

立法會
Legislative Council

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**Paper for the House Committee meeting
of 26 February 2016**

**Questions scheduled for the
Legislative Council meeting of 2 March 2016**

Questions by:

- | | | |
|------|------------------------|-----------------|
| (1) | Hon Mrs Regina IP | (Oral reply) |
| (2) | Hon Kenneth LEUNG | (Oral reply) |
| (3) | Hon Andrew LEUNG | (Oral reply) |
| (4) | Hon CHAN Hak-kan | (Oral reply) |
| (5) | Hon James TO | (Oral reply) |
| (6) | Dr Hon Priscilla LEUNG | (Oral reply) |
| (7) | Hon Tommy CHEUNG | (Written reply) |
| (8) | Hon Steven HO | (Written reply) |
| (9) | Hon Charles Peter MOK | (Written reply) |
| (10) | Hon IP Kwok-him | (Written reply) |
| (11) | Dr Hon Elizabeth QUAT | (Written reply) |
| (12) | Dr Hon LEUNG Ka-lau | (Written reply) |
| (13) | Dr Hon Kenneth CHAN | (Written reply) |
| (14) | Dr Hon KWOK Ka-ki | (Written reply) |
| (15) | Hon Frederick FUNG | (Written reply) |
| (16) | Hon Emily LAU | (Written reply) |
| (17) | Dr Hon Elizabeth QUAT | (Written reply) |
| (18) | Hon Charles Peter MOK | (Written reply) |
| (19) | Hon Kenneth LEUNG | (Written reply) |
| (20) | Hon CHAN Hak-kan | (Written reply) |
| (21) | Hon James TO | (Written reply) |
| (22) | Hon Emily LAU | (Written reply) |

註 :

NOTE :

議員將採用這種語言提出質詢

Member will ask the question in this language

Mental health of students

(1) Hon Mrs Regina IP (Oral reply)

It has been reported that last month, a female student of The Chinese University of Hong Kong (“CUHK”), suspected of suffering from study pressure and emotional distress, jumped to her death. She was the fifth student of that university and the ninth university student across the territory committing suicide since last year. With regard to the mental health of students, will the Government inform this Council:

- (1) whether it knows the number of CUHK students, since last year, who sought assistance from the university due to pressure or emotional distress; among those students, the respective numbers and percentages of them who were mainland students and overseas students; the measures taken by CUHK to help the students seeking assistance;
- (2) whether it has found out if problems relating to their studies and their being edged out by local students were among the causes for the mainland and overseas students mentioned in (1) seeking assistance; if it has found out that this is the case, of the details and the numbers of such cases; and
- (3) whether it has formulated benchmarks to assess the Adversity Quotient (“AQ”) of students of universities, secondary schools and primary schools at present, and whether it has plans to adopt new measures to enhance the level of students’ AQ; if so, of the details; if not, whether it will introduce new measures to enhance students’ AQ to a level sufficient to enable them to take on various kinds of life challenges, so as to reduce the likelihood of their committing suicide?

Expanding the ambit of the Competition Ordinance

(2) Hon Kenneth LEUNG (Oral reply)

The Competition Ordinance, which has been fully implemented since 14 December last year, aims to provide a legal framework to regulate anti-competitive conduct in various sectors, and to set up the Competition Commission and the Competition Tribunal responsible for the specific enforcement of the legislation. The Ordinance does not bind the Government, and some of its provisions do not apply to over 500 statutory bodies and their specified activities. In this connection, will the Government inform this Council:

- (1) whether it has assessed if public policies that affect market operation should conform to the spirit of the Competition Ordinance, i.e. promoting market competition and preventing monopoly; if it has assessed, of the outcome;
- (2) whether the authorities, since the enactment of the Competition Ordinance, have studied if the various existing public policies have prevented, restricted or distorted market competition; if they have studied, of the details of the work and the outcome; if not, the reasons for that; and
- (3) whether the authorities have plans to review the Competition Ordinance to bring the economic activities engaged by statutory bodies as well as public policies within the ambit of the Ordinance; if they do, of the details and the timetable of such plans; if not, whether the authorities will undertake to conduct such a review shortly?

Countering cold spells

(3) Hon Andrew LEUNG (Oral reply)

In late January this year, Hong Kong experienced the coldest spell in 59 years. Some meteorologists have warned that global extreme weathers will occur more and more frequently. On 17 January, the Hong Kong Observatory (“HKO”) forecast a minimum temperature of 10oC seven days later (i.e. on 24 January), and thereafter adjusted the forecast minimum temperatures downward every day until it made a forecast on 23 January that the minimum temperature on the following day would be 6oC. However, the actual minimum temperature on 24 January was 3.1oC, representing a forecast error of nearly three degrees, which was far more than the average error of one to two degrees in the past year. On the other hand, it has been reported that some foreign weather forecasters had predicted eight days before 24 January that the temperature in Hong Kong on 24 January would fall to zero to 4oC, making a forecast error smaller than that of HKO. Moreover, on 25 January, the Education Bureau (“EDB”) made a last-minute announcement that classes of all kindergartens, schools for children with physical disability, schools for children with intellectual disability and primary schools would be suspended on that day due to the persistently intense cold spell. In this connection, will the Government inform this Council:

- (1) whether it has assessed if the weather gauging equipment of HKO and the weather information it releases to the public are inferior to those of its overseas counterparts; if it has assessed, of the outcome; whether HKO has plans to procure more advanced equipment, and whether it will, by making reference to the practices of the United Kingdom and Australia, release weather information on “apparent temperature” to the public; if HKO will, when it will start doing so; if not, of the reasons for that;
- (2) given that while sleet (i.e. “雨夾雪” in Chinese, meaning rain and snow mixed) was reported in Hong Kong on 24 January, and HKO called this phenomenon “雨夾小冰丸” (i.e. rain with small ice pellets) in Chinese that morning and subsequently changed it to “雨夾小冰粒”, why HKO used Chinese terms such as “雨夾小冰丸” and “雨夾小冰粒” instead of “雨夾雪” as appeared on the “Cool Met Stuff” page of its web site; and
- (3) given that heating systems have not been installed in most schools currently, whether EDB will consider issuing guidelines on class suspension arrangements in severely cold weather to enable students, parents and school authorities to make advance preparation?

