# 立法會 Legislative Council

LC Paper No. FC253/15-16 (These minutes have been seen by the Administration)

Ref: FC/1/1(17)

#### **Finance Committee of the Legislative Council**

#### Minutes of the 31<sup>st</sup> meeting held at Conference Room 1 of the Legislative Council Complex on Friday, 5 February 2016, at 3:15 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 James TO Kun-sun 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 Frederick FUNG Kin-kee, SBS, JP Hon Vincent FANG Kang, 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 Dr Hon LAM Tai-fai, SBS, JP Hon CHAN Hak-kan, JP Dr Hon Priscilla LEUNG Mei-fun, SBS, JP Hon WONG Kwok-kin, SBS Hon IP Kwok-him, GBS, JP

Hon Mrs Regina IP LAU Suk-yee, GBS, JP Hon Paul TSE Wai-chun, JP Hon Alan LEONG Kah-kit, SC Hon LEUNG Kwok-hung Hon Albert CHAN Wai-yip Hon WONG Yuk-man Hon Claudia MO Hon NG Leung-sing, SBS, JP Hon Steven HO Chun-yin, BBS 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 Yuen-han, SBS, JP Hon LEUNG Che-cheung, BBS, MH, JP Hon Kenneth LEUNG Dr Hon KWOK Ka-ki Hon KWOK Wai-keung Hon Dennis KWOK 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 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:

Dr Hon LAU Wong-fat, GBM, GBS, JP Dr Hon LEUNG Ka-lau Hon CHEUNG Kwok-che Hon Michael TIEN Puk-sun, BBS, JP Hon James TIEN Pei-chun, GBS, JP Hon Frankie YICK Chi-ming, JP Hon CHAN Han-pan, JP Dr Hon Kenneth CHAN Ka-lok Hon Alice MAK Mei-kuen, BBS, JP Dr Hon Helena WONG Pik-wan Hon Martin LIAO Cheung-kong, SBS, JP

### **Public officers attending:**

Professor K C CHAN, GBS, JP	Secretary for Financial Services and the Treasury
Ms Elizabeth TSE Man-yee, 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)
Prof Anthony CHEUNG, GBS, JP	Secretary for Transport and Housing
Mr Joseph LAI, JP	Permanent Secretary for Transport and
L '	Housing (Transport)
Ms Rebecca PUN Ting-ting, JP	Deputy Secretary for Transport and
	Housing (Transport) 1
Mr Peter LAU Ka-keung, JP	Director of Highways
Mr Jimmy CHAN Pai-ming, JP	Principal Government Engineer
	(Railway Development), Highways
	Department
Mr TAM Hon-choi	Government Engineer (Railway
	Development) 2, Highways Department
Mr Lincoln LEONG	Chief Executive Officer, MTR
	Corporation Limited
Dr Philco WONG	Projects Director, MTR Corporation
	Limited
Ms Linda SO	Corporate Affairs Director, MTR
	Corporation Limited
Mr LEUNG Chi-lap	General Manager (XRL E&M), MTR
	Corporation Limited
Ms Maggie SO	Deputy General Manager (Projects and
	Property Communications), MTR
	Corporation Limited

#### **Clerk in attendance:**

Ms Anita SIT

Assistant Secretary General 1

#### **Staff in attendance:**

Ms Connie FUNG	Legal Adviser
Mr Stephen LAM	Senior Assistant Legal Adviser 2
Mr Derek LO	Chief Council Secretary (1)5
Mr Ken WOO	Senior Council Secretary (1)5
Mr Raymond SZETO	Senior Council Secretary (1)7
Mr Keith WONG	Council Secretary (1)5
Mr Frankie WOO	Senior Legislative Assistant (1)3
Ms Michelle NIEN	Legislative Assistant (1)5

Action

Item No. 1 – FCR(2015-16)46 CAPITAL WORKS RESERVE FUND HEAD 706 – HIGHWAYS Transport - Railways 53TR - Hong Kong Section of Guangzhou - Shenzhen - Hong Kong Express Rail Link - construction of railway works

