

立法會
Legislative Council

LC Paper No. FC326/15-16

(These minutes have been
seen by the Administration)

Ref : FC/1/1(36)

Finance Committee of the Legislative Council

Minutes of the 80th meeting
held at Conference Room 1 of the Legislative Council Complex
on Tuesday, 28 June 2016, at 2:32 pm

Members present:

Hon CHAN Kin-por, BBS, JP (Chairman)
Hon CHAN Kam-lam, SBS, JP (Deputy Chairman)
Hon Albert HO Chun-yan
Hon James TO Kun-sun
Hon Emily LAU Wai-hing, JP
Hon TAM Yiu-chung, GBS, 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 Jeffrey LAM Kin-fung, GBS, JP
Hon WONG Ting-kwong, SBS, JP
Hon Cyd HO Sau-lan, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon CHEUNG Kwok-che
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 James TIEN Pei-chun, GBS, JP
Hon NG Leung-sing, SBS, 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 Kenneth LEUNG
Hon Alice MAK Mei-kuen, BBS, JP
Dr Hon KWOK Ka-ki
Hon Dennis KWOK
Hon Christopher CHEUNG Wah-fung, SBS, JP
Hon SIN Chung-kai, SBS, JP
Dr Hon Helena WONG Pik-wan
Hon IP Kin-yuen
Hon Martin LIAO Cheung-kong, SBS, JP
Hon POON Siu-ping, BBS, MH
Hon TANG Ka-piu, JP
Hon CHUNG Kwok-pan
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Alvin YEUNG Ngok-kiu

Members absent:

Hon LEE Cheuk-yan
Hon LEUNG Yiu-chung
Dr Hon LAU Wong-fat, GBM, GBS, JP
Hon Tommy CHEUNG Yu-yan, GBS, JP
Prof Hon Joseph LEE Kok-long, SBS, JP, PhD, RN
Hon Andrew LEUNG Kwan-yuen, GBS, JP
Hon Starry LEE Wai-king, JP
Dr Hon LAM Tai-fai, SBS, JP
Hon CHAN Hak-kan, JP
Dr Hon LEUNG Ka-lau
Hon Michael TIEN Puk-sun, BBS, JP
Hon Steven HO Chun-yin, BBS

Hon Frankie YICK Chi-ming, JP
Hon LEUNG Che-cheung, BBS, MH, JP
Hon KWOK Wai-keung
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Elizabeth QUAT, JP
Dr Hon CHIANG Lai-wan, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon Tony TSE Wai-chuen, BBS

Public officers attending:

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| 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) |
| Mr YAU Shing-mu, JP | Under Secretary for Transport and Housing |
| Mr Wallace LAU Ka-ki | Deputy Secretary for Transport and Housing (Transport)4 |
| Mr Simon LI Tin-chui, JP | Director-General of Civil Aviation |
| Prof Sophia CHAN, JP | Under Secretary for Food and Health |
| Miss Diane WONG | Principal Assistant Secretary for Food and Health (Food)2 |
| Mr CHIU Yu-chow | Assistant Director of Food and Environmental Hygiene (Grade Management and Development) |
| Mr Stephen TANG Man-bun, JP | Acting Director of Architectural Services |
| Mrs Alice YU NG Ka-chun | Project Director (3), Architectural Services Department |
| Mr Gabriel WOO Tai-on | Chief Engineer (Land Works), Civil Engineering and Development Department |

Clerk in attendance:

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| Ms Anita SIT | Assistant Secretary General 1 |
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Staff in attendance:

Mr Derek LO

Mr Raymond SZETO

Mr Frankie WOO

Ms Michelle NIEN

Chief Council Secretary (1)5

Council Secretary (1)6

Senior Legislative Assistant (1)3

Legislative Assistant (1)5

Action

Item No. 6 – FCR(2016-17)54

**RECOMMENDATION OF THE ESTABLISHMENT SUBCOMMITTEE
MADE ON 6 JUNE 2016**

EC(2016-17)3

HEAD 28 – CIVIL AVIATION DEPARTMENT

Subhead 000 – Operational expenses

The Chairman advised that the item sought the approval of the Finance Committee ("the Committee") for the recommendation of the Establishment Subcommittee made on 6 June 2016 to create a supernumerary directorate Administrative Officer Staff Grade B post in the Civil Aviation Department ("CAD"), to be designated as Deputy Director-General of Civil Aviation (2) ("DDGCA(2)"), with a term of about three years up to 31 March 2019, to strengthen the capacity of CAD's senior management in taking forward various key projects as well as enhancing the overall administrative control and management of the department.

