

立法會
Legislative Council

LC Paper No. FC136/17-18
(These minutes have been
seen by the Administration)

Ref : FC/1/1(9)

Finance Committee of the Legislative Council

Minutes of the 17th meeting
held at Conference Room 1 of the Legislative Council Complex
on Friday, 17 March 2017, at 5:19 pm

Members present:

Hon CHAN Kin-por, BBS, JP (Chairman)
Hon Michael TIEN Puk-sun, BBS, JP (Deputy Chairman)
Hon James TO Kun-sun
Hon LEUNG Yiu-chung
Hon Tommy CHEUNG Yu-yan, GBS, JP
Prof Hon Joseph LEE Kok-long, SBS, JP
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon WONG Ting-kwong, SBS, JP
Hon Starry LEE Wai-king, SBS, JP
Hon CHAN Hak-kan, BBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon WONG Kwok-kin, SBS, JP
Hon Mrs Regina IP LAU Suk-yee, GBS, JP
Hon LEUNG Kwok-hung
Hon Claudia MO
Hon Steven HO Chun-yin, BBS
Hon Frankie YICK Chi-ming, JP
Hon YIU Si-wing, BBS
Hon MA Fung-kwok, SBS, JP
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Hon CHAN Han-pan, JP
Hon LEUNG Che-cheung, BBS, MH, JP
Hon Alice MAK Mei-kuen, BBS, JP
Dr Hon KWOK Ka-ki

Hon KWOK Wai-keung
Hon Christopher CHEUNG Wah-fung, SBS, JP
Hon IP Kin-yuen
Dr Hon Elizabeth QUAT, JP
Hon Martin LIAO Cheung-kong, SBS, JP
Hon POON Siu-ping, BBS, MH
Dr Hon CHIANG Lai-wan, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon CHUNG Kwok-pan
Hon Alvin YEUNG
Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
Hon Jimmy NG Wing-ka, JP
Dr Hon Junius HO Kwan-yiu, JP
Hon HO Kai-ming
Hon LAM Cheuk-ting
Hon Holden CHOW Ho-ding
Hon SHIU Ka-fai
Hon SHIU Ka-chun
Hon Wilson OR Chong-shing, MH
Hon YUNG Hoi-yan
Dr Hon Pierre CHAN
Hon CHAN Chun-ying
Hon Tanya CHAN
Hon CHEUNG Kwok-kwan, JP
Hon HUI Chi-fung
Hon LUK Chung-hung
Hon LAU Kwok-fan, MH
Dr Hon CHENG Chung-tai
Hon KWONG Chun-yu
Hon Jeremy TAM Man-ho
Hon Nathan LAW Kwun-chung
Dr Hon YIU Chung-yim
Dr Hon LAU Siu-lai

Members absent:

Hon Abraham SHEK Lai-him, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon WU Chi-wai, MH
Hon Kenneth LEUNG
Hon Dennis KWOK Wing-hang

Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Helena WONG Pik-wan
Hon Kenneth LAU Ip-keung, MH, JP

[According to the Judgment of the Court of First Instance of the High Court on 14 July 2017, LEUNG Kwok-hung, Nathan LAW Kwun-chung, YIU Chung-yim and LAU Siu-lai have been disqualified from assuming the office of a member of the Legislative Council, and have vacated the same since 12 October 2016, and are not entitled to act as a member of the Legislative Council.]

Public officers attending:

Ms Elizabeth TSE Man-ye, JP	Permanent Secretary for Financial Services and the Treasury (Treasury)
Ms Carol YUEN, 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 Raistlin LAU Chun, JP	Deputy Secretary for Financial Services and the Treasury (Treasury) 3
Ms Margaret HSIA Mai-chi	Principal Assistant Secretary for Financial Services and the Treasury(Treasury)(Works)
Mr Joseph LO Kwok-kuen	Chief Assistant Secretary for Development (Works) 1, Development Bureau
Mr Tony MOYUNG Hon	Assistant Director of Lands (Acquisition), Lands Department
Ms Joyce NG Suet-ye	Chief Estate Surveyor (Acquisition), Lands Department
Mrs Sylvia LAM YU Ka-wai, JP	Deputy Director of Architectural Services
Mr Dennis LAW Kar-cheuk	Acting Assistant Director of Architectural Services (Property Services)
Mr MAK Ka-wai, JP	Deputy Director of Drainage Services
Ms Betty CHEUNG Miu-han	Assistant Director of Environmental Protection (Environmental Infrastructure)
Mr Samson LAI Yiu-kei	Assistant Director of Environmental Protection (Waste Management Policy)
Mr LAM Sai-hung, JP	Director of Civil Engineering and Development

Mr WONG Wai-man, JP	Project Manager (New Territories East), Civil Engineering and Development Department
Mr Ricky LAU Chun-kit, JP	Head of Civil Engineering Office, Civil Engineering and Development Department
Mr CHUI Wing-wah	Deputy Director of Highways
Mr Kelvin LO Kwok-wah	Project Manager (Major Works), Highways Department
Mr Ivan CHUNG Man-kit	Principal Assistant Secretary for Development (Planning and Lands) 5, Development Bureau
Miss Charmaine WONG Hoi-wan, JP	Assistant Director of Home Affairs (2)
Mr Martin KWAN Wai-cheong	Chief Engineer (Works), Home Affairs Department
Mr KOK Che-leung	Assistant Director of Social Welfare (Subventions)
Ms PANG Kit-ling	Assistant Director of Social Welfare (Elderly)
Mr Kenneth WOO Chi-man	Chief Executive Officer (Subventions/Planning), Social Welfare Department
Miss Winnie WONG Ming-wai	Deputy Secretary-General (1), University Grants Committee Secretariat
Mr LEE Kam-yuen	Chief Maintenance Surveyor (School Premises Maintenance), Education Bureau
Ms PING Tak-wai	Senior Maintenance Surveyor (School Premises Maintenance), Education Bureau
Mr WONG Chung-leung, JP	Deputy Director of Water Supplies
Mr Dominic KWONG Kam-keung	Chief Systems Manager (Governance and Resources), Office of the Government Chief Information Officer
Mr Kenneth LEUNG Tak-yan	Chief Civil Engineer (Public Works Programme), Transport and Housing Bureau
Mr IP Shing-tim	Chief Civil Engineer (2), Housing Department

Clerk in attendance:

Ms Anita SIT

Assistant Secretary General 1

Staff in attendance:

Mr Derek LO

Chief Council Secretary (1)5

Ms Ada LAU

Senior Council Secretary(1)7

Mr Raymond SZETO

Council Secretary (1)5

Mr Frankie WOO

Senior Legislative Assistant (1)3

Miss Yannes HO

Legislative Assistant (1)6

Action

Item No. 1 — FCR(2016-17)86

**RECOMMENDATION OF THE PUBLIC WORKS SUBCOMMITTEE
MADE ON 22 FEBRUARY 2017**

PWSC(2016-17)37

CAPITAL WORKS RESERVE FUND

HEAD 701 — LAND ACQUISITION

HEAD 702 — PORT AND AIRPORT DEVELOPMENT

HEAD 703 — BUILDINGS

HEAD 704 — DRAINAGE

HEAD 705 — CIVIL ENGINEERING

HEAD 706 — HIGHWAYS

HEAD 707 — NEW TOWNS AND URBAN AREA DEVELOPMENT

HEAD 708 (PART) — CAPITAL SUBVENTIONS

HEAD 709 — WATERWORKS

HEAD 710 — COMPUTERISATION

HEAD 711 — HOUSING

Block allocations

The Finance Committee continued with the deliberation on the motion to adjourn the further proceedings of the Finance Committee

The Finance Committee ("FC") continued with the debate on the motion to adjourn the further proceedings of FC proposed by Mr Nathan LAW under paragraph 39 of the Finance Committee Procedure ("FCP").