Item No. 2 – FCR(2015-16)47 CAPITAL WORKS RESERVE FUND HEAD 706 – HIGHWAYS Transport - Railways 57TR - Hong Kong Section of Guangzhou - Shenzhen - Hong Kong Express Rail Link - construction of non-railway works

<u>The Deputy Chairman</u> advised that as Mr CHAN Kin-por, Chairman of the Finance Committee ("FC"), had decided that he would not chair the meetings deliberating on the proposal for additional funding for the Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link ("XRL") project ("additional funding for the XRL project"), in accordance with paragraph 13 of the Finance Committee Procedure ("FCP"), he would chair all meetings held for the two items FCR(2015-16)46 and 47. 2. <u>The Deputy Chairman</u> advised that a letter applying for a waiver of the notice period of six clear days for the agenda items on additional funding for the XRL project, with explanations attached, had been received from the Administration on 2 February 2016. The letter was issued to members vide LC Paper No. FC106/15-16 for information. Upon considering the justifications provided by the authorities in the letter, he acceded to the Administration's application to dispense with the requisite notice for inclusion of the two items on the agenda, and allowed the two items to be discussed at the day's meeting. <u>The Deputy Chairman</u> supplemented that he had discussed the Administration's requests with the Chairman and the Chairman also agreed to the agenda arrangement proposed by the Administration.

3. The Deputy Chairman suggested combining the discussion of the two papers relating to the additional funding for the XRL project, which would then be voted on separately. The first paper was FCR(2015-16)46. This item invited the Committee to approve an increase in the approved project estimate of 53TR (relating to the construction of railway works for the Hong Kong \$55,017.5 million \$15,387.5 million from of XRL) by Section to \$70,405 million in money-of-the-day prices. The second paper was FCR(2015-16)47. This item invited the Committee to approve an increase in the approved project estimate of 57TR (relating to the construction of non-railway works for the Hong Kong Section of XRL) by \$4,215 million from \$11,800 million to \$16,015 million in money-of-the-day prices.

### Declaration of interests

4. <u>Mr Kenneth LEUNG</u> declared that he was the tax and compliance advisor of ACE Limited and received remuneration. ACE Limited had business in the insurance industry around the world. Even though he did not know whether ACE Limited had involved in any insurance contract relating to the XRL project, he made the above declaration in order to avoid any doubt.

# Justifications for the Deputy Chairman to chair the meetings and dispense with the notice of the items

5. <u>Mr Kenneth LEUNG</u>, <u>Mr Albert CHAN</u>, <u>Mr LEE Cheuk-yan</u>, <u>Mr CHAN Chi-chuen</u>, <u>Ms Claudia MO</u>, <u>Mr Alan LEONG</u>, <u>Mr LEUNG</u> <u>Yiu-chung</u>, <u>Mr Dennis KWOK</u>, <u>Dr KWOK Ka-ki</u>, <u>Mr Albert HO</u>, <u>Ms Cyd HO</u>, <u>Mr WU Chi-wai</u>, <u>Ms Emily LAU</u>, <u>Mr LEUNG Kwok-hung</u> and <u>Mr James TO</u> queried that as the Chairman considered he might personally have a pecuniary interest in the items and it was not appropriate for him to chair the meetings, he should not make any decision on the agenda arrangement concerning the meetings. In addition, even though the Deputy Chairman had, under paragraph 13 of the FCP, the power to chair the meetings held to deliberate on the addition funding for the XRL project, the Rules of Procedure ("RoP") and the FCP did not expressly confer on FC Deputy Chairman the power to decide the time and agenda of meetings, or to exercise the power conferred on the Chairman under paragraph 21 of the FCP to, at his discretion, dispense with the six clear days' notice in respect of the agenda items. The power to determine such matters only belonged to the Chairman. These members opined that for the aforesaid reasons, holding this meeting might not be in order and the decisions made might be invalid.

6. Referring to Rule 3 of the RoP, <u>Mr SIN Chung-kai</u> pointed out that regarding the power to preside in the Legislative Council ("LegCo"), the authority of the LegCo President's deputy had been clearly defined. He queried whether the rule concerned was applicable to the Chairman of the Committee as well.

