

立法會
Legislative Council

LC Paper No. CB(4)132/17-18
(These minutes have been seen
by the Administration)

Ref: CB4/PS/1/16

Panel on Transport

Subcommittee on Matters Relating to Railways

Minutes of meeting on
Friday, 2 June 2017, at 10:45 am
in Conference Room 1 of the Legislative Council Complex

Members present : Hon Michael TIEN Puk-sun, BBS, JP (Chairman)
Hon LAU Kwok-fan, MH (Deputy Chairman)
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon LEUNG Kwok-hung
Hon Claudia MO
Hon Frankie YICK Chi-ming, JP
Hon YIU Si-wing, BBS
Hon CHAN Han-pan, JP
Dr Hon KWOK Ka-ki
Dr Hon Helena WONG Pik-wan
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon Alvin YEUNG
Hon CHU Hoi-dick
Hon LAM Cheuk-ting
Hon Wilson OR Chong-shing, MH
Hon YUNG Hoi-yan
Hon CHAN Chun-ying
Hon Tanya CHAN
Hon LUK Chung-hung
Dr Hon CHENG Chung-tai
Hon Jeremy TAM Man-ho
Hon Nathan LAW Kwun-chung
Dr Hon YIU Chung-yim

Member attending : Hon Charles Peter MOK, JP

Members absent : Dr Hon Junius HO Kwan-yiu, JP
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 : **Agenda item III**

Mr Andy CHAN, JP
Deputy Secretary for Transport and Housing
(Transport)²

Mr Philip HAR
Principal Assistant Secretary for Transport and
Housing (Transport)⁴

Miss Rachel KWAN Chui-lan
Assistant Commissioner/Bus and Railway
Transport Department

Mr CHAN Chau-fat
Assistant Director/Railways (Ag.)
Electrical and Mechanical Services
Department

Mr WONG Lap-chi
Chief Engineer/Railways 1 (Ag.)
Electrical and Mechanical Services
Department

Agenda item IV

Mr YAU Shing-mu, JP
Under Secretary for Transport and Housing
Transport and Housing Bureau

Ms Rebecca PUN Ting-ting, JP
Deputy Secretary for Transport and Housing
(Transport)1
Transport and Housing Bureau

Mr Andy LAM Siu-hong
Principal Assistant Secretary for Transport and
Housing (Transport)3
Transport and Housing Bureau

Mr Daniel CHUNG Kum-wah, JP
Director of Highways
Highways Department

Mr Jimmy CHAN Pai-ming, JP
Principal Government Engineer/Railway
Development
Highways Department

Mr Alex CHAN Choi-wai
Government Engineer/Railway Development 2
Highways Department

Agenda item V

Mr YAU Shing-mu, JP
Under Secretary for Transport and Housing
Transport and Housing Bureau

Ms Rebecca PUN Ting-ting, JP
Deputy Secretary for Transport and Housing
(Transport)1
Transport and Housing Bureau

Mr Raymond CHENG Nim-tai
Principal Assistant Secretary for Transport and
Housing (Transport)7
Transport and Housing Bureau

Mr Daniel CHUNG Kum-wah, JP
Director of Highways
Highways Department

Mr Jimmy CHAN Pai-ming, JP
Principal Government Engineer/Railway
Development
Highways Department

Mr Jonathan LEUNG Man-ho
Government Engineer/Railway Development 1
Highways Department

Agenda item VI

Mr Andy CHAN, JP
Deputy Secretary for Transport and Housing
(Transport) 2

Mr Philip HAR
Principal Assistant Secretary for Transport and
Housing (Transport) 4

