

立法會
Legislative Council

LC Paper No. FC223/15-16

(These minutes have been
seen by the Administration)

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Finance Committee of the Legislative Council

Minutes of the 24th meeting
held at Conference Room 1 of the Legislative Council Complex
on Friday, 22 January 2016, at 5:10 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 TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, GBS, JP
Hon Tommy CHEUNG Yu-yan, GBS, JP
Hon Frederick FUNG Kin-kee, SBS, 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 Starry LEE Wai-king, JP
Hon CHAN Hak-kan, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon IP Kwok-him, GBS, JP
Hon Mrs Regina IP LAU Suk-yee, GBS, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon Albert CHAN Wai-yip
Hon WONG Yuk-man
Hon Claudia MO

Hon Michael TIEN Puk-sun, BBS, 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 Charles Peter MOK, JP
Hon CHAN Chi-chuen
Hon CHAN Han-pan, JP
Dr Hon Kenneth CHAN Ka-lok
Hon CHAN Yuen-han, SBS, JP
Hon LEUNG Che-cheung, BBS, MH, JP
Hon Kenneth LEUNG
Hon Alice MAK Mei-kuen, BBS, JP
Dr Hon KWOK Ka-ki
Hon KWOK Wai-keung
Hon Christopher CHEUNG Wah-fung, SBS, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon SIN Chung-kai, SBS, JP
Hon IP Kin-yuen
Dr Hon Elizabeth QUAT, JP
Hon Martin LIAO Cheung-kong, SBS, JP
Hon POON Siu-ping, BBS, MH
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 Emily LAU Wai-hing, JP
Hon Vincent FANG Kang, SBS, JP
Dr Hon LAM Tai-fai, SBS, JP
Dr Hon LEUNG Ka-lau
Hon CHEUNG Kwok-che
Hon WONG Kwok-kin, SBS

Hon Paul TSE Wai-chun, JP
Hon James TIEN Pei-chun, GBS, JP
Hon Dennis KWOK
Dr Hon Helena WONG Pik-wan

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)
Mr YAU Shing Mu, JP	Under Secretary for Transport and Housing
Ms Rebecca PUN Ting-ting, JP	Deputy Secretary for Transport and Housing (Transport) 1
Ms Judy CHUNG Sui-kei	Principal Assistant Secretary for Transport and Housing (Transport) 5
Mr Peter LAU Ka-keung, JP	Director of Highways
Mr Albert LEE Wai-bun	Project Manager (Hong Kong-Zhuhai-Macao Bridge Hong Kong Project Management Office), Highways Department
Mr MA Kuen	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
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Staff in attendance:

Mr Derek LO	Chief Council Secretary (1)5
Mr Ken WOO	Senior Council Secretary (1)5
Mr Raymond SZETO	Council Secretary (1)7

Mr Keith WONG
Mr Frankie WOO
Ms Michelle NIEN

Council Secretary (1)5
Senior Legislative Assistant (1)3
Legislative Assistant (1)5

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**

Motion that further proceedings of the Committee be now adjourned

The meeting continued to deal with the motion that further proceedings of the Committee be then adjourned moved by Mr Gary FAN under paragraph 39 of the Finance Committee Procedure ("FCP").

2. Mr TAM Yiu-chung spoke against the motion. He opined that since the Hong Kong Boundary Crossing Facilities ("HKBCFs") project had reached an advanced stage, extra funds were needed for completion of the project. He criticized the pan-democratic members for moving such a motion with the only purpose of filibustering in order to stall the Administration's funding request.