2. Mr Andrew WAN, Dr CHENG Chung-tai, Mr LAM Cheuk-ting, Mr CHU Hoi-dick, Mr LEUNG Kwok-hung and Ms Tanya CHAN spoke in support of the motion that further proceedings be then adjourned. Mr CHU said that it took time for him to seek legal advice and prepare for his written response to the Administration's comments on the remaining five motions which he and Dr YIU Chung-yim intended to propose under FCP 21 ("the remaining five FCP 21 motions"). Ms CHAN said that members might take the opportunity of adjournment to thoroughly read through the legal advices and the Administration's responses in relation to the motions. Mr CHU and Ms CHAN considered that the Administration might take the opportunity of Wang Chau development to explore the options put forward by members on how to make use of the brownfield sites in Hong Kong. The Chairman reminded Mr LEUNG that he should not use insulting language when speaking.

3. Dr Junius HO, Ms Starry LEE, Mr Holden CHOW and Mr LUK Chung-hung spoke against the motion that further proceedings be then adjourned. Dr HO and Ms LEE said that this meeting was not an appropriate occasion to discuss whether there was room for reform in the approval mechanism for block allocations.

4. Mr Nathan LAW spoke in reply. The Chairman then immediately put to vote the motion for the adjournment of further proceedings of FC. At the request of members, the Chairman ordered a division and the division bell was rung for five minutes. The Chairman declared that 20 members voted for and 33 members voted against the motion. The votes of individual members are set out in the **Appendix**. The Chairman declared that the motion was negatived. FC continued with the deliberation on the agenda item FCR(2016-17)86.

Development at Wang Chau, Yuen Long

5. Mr SHIU Ka-chun expressed dissatisfaction with the Administration's site visit arrangement under which Legislative Council ("LegCo") Members were accompanied by representatives of the Administration to visit the Wang Chau development sites on 3 March 2017. He pointed out that the Administration did not arrange any meeting between Members and villagers. Also, Members could only overlook the site conditions from the rooftop of a faraway building. Mr SHIU requested the Administration to provide information on the 21 meetings between the Administration and persons affected by the Wang Chau project, including the dates, time and venues of such meetings, the number of participants and their names, the number of participants who were

representatives of the three affected villages, as well as the relevant minutes of meetings. Mr LEUNG Yiu-chung said that the affected residents were greatly dissatisfied with the rehousing arrangement proposed by the Administration. He doubted that, despite the Administration's repeated efforts to meet with the affected residents, it would be of little help if it did not revise its rehousing options. Noting that the Administration intended to meet with the affected residents on 31 March 2017, Mr KWONG Chun-yu, Mr LEUNG Yiu-chung and Mr SHIU Ka-chun enquired about the detailed arrangement and purpose of the meeting. Mr KWONG asked for the list of officials who would attend the meeting.

6. Chief Civil Engineer (2), Housing Department ("CCE(2)/HD") said that in order to give Members a full view of the brownfield distribution and structures on the entire site for Phase 1 to Phase 3 development of Wang Chau and the Yuen Long Industrial Estate during the visit on 3 March 2017, the Administration arranged Members to overlook the site conditions from a location which, according to the Administration's understanding, offered the most panoramic view. He said that after the announcement of the Wang Chau development plan, the Administration had received a total of 159 objections. Between January and May 2016, the Administration held a total of 21 meetings with various parties affected by the project. He stressed that the compensation had to be offered according to the established mechanism. The Housing Department ("HD") was also required to process applications for public rental housing units submitted by affected residents according to the established procedures. A meeting with residents affected by the project would be held on 31 March 2017, and officials from HD, the Civil Engineering and Development Department, the Lands Department ("LandsD") and the Home Affairs Department would attend the meeting. Detailed meeting arrangements were still being deliberated.

[Post-meeting note: The Chinese version of the supplementary information provided by the Administration in response to members' enquiries was circulated to members vide LC Paper No. FC153/16-17(01) on 31 May 2017.]