7. <u>Mr CHAN Chi-chuen</u>, <u>Mr Kenneth LEUNG</u> and <u>Ms Cyd HO</u> remarked that the Chairman, Mr CHAN Kin-por, might consider resigning from the post of FC Chairman and the Committee might elect a new chairman to preside over the deliberation on the items concerned. <u>Mr Kenneth LEUNG</u> opined that the Committee could remove Mr CHAN Kin-por from the post of the Chairman by virtue of paragraph 30 of the FC Procedure, and deliberate on the items concerned upon the Deputy Chairman taking the chair.

8. <u>Mr LEE Cheuk-yan</u> and <u>Mr CHAN Chi-chuen</u> queried that the Deputy Chairman had not been empowered to deal with the items that were not related to additional funding for the XRL project (i.e. items 3 to 7) on the agenda or to make any relevant decision.

9. <u>Ms Emily LAU</u> considered that before determining whether the arrangement of this meeting was in order or not, the Committee should not continue with the deliberation on the items concerned.

10. In response to members' queries, <u>the Deputy Chairman</u> pointed out that he had discussed the related requests with the Chairman and the Chairman also agreed to the agenda arrangement. Hence, the decision was made in consultation with the Chairman.

11. As regards the justifications for dispensing with the six clear days' notice of the items in respect of additional funding for the XRL project, the <u>Deputy Chairman</u> pointed out that the Administration had advised that if the application could not be approved by FC in late February 2016, the Administration had to consider the arrangements to suspend the works, which would result in additional public expenditure. <u>The Deputy Chairman</u> further said that as he considered the agenda arrangement proposed by the Administration in respect of additional funding for the XRL project appropriate and necessary, he agreed to dispense with the six clear days' notice. There had been past situations where FC accepted the inclusion of agenda items for which the Government had given less than six clear days' notice; hence, the arrangement this time was nothing exceptional.

12. <u>Mr Alan LEONG</u> queried that the Deputy Chairman had not been expressly empowered to exercise the power to dispense with the notice of the agenda items under paragraph 21 of FCP. Therefore, the related decision made by the Deputy Chairman in consultation with the Chairman might also not be in order.

13. In response to the queries as to whether the Deputy Chairman could exercise the power expressly conferred on the Chairman by FCP (such as the power to dispense with the six clear days' notice of agenda items) if the Chairman decided not to chair a meeting, Legal Adviser ("LA") pointed out that as the Chairman had decided that he was unable to chair the meetings for discussion of agenda items relating to additional funding for the XRL project, in accordance with paragraph 13 of FCP, the responsibility to chair the meetings would be passed to the Deputy Chairman. Apart from paragraph 13 and paragraphs 4 to 6 and 6A relating to the election of FC Chairman and Deputy Chairman, no other provisions in FCP had made any reference to the Deputy Applying the principles of legislative interpretation to the Chairman. interpretation of the FCP provisions, when the Deputy Chairman chaired a meeting as the Chairman's deputy, the duties and power he could exercise should include the power conferred on the Chairman by other FCP provisions. In addition, although there was no express provision for the power of the Deputy Chairman to chair a meeting in paragraph 13 of FCP, paragraph 4 of the FCP pointed out that in the event of the temporary absence of the Chairman and Deputy Chairman, the Committee might elect a chairman to act during such Therefore, even though there was no express provision, the necessary absence. implication of the relevant procedures was that, in the event of the temporary absence of the Chairman, the Deputy Chairman might act as the Chairman's deputy, and in such capacity he should be able to exercise the power conferred on the Chairman by other provisions of FCP.

14. <u>LA</u> further pointed out that paragraph 21 of FCP did not stipulate when the Chairman should exercise the power to dispense with the notice of the agenda items. Therefore, the provision concerned allowed the Deputy Chairman, who took the chair at the day's meeting by virtue of paragraph 13 of FCP, to decide whether to dispense with the notice for those agenda items at any time before FC started its discussion on the agenda items.