3. Mr Gary FAN spoke in reply on his motion. The Chairman then put Mr FAN's 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 17 members voted in favour of and 31 members voted against the motion. The votes of individual members were as follows –

For:

Mr Albert HO Chun-yan
Prof Joseph LEE Kok-long
Mr Alan LEONG Kah-kit
Mr Albert CHAN Wai-yip
Ms Claudia MO
Mr Gary FAN Kwok-wai
Mr CHAN Chi-chuen
Mr Kenneth LEUNG
Mr SIN Chung-kai
(17 members)

Mr LEUNG Yiu-chung
Ms Cyd HO Sau-lan
Mr LEUNG Kwok-hung
Mr WONG Yuk-man
Mr WU Chi-wai
Mr Charles Peter MOK
Dr Kenneth CHAN Ka-lok
Dr Fernando CHEUNG Chiu-hung

Against:

Mr CHAN Kam-lam	Mr TAM Yiu-chung
Mr WONG Kwok-hing	Mr Jeffrey LAM Kin-fung
Mr Andrew LEUNG Kwan-yuen	Mr WONG Ting-kwong
Ms Starry LEE Wai-king	Mr CHAN Hak-kan
Dr Priscilla LEUNG Mei-fun	Mr IP Kwok-him
Mrs Regina IP LAU Suk-yee	Michael TIEN Puk-sun
Mr NG Leung-sing	Mr Steven HO Chun-yin
Mr YIU Si-wing	Mr MA Fung-kwok
Mr CHAN Han-pan	Ms CHAN Yuen-han
Mr LEUNG Che-cheung	Miss Alice MAK Mei-kuen
Mr KWOK Wai-keung	Mr Christopher CHEUNG Wah-fung
Dr Elizabeth QUAT	Mr Martin LIAO Cheung-kong
Mr POON Siu-ping	Mr TANG Ka-piu
Dr CHIANG Lai-wan	Ir Dr LO Wai-kwok
Mr CHUNG Kwok-pan	Mr Christopher CHUNG Shu-kun
Mr Tony TSE Wai-chuen	
(31 members)	

4. The Chairman declared that the motion was negatived.

5. The Committee continued to deliberate on item FCR(2015-16)45 - PWSC(2015-16)14.

Hong Kong Boundary Crossing Facilities

6. Referring to the Administration's paper, Mr Albert HO remarked that if approval for additional funding was not obtained, outbound and inbound private car annexures would be excised. However, he considered that the Administration should list the item among the essential facilities. Under Secretary for Transport and Housing ("USTH") explained that if extra funding was not approved, some projects would have to be replaced by temporary facilities. Applications for extra funding would have to be submitted to the Committee again if those facilities were to be constructed in the future.

7. Mr CHAN Chi-chuen noted that four public toilets in the vehicle clearance plaza would be excised if additional funding was not granted, and asked the Administration whether there would be no toilets available for use by the public at HKBCFs. He also suggested the Administration consider building unisex public toilets at HKBCFs. Director of Highways ("DHy") explained that public toilets were available in the arrival and departure halls of the passenger clearance building. The toilets in the vehicle clearance plaza

were for the passengers on the cross-boundary vehicles. It would cause them inconvenience if there were no toilets in the plaza.

Traffic flow at HKBCFs

8. Referring to the Administration's paper, Mr Gary FAN pointed out that if extra funding was not granted, the additional private car and goods vehicle kiosks designed for the increased traffic demand would be excised, and serious traffic congestion would result as HKBCFs could not handle the anticipated traffic demand after the early commissioning stage. He asked the Administration whether the estimate was made on the basis of the traffic flow estimate compiled in 2008. Mr WU Chi-wai also questioned the accuracy of the Administration's estimate and requested the Administration to provide information on the maximum traffic capacity of the absolutely essential facilities and the estimated traffic flow during clearance peak hours.

9. USTH explained that if additional funding was granted to enable the completion of the project, HKBCFs should be able to cope with the average daily traffic flow of 9 200 to 14 000 vehicles during the early commissioning stage as estimated in 2008, and the second phase of the HKBCF project was to cater for the increase of traffic demand in future. DHy advised that if there were no additional Private Car and Goods Vehicle Kiosks, traffic congestion might be resulted during the peaks of passenger and freight traffic flow.