7. Mr CHU Hoi-dick said that some brownfield operators had complained to him that the successive actions taken by LandsD had rendered it impossible for them to continue with their operations. Mr CHU enquired how the Administration would deal with such brownfield operations in future. Mr SHIU Ka-chun asked the Administration to clarify the rumours that the Administration had been forced to carry out raids against brownfield operators due to the pressure exerted by Mr CHU Hoi-dick on various policy bureaux. Mr CHU Hoi-dick enquired whether Mrs Carrie LAM, the then Chief Secretary for Administration, and Mr John TSANG, the then Financial Secretary ("FS"), had attended the top official meeting on the Wang Chau project held on 27 January 2014.

8. CCE(2)/HD explained that there was about 0.1 hectare of brownfield on the Phase 1 development site of Wang Chau while brownfield occupied seven hectares of land on the sites of Phase 2 and Phase 3. Given that brownfield sites were affected by pollution generated from brownfield operations, the Administration had to tackle brownfield problems in phases. CCE(2)/HD and Principal Assistant Secretary for Development (Planning and Lands) 5, Development Bureau ("PASD(PL)5") advised that both the Transport and Housing Bureau and the Development Bureau had not received complaints from Mr CHU Hoi-dick requesting clearance of brownfield operations. PASD(PL)5 added that the Administration would take enforcement actions against persons who were in breach of land leases.

[Post-meeting note: The Chinese version of the supplementary information provided by the Administration in response to members' enquiries was circulated to members vide LC Paper No. FC153/16-17(01) on 31 May 2017.]

9. Dr KWOK Ka-ki said that some of the lands in Wang Chau had been polluted and damaged by brownfield operators, but the Administration did not take actions to stop these activities. He considered that the Administration condoned illegal occupation of government lands. Dr KWOK sought information on the Administration's enforcement and prosecution actions against illegal occupation of government lands at Wang Chau in the past two years (including the respective numbers of cases involved). Assistant Director of Lands (Acquisition), Lands Department ("ADL(A)") responded that enforcement actions against illegal occupation of government lands were taken from time to time with ongoing follow-ups. Depending on the situations concerned, the Administration would consider whether short-term tenancies for use of such government lands would be granted.

10. Mr SHIU Ka-chun sought information on the dates on which the Steering Committee on Land Supply had held meetings since its establishment. Dr KWOK Ka-ki asked whether the Steering Committee on Land Supply had discussed the Wang Chau project (including land resumption arrangements); and if so, the dates of the relevant meetings.

[*Post-meeting note:* The Chinese version of the supplementary information provided by the Administration in response to members' enquiries was circulated to members vide LC Paper No. FC153/16-17(01) on 31 May 2017.]

11. Mr Andrew WAN enquired about the concrete plan for land acquisition in relation to the Phase 2 and Phase 3 sites in Wang Chau. Mr WAN said that, while the Administration had announced the Wang Chau development plan a long time ago, after much delay, the land resumption procedures under the project had not commenced yet. He was of the view that such delay would allow land owners or users to take advantage of the time gap to take various actions, such as building more structures or conducting business activities on a larger scale on the sites, with a view to asking for more compensation when the Administration commenced land resumption work.

12. ADL(A) explained that, if the development plan was to be implemented, the Administration had to, first of all, apply to the Town Planning Board ("TPB") for rezoning approval. Subject to TPB's approval, the Administration would then be required to submit the relevant development plan to the Executive Council for approval before it could invoke the Lands Resumption Ordinance (Cap. 124) for mandatory land resumption. He said that the amount of compensation payable would be determined on the basis of the original approved use of the piece of land concerned, and land value would not be affected as a result of the Administration's land resumption programme.

Head 705 Subhead 5101CX—Civil engineering works, studies and investigations for items in Category D of the Public Works Programme

Technical study on transport infrastructure at Kennedy Town for connecting to East Lantau Metropolis (5H92CL)

13. Mr Nathan LAW asked if the Administration's study covered alignment issues including connections with the proposed Route 11. Head of Civil Engineering Office, Civil Engineering and Development Department advised that in view of the development plans for Kennedy

Town, the above study aimed to look into various conceptual alignment proposals for providing transport connections linking East Lantau Metropolis with Hong Kong Island West in future.