Provision of financial assistance to Hong Kong
elderly people residing on the Mainland

(4) Hon CHAN Hak-kan (Oral reply)

Under the “Guangdong Scheme” launched by the Government in October 2013, eligible Hong Kong elderly people (i.e. people aged 65 or above) who have moved to reside in Guangdong Province may receive a monthly Old Age Allowance (“OAA”) without being required to return to Hong Kong each year. On the other hand, during his visit to Fujian Province in 2014, the Chief Executive remarked that with Fujian Province being the place of origin of quite a number of Hong Kong residents (estimated to be as high as 1.2 million), there were strong connections between Hong Kong and Fujian Province, and the commissioning of the Xiamen-Shenzhen High Speed Railway had shortened the distance between Hong Kong and Xiamen, the provincial administrative centre of Fujian Province. Also, Fujian Province would become the fourth partner province/municipality with which Hong Kong had special economic and trade relations. Although more and more elderly people have chosen to reside in Fujian Province in recent years, they cannot benefit from the Guangdong Scheme or similar schemes. Regarding the provision of financial assistance to Hong Kong elderly people residing on the Mainland, will the Government inform this Council:

- (1) of the respective numbers of OAA applications received and approved by the authorities, as well as the amount of OAA disbursed, each year under the Guangdong Scheme since its inception;
- (2) whether it has compiled statistics on the current number of Hong Kong elderly people residing in Fujian Province; given the increasingly close ties between Hong Kong and Fujian Province on various fronts, whether the authorities will consider afresh extending the coverage of the Guangdong Scheme to Fujian Province; and
- (3) given that the authorities indicated in 2013 that one year after the implementation of the Guangdong Scheme, they would study the feasibility of allowing elderly people who had chosen to reside in Guangdong Province to receive Old Age Living Allowance therein, whether the authorities will conduct such a study expeditiously; if they will, of the details; if not, the reasons for that?

Disturbance in Mong Kok

(5) Hon James TO (Oral reply)

From the night on the eighth of last month (i.e. the recent Lunar New Year's Day) to the early hours of the following day, the clashes between the Police and members of the public in Mong Kok, allegedly sparked by the authorities' enforcement operations against unlicensed hawkers, eventually turned into a serious disturbance ("the incident of clashes in Mong Kok"). It has been reported that quite a number of people who participated in the disturbance were outraged by the prevailing political stalemate and the Government's performance in policy implementation. While people from various sectors of the community condemned the use of violence, more than 600 people (including academics, professionals and eminent persons) jointly signed a statement on the fourteenth of last month requesting the Government to set up an independent commission of inquiry to look into the sequence of events and causes of the incident of clashes in Mong Kok, and to put forward suggestions to prevent the recurrence of similar incidents. In response to that request on the following day, the Government stated that the SAR Government did not consider it necessary to set up an independent commission of inquiry, to be headed by a judge, to look into the incident on the grounds, inter alia, that criminal investigations by the Police were underway. In this connection, will the Government inform this Council:

- (1) as the authorities decided to set up a commission of inquiry to look into the vessel collision off Lamma Island eight days after the occurrence of the incident, at which time the relevant criminal investigations were still underway, why the authorities does not adopt the same practice and set up a commission of inquiry to look into the incident of clashes in Mong Kok;
- (2) whether the authorities have ruled out the possibility that the incident of clashes in Mong Kok was related to the Government's performance in policy implementation, the atmosphere in the community and the political stalemate; if they have, of the justifications for that; and
- (3) how the authorities will alleviate the distrust in the current-term Government among some members of the public, and assuage their frustrations about the prevailing social circumstances and political stalemate, in order to prevent public grievances from escalating incessantly, which may lead to the recurrence of similar incidents of clashes?

Assisting owners and occupiers of old buildings in
complying with fire safety directions

(6) Dr Hon Priscilla LEUNG (Oral reply)

According to the relevant requirements in the Fire Safety (Buildings) Ordinance, the authorities may issue fire safety directions (“directions”) to require owners or occupiers of composite and domestic buildings completed on or before 1 March 1987 to improve, by a specified date, the fire service installations (e.g. automatic sprinkler systems and emergency lighting) and fire safety construction (e.g. fire resisting construction) for the parts of their buildings intended for non-domestic purposes. However, quite a number of owners who have received the directions have relayed to me that they have encountered technical and financial difficulties in complying with the directions. Some owners have been fined for failing to comply with the directions, and they worry that they will further be prosecuted by the authorities. In this connection, will the Government inform this Council:

- (1) given that the Fire Services Department and the Buildings Department (“BD”) are to conduct joint inspections on fire safety of 9 000 old composite buildings (“target buildings”) under the first phase, of the progress of such inspection work, the number of directions issued so far and the number of buildings involved; among the target buildings which have received the directions, of the respective numbers of those which have complied with the directions, those for which extensions have been granted and those which have not complied with the directions on expiry of the deadline (with a breakdown by the District Council district in which the buildings concerned are located);
- (2) of the number of cases to-date in which the authorities instituted prosecutions against persons who had contravened the directions, the number of buildings involved in such cases and, among such buildings, the number of those for which no owners’ corporation has been formed; whether the authorities know the reasons which have rendered the persons concerned unable to comply with the directions, and whether they have given any support to such persons before instituting prosecutions; if they have, of the details; and
- (3) given that the existing legislation empowers BD to arrange government contractors to carry out demolition works on unauthorized building works, and then to recover the relevant costs from the parties concerned, whether the authorities will consider, by making reference to such a practice, amending the relevant legislation to empower the relevant government departments to carry out improvement works, on behalf of those owners and occupiers who have yet to comply with the directions, on the fire service installations of the buildings concerned, and then to recover the relevant costs from such owners and occupiers upon completion of the works, so as to avoid those persons who are unable to comply with the directions being prosecuted by the authorities?

