

立法會
Legislative Council

LC Paper No. FC225/17-18

(These minutes have been
seen by the Administration)

Ref : FC/1/1(27)

Finance Committee of the Legislative Council

**Minutes of the 57th meeting
held at Conference Room 1 of the Legislative Council Complex
on Friday, 23 June 2017, at 5:26 pm**

Members present:

Hon CHAN Kin-por, BBS, JP (Chairman)
Hon Michael TIEN Puk-sun, BBS, JP (Deputy Chairman)
Hon LEUNG Yiu-chung
Hon Abraham SHEK Lai-him, GBS, JP
Hon Tommy CHEUNG Yu-yan, GBS, 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 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 WU Chi-wai, MH
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
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
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 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 James TO Kun-sun
Prof Hon Joseph LEE Kok-long, SBS, JP
Hon Kenneth LEUNG
Hon Dennis KWOK Wing-hang
Dr Hon Fernando CHEUNG Chiu-hung
Hon SHIU Ka-chun
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-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 LAU Kong-wah, JP	Secretary for Home Affairs
Mrs Betty FUNG CHING Suk-yee, JP	Permanent Secretary for Home Affairs
Mr YEUNG Tak-keung, JP	Commissioner for Sports, Home Affairs Bureau
Ms Linda LAW Lai-tan	Principal Assistant Secretary for Home Affairs (Recreation and Sport) 2
Mr Vic YAU Cheuk-hang	Deputy Secretary for Security (2)
Mr Joseph LEUNG Wai-hung	Deputy Director of Fire Services
Mr Andy YEUNG Yan-kin	Assistant Director of Fire Services (Headquarters)
Mr Ryan KWOK Pak-chiu	Senior Divisional Officer (4GMS), Fire Services Department
Mr YAU Shing-mu, JP	Under Secretary for Transport and Housing
Ms Rebecca PUN Ting-ting, JP	Deputy Secretary for Transport and Housing (Transport) 1

Mr Raymond CHENG Nim-tai	Principal Assistant Secretary for Transport and Housing (Transport) 7
Mr Daniel CHUNG Kum-wah, JP	Director of Highways
Mr Jimmy CHAN Pai-ming, JP	Principal Government Engineer (Railway Development), Highways Department
Mr Anthony YUEN Woo-kok	Chief Engineer (Railway Development) 1-3, Highways Department

Other persons attending:

Dr Philco WONG	Projects Director, MTR Corporation Limited
Mr Ken WONG	General Manager (Projects), MTR Corporation Limited
Ms Prudence CHAN	Senior Manager (Projects and Property Communications), MTR Corporation Limited

Clerk in attendance:

Ms Anita SIT	Assistant Secretary General 1
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Staff in attendance:

Ms Ada LAU	Senior Council Secretary (1)7
Mr Raymond SZETO	Council Secretary (1)5
Miss Queenie LAM	Senior Legislative Assistant (1)2
Mr Frankie WOO	Senior Legislative Assistant (1)3
Ms Michelle NIEN	Legislative Assistant (1)5

Item No. 1 — FCR(2017-18)14
RECOMMENDATION OF THE PUBLIC WORKS
SUBCOMMITTEE MADE ON 31 MAY 2017

PWSC(2017-18)2

Head 703 — BUILDINGS

Recreation, Culture and Amenities — Sports facilities

272RS — Kai Tak Sports Park

Motion moved by Mr CHU Hoi-dick under paragraph 21 of the Finance Committee Procedure

The Finance Committee ("FC") continued with the debate on the motion moved by Mr CHU Hoi-dick under paragraph 21 of the Finance Committee Procedure ("FCP").

2. No member indicated a wish to speak. At the Chairman's invitation, the Secretary for Home Affairs elaborated on the Government's position. He reiterated that the Government opposed Mr CHU Hoi-dick's motion as it was unreasonable for the Legislative Council ("LegCo") to approve a funding application but disallow the Government to expend the approved funds. Moreover, the progress of the Kai Tak Sports Park project and the relevant preparatory work would be set back as a result of the motion.

3. Mr CHU Hoi-dick spoke in reply in respect of his motion. He briefed the meeting on the legal basis of the motion and expressed the hope that members should make good use of the powers conferred on them by FCP 21 in future so that FC could perform its responsibilities more effectively.

