

立法會
Legislative Council

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Finance Committee of the Legislative Council

Minutes of the 25th meeting
held at Conference Room 1 of the Legislative Council Complex
on Saturday, 25 March 2017, at 12:50 pm

Members present:

Hon CHAN Kin-por, BBS, JP (Chairman)
Hon Abraham SHEK Lai-him, GBS, JP
Hon Tommy CHEUNG Yu-yan, GBS, JP
Prof Hon Joseph LEE Kok-long, SBS, 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 Paul TSE Wai-chun, 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 Kenneth LEUNG
Hon Alice MAK Mei-kuen, BBS, JP
Hon Dennis KWOK Wing-hang

Hon Christopher CHEUNG Wah-fung, SBS, JP
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Helena WONG Pik-wan
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
Hon CHUNG Kwok-pan
Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
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 CHEUNG Kwok-kwan, JP
Hon LUK Chung-hung
Hon LAU Kwok-fan, MH
Dr Hon CHENG Chung-tai
Hon KWONG Chun-yu
Hon Jeremy TAM Man-ho
Dr Hon LAU Siu-lai

Members absent:

Hon Michael TIEN Puk-sun, BBS, JP (Deputy Chairman)
Hon James TO Kun-sun
Hon LEUNG Yiu-chung
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon WU Chi-wai, MH
Dr Hon KWOK Ka-ki
Hon KWOK Wai-keung
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon Alvin YEUNG
Hon Jimmy NG Wing-ka, JP
Hon Tanya CHAN

Hon HUI Chi-fung
Hon Kenneth LAU Ip-keung, MH, JP
Hon Nathan LAW Kwun-chung
Dr Hon YIU Chung-yim

[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-yee, 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 Joseph LAI Yee-tak, JP	Permanent Secretary for Transport and Housing (Transport)
Mr Andy CHAN Shui-fu, JP	Deputy Secretary for Transport and Housing (Transport) 2
Mrs Ingrid YEUNG HO Poi-yan, JP	Commissioner for Transport
Ms Stella LEE Yim-fong	Assistant Commissioner for Transport (Management and Paratransit)
Prof Sophia CHAN Siu-chee, JP	Under Secretary for Food and Health
Ms Ida LEE Bik-sai	Commissioner for the Electronic Health Record/Head (eHR), Food and Health Bureau
Mr Ronald LEUNG Ka-wai	Acting Deputy Head (eHR), Food and Health Bureau
Dr WONG Wing-nam	Special Project Consultant, Food and Health Bureau
Ms Clara CHEUNG	Chief Systems Manager, Hospital Authority

Clerk in attendance:

Ms Anita SIT	Assistant Secretary General 1
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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
Ms Michelle NIEN	Legislative Assistant (1)5

Action

Item No. 4 — FCR(2016-17)87

HEAD 186 — TRANSPORT DEPARTMENT

Subhead 700 — General non-recurrent

New Item — "Provision of Special Helping Measures for the Six Major Outlying Island Ferry Routes"

The Finance Committee ("FC") continued with the deliberation on item FCR(2016-17)87.

Vessels and pier facilities

2. Dr Helena WONG requested that the Administration should, in accordance with the family-friendly policy, demand the operators of outlying island ferry routes to improve their pier facilities and upgrade the facilities on board their ferries, including improving the ratio of male to female washrooms and provision of breastfeeding rooms on ferries for use by passengers. Mr LEUNG Kwok-hung urged the Government to expeditiously build a new ferry pier at Cheung Chau in order to improve pier facilities.

3. Mr Andrew WAN was of the view that the Administration should proactively use the areas above piers for commercial development, and the proceeds generated therefrom might be used to alleviate the Government's financial commitment for the implementation of special helping measures ("SHM").