Measures to facilitate waterworks for eateries

(7) Hon Tommy CHEUNG (Written reply)

I have learnt that due to the occurrence of incidents last year in which some of the drinking water samples taken from a number of public housing estates, private housing estates and schools were found to have a lead content exceeding the provisional guideline value set by the World Health Organization (“the lead incidents”), large-scale replacement works of drinking water mains have to be carried out for the affected buildings. Moreover, in response to the lead incidents, the Water Supplies Department (“WSD”) has implemented a number of new measures to enhance the control of inside service. For example, licensed plumbers must submit to the Water Authority (“WA”) supporting documents of the lead free grade soldering materials to be used before they may use soldering for connecting copper pipes. The aforesaid situations have significantly increased the workload of licensed plumbers, resulting in a shortage of licensed plumbers. Besides, eateries must make a report to and obtain approval from WSD before they may construct, install, alter or remove an inside service or fire service (“waterworks”). However, as the exchange of correspondence between eateries and WSD takes time, the applications for waterworks from many eateries have not yet been approved after a long time. As it is difficult for those eateries to operate with no or insufficient supply of drinking water, they have suffered substantial financial losses. In this connection, will the Government inform this Council:

- (1) between the onset of the lead incidents in July 2015 and January this year, (i) of the number of applications for carrying out waterworks received by WSD from eateries, (ii) the average processing time (i.e. from the receipt of an application to the granting of approval by WA) for those approved among such applications, and (iii) how these two figures compare to the relevant figures of the previous year;
- (2) whether WSD will deploy additional manpower or outsource the work involved in the vetting and approval of applications to expedite the processing of applications submitted by eateries for carrying out waterworks; if WSD will, of the details; if not, the reasons for that; and
- (3) given that in order to reduce the possible business impact arising from the aforesaid enhanced control measures, WSD has introduced transitional arrangements (including the arrangement under which WA will consider granting permission for commencement of plumbing works where some of the pipes and fittings need to be reported but have not yet obtained WA’s general acceptance, provided that the licensed plumber undertakes to provide valid general acceptance before final inspection), and the effective period of these arrangements will end on 1 April this year, whether the authorities will consider extending the effective period of such arrangements; if they will, of the details; if not, the reasons for that?

Sustainable development of agriculture and fisheries
which are affected by development projects

(8) Hon Steven HO (Written reply)

The Chief Executive has indicated in this year's Policy Address that the Government will implement a new agriculture policy to promote the modernization and sustainable development of local agriculture. However, some farmers have relayed to me that a number of development projects which are underway or being planned in the New Territories have reduced or will reduce the supply of land for livestock industry and agriculture while some fishermen have pointed out that related marine works projects have reduced or will reduce the waters available for fishing. They were concerned that such projects have affected the sustainable development of agriculture and fisheries. On the other hand, some members of the livestock industry have pointed out that there are currently many cumbersome regulations for compliance by licensed livestock farms, making it difficult for livestock farms affected by development plans to identify suitable sites for relocation and continued operation. In this connection, will the Government inform this Council:

- (1) of (i) the area of agricultural land, (ii) the area of agricultural land under active farming, (iii) the number of premises and vegetable market offices under vegetable marketing co-operative societies ("VMCSs"), and (iv) the number and the addresses of livestock farms, which were affected in the past five years or will be affected by development projects listed in the table below (set out in the table below);

Development projects	(i) (hectare)	(ii) (hectare)	(iii)	(iv)
Kwu Tung North / Fanling North New Development Areas				
Hung Shui Kiu New Development Area				
The Potential Development Areas of Yuen Long South				
Land Use Review for Kam Tin South				
Other areas in New Territories North				
Others				

- (2) of the measures currently in place to assist farmers affected by development projects in agricultural rehabilitation, reprovisioning of their vegetable farms and agricultural structures, and relocation of their livestock farms, and to assist affected VMCSs in the relocation of their premises and vegetable market offices, as well as the details of such measures; regarding the development projects mentioned in (1), of the respective details of the special agricultural land rehabilitation schemes offered by the Government;

- (3) whether the Government will consider introducing a land resumption policy of “rehousing before clearance” and increasing the current rate of allowance for reprovisioning of agricultural structures, so that farmers will have adequate funding to rebuild their agricultural structures; if it will not consider, of the reasons for that; whether it will improve the current work relating to field studies conducted for development projects (including carrying out such work in a low-profile manner) to avoid land owners, after learning about the related projects, prematurely terminating their land tenancy agreements with farmers for converting the sites for other uses in order to obtain more compensation; if it will, of the details; if not, the reasons for that;
- (4) whether the Government will amend the Public Health (Animals and Birds) (Licensing of Livestock Keeping) Regulation (Cap. 139 sub. leg. L) so that livestock farms which have met the standards on disposal of livestock waste, when they are affected by development projects and have to be relocated, can find alternative sites for continuing their operations; if it will, of the details; if not, the reasons for that;
- (5) as some fishermen have indicated that a number of marine works projects currently implemented for various development projects have seriously affected their livelihood, whether the Government will set up a “task force on reclamation, planning and works monitoring”, to be led by the Chief Secretary for Administration and comprising the relevant Directors of policy bureaux, to review Hong Kong’s overall development planning and coordinate related complementary policies and measures (including compensation policy, etc.) so as to safeguard the interests and sustainable development of fisheries; if it will, of the details; if not, the reasons for that;
- (6) whether it will consider formulating a policy to require that whenever the Government has to resume agricultural land for a development project, it has to provide compensatory agriculture land of the same site area for the purpose of agricultural rehabilitation for farmers so as to ensure the sustainable development of agriculture; if it will, of the details; if not, the reasons for that; and
- (7) as some fishermen have relayed to me that they are disheartened by the current cumbersome procedures for applying for the Sustainable Fisheries Development Fund and the requirement that applications must be made in the name of companies or by academic and research institutions, whether the Government will streamline the application procedures of the Fund, assist fishermen in going through the application procedures (e.g. allowing fishermen to apply for small grants by completing application forms and assisting them in preparing proposals for applying for larger grants), and cancel the requirement that applications must be made in the name of companies; if it will, of the details; if not, the reasons for that?

