

立法會
Legislative Council

LC Paper No. CB(4)1264/15-16
(These minutes have been seen
by the Administration)

Ref : CB4/SS/5/15

Subcommittee on Road Traffic (Parking) (Approved Cards)
(Amendment) Notice 2016

Minutes of the meeting held on
Monday, 13 June 2016, at 10:45 am
in Conference Room 2A of the Legislative Council Complex

Members present : Hon CHAN Kam-lam, SBS, JP (Chairman)
Hon James TO Kun-sun
Hon Alan LEONG Kah-kit, SC
Hon Frankie YICK Chi-ming, JP
Hon Charles Peter MOK, JP
Hon CHAN Han-pan, JP
Hon POON Siu-ping, BBS, MH

Members absent : Dr Hon Elizabeth QUAT, JP
Hon TANG Ka-piu, JP

Attendance by invitation : **Agenda item I**
Transport and Housing Bureau

Ms Ivy LAW Chui-mei
Deputy Secretary (Transport)3

Ms Cordelia LAM Wai-ki
Principal Assistant Secretary (Transport)2

Transport Department

Ms Macella LEE Sui-chun
Assistant Commissioner /Management and Paratransit

Ms Alice CHOW Pui-sze
Chief Transport Officer /Transport Facilities Management

Department of Justice

Mr Manuel NG Man-chun
Senior Government Counsel

Clerk in attendance : Mr Anthony CHU
Chief Council Secretary (4)1

Staff in attendance : Mr Stephen LAM
Senior Assistant Legal Adviser 2

Ms Angela CHU
Senior Council Secretary (4)1

Ms Prima LAI
Legislative Assistant (4)1

Action

I. Meeting with Administration

L.N. 63 of 2016 -- Road Traffic (Parking)
(Approved Cards) (Amendment)
Notice 2016

-- Legislative Council Brief

LC Paper No. LS53/15-16 -- Legal Service Division Report

LC Paper No. CB(4)1071/15-16(02) -- Marked-up copy of relevant provisions to be amended by the subsidiary legislation prepared by the Legal Service Division (Restricted to members)

Action

- LC Paper No. CB(4)1071/15-16(03) -- Letter from Assistant Legal Adviser to the Administration dated 16 May 2016
- LC Paper No. CB(4)1071/15-16(04) -- Administration's response to letter from Assistant Legal Adviser as set out in LC Paper No. CB(4)1071/15-16(03)
- LC Paper No. CB(4)1100/15-16(01) -- List of follow-up actions arising from the discussion at the first meeting on 3 June 2016
- LC Paper No. CB(4)1100/15-16(02) -- Administration's response to issues raised at the first meeting on 3 June 2016
- LC Paper No. CB(4)1100/15-16(03) -- Submission from Hong Kong Retail Technology Industry Association (English version only)
- LC Paper No. CB(4)1100/15-16(04) -- Submission from Visa Hong Kong Limited (English version only)
- LC Paper No. CB(4)1100/15-16(05) -- Submission from Intelligent Transportation Systems - Hong Kong (English version only)
- LC Paper No. CB(4)1100/15-16(06) -- Submission from MasterCard Asia/Pacific (Hong Kong) Ltd.
- LC Paper No. CB(4)1100/15-16(07) -- Submission from HKT Limited (English version only)
- LC Paper No. CB(4)1108/15-16(01) -- Submission from TNG

Other relevant papers

- LC Paper No. CB(1)2322/11-12(01) -- Administration's paper entitled "New Parking Meter Trial Scheme" for the Transport Panel meeting on 10 July 2012

Action

LC Paper No. CB(4)1071/15-16(05) -- Extract of minutes of the Transport Panel meeting on 10 July 2012 (Item III)

The Subcommittee deliberated (index of proceedings attached at **Annex**).

Submission of views

2. The Subcommittee noted that a total of six organizations had submitted views on the Road Traffic (Parking)(Approved Cards)(Amendment) Notice 2016 ("Notice"), which were issued to members on 10 June 2016 vide LC Paper Nos. CB(4)1100/15-16(03) to (07) and CB(4)1108/15-16(01).

(Post-meeting note: a further submission received after the meeting was issued to members on 13 June 2016 vide LC Paper No. CB(4)1113/15-16(01)).

Completion of the scrutiny

3. The Subcommittee completed the scrutiny of the Notice and would not propose any amendments to the Notice.

4. Members noted that the Chairman would move a resolution to extend the scrutiny period of the Notice at the Council meeting of 15 June 2016. If the motion was carried, the scrutiny period of the Notice would be extended to the Council meeting of 6 July 2016 and the deadline for giving notice of amendments to the Notice would be 28 June 2016. If the scrutiny period could not be extended, the scrutiny period would expire at the Council meeting of 15 June 2016.