15. <u>Mr CHAN Chi-chuen, Mr Albert CHAN</u> and <u>Mr WU Chi-wai</u> had queries about LA's interpretation and requested LA to provide an explanation in writing after the meeting. Expressing similar views, <u>Mr Kenneth LEUNG</u> opined that paragraph 13 of FCP clearly stated that the Deputy Chairman was empowered to "chair a meeting", and referred to the High Court's judgment in respect of *Michael John Treloar Rowse v Secretary for the Civil Service* (HCAL41/2007) to point out that the scope of power to be authorized should only include the ancillary and peripheral power of that power but not any other power.

16. In response, <u>LA</u> said that the power to chair a meeting referred to in paragraph 13 of FCP should include all ancillary power that was reasonably necessary, including power exercised beyond the meeting time, such as determination of the time and agenda of meetings, and such power should be interpreted together with "a chairman to act" referred to in paragraph 4 of FCP. This was in line with the general principles adopted by the Courts for legislative interpretation.

17. Referring to Rule 79B of the RoP, <u>Dr Fernando CHEUNG</u> remarked that a committee should meet at the time and the place determined by the chairman of the committee, and that if a member of the committee made a request for a meeting to discuss a specific issue of urgent importance for consideration by the chairman but the chairman could not be contacted for making any such determination within 48 hours after the request had been made, the determination might be made by the deputy chairman (if any), who might also direct that a shorter notice of the meeting be given as provided in that Rule. Given that there was a rule specifying the power that the Deputy Chairman could exercise, it followed that the Deputy Chairman should not have the power of the Chairman to determine the time and place of a committee meeting under other circumstances.

18. <u>LA</u> pointed out in response that the purpose of Rule 79B of the RoP was to, under the specified circumstance (i.e. a member of the committee made a request for a committee meeting to discuss a specific issue of urgent importance, but the chairman of the committee could not be contacted for considering such request), allow the Deputy Chairman to consider the request and determine the time and place of the committee meeting. The present case was not one where the Chairman could not be contacted for considering a request for holding an urgent meeting, but that the Chairman had publicly indicated that the Deputy Chairman would chair the FC meetings for deliberation on items relating to additional funding for the XRL project. Hence, Rule 79B of the RoP was not applicable.

19. <u>Mr WONG Kwok-hing</u>, <u>Mr TAM Yiu-chung</u> and <u>Mr IP Kwok-him</u> expressed support for LA's opinions and advised that members should not query LA's professional opinions just because they did not share LA's views.

20. <u>Mr WONG Kwok-hing</u> and <u>Mr WONG Ting-kwong</u> opined that under the circumstance that the Chairman had decided that it was not appropriate for him to chair the meetings, it was a reasonable arrangement to have the Deputy Chairman of the Committee exercising his power. They criticized that pan-democrat members were hindering the progress of the meeting by raising a point of order.

Chronological sequence of Deputy Chairman's decisions regarding the agenda for the meeting and waiver of notice period

Mr Alan LEONG, Mr LEUNG Yiu-chung, Mr Dennis KWOK, 21. Dr Fernando CHEUNG, Dr KWOK Ka-ki, Mr Albert HO and Mr WU Chi-wai expressed grave concern about whether the Deputy Chairman had indeed been authorized by the Chairman to deal with the matters concerned before the items relating to additional funding for the XRL project were proposed by the Administration, and whether such authorization was in order. These members requested the Secretariat to provide in writing the sequence of events involved in the arrangements for the items relating to additional funding for the XRL project, so as to indicate the timing when the Chairman decided not to chair the deliberation on the items relating to additional funding for the XRL project and passed the power and duties to the Deputy Chairman, as well as when the Administration withdrew the items from the Public Works Subcommittee ("PWSC") and directly submitted to FC for deliberation, and thus requested the FC Chairman to dispense with the six clear days' notice period.