4. At 5:29 pm, the Chairman put the motion to vote. At the request of members, the Chairman ordered a division. The Chairman declared that the motion was negatived. The votes of individual members were set out in the **Annex**.

Voting on item FCR(2017-18)14

5. At 5:30 pm, the Chairman put item FCR(2017-18)14 to vote. At the request of members, the Chairman ordered a division. The Chairman declared that 36 members voted for and 21 members voted against the item, and 1 member abstained from voting. The votes of individual members were as follows:

For:

Mr Abraham SHEK Lai-him
Mr Jeffrey LAM Kin-fung
Mr CHAN Hak-kan
Mr WONG Kwok-kin
Mr Paul TSE Wai-chun
Mr Steven HO Chun-yin
Mr YIU Si-wing
Mr CHAN Han-pan
Ms Alice MAK Mei-kuen
Mr Christopher CHEUNG Wah-fung
Mr Martin LIAO Cheung-kong
Dr CHIANG Lai-wan
Mr CHUNG Kwok-pan
Dr Junius HO Kwan-yiu
Mr Holden CHOW Ho-ding
Mr Wilson OR Chong-shing
Mr CHAN Chun-ying
Mr LUK Chung-hung
(36 members)

Mr Tommy CHEUNG Yu-yan
Mr WONG Ting-kwong
Dr Priscilla LEUNG Mei-fun
Mrs Regina IP LAU Suk-yee
Mr Michael TIEN Puk-sun
Mr Frankie YICK Chi-ming
Mr MA Fung-kwok
Mr LEUNG Che-cheung
Mr KWOK Wai-keung
Dr Elizabeth QUAT
Mr POON Siu-ping
Ir Dr LO Wai-kwok
Mr Jimmy NG Wing-ka
Mr HO Kai-ming
Mr SHIU Ka-fai
Ms YUNG Hoi-yan
Mr CHEUNG Kwok-kwan
Mr LAU Kwok-fan

Against:

Mr LEUNG Yiu-chung
Ms Claudia MO
Mr Charles Peter MOK
Dr KWOK Ka-ki
Mr IP Kin-yuen
Mr Andrew WAN Siu-kin
Mr LAM Cheuk-ting
Mr HUI Chi-fung
Mr KWONG Chun-yu
Mr Nathan LAW Kwun-chung
Dr LAU Siu-lai
(21 members)

Mr LEUNG Kwok-hung
Mr WU Chi-wai
Mr CHAN Chi-chuen
Dr Helena WONG Pik-wan
Mr Alvin YEUNG
Mr CHU Hoi-dick
Ms Tanya CHAN
Dr CHENG Chung-tai
Mr Jeremy TAM Man-ho
Dr YIU Chung-yim

Abstained:

Dr Pierre CHAN
(1 member)

6. The Chairman declared that the item was approved.

**Item No. 2 — FCR(2017-18)11
CAPITAL WORKS RESERVE FUND**

**Head 708 — CAPITAL SUBVENTIONS AND MAJOR SYSTEMS
AND EQUIPMENT**

Fire Services Department

**New Subhead — "Replacement of the Mobilising and
Communications System of the Fire Services
Department"**

7. The Chairman advised that the item sought FC's approval for a new commitment of \$1,713,700,000 for the replacement of the existing mobilising and communications system of the Fire Services Department.

8. At the Chairman's invitation, Mr CHAN Hak-kan, Chairman of the Panel on Security, briefed the meeting that the funding proposal had been discussed by the Panel on Security at its meeting on 14 March 2017. Members noted that there would be two Fire Services Communications Centres ("FSCCs") under the proposed Fourth Generation Mobilising System. Concerns had been expressed by members about the information security and operational coordination of the two FSCCs. The Administration advised that the two active FSCCs would be established in two geographically separated sites. In the event that one FSCC failed, the other FSCC would have the capability and capacity to immediately take over and handle incidents of the entire territory of Hong Kong. Members were also concerned about whether the location of a mobile phone caller could be identified under the new system. According to the Administration, the new system could be designed to display the locations of mobile phone callers but not other personal data. Members had no in-principle objection to the Administration's submission of the proposal to FC.