4. The Permanent Secretary for Transport and Housing (Transport) ("PSTH(T)") and the Commissioner for Transport ("C for T") responded that:

- (a) Cheung Chau Ferry Pier was constructed many years ago. Due to space limitation, it was difficult for the Government to install large amount of new facilities. In this connection, the Government had already provided male and female

washrooms each with individual cubicles in 2015 during the renovation of the Pier, but due to space constraints, the ratio was still not up to the standard under the existing family-friendly policy;

- (b) the Government was planning to construct a new pier at Cheung Chau, and the public facilities to be installed in the new pier would be designed according to the prevailing standards under the family-friendly policy;
- (c) at present, it was difficult to provide toilets at Yung Shue Wan Ferry Pier at Lamma Island due to the absence of underground sewerage facilities. In this connection, the Transport Department ("TD") and the Architectural Services Department were examining the construction of a sewer manhole at the pier to facilitate the installation of washrooms at the Pier for waiting passengers;
- (d) since the passenger cabins of slow ordinary ferries of the New World First Ferry Services Limited ("NWFF") were more spacious, breastfeeding rooms had already been provided. In respect of other fast ferries where space was limited, NWFF was still studying the possibility of providing breastfeeding rooms in passenger cabins; and
- (e) the Government had planned to upgrade the project for the construction of additional floors at Central Piers Nos. 4, 5 and 6 to Category A, but the proposal was turned down by the Public Works Subcommittee ("PWSC"). Besides, it was also indicated in the consultancy study that owing to limited space, their commercial value could be generated only if the three piers were developed as a package under a common theme. Since the piers were currently being managed by different ferry operators, if they jointly hired a consultant for pier development, a large amount of consultancy fees would be involved which would in turn reduce the commercial return. The Government was still studying how to develop these three piers and it was expected that study results would be available within the coming one and a half years.

Details of special helping measures

5. Mr Jeremy TAM requested the Administration to elaborate on the arrangement adopted by the Hong Kong & Kowloon Ferry Holdings Limited ("HKK") for replacing the ferry fleet for Peng Chau route. He opined that HKK should speed up its replacement of older vessels.

6. C for T said that HKK's original plan was to replace a slow ordinary ferry of 17 years of age from the ferry fleet for Peng Chau route with a new fast ferry. However, due to objection by Peng Chau residents, HKK changed its plan by replacing the other fast ferry of also 17 years of age with a new ferry, so that the service of that route could be maintained to be provided by two slow ordinary ferries and two fast ferries. She added that in accordance with statutory requirements, by the time when the next operating licence period for Peng Chau route expired, the Government would take the licence back for open tendering, which would mean that HKK might not be able to operate that route in the long term. Therefore, HKK would be rather prudent in deciding whether or not new vessels would be acquired, taking into account its long-term financial commitment.

7. Ms Claudia MO asked the Administration how it would ensure that the ferry operators would not seek to claim reimbursement of its operating expenses more than its actual expenses.

8. C for T advised that TD could verify the number of passenger trips made by the elderly and children through Octopus records, and the revenue forgone as a result of the provision of concessions would be reimbursed to ferry operators. In regard to repairs and maintenance expenses, TD would verify the relevant repairs records and invoices. In case there were queries on the items for repair or cases where expenses of repair items were found to be excessive, TD would seek professional advice from the Marine Department regarding the repair items of the ferry operators with a view to ensuring that the repairs and related expenses incurred by ferry operators were reasonable.

Reviewing the long-term operation model of outlying island ferry services

9. Mr LEUNG Kwok-hung, Ms Claudia MO and Mr Andrew WAN urged the Administration to consider operating the outlying island ferry service in the form of public service or commissioning the operation of the service to social enterprises, as they believed that in the long run, this operation model could reduce the amount of public expenses to be spent on subsidizing the operating expenses of ferry operators.

10. Mr Holden CHOW considered that the current three-year licence period for major outlying island ferry routes was too short, which might be a disincentive for ferry operators to invest in these routes and to acquire new vessels. He urged the Administration to review the long-term operation model of outlying island ferry routes and extend the licence period from three years to five years.