Justification for the creation of the new post

2. Mr Albert CHAN agreed that the deployment of an Administrative Officer ("AO") to act as DDGCA could help lead the department to address the governance issues, but the internal problems of CAD showed that the Secretary and Under Secretary for Transport and Housing were guilty of dereliction of duty. Mr CHAN was of the view that they should be held accountable for it and resign. He said he would vote against the funding proposal. Under Secretary for Transport and Housing ("USTH") said that the creation of the new post in CAD to deal with various improvement measures on internal control was a move in response to the recommendations contained in the Director of Audit's Report ("Audit Report") and the Public Accounts Committee ("PAC") Report on CAD. It would be more appropriate for an AO, who was good at personnel management, to take up the new post.

3. Dr KWOK Ka-ki and Mr LEUNG Kwok-hung pointed out that the incumbent Director-General of Civil Aviation ("DGCA") was just promoted from the DDGCA position and he did not discover the internal problems of CAD when he served as the DDGCA in the past. They worried that even an AO was deployed to take up the new post, he or she still might not have the capability to motivate the department to solve the problems. They asked the Administration how it could ensure that the inherent governance issues of the department could be regulated upon the creation of the new post.

4. DGCA admitted that there was imperfection in CAD in the past and he hoped that Members and the public might give some time for CAD to improve. He pointed out that the new DDGCA would be responsible for personnel planning and resource allocation, examining the internal governance of CAD from the perspective of the entire system, and assisting the DGCA to remedy the problems. The new post would also allow other personnel with professional expertise in the department to focus on processing the new Air Traffic Control system ("new ATC system") and the technical work in preparation for the construction of the Three-Runway System ("3RS"), so as to improve the overall operational efficiency of the department. USTH added that the new DDGCA would lead the newly-established management review team and assist DGCA to strengthen his leadership in the department.

The 3RS construction plan

5. Dr KWOK Ka-ki enquired about how the new DDGCA position would follow up with the construction of 3RS at the airport. USTH said that the preparation for the construction of 3RS was the work of the Airport Authority Hong Kong ("AAHK") and the Transport and Housing Bureau ("THB") had established offices to coordinate and oversee the work progress of AAHK. He added that, in the preparation for the construction of 3RS, CAD was responsible for formulating the safety standards of the new runway and airspace related matters, including the implementation of the framework agreement on optimizing airspace management, which was executed by Guangdong, Hong Kong and Macau in 2007.

6. Mr NG Leung-sing suggested the Administration report the public and the Legislative Council on a regular basis after the assumption of office of the new DDGCA and explain the progress of implementing the recommendations stated in the Audit Report and the PAC Report. USTH said that the Administration would draw reference to the opinions of Mr NG.

Timetable for the operation of the new ATC system

7. Mr CHAN Chi-chuen, Mr LEUNG Kwok-hung and Mr Albert CHAN asked whether the Administration had drawn up a timetable for the full operation of the new ATC system and whether the flights of the Hong Kong Airport would be affected during the trial stage of the new ATC system. Mr NG Leung-sing opined that the Administration should release more information to the public on flights affected by the new ATC system.

8. DGCA said that the new ATC system had been launched incrementally on 19 June 2016. The use of the new ATC system would be progressively expanded in terms of operating time and the scope of service coverage over a period of about five months. In the first phase, some of the air traffic control positions with easy operation in the Air Traffic Control Tower ("ATC Tower") would switch to the new system, which would be progressively extended to all positions in the ATC Tower subsequently. From August to October, the use of the new ATC system would be gradually extended to the air traffic control positions in the new Air Traffic Control Centre ("ATC Centre"). It was expected that the new ATC system could become fully operational from late October to early November. On the premise of upholding the principle of safety first, the overall number of flights would be reduced by 6.9% for the first four weeks upon the full operation of the new system with a view to enabling CAD staff to familiarize themselves with the operation of the new system so as to ensure proper transitional arrangement and its smooth implementation. This arrangement was supported by the airlines, given the low season of the aviation industry during that period. In addition, under the existing planning, CAD would continue to retain the old ATC system during the first six months of operation of the new system as a backup.