9. There being no questions from members, the Chairman put item FCR(2017-18)11 to vote. The Chairman considered that a majority of the members present and voting were in favour of the item and declared that the item was approved.

10. As the public officers attending for Item No. 3 had not yet arrived at the meeting venue, the meeting was suspended at 5:36 pm. The meeting resumed at 5:43 pm.

**Item No. 3 — FCR(2017-18)13
RECOMMENDATION OF THE PUBLIC WORKS
SUBCOMMITTEE MADE ON 20 APRIL 2017**

PWSC(2016-17)44

HEAD 706 — HIGHWAYS

Transport — Railways

**56TR — South Island Line (East)—essential public infrastructure
works**

11. The Chairman advised that the item sought FC's approval for the recommendation of the Public Works Subcommittee made at its meeting held on 20 April 2017, i.e. the recommendation set out in PWSC(2016-17)44 to increase the approved project estimate of 56TR — South Island Line (East) ("SIL(E)") — essential public infrastructure works ("EPIW") by \$286.2 million from \$927 million to \$1,213.2 million in money-of-the-day ("MOD") prices.

12. The Chairman declared that he was an independent non-executive director of The Bank of East Asia.

Project costs and the presentation of project costs

13. Mr Nathan LAW noted that for the SIL(E) project which was completed in September 2016, the Government would first withhold the contract retention money and release the same upon expiry of the one-year maintenance period. Considering that the contract retention money did not involve any price changes relating to staff or material costs, he questioned why the sum was not frozen at September 2016 prices.

14. Principal Government Engineer (Railway Development), Highways Department (PGE/RD, HyD) responded that both the cost estimates of public works projects and the actual sums paid by the Government were calculated at MOD prices. He stressed that the arrangement for releasing the contract retention money had not unnecessarily incurred any additional expenses on the Government's part.

15. Mr CHU Hoi-dick said that while the Administration's funding proposal was presented in a fluctuating-price approach (i.e. base cost estimates plus provision for price adjustments), contracts awarded by the MTR Corporation Limited ("MTRCL") were fixed-price ones (i.e. target-cost contracts). He opined that the Administration should improve the way of presenting costs information to facilitate members' understanding of the details of costs and cost overruns under the two approaches. Mr CHU also requested the Administration to provide the amount of cost overruns of this item in MOD prices, in order to illustrate the actual extent of cost overruns incurred by contracts under this item. Ms Tanya CHAN supported the request made by Mr CHU.

16. In response, General Manager (Projects), MTR Corporation Limited ("GM/MTRCL") stated that works under this item were carried out under target-cost contracts where payments were made on the basis of actual costs including price adjustments. While agreeing to provide the information requested by Mr CHU Hoi-dick, PGE/RD, HyD supplemented that when preparing the project estimates, the Government must anticipate the price changes that might occur during the construction period, and hence the need for the provision for price adjustments. He also said that the sum stated in the funding proposal was in MOD prices, which was also the actual sum of payment to the contractor.

[Post-meeting note: The Chinese version of the supplementary information provided by the Administration was issued to members vide LC Paper No. FC218/16-17(01) on 10 July 2017.]

17. Dr YIU Chung-yim requested the Administration to provide a comparison between the actual contract costs under this item and the respective amounts of funding provisions originally sought by the Government, as well as a breakdown of the proposed increase in the provision for price adjustments due to force majeure events and extension of time, in order to illustrate the actual use of the provision for price adjustments.

[Post-meeting note: The Chinese version of the supplementary information provided by the Administration was issued to members vide LC Paper No. FC218/16-17(01) on 10 July 2017.]

18. Mr Nathan LAW and Mr LEUNG Kwok-hung criticized that the Government's way of presenting costs information had made it difficult for members to grasp the actual costs and cost overruns of individual works items under the project.

19. Dr YIU Chung-yim suggested that the Government should consider improving the way of presenting costs information of public works projects, so that members could grasp the actual costs of individual works items under the projects. Mr CHU Hoi-dick supported Dr YIU's suggestion.