Engineering feasibility studies for proposed near shore reclamation at Sunny Bay (5H24CL)

14. Mr Nathan LAW mentioned the findings of a study which revealed that affected by noise, the land reclaimed by the proposed reclamation project was unsuitable for residential use or construction of schools. Mr LAW pointed out that the Administration, while proposing to carry out the study on the feasibility of developing hotels on the reclaimed land, explained that it was viable for hotel facilities to operate with windows permanently shut to reduce noise. Mr LAW asked, if the above was really the case, whether it was feasible to have residential buildings or schools on the site, or the Administration had already adopted a predetermined stance on the development of the site.

15. Director of Civil Engineering and Development ("DCED") explained that the Administration intended to develop Sunny Bay into a hub for leisure and recreational activities under the proposed development plan for Lantau. The Administration considered that the site should better be used for construction of tourism and leisure facilities. The Administration would also study if the Siu Ho Wan site was suitable for building schools.

Head 707 Subhead 7017CX—Signature Project Scheme

16. Mr Alvin YEUNG enquired about the progress of the three projects under this subhead, namely the tourist facilities at Lam Tsuen Wishing Square, the Moreton Terrace Activities Centre and the music fountains at Kwun Tong Promenade. He asked whether the pre-construction studies of the three projects would be wasted, in case the main construction works of the projects, for various reasons, could not be carried out at all.

17. Assistant Director of Home Affairs (2) said that the District Councils ("DCs") were responsible for spearheading, advocating and deciding the implementation of the Signature Project Scheme. While proposals for the main construction works of the three projects were approved by the Public Works Subcommittee ("PWSC") on 20 June 2016, FC was unable to proceed to vote on the funding proposals concerned before the prorogation of the Fifth LegCo. The respective DCs were considering the next step forward for the main construction works of the three projects. She added that most of the pre-construction studies for the

three projects had been completed. These pre-construction studies, which were aimed at ensuring the technical feasibility of the projects, were essential for taking forward the main construction works of such projects. As such, regardless of whether the projects did take place eventually, such studies should not be considered as a waste of efforts.

Head 707 Subhead 7100CX—New towns and urban area works, studies and investigations for items in Category D of the Public Works Programme

Preliminary feasibility study on developing the New Territories North (7E04CL)

18. Noting that the Administration had finished the preliminary feasibility study on developing the New Territories North ("the NTN Study"), Mr CHAN Chi-chuen asked when the Administration would publish the findings and report of the NTN Study. He said that the NTN Study covered the Fanling Golf Course site which was under a private recreational lease ("PRL"). Mr CHAN enquired about the recommendations in the NTN Study regarding the Fanling Golf Course site and whether the site would end up being excluded from the development plan of the New Territories North. He and Mr LEUNG Kwok-hung asked about the progress of the Administration's PRL policy review which was currently underway. Mr LEUNG enquired about the area of developable land that could be released, according to the review.

19. DCED advised that the Administration was finalizing the report of the NTN Study which would be published once completed. The NTN Study examined the development potential of the Fanling Golf Course site and its surrounding areas from a technical perspective. He said that the PRL policy review currently undertaken by the Administration would be completed later this year.

Study on brownfield operations

20. Noting that the Administration had proposed to commission a study on the profile and operations of brownfield sites, Mr CHU Hoi-dick suggested that, apart from constructing multi-storey blocks for the operation of the logistics industry through land acquisition, the Administration should also reserve some flat land for those brownfield operators who required the use of heavy machinery. PASD(PL)5 advised that the Administration was examining the use of brownfield sites and how to re-provision brownfield operations.