Safety of the new ATC system

9. Mr Albert CHAN and Mr WONG Yuk-man expressed concern about how the Administration would ensure proper functioning upon full operation of the new ATC system to safeguard air traffic safety. Mr CHAN also requested the Administration to arrange members to visit CAD in order to understand the operation of the new system. Dr KWOK Ka-ki also asked the Administration about how the new post could ensure safety of the new ATC system.

10. USTH said that the Government had commissioned independent consultants to review the operation of the new ATC system and the consultancy report confirmed the system safety and reliability. In addition, the transitional

arrangements for launching the new ATC system had regarded air traffic safety as a top priority and had drawn reference to the recommendations of the consultancy report. Through the incremental launch of the new system and the temporary reduction of flights upon the full operation of the system, it would ensure that the operators would not be required to work under pressure when switching to the new system and there would be enough time for them to familiarize themselves with the operation of the new system. He added that it would be the work of the entire CAD to ensure safety of the new ATC system, instead of the responsibility of the new DDGCA alone. DGCA expressed his willingness to arrange members to visit CAD and inspect the operation of the new ATC system.

[Post-meeting note: The Administration's letter for inviting Members of the Legislative Council to visit the new ATC system was issued vide LC Paper No. CB(4)1216/15-16(01) on 5 July 2016. The visit was held in the afternoon of 12 July 2016.]

11. Mr WONG Yuk-man and Mr LEUNG Kwok-hung requested the Administration to submit the consultancy report on the safety of the new ATC system to the Legislative Council. USTH said that the report had already been submitted to the PAC. For the part regarding the technical aspect, since the details were related to business confidential information, the Administration might arrange members to review the details of that part of the report, if the members agreed to keep confidentiality.

12. Mr Abraham SHEK opined that the creation of the new post by the Administration was a move in response to PAC's recommendations that CAD should strengthen its administrative governance, and there was no direct relationship between the new post and the operation of the new ATC system. He also considered that the Administration should take the initiative and fully publicize the consultancy report to the PAC to alleviate the concern of the people. Mr Kenneth LEUNG said that the Independent Commission Against Corruption had stepped in to investigate CAD and no evidence was found to instigate criminal prosecution. Furthermore, the supplier of the new ATC system, the Raytheon Company of the United States, was subject to strict local regulation. He agreed that the new ATC system could continue to be proceeded with. He expressed support for personnel of non-professional grades joining CAD to provide more objective views. He further opined that aviation safety could not be handled rashly and recommended the Administration to commission another independent consultant to evaluate the safety of the new ATC system in mid-2017.

13. There being no further questions from members, the Chairman put the item to vote. At the request of members, the Chairman ordered a division and the division bell was rung for five minutes. The Chairman declared that 18 members voted in favour of and three members voted against the question. Five members abstained from voting. The votes of individual members were as follows –

For:

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| Mr CHAN Kam-lam | Mr TAM Yiu-chung |
| Mr Abraham SHEK Lai-him | Mr Frederick FUNG Kin-kee |
| Mr Vincent FANG Kang | Mr WONG Kwok-hing |
| Mr CHEUNG Kwok-che | Mrs Regina IP LAU Suk-yee |
| Mr James TIEN Pei-chun | Mr YIU Si-wing |
| Mr MA Fung-kwok | Mr Kenneth LEUNG |
| Dr KWOK Ka-ki | Mr Christopher CHEUNG Wah-fung |
| Mr POON Siu-ping | Mr TANG Ka-piu |
| Mr Christopher CHUNG Shu-kun | Mr Alvin YEUNG Ngok-kiu |

(18 members)

Against:

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|--------------------|------------------------|
| Mr LEUNG Kwok-hung | Mr Albert CHAN Wai-yip |
| Mr CHAN Chi-chuen | |

(3 members)

Abstained:

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|------------------------|-----------------------|
| Mr James TO Kun-sun | Ms Emily LAU Wai-hing |
| Mr WU Chi-wai | Mr SIN Chung-kai |
| Dr Helena WONG Pik-wan | |

(5 members)