20. PGE/RD, HyD responded that when drawing up a funding proposal, the Government would provide a breakdown of various cost items to facilitate members' understanding of the relevant expenditure. However, when the funding provisions were actually expended, it was difficult for the Government to correspond each and every sum of payment with one particular cost item. He also pointed out that when making payments, MTRCL would verify the actual costs incurred by the contractor in accordance with established procedures. The Under Secretary for Transport and Housing ("USTH") added that the Government had put in place an audit mechanism under which the costs incurred by MTRCL would be monitored by the Highways Department, and the Director of Highways ("DHy") would be subject to the Audit Commission's monitoring. He stressed that, in respect of this item, the question of having unclear accounts would not arise. He also noted the view expressed by Dr YIU Chung-yim and undertook to discuss the same with relevant departments. DHy advised that MTRCL was required to furnish relevant information to the Government if the project incurred additional costs. The Government would verify the relevant costs and make detailed enquiries with MTRCL in case of doubts.

21. The Permanent Secretary for Financial Services and the Treasury (Treasury) advised that funding provisions for infrastructure projects were calculated in MOD prices. In the funding proposals, the Government would first present project costs at today's prices, and "price adjustment factors" were used to reflect the impact of inflation. If supplementary provision was required, the Government would, in its funding application paper, indicate the project costs at today's prices and the corresponding costs at approval-day prices respectively.

22. Referring to the target-cost contract approach, Dr YIU Chung-yim enquired about the handling of cost overruns (including the triggering of the pain-share arrangement) due to: (a) price factors; and (b) unforeseen circumstances; and whether the cost overruns would be paid out of the provision for contingencies or the provision for price adjustments. He also sought details about the use of the provision for price adjustments.

23. Projects Director, MTR Corporation Limited ("PD/MTRCL") responded that if the cost overrun was caused by price factors, pain-share would be triggered such that part of the additional costs would be shared by the contractor. In this item, the contractor's share of the additional costs was \$20 million, and the sum had already been deducted from the actual project costs. If the cost overrun was caused by unforeseen conditions, pain-share would not be triggered. In any case, the additional costs to the contractor would be paid out of the provision for contingencies. If the provision for contingencies was exhausted, the Government would need to apply for supplementary provision from LegCo. He also said that provision for price adjustments was similar to contract contingencies in a target-cost contract, and the sum would be reflected in the actual project costs. PGE/RD, HyD supplemented that the actual costs incurred by the contractor would vary according to changes in price factors. Given that the payment receivable by the contractor was made by MTRCL in the form of a lump sum, it would be difficult to differentiate the costs that were paid out of the provision for price adjustments.

24. Mr CHU Hoi-dick opined that LegCo could invite the Audit Commission to audit the accounts of this works project and report its findings to the Public Accounts Committee. Mr LEUNG Kwok-hung concurred with Mr CHU's view.

25. USTH responded that it was inappropriate for executive departments to comment on or interfere with the operation of the Audit Commission. Members could make the relevant request to the Audit Commission on their own.

26. Ms Tanya CHAN enquired about the reasons for increasing the provision for price adjustments. Mr Nathan LAW asked why, in respect of this item, such a large sum was required for the provision for price adjustments and whether the Administration could confirm that the provision for price adjustments was used entirely to offset the impact of inflation.

27. PGE/RD, HyD explained that when preparing project estimates, the Government would make reference to the relevant costs of similar projects undertaken previously to determine the base cost estimates with provision for price adjustments factored in to cope with price changes over the construction period. The sum of base cost estimates and provision for price adjustments was the project cost in MOD prices set out in a funding application. Given the changes in price adjustment factors in recent years, it was necessary to increase the provision for price adjustments accordingly. He also said that various items in the cost breakdown set out in the funding application were only estimated figures, rather than the actual costs expended to cope with the impact of inflation.

28. Ms Tanya CHAN sought details about the use of provision for contingencies in this item. PD/MTRCL and DHy responded that provision for contingencies was spent on the additional costs incurred by the project, and the Government did not have a cost breakdown for the provision for contingencies.

29. In response to Mr Nathan LAW's enquiry as to why the construction of the footbridge link to Wong Chuk Hang industrial area had incurred a cost overrun of as much as \$20 million, GM/MTRCL replied that the length of the footbridge measured 130 metres. This, coupled with the complicated underground utilities encountered during the foundation works, had increased the construction costs.

