
(9 members)

Mr LEUNG Yiu-chung
Ms Cyd HO Sau-lan
Ms Claudia MO
Mr CHAN Chi-chuen

Against:

Mr CHAN Kam-lam
Mr Tommy CHEUNG Yu-yan
Mr Jeffrey LAM Kin-fung
Mr WONG Ting-kwong
Mr WONG Kwok-kin
Mr Paul TSE Wai-chun
Mr NG Leung-sing
Mr Frankie YICK Chi-ming

Mr TAM Yiu-chung
Mr WONG Kwok-hing
Mr Andrew LEUNG Kwan-yuen
Mr CHAN Hak-kan
Mr IP Kwok-him
Mr Michael TIEN Puk-sun
Mr HO Chun-yin
Mr YIU Si-wing

Mr CHAN Han-pan
Ms Alice MAK Mei-kuen
Dr Elizabeth QUAT
Mr TANG Ka-piu
Ir Dr LO Wai-kwok
Mr Tony TSE Wai-chuen
(27 members)

Mr LEUNG Che-cheung
Mr Christopher CHEUNG Wah-fung
Mr Martin LIAO Cheung-kong
Dr CHIANG Lai-wan
Mr Christopher CHUNG Shu-kun

15. The Chairman declared that the motion was negated.

Continued discussion on agenda item FCR(2015-16)45 – PWSC(2015-16)14

16. Mr IP Kwok-him pointed out the importance of HZMB to Hong Kong's development and criticized pan-democratic members for frequently proposing motions that further proceedings of the Committee or discussion on an item be then adjourned to delay the processing of applications for funding. For that reason, he would propose the motion that discussion on the agenda item FCR(2015-16)45 – PWSC(2015-16)14 be now adjourned. He hoped that by having the motion negated, it could not be proposed again and hence pan-democratic members would be prevented from continuing with their filibustering attempt. As such, he would vote against the said motion.

Motion that discussion on agenda paper FCR(2015-16)45 – PWSC(2015-16)14 be now adjourned

17. At 6:25 pm, Mr IP Kwok-him moved that the discussion on agenda paper FCR(2015-16)45 - PWSC(2015-16)14 be then adjourned under paragraph 39 of FCP. The Chairman thereupon proposed the question that discussion on agenda paper FCR(2015-16)45 be then adjourned. He directed that each member, when speaking on the question, might speak once for not more than three minutes.

18. Ms Claudia MO, Mr WU Chi-wai, Mr CHAN Chi-chuen, Ms Cyd HO, Mr LEE Cheuk-yan, Mr LEUNG Yiu-chung, Mr Albert CHAN, Dr Fernando CHEUNG and Ms Emily LAU expressed support for the motion that discussion on agenda item FCR(2015-16)45 – PWSC(2015-16)14 be now adjourned. These members considered that according to the information provided by the Administration, projects involved in this application for additional funding were not essential to the commissioning of HKBCFs, the approved funding was already enough for the Administration to complete the essential projects for the commissioning of HKBCFs, and there was really no need to approve additional funding. Some members also pointed out that upon adjourning the discussion on this agenda item, the Committee could

immediately start the discussion on agenda items related to people's livelihood, which would be the appropriate way of handling the Committee's business.

19. Mr Albert HO remarked that he supported adjourning the discussion on agenda item FCR(2015-16)45 – PWSC(2015-16)14, but since the relevant motion was proposed by Mr IP Kwok-him, he might not vote in favour of the motion when it was put to vote.

20. Mr IP Kwok-him replied in respect of his motion. The Chairman thereafter put Mr IP's motion to vote. At the request of members, the Chairman ordered a division and the division bell was rung for five minutes. The Chairman announced that 10 members voted in favour of and 26 members voted against the motion. The votes of individual members were as follows –

For:

Mr Albert HO Chun-yan
Mr LEUNG Yiu-chung
Ms Cyd HO Sau-lan
Ms Claudia MO
Mr CHAN Chi-chuen
(10 members)

Mr LEE Cheuk-yan
Ms Emily LAU Wai-hing
Mr Albert CHAN Wai-yip
Mr WU Chi-wai
Dr Fernando CHEUNG Chiu-hung

Against:

Mr CHAN Kam-lam
Mr Tommy CHEUNG Yu-yan
Mr Jeffrey LAM Kin-fung
Mr CHAN Hak-kan
Mr IP Kwok-him
Mr Michael TIEN Puk-sun
Mr HO Chun-yin
Mr YIU Si-wing
Mr CHAN Han-pan
Ms Alice MAK Mei-kuen
Dr Elizabeth QUAT
Mr TANG Ka-piu
Mr Christopher CHUNG Shu-kun
(26 members)