(Post-meeting note: the motion to extend the scrutiny period of the Notice was not dealt with at the Council meeting of 15 June 2016 due to unfinished business on the Agenda of the Council meeting.)

5. Members also noted that the Chairman would report on the deliberations of the Subcommittee to the House Committee meeting on 24 June 2016.

II. Any other business

6. There being no other business, the meeting ended at 11:28 am.

**Proceedings of the second meeting of the
Subcommittee on Road Traffic (Parking) (Approved Cards)
(Amendment) Notice 2016
on Monday, 13 June 2016, at 10:45 am
in Conference Room 2A of the Legislative Council Complex**

Time marker	Speaker(s)	Subject(s)	Action required
Agenda item I - Meeting with the Administration			
000208 – 000357	Chairman Clerk	Opening remarks Members noted that the Subcommittee had invited the issuing companies of the four contactless payment cards/devices specified in the Road Traffic (Parking) (Approved Cards) (Amendment) Notice 2016 ("Notice") and other relevant organizations to give written views on the Notice. Six written submissions were received (LC Paper Nos. CB(4)1100/15-16(03) to (07) and CB(4)1108/15-16(01)).	
000358 – 000534	Chairman Administration	Briefing by the Administration on the Notice.	
000535 – 000927	Chairman Mr Frankie YICK Chi-ming Administration	Mr YICK's enquiries on whether - (a) under the New Parking Meters Trial Scheme ("Trial Scheme"), there would be a common reader installed on the new parking meters capable of supporting Octopus and other contactless payment cards/devices as specified in the Notice; and (b) the transaction fees of using contactless payment cards/devices would be borne by the Administration or the users. The Administration advised that there would be two readers installed on the parking meters, one for supporting Octopus and the other for supporting various cards/devices enabled with the Visa payWave, MasterCard Contactless and UnionPay QuickPass payment functions ("the three types of contactless e-payment function") that support offline payment transaction. The contractors for the Trial Scheme would not charge users for the transaction fee of using contactless payment cards/devices. The maximum parking meter fee that could be charged was stipulated in the	

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		Road Traffic (Parking) Regulations (Cap. 374C). Any amendments to the fee had to be submitted to the Legislative Council for approval.	
000928 – 001156	Chairman Administration	<p>The Chairman's enquiry on whether the types of payment methods would only be limited to Octopus and cards/devices enabled with the three types of contactless e-payment function upon the full-scale replacement of parking meters.</p> <p>The Administration advised that the Trial Scheme aimed at conducting on-site trial on the design, payment methods, technical feasibility and suitability of the new functions and features of new generation of parking meters to facilitate the preparation of tender documents for the replacement exercise at a later stage. The Administration was open to considering other suitable payment methods, including other contactless payment methods, so as to offer choices to motorists.</p>	
001157 – 001807	Chairman Mr Charles Peter MOK Administration	<p>Mr MOK's enquiries on -</p> <ul style="list-style-type: none"> (a) the scale of the Trial Scheme; (b) the Administration's response towards views from members of the trade that the new parking meters should support both online and offline payment transactions; and (c) feasibility of providing charging facilities for electric cars at selected parking meters located at remote places. <p>The Administration advised that -</p> <ul style="list-style-type: none"> (a) there would be about 40 parking meters covering 120 parking spaces supporting the use of Octopus and the three types of contactless e-payment function; (b) online transactions required longer processing time of each payment transaction and would entail higher electricity consumption and result in longer transaction time. The 	

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		<p>Administration would keep in view the latest technology regarding online transactions and emerging contactless payment methods when conducting the tender exercise for the full-scale replacement of parking meters; and</p> <p>(c) on-street metered parking spaces were intended for short-term parking and hence on-street metered parking space only allowed parking time in units of 15 or 30 minutes up to the Longest Parking Period of half hour, one hour or two hours. Also, parking meters were battery-operated and there was no power cable in the parking space. The technical feasibility and desirability of providing charging facilities for electric cars at on-street parking spaces would require careful consideration.</p>	
001808 – 002210	Chairman Mr POON Siu-ping Administration	<p>Mr POON's enquiries on -</p> <p>(a) progress of exploring the use of payment by phone platform ("PPP") for payment of parking meter fees;</p> <p>(b) how personal data obtained from the payment of parking fees and stored in the parking meters would be protected; and</p> <p>(c) distribution of the 40 parking meters.</p> <p>The Administration advised that -</p> <p>(a) it was working closely with contractors regarding technical details of PPP. However, conducting on-site trial of PPP would necessitate legislative amendments to the ordinance, i.e. Road Traffic Ordinance (Cap. 374) and its subsidiary legislation. In the light of the need to provide the legal basis for the continuous use of Octopus for payment of parking meter fees starting from 13 November 2016 when section 16(3A)(a) of the Banking Ordinance (Cap. 155) would be repealed, the Trial Scheme would commence without including the use of PPP;</p>	