Head 709 Subhead 9100WX—Waterworks, studies and investigations for items in Category D of the Public Works Programme

Water supply to West Kowloon Terminus - Hong Kong Section of Guangzhou-Shenzhen-Hong Kong Express Rail Link (73FWC)

21. Regarding the Hong Kong section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link ("XRL"), Mr CHAN Chi-chuen asked whether the water supply facilities at the XRL West Kowloon Terminus ("WKT") under the above item would also be offered for use by the jurisdiction of the People's Republic of China under "the co-location arrangements". Deputy Director of Water Supplies advised that the purpose of this project was to lay water mains for supplying water to XRL WKT, which had nothing to do with the facilities at the terminus.

Head 710 Subhead A007GX—New Administrative Computer Systems

IT facilities for customs control at the West Kowloon Terminus of Express Rail Link (107)

22. Mr CHAN Chi-chuen asked whether this item was essential to the operation of XRL WKT, and whether there would be connection between the facilities under this item and the information technology facilities within the Mainland border control point. He asked whether this item could be suspended for the time being, given the uncertainties surrounding the co-location arrangements. Chief Systems Manager (Governance and Resources), Office of the Government Chief Information Officer advised that the client departments would install the facilities concerned in tandem with the progress of the project. As for the above questions raised by members, he was unable to give any response on behalf of the client departments.

Plan for the Kwu Tung North New Development Area

23. Dr LAU Siu-lai said that the Administration, when taking forward its plan for the Kwu Tung North ("KTN") New Development Area ("NDA"), had pledged that the affected elderly residents living in the Dills Corner Garden ("DCG") would be rehoused in the proposed purpose-built complex of residential care homes for the elderly ("RCHEs") seamlessly. Dr LAU were dissatisfied that according to the Administration's assessment of the 1 000-odd elderly people currently residing in DCG, only about 600 of them would be eligible for moving to the purpose-built RCHE complex.

24. Assistant Director of Social Welfare (Elderly) explained that the Administration had all along been attentive to the situation of the elderly residents in DCG, and had assessed their conditions according to the establishment mechanism to confirm their eligibility for admission to subsidized RCHEs. She confirmed that about 300 elderly residents had gone through the "Standardized Care Need Assessment Mechanism for Elderly Services" and were waiting for admission to subsidized RCHEs, and that the health conditions of some of the remaining elderly residents might also comply with the conditions required for admission to subsidized RCHEs. The Administration would follow up on their applications. She said that the Administration would, prior to the clearance of DCG, assess the conditions of the remaining elderly residents as required.

25. Ms Claudia MO said that, according to the Administration, arsenic-contaminated soil was found on the site of KTN NDA. However, the Administration could not clearly point out the areas affected by and the location of arsenic contamination. Also, no trace of arsenic was found in the drinking water and agricultural products in the area, according to the relevant tests conducted by the Administration. She therefore questioned the remarks made by the Administration about arsenic-contaminated soil being found in the area. DCED advised that the arsenic found in the soil on the KTN sites to be developed was naturally existent. The Administration had commissioned a consultancy study to assess the associated health risks, and scholars from The Chinese University of Hong Kong, The Hong Kong Polytechnic University and the Stanford University of the United States of America were also involved in the study.

The use of block allocations

26. Quoting the Administration's allegation in its paper that "the proposal to subject certain items to separate voting by the FC implies that the FC may then unilaterally revisit or even disapprove such items regardless of the fact that they have been legitimately created and pursued in the first place ... and risk of legal challenges ...", Ms Claudia MO were dissatisfied with the wording used by the Administration. Mr CHU Hoi-dick asked whether FS was empowered to, after FC had approved the block allocations proposal, withdraw individual projects from the approved proposal or add new projects which were not in the original funding proposal.

27. Permanent Secretary for Financial Services and the Treasury (Treasury) ("PSFST(T)") and Deputy Secretary for Financial Services and the Treasury (Treasury) 3 ("DSFST(T)3") responded that, pursuant to the powers delegated to FS by FC, the Administration could, under the block allocations mechanism, withdraw and revise original project items or create new project items, provided that such changes were within the ambit of the block allocations subheads and the financial ceiling of the delegated authority (the ceiling was \$30 million in most cases).