Mr TAM Yiu-chung
Mr WONG Kwok-hing
Mr WONG Ting-kwong
Mr WONG Kwok-kin
Mr Paul TSE Wai-chun
Mr NG Leung-sing
Mr Frankie YICK Chi-ming
Mr MA Fung-kwok
Mr LEUNG Che-cheung
Mr Christopher CHEUNG Wah-fung
Mr Martin LIAO Cheung-kong
Dr CHIANG Lai-wan
Mr Tony TSE Wai-chuen

21. The Chairman declared that the motion was negatived.

Continued discussion on agenda item FCR(2015-16)45 – PWSC(2015-16)14

22. Ms Cyd HO requested the Administration to make clear whether there were qualified lifeguards on duty in the sea areas for marine works of the HKBCFs project to provide rescue services immediately when accidents occurred. With regard to the Administration clarification that there were emergency boats standing by in the sea areas with marine works going on, she requested the Administration to clarify whether the emergency boats were stationed in the sea areas with marine works going on.

23. DHy said in response that currently there was no legislation requiring lifeguards to be on duty, whereas for the emergency boats that were stationed in the sea areas with marine works going on, qualified first aiders were onboard, and the boats were also supplied with first aid equipment.

24. Mr WU Chi-wai asked the Administration that, if this application for additional funding was not approved, what would be the vehicular and passenger flows that HKBCFs could cope with when the current first phase of works were completed, and whether there would be public toilets in the Passenger Terminal Building. In addition, with regard to the Administration's statement that HKBCFs needed to have taxi stand facilities, he asked the Administration to provide for reference the existing number of passengers who travelled by taxi in Hong Kong to depart through the Shenzhen Bay Port.

25. USTH advised that the Administration was updating the estimates of passenger and vehicular flows of HKBCFs upon commissioning, and was unable to provide the latest figures at the moment. He also pointed out that the Shenzhen Bay Port was located in the Mainland, which was different from the case of HZBC's HKBCFs, and hence it was inappropriate to make any comparison. He reiterated that HKBCFs were located within Hong Kong, and the Administration should provide a variety of facilities at border crossings for the convenience of the people crossing the border, including transportation facilities such as bus stops and taxi stands.

26. Dr Fernando CHEUNG requested the Administration to explain how it would repay the RMB22 billion loan secured for the construction of the Main Bridge of HZMB. He also requested the Administration to clarify whether the existing estimates of vehicular flow included mainland visitors driving to Hong Kong under the self-drive tour scheme.

27. USTH remarked that the HZMB Main Bridge Project was not directly related to this agenda item that sought additional funding. He also pointed out that currently the Administration had no policy on launching the self-drive tour scheme for mainland visitors driving to Hong Kong, and reiterated that the latest estimates of vehicular flow were being updated.

28. Mr LEE Cheuk-yan criticized that in seeking to speed up the progress of the Project, the Administration was in effect making the workers work overtime over a long period of time, which might cost them their lives. He requested the Administration to give more concern to the issue that a number of fatal industrial accidents had been caused by the Project. He asked the Administration whether it would continue to ask workers to work overtime to speed up the works progress if additional funding was granted for the remaining parts of the Project.

29. USTH explained that a number of protective measures had been implemented for industrial safety, and the figures of industrial accidents showed that no systematic industrial safety or management issues had arisen in the construction sites of HKBCFs.

30. Ms Emily LAU queried why it was only after the occurrence of fatal industrial accidents that the Administration required workers to wear life jackets at work and added railings to boat sides and shore side to prevent workers from falling into the sea. She also requested the Administration to explain whether some industrial accidents had occurred due to the lack of these safety measures, and to provide details and results of the prosecutions the Administration had taken against the contractors after the accidents.

31. DHy explained that the works contractors had set out in the industrial safety plans submitted before the commencement of works that workers working at shore side should wear life jacket, and that railings at shore side should be added. These measures had been implemented since the commencement of works. He also advised that at the moment, he was unable to provide the number of accidents in which workers not wearing life jackets had fallen into the sea. With regard to the prosecutions taken against contractors, he clarified that the contractor involved in the industrial accident that happened on 25 October 2012 had been convicted and fined, whereas for the industrial accident occurred on 12 December 2014, relevant legal proceedings were still going on.

32. Mr CHAN Chi-chuen was dissatisfied with the Administration as it had not answered whether there were qualified lifeguards on board the emergency boats to carry out rescue work. USTH pointed out that the focus of the Administration was whether or not the overall industrial site safety measures were adequate, and if the Highways Department or the Labour Department considered the industrial site safety measures inadequate, they would examine how improvements could be made.

33. At 7:26 pm, the Chairman declared that the meeting be adjourned, items with deliberations not yet completed would be carried over to the next meeting.

34. The meeting was adjourned at 7:26 pm.

Legislative Council Secretariat
20 May 2016