11. In response, PSTH(T) and C for T said that:

- (a) the Government would review the long-term operation model of outlying island ferry services in early 2019. The direction of review would include studying whether it was feasible for the Government to fully own the fleets and employ private companies to take charge of the operation of ferry routes as well as vessel repairs and maintenance;
- (b) the Legislative Council would be consulted during the review by the Government. If the review findings recommended a revamp of the existing policy, the Government would take on board such recommendations for the new licence period due to start in 2020; and
- (c) the Government agreed that the current three-year licence period was too short, not conducive to providing incentives for ferry operators to invest in the operation of outlying island ferry routes. The Government would consider members' views on extending the licence period in the course of the review.

Motions proposed to be moved by members under paragraph 37A of the Finance Committee Procedure

12. At 1:25 pm, FC began to vote on whether the motions proposed to be moved by members under paragraph 37A of the Finance Committee Procedure ("FCP") should be proceeded with forthwith. As requested by members, the Chairman ordered a division. After the Chairman declared that FC had decided not to proceed with Mr CHU Hoi-dick's first proposed motion forthwith, Mr LAU Kwok-fan moved without notice a motion under FCP 47 that in the event of further divisions being claimed in respect of any motions or questions under the same agenda item, FC should proceed to each of such divisions immediately after the division bell had been rung for one minute. The Chairman said that each member might speak on the question once for not more than three minutes.

13. Mr LEUNG Kwok-hung objected to the shortening of the duration of the division bell to one minute, as this would reduce the time for members to consider their voting intention, and he was also worried that some members might not be able to come back in time to the Conference Room to cast their votes.

14. There being no request to speak from other members, the Chairman put the motion to vote. The Chairman declared that the majority of the members present and voting were in favour of the motion. The motion was carried.

15. FC continued to deal with the remaining motion proposed by Mr CHU Hoi-dick under FCP 37A. The Chairman declared that FC had decided not to proceed with the proposed motion forthwith.

Voting on FCR(2016-17)87

16. There being no further questions from members, the Chairman put item FCR(2016-17)87 to vote. At the request of members, the Chairman ordered a division and the division bell was rung for one minute. The Chairman declared that 35 members voted for the item, no members voted against it and two abstained. The votes of individual members were as follows:

For:

Mr Tommy CHEUNG Yu-yan	Prof Joseph LEE Kok-long
Mr WONG Ting-kwong	Ms Starry LEE Wai-king
Mr CHAN Hak-kan	Mr WONG Kwok-kin
Mrs Regina IP LAU Suk-yee	Ms Claudia MO
Mr Steven HO Chun-yin	Mr Frankie YICK Chi-ming
Mr YIU Si-wing	Mr MA Fung-kwok
Mr CHAN Chi-chuen	Mr CHAN Han-pan
Mr LEUNG Che-cheung	Ms Alice MAK Mei-kuen
Mr Christopher CHEUNG Wah-fung	Dr Fernando CHEUNG Chiu-hung
Dr Elizabeth QUAT	Mr Martin LIAO Cheung-kong
Mr POON Siu-ping	Mr Andrew WAN Siu-kin
Mr CHU Hoi-dick	Mr Holden CHOW Ho-ding
Mr SHIU Ka-fai	Mr SHIU Ka-chun
Mr Wilson OR Chong-shing	Ms YUNG Hoi-yan
Mr CHAN Chun-ying	Mr CHEUNG Kwok-kwan
Mr LUK Chung-hung	Mr LAU Kwok-fan
Mr KWONG Chun-yu	Mr Jeremy TAM Man-ho
Dr LAU Siu-lai	
(35 members)	

Abstained:

Mr LEUNG Kwok-hung
(2 members)

Dr CHENG Chung-tai

17. The Chairman declared that the item was approved.

Item No.5 — FCR(2016-17)88

CAPITAL WORKS RESERVE FUND

HEAD 710 — COMPUTERISATION

Government Secretariat — Food and Health Bureau (Health Branch)

**Subhead A074XV — "Development of A Territory-Wide
Electronic Health Record Sharing System"**

18. The Chairman said that the item sought the approval of FC to increase the commitment for the Electronic Health Record ("eHR") Programme by \$422,192,000 from \$702,000,000 to \$1,124,192,000 for implementing the second stage of the programme. The Food and Health Bureau ("FHB") consulted the Panel on Health Services ("HS Panel") on the proposal on 16 January 2017.