Unfavourable ground conditions

30. Mr Nathan LAW noted that the cost overruns incurred by this item were partly attributable to unfavourable ground conditions. He asked whether the site investigation works conducted by MTRCL in the course of project implementation conformed to the requirements in the relevant guidelines, and whether the Administration and MTRCL would make technical adjustments to the ground investigation works to be undertaken in future. Mr LAW also urged the Administration to review whether it was necessary to update the Geoguide. Ms Tanya CHAN concurred with Mr LAW's views.

31. GM/MTRCL responded that the site investigation works conducted by MTRCL complied with the requirements set out in the Geoguide issued by the Geotechnical Engineering Office. He said that MTRCL would learn from the experience and improve its ground investigation works in future. DHy supplemented that the Government had been updating the Geoguide through technical guidance notes issued from time to time. The Geoguide was last updated in 2014.

32. Mr LEUNG Kwok-hung said that while MTRCL was aware that its ground investigation works might be affected by the Wong Chuk Hang Nullah and the rainy season, no contingency arrangements had been made correspondingly. As a result, cost overruns had been incurred as the project, having been adversely affected by unfavourable ground conditions, had to use falseworks that were more expensive. He questioned whether human errors were involved in the investigation works. Enquiring about the relevant decision-making process, he asked whether the government departments concerned (including the Buildings Department ("BD") and the Civil Engineering and Development Department ("CEDD")) had failed to perform their gatekeeping role properly. Mr LEUNG sought written records from the Government in relation to the negotiation among all three parties, i.e. the Administration, MTRCL and the contractor, on problems which eventually led to cost overruns of the project, such as drill hole investigations, the construction of falseworks as well as the handling of underground utilities.

33. GM/MTRCL responded that a design consultant was engaged by MTRCL to draw up the plan for pre-construction investigations. The relevant plan was reviewed by MTRCL's internal registered geotechnical engineers before being submitted to BD and CEDD. MTRCL did not receive any comments from those government departments. PD/MTRCL supplemented that due to underground boulders in the construction site, longer piles had to be deployed in order to reach the stronger rock strata. As a result, the progress of foundation works was behind schedule with part of the works uncompleted before the rainy season and hence, necessitating the use of construction methods that were more expensive. He undertook to provide the information requested by Mr LEUNG Kwok-hung. PGE/RD, HyD advised that the site conditions were quite complicated, and the unfavourable ground conditions were unforeseeable.

[Post-meeting note: The Chinese version of the supplementary information provided by the Administration was issued to members vide LC Paper No. FC218/16-17(01) on 10 July 2017.]

On-cost payable to the MTR Corporation Limited

34. Mr CHU Hoi-dick said that the SIL(E) project was developed through the "ownership" approach under which MTRCL funded the construction of the railway line in exchange for the topside property development rights at Wong Chuk Hang Station, which was expected to generate huge profits. As many items under the application for supplementary provision were implemented to facilitate the topside property developments at Wong Chuk Hang Station, he opined that MTRCL should bear the cost overruns. He also criticized MTRCL for seeking an additional design and management cost of \$29 million. Considering that part of the cost overruns was caused by negligence on MTRCL's part, Mr LEUNG Kwok-hung concurred with the view that MTRCL should not seek additional design and management cost.

35. Senior Manager (Projects and Property Communications), MTR Corporation Limited responded that the design and management costs receivable by MTRCL was used to meet project management expenses, which were not MTRCL's profits.

36. Mr Nathan LAW requested that information be provided by the Administration to explain the reasons why land premium was calculated on a green field basis (i.e. ignoring the presence of railway in assessing the land premium) when the Government granted topside property development rights at MTR stations to MTRCL, and whether consideration would be given by the Administration to requesting MTRCL to offset the cost overruns incurred by this project with the profits to be generated from topside property development.

[Post-meeting note: The Chinese version of the supplementary information provided by the Administration was issued to members vide LC Paper No. FC218/16-17(01) on 10 July 2017.]

Underground utilities more complicated than expected

37. Mr HUI Chi-fung asked whether human errors were involved in the cost overruns caused by unfavourable ground conditions and underground utilities being more complicated than expected. Moreover, as underground utilities were managed by the Government, he asked whether the Government should bear responsibility for the inaccurate utilities records.