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		<p>(b) no collection of personal data would be involved in the transactions as only the card number of Octopus or cards/devices enabled with the three types of contactless e-payment function and the transaction details, such as amount deducted would be stored in the meters. Such information would be transmitted under encryption to the clearing institutions for further processing; and</p> <p>(c) the 40 parking meters covering 120 parking spaces would be distributed more or less evenly at Wan Chai, Mong Kok, Sai Kung and Yuen Long.</p>	
002211 – 002832	Chairman Mr Alan LEONG Kah-kit Administration	<p>Mr LEONG's enquiries on -</p> <p>(a) the necessity of the Trial Scheme as contactless payment methods had been commonly used in Hong Kong and overseas; and</p> <p>(b) the feasibility of using pay-and-display machines ("PDMs") and whether the use of PDMs would be more cost-effective than parking meters;</p> <p>The Administration advised that -</p> <p>(a) existing parking meters had been in use for more than 10 years and were reaching the end of their serviceable life. The Administration considered it prudent to conduct an on-site trial before introducing a new generation of parking meters to ensure that they were robust enough to withstand inclement weather and possible tampering. Also, it would be useful for collecting public feedback on users' experience of operating the new parking meters; and</p> <p>(b) the use of PDMs had been provided for under the Road Traffic (Parking) Regulation (Cap. 374C). It had not been put in use after an earlier trial as according to users' feedback then, parking meters using Octopus for payment was preferred. Nonetheless, the</p>	

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		Administration would not preclude the possibility of using PDMs in future.	
002833 – 002949	Chairman Mr James TO Kun-sun Administration	Mr TO's enquiry on details of the use of PPP for payment of parking meter fees. The Administration advised that the use of PPP was excluded from the Trial Scheme as on-site trial on PPP would necessitate legislative amendments to Cap. 374.	
002950 – 003337	Chairman Mr Frankie YICK Chi-ming Administration	Mr YICK commented that - (a) the Administration should ensure that personal data obtained from the payment of parking fees and stored in the parking meters would be protected and secure; and (b) the use of PDMs would be more cost-effective, especially for small parking lots. In response to Mr YICK's enquiry about limiting payment of parking fee by PPP to the Longest Parking Period, the Administration advised that the preliminary thinking was to restrict payment for additional parking time via PPP up to the Longest Parking Period of a parking meter. For payment by PPP, clear specifications and requirements would be stipulated in the design of the system to restrict the additional parking time that could be purchased via PPP to the Longest Parking Period.	
003338 – 003422	Chairman Administration	The Chairman's enquiry on the payment methods at government car parks. The Administration advised that vehicle owners using government car parks would need to obtain a ticket upon entering government car parks. They would need to settle payment by cash or Octopus before leaving the car parks. The Administration would explore the feasibility of using contactless payment methods at government car parks in future.	

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<i>Examination of the provisions of the Notice</i>			
003423 – 003832	Chairman Administration	<p><u>Road Traffic (Parking) (Approved Cards) (Amendment) Notice 2016 (L.N. 63 of 2016)</u></p> <p>Section 1 of the Notice - Commencement Section 2 of the Notice – Road Traffic (Parking) (Approved Cards) Notice amended Section 3 of the Notice – Section 1A added <i>Section 1A - Interpretation</i> Section 4 of the Notice - Sections 2 and 3 substituted <i>Section 2 – Approved card or device</i> <i>Section 3 – Specified parking meter, etc.</i></p> <p>Members raised no questions on the above provisions.</p>	
003833 – 003902	Chairman Administration	<p>The Chairman's enquiry on the timetable of the Trial Scheme.</p> <p>The Administration advised that subject to the commencement of the Notice, the Trial Scheme would be held from the fourth quarter of 2016 until end of 2017.</p>	
003903 – 004030	Chairman Mr Frankie YICK Chi-ming Administration	<p>Mr YICK's enquiry on whether a common standard would be adopted for the contactless payment methods for the new parking meters in future. The Administration advised that the industry had developed an internationally accepted set of technical standard for contactless payment cards/devices known as EMV. The Administration would consider adopting such standard or any international standard for the contactless payment methods to be accepted by the new generation parking meters.</p>	
Agenda item II - Any other business			
004031 – 004222	Chairman Clerk	<p>Legislative timetable</p> <p>Closing remarks</p>	