Implementation of electronic public services

(9) Hon Charles Peter MOK (Written reply)

Some members of the information technology industry have pointed out that with the growing popularity of smart mobile devices, members of the public expect the Government to enhance the quality, level of innovation and accessibility of electronic public services. Regarding the implementation of electronic public services, will the Government inform this Council:

- (1) of the following in the past three years, (i) the number of accounts registered with “MyGovHK” web site at the end of each year, (ii) the number of times for which electronic general demand notes were issued by various government departments each year, and (iii) the utilization of the electronic public services provided by various government departments each year (in descending order);
- (2) of the respective numbers of payments made through different means (including (i) autopay, (ii) automatic teller machine, (iii) electronic bill presentment and payment service, (iv) e-cheque, (v) internet payment, (vi) phone banking, (vii) PPS, (viii) by post, (ix) convenience store, and (x) in person) for bills issued by various government departments in each of the past three years, and their respective percentages in the total number of payments made (set out in the table below);

Year	Government departments	Name of bills	The number of payments for bills made through different means and their respective percentages in the total number of payments made									
			(i)	(ii)	(iii)	(iv)	(v)	(vi)	(vii)	(viii)	(ix)	(x)

- (3) of the channels currently accepted for submitting applications for various allowances or subsidy schemes under the purview of the Labour and Welfare Bureau, the Education Bureau and the Community Care Fund (set out in the table below);

Bureaux/ Community Care Fund	Name of allowances/ subsidy schemes	The channels accepted for submitting applications					
		In person	By post	By fax	By phone	Online application	Mobile device

- (4) of the public services that currently do not accept online applications, and set out such information by the bureaux and government departments providing such services;
- (5) whether it has encouraged the Hospital Authority to establish a channel for online booking for public healthcare services, and publish the

booking situation and waiting time of various services on a real time basis; if it has, of the details;

- (6) whether it will make public the utilization of electronic public services and government web sites so as to enhance transparency and accountability; if it will, of the timetable and details; if not, the reasons for that; and
- (7) whether it has formulated any strategy to make use of big data to analyze the demand for new services and respond to public views, with a view to introducing new electronic services and enhancing existing electronic services; if it has, of the timetable and details; if not, the reasons for that?

Support for property owners in carrying out building maintenance works

(10) Hon IP Kwok-him (Written reply)

At present, there are about 6 000 buildings aged 50 years or above across the territory, and such figure is increasing by 580 each year. To assist property owners in arranging building maintenance works properly and to combat tender rigging, the Home Affairs Department (“HAD”) launched in collaboration with relevant professional bodies the “AP Easy” Building Maintenance Advisory Service Scheme (“AP Easy Scheme”) in April 2014 to offer in-depth, comprehensive and tailor-made professional advisory service free of charge to owners’ corporations (“OCs”) in respect of building maintenance works. However, quite a number of property owners and OCs have relayed to me that the support given to them is still inadequate. On the other hand, the Urban Renewal Authority (“URA”) will launch the “Building Rehabilitation Facilitating Services (Pilot Scheme)” (“Pilot Scheme”) in April or May this year to provide technical assistance for OCs of private residential buildings to minimize their potential exposure to tender rigging in the process of carrying out maintenance works for their buildings. In this connection, will the Government inform this Council:

- (1) of the details of the various support (including legal advice) and subsidies currently available to OCs in respect of matters concerning building maintenance works;
- (2) whether it has assessed the effectiveness of the AP Easy Scheme since its inception; given that applications for this Scheme closed in September last year and the Scheme will conclude by the end of March this year, whether HAD will launch a new and standing scheme to provide advisory services in respect of building maintenance works; if not, of the reasons for that;
- (3) given that only property owners of buildings aged 30 years or above with relatively low rateable values are eligible for applying for the Pilot Scheme to be launched by URA, whether the Government will request URA to relax this eligibility threshold so that property owners of middle-class housing estates may also benefit from this Scheme; if not, of the reasons for that; and
- (4) given that the responsibilities of the District Building Management Liaison Teams set up by the authorities in various districts include providing support services for property owners and OCs, as well as assisting various government departments in their work regarding building maintenance, but relevant legal knowledge is needed for handling such work, whether the staff of the liaison teams have received the relevant legal training; if not, of the reasons for that?

Violent acts committed by demonstrators

(11) Dr Hon Elizabeth QUAT (Written reply)

Under Article 27 of the Basic Law, members of the public shall have freedom of assembly, freedom of demonstration, etc. Nevertheless, quite a number of people committed violent acts during demonstrations in recent years. There have been public comments that one of the factors contributing to such a situation is the overly lenient punishments imposed on people convicted for committing the aforesaid acts. As a result, those punishments lack deterrent effect and those people therefore consider that the legal consequences for organizing and carrying out violent activities are negligible. In this connection, will the Government inform this Council:

- (1) of the number of demonstrators arrested in the past five years for offences allegedly committed by them, with a breakdown by offence;
- (2) among the persons mentioned in (1), of the respective numbers of those who were subsequently prosecuted and convicted (with a breakdown by the punishments imposed on them); among such cases, of the heaviest punishment imposed;
- (3) of the average, longest and shortest time (from commencement of investigations to institution of prosecutions) for processing demonstration-related criminal cases in the past five years;
- (4) of the number of demonstrators participating in the illegal occupation movement in 2014 arrested for offences allegedly committed by them, with a breakdown by offence;
- (5) among the people mentioned in (4), of the respective numbers of those who are still under investigation at present, those who are awaiting trials and those who were convicted (with a breakdown by the punishments imposed on them); and
- (6) given that more and more demonstrators committed violent acts in recent years, whether the Government will introduce legislation to increase the penalties for related offences, so as to enhance the deterrent effect; if it will, of the details; if not, the reasons for that?