10. Mr Alan LEONG and Mr IP Kin-yuen asked the Administration whether it would launch the self-drive tour scheme for Mainland drivers if the traffic flows at the Hong Kong-Zhuhai-Macao Bridge ("HZMB") and HKBCFs were low after commissioning. Mr IP Kin-yuen also enquired whether the Administration had updated its estimates on the traffic flow at HZMB and HKBCFs. USTH responded that currently the Government did not have any policy allowing Mainland vehicles to enter Hong Kong through a self-drive tour scheme. He added that the Administration was still updating the estimates on HKBCFs' traffic flow as well as HZMB's debt repayment ability and rate of return.

Records of industrial accidents

11. Mr WONG Yuk-man, Mr LEUNG Kwok-hung, Mr Albert CHAN and Mr LEUNG Yiu-chung pointed out that so far the HKBCF project had already recorded a number of industrial accidents causing injuries and deaths of workers. They criticized the Administration for neglecting workers' safety and enquired about the measures it had in place to reduce industrial accidents.

12. USTH stressed that the Administration attached much importance to workers' lives and safety. The Highways Department had monitored the safety measures taken by contractors by laying down requirements for them to comply with, and conducting investigations and reviews on each industrial accident. As indicated in the relevant information, the rate of industrial accidents of the HKBCF project was still rather low compared with the average accident rates of other works projects in Hong Kong. DHy added that the engineers deployed by the Administration to the construction sites would monitor the contractors' implementation of the industrial safety measures stated in their project safety proposals.

13. Mr LEUNG Yiu-chung, Mr LEUNG Kwok-hung and Mr Albert CHAN criticized that some contractors involving in fatal industrial accidents were still awarded other construction projects after the accidents. They asked the Administration to clarify whether the bidding contractors' safety records in HZMB-related construction projects would be taken into account when awarding other project contracts in future. Mr LEUNG Yiu-chung also requested the Administration to provide information on the weighting of contractors' industrial safety records in the assessment of their tenders.

14. DHy advised that the contractor involving in fatal industrial accidents referred to by members had been banned from bidding the Government's harbour-related works projects for two years. The contracts subsequently awarded to the said contractor were of other works types, and the contractor's safety records in other works types had been taken into consideration when the contracts were awarded. He added that many factors would be taken into account when assessing tenders, and that while the assessment criteria were approved by the Administration's Central Tender Board, the assessment criteria of each project contract would be adjusted in light of its unique features.

Overtime work of workers

15. Dr Fernando CHEUNG and Mr LEE Cheuk-yan expressed concerns that workers engaged in HKBCF projects had to do overtime work, and pointed out that due to the huge workload, workers had to work long hours without adequate rest, making them prone to accidents. They queried the accuracy of the Administration's data which indicated that workers had to work six extra hours daily during peak seasons. They also asked the authorities to clarify whether statistics on workers' maximum daily working hours had been compiled at the project site.

16. DHy advised in response that the labour liaison officers stationed in the construction sites had not received any complaints from workers about excessively long working hours. According to the Administration's records, HKBCF workers had to work 29 extra hours monthly on average. From 2011 to date, there had been 150 occasions of overtime work with durations of four hours or above. Some of the cases involved workers working continuously for long hours to complete a specific works procedure. He added that as construction sites were subject to noise control, it was impossible for a huge amount of works to be conducted at night, hence there would not be a large number of workers required to do overtime work.

HKBCF project's impact on ecology

17. Pointing out that the HZMB project had affected the Chinese white dolphins in nearby waters, Ms Claudia MO requested the Administration to explain how it monitored and assessed the project's impact on the Chinese white dolphins. DHy responded that the environment permit issued by the Environmental Protection Department ("EPD") for the project set out the requirements for monitoring the ecology of Chinese white dolphins, and the Administration had been monitoring the ecology of Chinese white dolphins in compliance with the environment permit's requirements.