22. <u>The Clerk to FC</u> advised that the Chairman called a press conference at about 3 pm on 2 February 2016 (Post-meeting note: the correct date should

be 1 February 2016), and publicly announced that he would not chair the FC meeting for deliberating the items relating to additional funding for XRL project and that the meetings would be chaired by the Deputy Chairman. He had informed the Clerk of this decision beforehand. On 2 February, the Secretariat was informed by the Administration in the afternoon that as the items relating to additional funding for the XRL project had not been approved at the PWSC meeting ended at 4:30 pm on that day, the items relating to additional funding for the XRL project would be withdrawn and directly submitted to FC for consideration. The relevant written notice, the proposed revised agenda and the explanation on the Administration's application for a waiver of the six clear days' notice were received by the Secretariat at about 5 pm that day. According to the Administration's suggestions, the two items relating to additional funding for the XRL project would be listed as the first two items on the agenda, while other items on the agenda were the items carried over from the meetings of 30 January 2016. In addition, PWSC's Clerk also received a notice from the Administration about its decision to withdraw from the agenda of the Subcommittee the two items relating to additional funding for the XRL project, and the notice was issued to members for information vide LC Paper No. PWSC120/15-16. At about 6 pm that day, Clerk to FC informed both the Deputy Chairman and the Chairman in writing of the Administration's suggestions and sought the Deputy Chairman's direction on whether the request to dispense with the six clear days' notice in respect of the two XRL items would be acceded to. The Deputy Chairman subsequently replied that, upon discussion with the Chairman, he agreed to the Administration's suggestions. The Secretariat would provide a written response in respect of the sequence of events in dealing with the agenda for the meeting.

23. <u>The Deputy Chairman</u> remarked that he knew some members queried about the power FC Deputy Chairman could exercise when chairing a meeting, but LA and the Secretariat had already provided an explanation in detail in respect of such queries and indicated that a written response would be provided after the meeting. He opined that members could follow up such queries on other occasions (such as the Committee on Rules of Procedure) or even apply for judicial review, but they should not continue with the discussion at this FC meeting again.

[*Post-meeting note:* Legal and procedural issues arising from the decision of the Deputy Chairman to dispense with the notice requirement and sequence of events in dealing with the agenda for the meetings prepared by the Secretariat were issued to members vide LC Paper No. LS35/15-16 and FC126/15-16(01) on 19 February 2016.]

#### Combined discussion on the items FCR(2015-16)46 and 47

*Opening remarks of the representatives from the Administration and the MTR Corporation Limited* 

At the request of the Chairman, Secretary for Transport and Housing 24. ("STH") briefed the Committee on the two funding proposals that were under STH advised that there was a pressing need for additional funding discussion. for XRL project, therefore it was necessary to directly submit the additional funding application to FC before PWSC had made a decision. The Administration acknowledged that such arrangement was an exceptional The project manager of this project, the MTR Corporation Limited practice. ("MTRCL"), had accepted the arrangement to put a "cap" at \$84.42 billion. XRL was a very complex project, while cost overruns and project delays were not uncommon among infrastructure projects of the same type, the Administration understood the public concerns and would reserve all the rights to pursue the warranties and obligations from MTRCL. Nevertheless, in order not to affect the project schedule that was already extremely tight, the two sides had agreed to initiate the related legal procedures only after the XRL's commissioning in 2018.

XRL was a strategic cross-boundary transport infrastructure project 25. with an Economic Internal Rate of Return of about 4%, and could also bring out other economic and social benefits. The Administration noted that the Subcommittee on Matters Relating to Railways and PWSC had discussed the items relating to additional funding for the XRL project for more than four hours and 13.5 hours respectively, and the Administration had also provided a number of supplementary papers in response to members' enquiries. If the project had to be suspended or even left "unfinished" due to failure to obtain the relevant funding for the project, not only the previously invested public money would be wasted, more public money would be required to undertake the The consequences would be serious. As regards the concern remedial works. about the co-location of customs, immigration and quarantine facilities ("co-location arrangements"), the Administration had been proactively discussing with the relevant Mainland authorities, if it did not contravene the stipulations of the Basic Law, to implement the co-location arrangement upon the XRL's commissioning, and agreement from LegCo would also be required before implementation.