28. Mr SHIU Ka-chun enquired about the number of workers who would be affected in case FC rejected this block allocations proposal and the trades in which such workers were engaged. DSFST(T)3 responded that the projects covered by the block allocations proposal were mostly undertaken by small and medium contractors. According to the Administration's estimates, in case this funding proposal was rejected, about 11 000 persons would be directly affected, including staff members of contractors, resident site staff and works supervisory staff appointed by the Administration.

29. Mr LEUNG Kwok-hung and Mr CHAN Chi-chuen asked the Administration to provide the Chinese version of the list of over 9 000 project items covered by the block allocations funding proposal under the Capital Works Reserve Fund ("CWRF").

[Post-meeting note: The Chinese version of the supplementary information provided by the Administration in response to members' enquiries was circulated to members vide LC Paper No. FC153/16-17(01) on 31 May 2017.]

The Administration's response to the remaining five FCP 21 motions

30. Dr YIU Chung-yim quoted the Administration's response to the remaining five FCP 21 motions, in which it claimed that if the Administration had to seek FC's approval for the land acquisition and compensation items under "Head 701 – Land Acquisition" on a per item basis, it might be unable to pay the statutory compensation to claimants upon completion of the land acquisition work in accordance with the statutory provisions, thereby causing delay in paying the compensation as well as the ex-gratia allowances to the claimants affected by the land acquisition and clearance exercise. Dr YIU Chung-yim held that the Administration should have secured FC's approval for funding commitment before commencement of land acquisition work. He asked the Administration for an explanation. Dr YIU pointed out that according

to the Administration, among the five motions, "new Motion 2", which sought to set the financial ceiling of the delegated authority for "Head 701 – Land Acquisition" under CWRP block allocations at \$100 million, was considered out of order because "the proposal therein included funding items which were not under the CWRP block allocations". He asked the Administration to elaborate on the reasons for the above allegation.

31. DSFST(T)3 explained that, according to the Government's budgetary arrangements, "Head 701 – Land Acquisition" contained two categories of land acquisition items. The first category related to "dedicated compensation", and the second category related to "block allocations". The former was an arrangement specifically made to deal with special land acquisition items, and the criteria and options for such land acquisition and compensation were subject to FC's approval. Land acquisition items under "block allocations" could be further put under two subheads, namely "Compensation for surrenders and resumptions: miscellaneous" (1004CA) and "Compensation and ex-gratia allowances in respect of projects in the Public Works Programme" (1100CA). These two subheads were created pursuant to FC's delegation of powers to FS without imposing any funding ceiling for subheads 1004CA and 1100CA. That said, he stressed that land acquisition work had to be carried out according to statutory procedures. Also, the Administration had to pay compensation in accordance with statutory provisions and the FC-approved compensation mechanism. PSFST(T) added that according to the wording in "new Motion 2", the "Head 701 – Land Acquisition" as referred to in the motion would cover subheads other than those under the CWRP block allocations. The Administration therefore considered that the motion was out of order.

32. The Chairman advised that Mr CHU Hoi-dick might seek legal advice from the Legal Service Division of the LegCo Secretariat regarding the Administration's response to the remaining five FCP 21 motions. The Chairman requested Mr CHU to provide his response by 10 am, 18 March 2017.

Meeting arrangements

33. At 7:07 pm, the Chairman said that FC had already had a thorough discussion on this agenda item. After the first two members who were waiting to speak had spoken, he would allow each member to speak on this item for the last round for not more than three minutes, before proceeding to vote on whether FC should handle the motions proposed by members under FCP 37A.