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

Item No. 7 – FCR(2016-17)52

**RECOMMENDATION OF THE PUBLIC WORKS SUBCOMMITTEE
MADE ON 1 JUNE 2016**

PWSC(2016-17)24

HEAD 703 – BUILDINGS

Environmental Hygiene – Burial grounds, columbaria and crematoria

22NB – Provision of Columbarium at Wo Hop Shek Cemetery – Phase 1

15. The Chairman advised that the item sought the approval of the Committee for the recommendation of the Public Works Subcommittee made on 1 June 2016 to upgrade 22NB to Category A at an estimated cost of \$945.6 million in money-of-the-day prices for the provision of columbarium at Wo Hop Shek Cemetery – Phase 1 ("Columbarium").

Supporting facilities of the Columbarium

16. Dr KWOK Ka-ki said that members of the public had to wait for a long time for public niches. He queried whether the Administration could increase the height and the number of floors of the Columbarium in order to set up more niches, and consider extending the opening hours of the columbarium for public worship to ease the visitor and traffic load arising from the increase in the number of niches.

17. Under Secretary for Food and Health ("USFH") replied that the Administration had proactively studied the above-mentioned proposal put forward by Dr KWOK, but the columbarium building under the item was subject to a restriction that its height could not be higher than the ridge line level, and it was impossible to build additional floors due to the small size of the land site. In addition, the number of niches under the item was subject to the restrictions imposed by the traffic impact assessment ("TIA"). Given that TIA for the item was based on the 44 000 niches provided in the building, it would become necessary to conduct TIA again if the number of niches increased. She added that the Administration would consider Dr KWOK's suggestion when planning Phase 2 and Phase 3 of the project.

18. Mr Albert CHAN opined that the Administration should enhance the transparency of public niche planning as well as how the number of niches in private columbaria could be regulated. He enquired about how the Administration would conduct the TIA, including the way to calculate the visitor volume arising during the peak grave sweeping periods, such as Ching Ming and Chung Yeung festive periods. He also requested the Administration to explain whether the permission of placing additional cremated ashes of

relatives would affect the estimated number of visitors per niche, bringing extra people to visit the graves.

Admin 19. USFH said that, according to the assessment of the consultancy report, the visitor volume per hour of each columbarium reached 3 170 during the peak grave sweeping periods. The Administration would submit to the Committee supplementary documents in respect of the information of TIA for the item. Principal Assistant Secretary for Food and Health (Food)² added that by drawing reference to the information on the applications for placing additional cremated ashes made in recent months, 96% of them were made for placing additional cremated ashes of spouses, parents or children. Hence, it was expected that the number of visitors for such niches after placing additional cremated ashes would not increase significantly and the impact on the traffic flow would not be too substantial. In addition, under the proposed Private Columbaria Bill, the number of sets of ashes allowed to be deposited in the niches of private columbaria would be subject to restrictions stipulated in the plans.

20. Mr WONG Kwok-hing expressed support for this funding proposal and welcomed the Administration to build a decking over the outdoor staircases of the Columbarium.

Placing additional cremated ashes into niches

21. Mr CHAN Chi-chuen enquired whether the Administration could ensure that the pedestrian supporting facilities for grave visiting people would be available before the completion of the Columbarium. He also asked whether there would be gender neutral toilets in the Columbarium, whether there would be restrictions on the number of sets of ashes to be deposited in each niche, and restrictions on placing additional cremated ashes or reclaiming ashes against same-sex couples and cohabiting partners.

22. The Acting Director of Architectural Services said that there would be one unisex toilet for each columbarium building. USFH said that it was expected that the footbridge widening works nearby could be completed before the Columbarium was built. In addition, the Administration did not limit the number of additional sets of ashes to be deposited in public niches. If family members wished to place additional cremated ashes of any deceased persons having close relationship with the deceased before their deaths, applications could be made for the authorities' consideration. The Assistant Director of Food and Environmental Hygiene (Grade Management and Development) added that, if someone applied for reclaiming the ashes of his/her relatives, the applicant had to be the permit holder of the niche concerned.

Action

23. The Chairman declared that the meeting be adjourned at 4:31 pm.
24. The meeting was adjourned at 4:31 pm.

Legislative Council Secretariat
20 September 2016