38. GM/MTRCL responded that when undertaking advance works for the project, MTRCL had collected information from public utility companies and government departments concerned about the existing utilities within the works area and included the same in the design documents under the contract. In parallel, trial trenches/pits had been carried out to verify the accuracy of the information. Nonetheless, the contractor encountered substantial amount of uncharted utilities underneath some locations in the course of construction. DHy added that information about underground utilities was furnished by public utility companies on a voluntary basis, and the information was not subject to the Government's scrutiny. There was also no statutory requirement governing the accuracy of such information.

39. Mr HUI Chi-fung considered that given the absence of any requirements under the law for public utility companies to furnish information about underground utilities, future public works projects might still be beset by complicated underground utilities, resulting in cost overruns. He therefore urged the Administration to review the situation. Mr LEUNG Kwok-hung asked whether the Government could recover part of the additional costs from public utility companies that had not provided information about underground utilities.

40. In reply, DHy advised that the Development Bureau had explained the management of underground utilities at meetings of the Panel on Development. Having commissioned a consultancy study and consulted relevant stakeholders, the Government established the present arrangement under which public utility companies furnished utilities records on a voluntary basis through an electronic platform. Members might consider discussing the matter at relevant Panel(s).

Other issues

41. Mr CHU Hoi-dick requested the Administration to provide information on the project under which the cost of constructing a cover for the pedestrian link near the Wong Chuk Hang Station would be absorbed. DHy responded that the construction of the said pedestrian facility would be included in the block allocations under the Capital Works Reserve Fund. He also advised that the decision to take forward the relevant project was made at the request of local communities.

42. Ms Tanya CHAN pointed out that according to the management company of South Horizons, the wear and tear of some facilities in the housing estate was caused by the SIL(E) project. Meanwhile, it also had disputes with MTRCL over the maintenance responsibility of specific underground facilities. Enquiring about the progress of negotiation between the management company and MTRCL, she was concerned about whether the Administration would have to apply for supplementary provision should such disputes result in litigation.

43. USTH responded that the funding proposal was about EPIW provided by the Government, and had no direct relationship with the railway construction project. Moreover, as the railway construction cost was borne by MTRCL, it would not be necessary for the Government to seek funding approval from LegCo to meet the expenses incurred by the relevant legal proceedings (if any). He would urge MTRCL to step up its communication with the management company of South Horizons.

44. Ms Tanya CHAN asked whether there would be legal proceedings on compensation claims involving MTRCL and its contractors, and what arrangements would be made towards the expenses incurred by the relevant legal proceedings (if any).

45. DHy and GM/MTRCL responded that negotiation on compensation claims between MTRCL and the contractors was underway, and no legal proceedings on compensation claims were expected from the contractors. PD/MTRCL added that MTRCL would handle compensation claims from the contractors through its in-house legal team. If it was necessary to seek advice from independent consultants, the relevant expenses would be included in the project costs.

46. At 7:22 pm, the Chairman advised that he had already received four motions proposed to be moved by members under FCP 37A. He also called on other members to submit their proposed motions as soon as possible.

47. The meeting ended at 7:26 pm.

點名表決 DIVISION: 30
日期 DATE: 23/06/2017
時間 TIME: 05:30:42 下午 PM

動議 MOTION: 朱凱迪議員根據《財務委員會會議程序》第21段就議程項目FCR(2017-18)14 動議的議案
Motion moved by Hon CHU Hoi-dick under paragraph 21 of the Finance Committee
Procedure on the agenda item FCR(2017-18)14

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 Negative

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		
涂謹申	James TO			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	反對	NO	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-kiwok	反對	NO
林健鋒	Jeffrey LAM	反對	NO	鍾國斌	CHUNG Kwok-pan	反對	NO
黃定光	WONG Ting-kiwong	反對	NO	楊岳橋	Alvin YEUNG	贊成	YES
李慧琼	Starry LEE			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		
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	反對	NO
田北辰	Michael TIEN	反對	NO	邵家臻	SHIU Ka-chun		
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	贊成	YES	陳沛然	Dr Pierre CHAN		
姚思榮	YIU Si-wing	反對	NO	陳振英	CHAN Chun-ying	反對	NO
馬逢國	MA Fung-kiwok	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			鄭松泰	Dr CHENG Chung-tai	贊成	YES
郭家麒	Dr KWOK Ka-ki	贊成	YES	鄺俊宇	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	贊成	YES				

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