34. The meeting ended at 7:12 pm.

Legislative Council Secretariat

12 February 2018

點名表決 DIVISION: 1
日期 DATE: 17/03/2017
時間 TIME: 05:57:13 下午 PM

動議 MOTION: 動議委員會現即休會
Motion that further proceedings of the Committee be now adjourned

動議人 MOVED BY:

出席 Present : 54
投票 Vote : 53
贊成 Yes : 20
反對 No : 33
棄權 Abstain : 0
結果 Result : 否決 Negated

個別表決如下 THE INDIVIDUAL VOTES WERE AS FOLLOWS:

議員	MEMBER	投票	VOTE	議員	MEMBER	投票	VOTE
陳健波	CHAN Kin-por	出席	PRESENT	葉建源	IP Kin-yuen	贊成	YES
涂謹申	James TO	贊成	YES	葛珮帆	Dr Elizabeth QUAT	反對	NO
梁耀忠	LEUNG Yiu-chung	贊成	YES	廖長江	Martin LIAO	反對	NO
石禮謙	Abraham SHEK			潘兆平	POON Siu-ping	反對	NO
張宇人	Tommy CHEUNG	反對	NO	蔣麗芸	Dr CHIANG Lai-wan	反對	NO
李國麟	Prof Joseph LEE			盧偉國	Ir Dr LO Wai-kwok	反對	NO
林健鋒	Jeffrey LAM			鍾國斌	CHUNG Kwok-pan	反對	NO
黃定光	WONG Ting-kwong	反對	NO	楊岳橋	Alvin YEUNG	贊成	YES
李慧琼	Starry LEE	反對	NO	尹兆堅	Andrew WAN	贊成	YES
陳克勤	CHAN Hak-kan	反對	NO	朱凱迪	CHU Hoi-dick	贊成	YES
梁美芬	Dr Priscilla LEUNG	反對	NO	吳永嘉	Jimmy NG	反對	NO
黃國健	WONG Kwok-kin	反對	NO	何君堯	Dr Junius HO	反對	NO
葉劉淑儀	Mrs Regina IP	反對	NO	何啟明	HO Kai-ming	反對	NO
謝偉俊	Paul TSE			林卓廷	LAM Cheuk-ting	贊成	YES
梁國雄	LEUNG Kwok-hung	贊成	YES	周浩鼎	Holden CHOW	反對	NO
毛孟靜	Claudia MO	贊成	YES	邵家輝	SHIU Ka-fai		
田北辰	Michael TIEN	反對	NO	邵家臻	SHIU Ka-chun	贊成	YES
何俊賢	Steven HO	反對	NO	柯創盛	Wilson OR	反對	NO
易志明	Frankie YICK	反對	NO	容海恩	YUNG Hoi-yan	反對	NO
胡志偉	WU Chi-wai			陳沛然	Dr Pierre CHAN		
姚思榮	YIU Si-wing	反對	NO	陳振英	CHAN Chun-ying	反對	NO
馬達國	MA Fung-kwok	反對	NO	陳淑莊	Tanya CHAN	贊成	YES
莫乃光	Charles Peter MOK	贊成	YES	張國鈞	CHEUNG Kwok-kwan	反對	NO
陳志全	CHAN Chi-chuen	贊成	YES	許智峯	HUI Chi-fung	贊成	YES
陳恒鏞	CHAN Han-pan	反對	NO	陸頌雄	LUK Chung-hung	反對	NO
梁志祥	LEUNG Che-cheung	反對	NO	劉國勳	LAU Kwok-fan	反對	NO
梁繼昌	Kenneth LEUNG			劉業強	Kenneth LAU		
麥美娟	Alice MAK	反對	NO	鄭松泰	Dr CHENG Chung-tai	贊成	YES
郭家麒	Dr KWOK Ka-ki			鄭俊宇	KWONG Chun-yu	贊成	YES
郭偉強	KWOK Wai-keung	反對	NO	譚文豪	Jeremy TAM	贊成	YES
郭榮鏗	Dennis KWOK			羅冠聰	Nathan LAW	贊成	YES
張華峰	Christopher CHEUNG	反對	NO	姚松炎	Dr YIU Chung-yim	贊成	YES
張超雄	Dr Fernando CHEUNG			劉小麗	Dr LAU Siu-lai	贊成	YES
黃碧雲	Dr Helena WONG						

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