19. At the invitation of the Chairman, Prof Joseph LEE, Chairman of HS Panel, reported the key points of the Panel's discussion. Panel members did not oppose the submission of the proposal to FC for scrutiny. Panel members noted that the scope of data sharing under Stage Two development of the Electronic Health Record Sharing System ("eHRSS") would be broadened to cover Chinese Medicine ("CM") information. They expressed concern over how the authorities would assist CM healthcare providers ("HCPs") in making preparation for data sharing. Moreover, some members said that the Patient Portal to be established in the future should not only allow patients to view their own eHR, but also allow them to manage their own health information. Members also urged the authorities to step up promotion to encourage more patients and HCPs to use eHRSS, and the authorities should actively invite the local private information technology ("IT") sector to participate in developing the system. Members requested the authorities to expeditiously implement the component-projects under Stage Two eHRSS development, so as to enhance the efficiency and continuity of the services provided by different HCPs.

Information contained in eHRSS

20. Mr Jeremy TAM expressed support for the funding proposal. He asked the Administration whether it would, after the commissioning of Stage Two eHRSS, seek to incorporate patients' intention of organ donation after death into their eHRs .

21. The Under Secretary for Food and Health ("USFH") said that patients' intention of organ donation after death would not be recorded in eHRSS. She added that information on intention of organ donation after death was recorded in the Centralised Organ Donation Register ("CODR") established by the Department of Health. If the people on CODR passed away at hospitals, Organ Donation Coordinators of the Hospital Authority ("HA") would approach the bereaved families according to the information provided in CODR.

22. Mr CHAN Chi-chuen asked the Administration whether the restriction on data access would be relaxed in Stage Two eHRSS development, so that patients could access their own health information for medical or healthcare purposes. Moreover, he also asked the Administration to explain how it would take forward the Sharing Restriction Feature(s) in eHRSS.

23. USFH and the Commissioner for the Electronic Health Record/Head (eHR), FHB ("eHRC/Head (eHR)") replied that:

- (a) the Government would conduct a study during Stage Two eHRSS development on establishing a Patient Portal for patients to access their personal data in their eHR. The study would include assessing any security risks that would be brought by the Patient Portal. The Government sought to provide a Patient Portal that could facilitate patients' understanding of their health records and would adopt an open attitude regarding the establishment of such a Patient Portal; and
- (b) the Government would conduct a study on additional access control for sensitive data, so that patients could have additional choices over disclosure of their health data, such as allowing patients to select specific health data for disclosure to authorized HCPs.

24. Mr KWONG Chun-yu said that health records were patients' highly sensitive personal data. He asked the Administration how it would ensure the security of the system to prevent unlawful system access and data retrieval by hackers.

25. eHRC/Head (eHR) said the Government had been attaching great importance to system security since the launch of Stage One eHRSS. In Stage Two eHRSS development, HA would continue to ensure that patients' data were properly protected in the system design and workflow. She added that unauthorized access to or direct marketing of eHRSS data was a criminal offence under the Electronic Health Record Sharing System Ordinance (Cap. 625). The Government had also promulgated a Code of Practice for Healthcare Professionals using eHRSS, reminding eHRSS users of the need to adhere to the Code of Practice in order to safeguard patients' privacy and maintaining system security.