26. The opening remarks of STH were set out in LC Paper No. FC127/15-16(01).

27. Mr Lincoln LEONG, Chief Executive Officer, MTR Corporation Limited said in his remarks that MTRCL would pay special dividends to all shareholders in respect of the supplementary agreement signed with the Administration, while the Administration would receive dividends of about If the project expenditure eventually exceeded the cap of 19.5 billion. additional funding, the exceeded amount would be borne by MTRCL. However, the premise of the aforesaid agreement was that approval had to be obtained from MTRCL's independent shareholders and FC would approve the additional funding application, otherwise it would become invalid. At MTRCL's General Meeting, more than 98% of the shareholders who had casted their votes supported the arrangement. Among them, most were Hong Kong citizens, reflecting that shareholders recognized the importance of XRL to Hong Kong, which would enhance external connectivity of Hong Kong and maintain Hong Kong's long-term competiveness. MTRCL sincerely hoped that FC could approve the additional funding concerned, so that the XRL's agreement could come into effect. MTRCL expected the XRL to be commissioned in the third quarter of 2018.

28. Regarding the details of the XRL project progress, Dr Philco WONG, Projects Director, MTR Corporation Limited advised that, as at the fourth quarter of 2015, the overall XRL project was 76.4% completed, while the excavation, concrete structure and electrical and mechanical ("E&M") works of the West Kowloon Terminus ("WKT") were 97.5%, 69.9% and 51.8% completed respectively. The progress was faster than expected. Among them, about 26% of the WKT's floor area had been handed over to E&M works contractor for construction and installation of facilities, such as building services, escalators and lifts. As regards the structural steelworks of the WKT's entrance, the installation works of permanent steel structure were 46.9% completed, which were faster than expected. In addition, the overall tunnel excavation works of the Hong Kong Section of XRL had been completed on 12 December 2015, while installation works had also been started for rail tracks, overhead lines, signaling systems and telecommunications systems etc. As for the overall progress of the project, MTRCL had enhanced the monitoring of the works project in light of the suggestions from the Independent Board Committee, while the uncertainty faced by the remaining about one-fourth of the project had also become clearer; hence, MTRCL was confident that the overall project could be completed as targeted in the third quarter of 2018.

# Arrangement for funding application

29. Expressing support for the item, <u>Mr WONG Kwok-kin</u> remarked that it was more reasonable and in the best interests of Hong Kong society to approve the additional funding for completion of the remaining XRL project, so that Hong Kong would have a railway project with economic benefits. <u>Mr WONG</u> also expressed support for the Administration's decision to withdraw the items from the PWSC's agenda and submit them directly to FC. He criticized that some members obstructed the deliberation on the items by means of filibustering.

### Co-location arrangements

30. <u>Mr LEUNG Kwok-hung</u> criticized that the Administration and the Mainland authorities had so far been unable to provide a concrete proposal for the "co-location arrangements" that complied with the Basic Law. <u>STH</u> advised that he understood members' views on the "co-location arrangements".

# Obligations arising from cost overruns and delays

31. <u>Mr LEUNG Kwok-hung</u> requested the Administration to immediately give an account of the details about pursuing obligations from MTRCL before applying for the additional funding.

32. <u>STH</u> advised that in order not to affect the works schedule that was already extremely tight, the two sides had agreed to initiate the related legal proceedings and commence the arbitration with MTRCL only after the XRL's commissioning in 2018.

# Proposal to suspend the construction of XRL

33. <u>Ms Claudia MO</u> considered the remedial works of the XRL project to be difficult, but if the construction was suspended, the land lot concerned could be used for other purposes. She requested the Administration to consult the public by holding a referendum or conducting a large-scale public opinion survey, so as to decide whether or not to suspend the construction of XRL.

34. <u>STH</u> advised that the Administration had the responsibility to safeguard the interests of public money, and therefore it would not recommend suspending the construction of XRL.

#### Importation of foreign labour

35. <u>Mr WONG Kwok-kin</u> enquired whether the Administration would follow the established procedures to consult the Labour Advisory Board in respect of importation of foreign labour for the XRL project. <u>STH</u> advised that the Government would adhere to the practice of consulting the Labour Advisory Board.

36. At 5:16 pm, <u>the Chairman</u> declared that the meeting be adjourned.

37. The meeting was adjourned at 5:16 pm.

Legislative Council Secretariat 21 June 2016