18. Referring to LC Paper No. FC96/15-16(01), Ms Cyd HO remarked that EPD had revised the contents of the HZMB environment permit nine times. She requested for a written explanation from the Administration on the revised contents and the relevant impact on the cost of the project. DHy explained that some work procedures might have changed due to project needs during the construction process, it was therefore necessary to apply to EPD for revisions to the contents of the environment permit, and one of the requirements therein was that the revision would have no material change to the environment impact.

Construction and operation of HZMB

19. Mr Alan LEONG, Mr SIN Chung-kai, Ms Cyd HO, Mr Albert CHAN and Dr KWOK Ka-ki pointed out that while the massive financing for the construction of HZMB would incur enormous interest expenses, the project might also need additional financing to cover possible cost overruns. If the utilization rate of HZMB upon commissioning was low, its income would be unable to cover the operating cost. These members asked the Administration to explain whether it would submit any further application to the Committee for additional funding in the future to cover HZMB's construction and operation costs.

20. USTH advised that the financing and related interest expenses for the main bridge of HZMB and operating matters such as the toll fees chargeable upon HZMB's completion were not directly related to this item.

21. Mr Kenneth LEUNG asked the Administration if HZMB's main bridge and the HKBCFs could be completed and commissioned simultaneously. USTH replied that the HKBCF project was expected to be completed by the end of 2017, while the completion date of the HZMB Main Bridge was still being assessed. The Administration would maintain communication with the HZMB Authority responsible for the HZMB project, to ensure that the two projects could dovetail with each other.

Supply of materials

22. Mr LEUNG Kwok-hung pointed out that according to his knowledge, some HKBCF contractors were also engaged in sea sand import business, and he believed that this might help the Government lower the cost of purchasing sea sand and ensure a stable supply of sea sand. He queried the Administration's claim that the progress of reclamation works had been affected by the unstable supply of sea sand. In response, DHy said that the sea sand to had to go through a series of procedures before importing to Hong Kong, thus resulting in a longer delivery time.

23. Mr Albert CHAN pointed out that recently, the price of materials had been lowering generally. He criticized that it was inappropriate of the Government to launch several large-scale construction projects when material prices were at their peaks.

Claims arising from project delays

24. Mr WU Chi-wai requested the Government to provide information about the number of claims arising from project delays that had been filed by contractors, as well as the amount involved. DHy advised that as at September 2015, the Administration had received 90 claims filed by contractors, involving total amount of about \$1.2 billion. Fifty claims had been processed and all were considered unsubstantiated. Hence, the Administration had not paid any compensation so far.

Discussion on meeting arrangements

25. The Chairman remarked that he had received a proposed motion submitted by a member under FCP 37A. He urged members intending to propose such motions to submit them to the Secretariat by noon, 26 January

2016, so as to give him and the Secretariat sufficient time to go through them. If the discussion session could be finished at the next meeting to be held on 29 January 2016, he would commence dealing with the motions proposed by members at that meeting.

26. Dr Fernando CHEUNG sought the Chairman's clarification on whether submission of motions would not be allowed during the next meeting. The Chairman explained that the arrangement was to give sufficient time for him and the Secretariat to examine the motions. If members submitted their motions after the above-mentioned period, he would decide whether or not to deal with the motions and the number of motions to be dealt with. He added that he would not be able to deal with many motions at the meeting. The Chairman also pointed out that he had not yet decided a cut-off time for the discussion session. When he considered the time for the discussion session was up, he would put an end to it and give his reasons.

27. Dr Fernando CHEUNG, Dr KWOK Ka-ki and Mr CHAN Chi-chuen queried the Chairman's decision, as they believed that according to FCP 37A, a member might move a motion without notice. Hence, the Chairman should not set a time limit for members to submit motions. The Chairman responded that there were already precedents in which the Committee had dealt with the matter in the same manner.

28. At 7:10pm, the Chairman declared that the meeting be adjourned.

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