Public healthcare planning for the coming decade

(12) Dr Hon LEUNG Ka-lau (Written reply)

The Chief Executive has mentioned in this year's Policy Address that the number of undergraduate places in the medicine discipline will be increased by 50 in the 2016-2017 to 2018-2019 triennium, and a public hospital development plan will be launched in the coming decade to add some 5 000 public hospital beds and over 90 operating theatres. Regarding public healthcare planning for the coming decade, will the Government inform this Council:

- (1) whether it knows the completion dates of the projects, to be launched in the coming decade, to construct, expand and redevelop public hospitals, as well as the respective numbers of additional hospital beds and operating theatres to be provided upon completion of each project (set out such information by hospital cluster ("cluster"));
- (2) whether it knows (i) the population, (ii) the number of general hospital beds, (iii) the number of general hospital beds per 1 000 population involved in the catchment area of each cluster and the overall services provided by the Hospital Authority ("HA"), in 2016 and in 2026 as anticipated, as well as the anticipated percentage changes in such numbers for the ten-year period (provide such information in the table below);

Cluster/HA	2016			2026		
	(i)	(ii)	(iii)	(i)	(ii)	(iii)
Hong Kong East Cluster	(no.)	(no.)	(no.)	(no.) (+/-%)	(no.) (+/-%)	(no.) (+/-%)
Hong Kong West Cluster						
.....						
HA						

- (3) whether it knows, after excluding territory-wide services, (i) the number of general hospital beds and (ii) the number of such hospital beds per 1 000 population in each cluster, in 2016 and in 2026 as anticipated, for serving the population of its catchment area, as well as the anticipated percentage changes in such numbers for the ten-year period (provide such information in the table below);

Cluster	2016		2026	
	(i)	(ii)	(i)	(ii)
Hong Kong East Cluster	(no.)	(no.)	(no.) (+/-%)	(no.) (+/-%)
Hong Kong West Cluster				
.....				

- (4) whether it will allocate additional resources to HA for employing, starting from 2022, the newly-increased 50 medical graduates each year;

- (5) as the Secretary for Financial Services and the Treasury has indicated that structural fiscal deficit would still emerge in future even if the Government only maintains the public services at the existing levels, whether the aforesaid two measures of increasing the numbers of undergraduate places in the medicine discipline and public hospital beds are for maintaining the existing levels of healthcare services or for raising the levels of such services; if the latter is the case, whether the Government will, in respect of these two measures, correspondingly allocate additional resources to HA; and
- (6) whether it has comprehensively assessed the impacts to be brought about by the additional 50 medical graduates in each year, including (i) the manpower turnover in the public and private healthcare sectors, (ii) the per capita utilization rate of healthcare services, (iii) the per capita healthcare expenditure, and (iv) the public, private and overall healthcare expenditure?

Environmental impact on Hong Kong caused by infrastructure projects
and environmental regulation plans carried out on the Mainland

(13) Dr Hon Kenneth CHAN (Written reply)

It has been reported that the Shenzhen Municipal Government conducted a chemical decontamination test at the estuary of Dasha River adjacent to Shenzhen Bay (known as Deep Bay in Hong Kong) at the end of January this year. Some experts have pointed out that if such chemical decontamination method is widely adopted at Deep Bay, there may be an impact on the water quality in the vicinity of Deep Bay and Lau Fau Shan in Hong Kong waters. It has also been reported that the Zhuhai Municipal Government has granted permission for a power company to construct a wind farm in Zhuhai waters about 10 kilometres west of Lantau Island. Some conservation groups have pointed out that the noise to be generated by the wind farm upon commissioning may have an impact on the ecological environment of Hong Kong waters off Lantau Island, including the habitat of Chinese white dolphins. In this connection, will the Government inform this Council:

- (1) whether the Government knew beforehand that the Shenzhen Municipal Government would conduct the aforesaid chemical decontamination test; if so, of the channels through which the authorities learnt about this and the measures in place to address the possible impact of the test on the water quality in Hong Kong waters; if not, the reasons for that;
- (2) whether it has received any notification from the Zhuhai Municipal Government or other mainland authorities concerning the aforesaid wind farm project, and whether it has discussed the project with the mainland authorities; if it has, of the details and the authorities' follow-up actions; if not, whether the authorities will consider commencing work immediately to address the possible impact of the wind farm on the ecological environment of Hong Kong; if they will, of the details of the relevant work; if not, the reasons for that;
- (3) whether there is now in place a notification and co-operation mechanism on environmental issues established by the Governments of Guangdong and Hong Kong; if not, whether such a mechanism will be established expeditiously; if there is, whether it has assessed the effectiveness of the mechanism in the light of the aforesaid incidents; if it has assessed and the outcome is in the affirmative, of the justifications for that; if has assessed and the outcome is in the negative, whether the Government will immediately improve the mechanism concerned; if it will, of the details of the relevant work; if not, the reasons for that;
- (4) whether it will consider taking the initiative to seek information from the governments of nearby cities in Guangdong Province on the major infrastructure projects and environmental regulation plans which they will implement, so as to determine at an early stage the environmental impact of such projects and plans on Hong Kong and take corresponding

measures; if it will, of the specific arrangements; if not, the reasons for that; and

- (5) whether it will assist members of the public and green groups in Hong Kong in expressing their concerns to the relevant mainland authorities over various kinds of cross-boundary environmental protection issues; if it will, of the relevant specific arrangements; if not, the reasons for that?