Manpower deployment for system development

26. Mr Jeremy TAM asked the Administration about HA's manpower deployment plan for developing Stage Two eHRSS.

27. Dr Elizabeth QUAT expressed support for the funding proposal and aspired to the expeditious launch of Stage Two eHRSS. Dr QUAT and Mr LUK Chung-hung urged the Administration to consider giving priority to the local IT sector when outsourcing system development and programming assignments, so as to enable the local IT sector to share the economic benefits to be generated from the programme.

28. eHRC/Head (eHR) and Chief Systems Manager, HA responded that:

- (a) since eHRSS was a very special IT system and its development required heavy input of clinical expertise, HA would be engaged as the technical agency for system development, and the work of data storage, security design and audit, etc. would be outsourced to private companies;
- (b) HA anticipated that it would need 80 staff members (contractor staff inclusive) to take charge of system development and management in each of the five years during the implementation of this Second Stage Programme; and

- (c) HA was required to follow its outsourcing and procurement procedure in outsourcing the system assignments to private companies, including conducting global tenders for project procurement involving a relatively large sum of money. Under these procurement procedures, it would be difficult for HA to exclude overseas companies from submitting tenders. According to experience obtained from Stage One eHRSS development, projects relating to system development and software programming were mostly awarded to local companies.

A motion proposed by a member pursuant to paragraph 37A of the Finance Committee Procedure

29. At 2:04 pm, the question of whether the motion proposed by Mr CHU Hoi-dick under FCP 37A should be proceeded with forthwith was put to vote. At the request of members, the Chairman ordered a division, and the division bell was rung for five minutes. The Chairman declared that FC decided not to proceed with the proposed motion forthwith.

Voting on FCR(2016-17)88

30. There being no further questions from members, the Chairman put item FCR(2016-17)88 to vote. At the request of members, the Chairman ordered a division, and the division bell was rung for five minutes. The Chairman declared that 32 members voted for the item and no member voted against it. The voting results of individual members were as follows:

For:

Mr Tommy CHEUNG Yu-yan
Ms Starry LEE Wai-king
Dr Priscilla LEUNG Mei-fun
Mrs Regina IP LAU Suk-yee
Mr Frankie YICK Chi-ming
Mr MA Fung-kwok
Mr CHAN Chi-chuen
Mr LEUNG Che-cheung
Ms Alice MAK Mei-kuen
Mr POON Siu-ping
Dr Junius HO Kwan-yiu
Mr Wilson OR Chong-shing
Dr Pierre CHAN
Mr CHEUNG Kwok-kwan

Mr WONG Ting-kwong
Mr CHAN Hak-kan
Mr WONG Kwok-kin
Mr LEUNG Kwok-hung
Mr YIU Si-wing
Mr Charles Peter MOK
Mr CHAN Han-pan
Mr Kenneth LEUNG
Mr Martin LIAO Cheung-kong
Mr CHU Hoi-dick
Mr SHIU Ka-chun
Ms YUNG Hoi-yan
Mr CHAN Chun-ying
Mr LUK Chung-hung

Mr LAU Kwok-fan
Mr KWONG Chun-yu
(32 members)

Dr CHENG Chung-tai
Mr Jeremy TAM Man-ho

31. The Chairman declared that the item was approved.

Item 6 — FCR(2016-17)85

**FINANCE COMMITTEE PROCEDURE, ESTABLISHMENT
SUBCOMMITTEE PROCEDURE AND PUBLIC WORKS
SUBCOMMITTEE PROCEDURE**

32. The Chairman said that the item invited FC to approve the proposed amendments to the relevant paragraphs of FCP, Establishment Subcommittee Procedure and Public Works Subcommittee Procedure regarding the arrangements for the ringing of the division bell at meetings of FC, Establishment Subcommittee and PWSC and meeting arrangements in case of adverse weather.

33. There being no question from members on this item, the Chairman put item FCR(2016-17)85 to vote. No member requested a division. The Chairman declared that the majority of the members present and voting were in favour of the motion. The Chairman declared that the item was approved.

34. The meeting ended at 2:16 pm.

Legislative Council Secretariat
12 February 2018