Provision of public hospital beds

(14) Dr Hon KWOK Ka-ki (Written reply)

The Chief Executive has stated in this year's Policy Address that a hospital development plan will be launched in the coming decade (i.e. from this year to 2026) for the increase of some 5 000 public hospital beds and over 90 operating theatres. On the other hand, according to the Planning Department's Hong Kong Planning Standards and Guidelines ("HKPSG"), which was revised in October last year, a provision of 5.5 beds (including various types of hospital beds both in public and private sectors) per 1 000 persons should be the aim of long-term planning ("standard for the provision of hospital beds"). However, according to government information, the number of general beds per 1 000 geographical population of catchment districts by various hospital clusters in 2021 will be 3.1 only. In this connection, will the Government inform this Council:

- (1) whether the authorities have adhered to the standard for the provision of hospital beds specified in HKPSG when planning for the provision of various types of hospital beds in public and private sectors in the coming decade;
- (2) whether the authorities have determined the number of additional public hospital beds (i.e. some 5 000) to be provided in the coming decade according to a certain ratio of beds to population; if so, of such a ratio; if not, of the criteria adopted by the authorities for determining the number of hospital beds;
- (3) given that the Chief Executive of the Hospital Authority ("HA") indicated in May 2014 that HA needed to provide an extra 8 800 public hospital beds by 2031 to meet the additional demand for healthcare arising from the ageing population, and that there will still be a lack of about 3 800 beds by 2026 even if the aforesaid hospital development plan to increase some 5 000 additional public hospital beds is successfully implemented, of the means to be employed by the authorities to make up that shortfall during the five-year period between 2026 and 2031; and
- (4) whether the authorities have simultaneously planned for the allocation of additional resources to HA for recruiting extra healthcare staff when planning for the provision of some 5 000 additional public hospital beds?

Free admission to the permanent exhibitions of public museums

(15) Hon Frederick FUNG (Written reply)

In this year's policy address, the Chief Executive announced that "[t]he month-long free museum admission under the 'Appreciate Hong Kong' Campaign has been well received by the public. The Government has decided to make free admission to the permanent exhibitions of designated LCSD [Leisure and Cultural Services Department] museums a standing practice". However, all of the interactive devices and exhibits at the Hong Kong Science Museum were damaged during the aforesaid free admission period. LCSD therefore plans to offer free admission only to full-time students but to charge other visitors a certain amount of fees for admission to the permanent exhibitions of the Hong Kong Science Museum and the Hong Kong Space Museum in future. Some members of the public consider this practice is tantamount to depriving the financially less capable people of their right to enjoy museum services. In this connection, will the Government inform this Council:

- (1) of the details of the damage caused to the interactive devices and exhibits at the Hong Kong Science Museum during the free admission period, and whether the causes of the damage included normal wear and tear of such facilities being accelerated by a significant increase in the number of users; if so, whether it has assessed if the damage simply reflects the popularity of the interactive devices and exhibits, which have achieved the effect of enabling users to gain the relevant knowledge through interactive experiences;
- (2) whether LCSD will consider enhancing the maintenance and repair of the various kinds of interactive devices and exhibits at its museums, so as to increase the sturdiness of those facilities to cater for the arrangement of offering free admission to the relevant museums, instead of excluding the financially less capable people; if LCSD will not, of the reasons for that; and
- (3) as both the Hong Kong Science Museum and the Hong Kong Space Museum are entrusted with the mission of promoting scientific knowledge among the general public, whether LCSD will abolish its plan of not offering free admission to the permanent exhibitions of those museums to people other than full-time students; if not, whether LCSD will consider maintaining the current practice of offering free admission to those museums every Wednesday; if not, of the reasons for that?

Protecting the rights and interests of intersex persons

(16) Hon Emily LAU (Written reply)

Some people who are concerned about the rights and interests of intersex persons (i.e. persons born with ambiguous external genitalia) have relayed to me that intersex persons have all along met with misunderstanding and discrimination because the public generally have very little knowledge about issues concerning intersex persons. In addition, intersex persons are unprotected in aspects such as law, healthcare, etc. For example, quite a number of intersex persons have undergone genital reconstructive surgery arranged by their parents to assign a sex to them when they were still in their childhood and unable to make an informed choice. In this connection, will the Executive Authorities inform this Council:

- (1) whether they have established a database on intersex persons in Hong Kong, which includes the number of such persons as well as the number of cases in which such persons have undergone medical treatment and surgery, to facilitate a better understanding about their situations; if not, of the reasons for that;
- (2) whether they have made regular contacts with intersex groups to listen to the problems they have encountered and the requests they make; if so, of the details; if not, the reasons for that; whether the authorities have drawn up plans to comprehensively protect the rights and interests of intersex persons; if so, of the details; if not, the reasons for that;
- (3) whether they will introduce legislation to prohibit acts of discrimination against intersex persons, and prohibit unnecessary genital reconstructive surgery on intersex persons in their childhood; if so, of the details; if not, the reasons for that;
- (4) whether intersex adults who have not undergone related sex reassignment surgery may apply for changing the sex stated on their identity documents under the existing legislation; if not, whether the authorities will help those intersex adults (irrespective of whether they have undergone genital reconstructive surgery in their childhood) who wish to change the sex stated on their identity documents to make their wish come true; if so, of the details; and
- (5) whether intersex adults who wish to undergo sex reassignment surgery at public hospitals are required to first go through psychological assessments for a long period of time?

Easing the traffic congestion in New Territories East

(17) Dr Hon Elizabeth QUAT (Written reply)

Some residents of New Territories East (“NTE”) have relayed to me that the ancillary transport facilities in NTE are unable to meet the extra traffic demand resulting from the ever-increasing local population. Local and external traffic congestion often occurs in the district, with the situation being the most acute in Shatin, which serves as a traffic hub, and Tseung Kwan O (“TKO”), whose residents have to rely on the Tseung Kwan O Tunnel (“TKO Tunnel”) for commuting to and from the urban areas. In this connection, will the Government inform this Council:

- (1) whether the authorities have plans to construct new vehicular tunnels connecting Shatin and Kowloon in order to alleviate the traffic pressure on Tate’s Cairn Tunnel and Lion Rock Tunnel; if they do, of the details; if not, the reasons for that;
- (2) whether the authorities implemented traffic improvement measures in the Shatin District in the past two years, such as providing additional traffic lanes, improving road markings, adjusting the timing of traffic lights, etc., to alleviate the traffic congestion on Tate’s Cairn Tunnel and Lion Rock Tunnel; if they did, of the details; if not, the reasons for that;
- (3) given that the authorities have indicated that the Tseung Kwan O-Lam Tin Tunnel (“TKO-LT Tunnel”) is expected to be commissioned in 2020 at the earliest, of the latest anticipated date of commissioning and the estimated daily traffic volume at the initial stage of commissioning of the tunnel; whether that figure has taken into account the anticipated population growth in TKO in the coming few years; if not, of the reasons for that;
- (4) given the serious traffic congestion currently occurs at TKO Tunnel during daily peak hours, whether the authorities will consider implementing temporary traffic arrangements such as tidal flow operation or introducing other traffic improvement measures in TKO Tunnel before commissioning of TKO-LT Tunnel; if they will, of the details; if not, the reasons for that; and
- (5) given that some residents of Sai Kung have pointed out that the roundabout connecting Hiram’s Highway, New Hiram’s Highway and Nam Pin Wai Road is a traffic bottleneck during the daily peak hours and they have therefore suggested that the Government should provide additional traffic lanes or carry out road improvement works there, whether the authorities will consider adopting such suggestions; if they will, of the details; if not, the reasons for that?

Privacy concern arising from police officers' making video records

(18) Hon Charles Peter MOK (Written reply)

In discharging their day-to-day duties and handling public events, police officers will make video records as necessary using body-worn video cameras ("BWVCs") mounted on the shoulders of their uniforms for investigation and evidential purposes. It has been reported that during the incident that occurred in Mong Kok on the night of 8 February this year (i.e. Lunar New Year's Day) until the early hours of the following day, police officers at the scene made video records using BWVCs and initiated tracking investigations by using super-computers to analyze closed-circuit television footages and pedestrian flow data. Some members of the public are concerned that such a practice of the Police may constitute infringement of their privacy. In this connection, will the Government inform this Council:

- (1) of the number of BWVCs in the accoutrements for the Police as at 31 January this year, with a breakdown by police unit;
- (2) of the following details regarding the making of video records by police officers using BWVCs in discharging their day-to-day duties and handling public events respectively in each of the past three years: (i) the number of times for which video records were made, (ii) the number of video footages taken, (iii) the total length of the video footages (hours/minutes), as well as the respective numbers of such footages still being kept after (iv) 31 days and (v) six months from the date on which the video records were made (set out the information in the table below);

Year	In discharging day-to-day duties					In handling public events				
	(i)	(ii)	(iii)	(iv)	(v)	(i)	(ii)	(iii)	(iv)	(v)
2013										
2014										
2015										

- (3) given that data protection principle ("DPP") 1(1) under the Personal Data (Privacy) Ordinance (Cap. 486) requires that personal data should not be collected unless the data are collected for a lawful purpose directly related to a function or activity of the data user who is to use the data and the collection of the data is necessary for or directly related to that purpose, whether the Police have formulated guidelines stipulating that police officers may make video records with BWVCs only under circumstances where that principle is met, and that they must notify the person(s) concerned before they start to make video records; if there are such guidelines, of those governing the commencement and cessation of making video records by police officers;
- (4) given that DPP 4(1) requires that a data user shall take all practicable steps to ensure that personal data held by the data user are protected against unauthorized or accidental access, processing, erasure, loss or use, whether the Police have regularly, in respect of retention and use of

video footages, (i) consulted the views of the Office of the Privacy Commissioner for Personal Data, (ii) conducted privacy impact assessment and (iii) examine compliance with the relevant principle by police officers; whether the Police have put in place a complaint mechanism for the public to lodge complaints about matters relating to retention and use of video footages by the Police;

- (5) whether the Police will make public the “Standard Operating Procedures” on the use of BWVCs by police officers and conduct review of such procedures on a regular basis;
- (6) whether the Police have made use of the video footages taken with hand-held video cameras/BWVCs to make files and store such files in the criminal intelligence computer system, or have captured pictures from the video footages and verified the identity of the persons in the pictures using software with facial recognition features; if so, of the details; and
- (7) of the current number of police officers who have received training on privacy matters involved in the use of BWVCs and the average number of hours of training received by them?

Provision of tax concessions in relation to
environmental protection facilities

(19) Hon Kenneth LEUNG (Written reply)

Since 2008, pursuant to section 16I of the Inland Revenue Ordinance (Cap. 112), an application may be made for deducting any specified capital expenditure incurred in relation to any of the environmental protection (“EP”) installations specified in Part 2 of Schedule 17 to Cap. 112 over a period of five years in ascertaining taxable profits, whereas in respect of any specified capital expenditure incurred in relation to any EP machinery or plant specified in Part 1 of Schedule 17, an application may be made for deducting such expenditure in ascertaining taxable profits for the year of assessment concerned. Regarding the tax concessions provided for EP facilities (i.e. EP installations, EP machinery and plant), will the Government inform this Council:

- (1) of the details of the cases in which applications were made for deductions in relation to EP installations each year since 2008, including (i) the numbers of private companies and organizations applying for deductions, (ii) total installed capacity (if applicable), (iii) installed capacity connected to power grids (if applicable), (iv) total deductions, (v) minimum deduction for a single item, and (vi) maximum deduction for a single item, and set out such information by the EP installations specified in Part 2 of Schedule 17 to Cap. 112 in tables of the same format as the table below;

Year: _____

Renewable energy installations	(i)	(ii)	(iii)	(iv)	(v)	(vi)
Others (please specify and provide a breakdown)						
Total						

- (2) whether the tax concessions provided for EP installations are applicable only to profits tax assessments; if they are, whether the authorities (i) have studied the feasibility of shortening the 5-year time span for capital expenditure deductions, e.g. full deduction in one year or over a period of two years, (ii) have provided any tax concessions or subsidization measures to encourage non-commercial buildings and non-commercial organizations to put in place EP installations, and (iii) have studied expanding the scope of application of the tax concessions for EP installations to cover other types of taxes (including but not limited to property tax, rates and government rent); if they have, of the direction and contents of their study, and set out the information by type of EP installations and type of taxes; if not, the reasons for that;

- (3) given that under the existing Scheme of Control Agreement, the two power companies may enjoy higher permitted rates of return by investing in renewable energy power generation facilities, whether the two power companies may, at the same time, enjoy tax concessions for their renewable energy power generation facilities; if they may, whether it has reviewed if this situation constitutes double concessions; how the authorities prevent the two power companies from shifting the capital expenditure concerned to electricity users while enjoying such concessions; and
- (4) given that Part 1 of Schedule 17 to Cap. 112 only stipulates the way in which EP machinery or plant is defined, whether the authorities will make public a list of EP machinery or plant in respect of which applications for deductions may be made?

Support for ethnic minorities

(20) Hon CHAN Hak-kan (Written reply)

Some social service organizations have pointed out that due to the inadequate provision of interpretation services, non-Chinese/English speaking ethnic minorities (“EMs”) have encountered many difficulties in areas such as employment, education, using public services, etc. Although the Centre for Harmony and Enhancement of Ethnic Minority Residents (“CHEER”), a support service centre for EMs, has been commissioned by the Government to provide interpretation and translation services to assist EMs in accessing information relating to government services, it is learnt that government departments have not actively made use of such services. In this connection, will the Government inform this Council:

- (1) of (i) the respective numbers of occasions on which CHEER provided various types of interpretation and translation services, and (ii) the respective numbers of occasions on which government departments used such services, in each of the past three years (set out in the table below);

Year	Telephone interpretation		On-site (escort) interpretation		On-sight interpretation		Written translation	
	(i)	(ii)	(i)	(ii)	(i)	(ii)	(i)	(ii)
2013								
2014								
2015								

- (2) given that the Government indicated in the 2014 Policy Address that “[t]he EDB [Education Bureau] is also developing Vocational Chinese Language courses for ethnic minority school leavers to enhance their employability”, and the Standing Committee on Language Education and Research has for this purpose invited post-secondary institutions and education/training organizations to develop and operate the Vocational Chinese Language courses, of the details and progress of such work;
- (3) as some members from EMs have pointed out that some employers took advantage of their weakness in Chinese reading comprehension and misled them into signing employment contracts in Chinese which do not provide for any basic labour protection (such as compensation for work injuries and contributions to Mandatory Provident Fund schemes), whether the authorities will issue guidelines to employers and step up law enforcement in this respect, so as to protect the labour rights and benefits of EM employees; if they will, of the details; if not, the reasons for that; and
- (4) as I have learnt that CHEER is required to have its contract renewed at two-year intervals, and the resources provided for it are insufficient, whether the Government will provide stable, long-term and sufficient resources to CHEER and similar service organizations to ensure that such organizations can cope with the increasing operating expenses (e.g. rents)

and make long-term planning for their services; if it will, of the details; if not, the reasons for that?

Combating illegal gambling activities in public places

(21) Hon James TO (Written reply)

It has been reported that illegal gambling activities are often found in several districts across the territory, seriously affecting the environment as well as the law and order of the districts concerned. Although the Police have taken a number of law enforcement actions with gamblers being arrested and prosecuted, most of the gambling activities have continued to exist despite repeated crackdowns. In this connection, will the Government inform this Council:

- (1) of (i) the number of law enforcement actions taken by the Police to combat gambling activities in public places, and (ii) the respective numbers of persons so arrested and prosecuted, in each of the past three years, with a tabulated breakdown by District Council district;
- (2) whether the Police have instructed police officers on beat to step up patrol of the various black spots of gambling activities; if they have, of the frequency of the patrol; if not, the reasons for that;
- (3) given that gambling activities are often found on and under the footbridge between Hoi Fan Road and Nam Cheong Park, and that place is located at the junction of Mong Kok Police District and Sham Shui Po Police District, whether the two police districts took joint law enforcement actions there last year; if they did not, of the reasons for that; and
- (4) given that the Police formed an inter-departmental working group with the government departments concerned and non-governmental organizations in 2007 to formulate strategies to combat gambling activities in public places within Tsuen Wan Police District, and the group's work has yielded notable results according to the Police, whether the Police will make reference to such a practice and set up similar working groups for other police districts to combat gambling activities within their districts; if they will, of the work progress in the various police districts; if not, the reasons for that?

Costs and benefits of outsourcing public services

(22) Hon Emily LAU (Written reply)

Regarding the costs and benefits of outsourcing public services, will the Executive Authorities inform this Council:

- (1) of the total amount of saving in public expenditure in the past three years achieved by various government departments through outsourcing the cleaning and security services, as compared to in-house provision of such services;
- (2) of the total amount of public expenditure incurred on government subsidies granted in the past three years under the various schemes for low-income families (including the Comprehensive Social Security Assistance Scheme, the Work Incentive Transport Subsidy Scheme, etc.) to families with members who provided the outsourced services in (1); the estimated amount of saving in such expenditure in the past three years that could have been achieved had such family members been employed directly by the Government and therefore earned a higher income; and
- (3) of the amount of saving in public expenditure in (1) after offsetting the same in (2)?