**Attendance by
invitation :**

Agenda item III

Mr Adi LAU
Operations Director
MTR Corporation Limited

Dr Tony LEE
Chief of Operations Engineering
MTR Corporation Limited

Ms Maggie SO
General Manager — Corporate Relations
MTR Corporation Limited

Agenda item IV

Dr Philco WONG
Projects Director
MTR Corporation Limited

Mr Simon TANG
General Manager — XRL
MTR Corporation Limited

Mr C L LEUNG
General Manager — XRL E&M
MTR Corporation Limited

Ms Maggie SO
General Manager — Corporate Relations
MTR Corporation Limited

Agenda item V

Dr Philco WONG
Projects Director
MTR Corporation Limited

Mr Jason WONG
General Manager — SCL Civil
(East West Line)
MTR Corporation Limited

Ms Prudence CHAN
Senior Manager — Projects and Property
Communications
MTR Corporation Limited

Agenda item VI

Mr Francis LI
Chief of Operating
MTR Corporation Limited

Mr Terry WONG
General Manager — Infrastructure
Maintenance
MTR Corporation Limited

Ms Maggie SO
General Manager — Corporate Relations
MTR Corporation Limited

Clerk in attendance : Ms Doris LO
Chief Council Secretary (4)6

Staff in attendance : Miss Katherine CHAN
Council Secretary (4)6

Ms Emily LIU
Legislative Assistant (4)6

Action

I. Information papers issued since the last regular meeting on 28 April 2017

Members noted that no papers had been issued since the last regular meeting.

II. Matters arising from the meeting on 28 April 2017

(LC Paper No. CB(4)1008/16-17(01) - Wording of a motion raised under the agenda item "Report on the review of the Mass Transit Railway By-laws and Mass Transit Railway (North-West Railway) Bylaw" by Dr Hon YIU Chung-yim)

Motion

2. The Chairman said that at the last meeting on 28 April 2017, Dr YIU Chung-yim proposed a motion under the agenda item on "Report on the review of the Mass Transit Railway By-laws and Mass Transit Railway (North-West Railway) Bylaw". However, due to insufficient meeting time, the Subcommittee agreed to deal with the motion at this meeting.

Action

3. The Chairman put to vote the following motion proposed by Dr YIU Chung-yim:

《香港鐵路附例》及《香港鐵路(西北鐵路)附例》修訂不應加入需要拆除車輪單車才可乘搭港鐵的規定。只要制定禁止騎單車的條文即可。

(Translation)

That the amendments to the Mass Transit Railway By-laws and Mass Transit Railway (North-West Railway) Bylaw should not include the requirement of removing a wheel from a bicycle before bringing the bicycle on the railway. It is only necessary to stipulate a provision on prohibition of cycling.

4. At the request of the Deputy Chairman, the Chairman ordered a division and that the voting bell be rung for five minutes. A total of eight members voted for the motion, three members voted against it and one abstained from voting. The votes of individual members were as follows:

For

Mr LEUNG Kwok-hung
Dr Helena WONG
Mr LAM Cheuk-ting
Mr Jeremy TAM
(8 members)

Dr KWOK Ka-ki
Mr Alvin YEUNG
Ms Tanya CHAN
Dr YIU Chung-yim

Against

Mr Frankie YICK
Ir Dr LO Wai-kwok
(3 members)

Mr YIU Si-wing

Abstain

Mr LAU Kwok-fan
(1 member)

5. The Chairman declared that the motion was carried.

(Post-meeting note: The Chinese version of the Administration's response to the motion passed was issued vide LC Paper No. CB(4)1438/16-17(01) on 20 July 2017.)

Action

III. Service disruption of East Rail Line on 18 May 2017

(LC Paper No. CB(4)1099/16-17(01) - MTR Corporation Limited's paper on the overhead line incident on MTR East Rail Line on 18 May 2017

LC Paper No. CB(4)1099/16-17(02) - Paper on service disruption of East Rail Line on 18 May 2017 and contingency arrangements for railway incidents by the MTR Corporation Limited by the Legislative Council Secretariat (background brief)

LC Paper No. CB(4)1097/16-17(01) - Letter from Hon LAM Cheuk-ting on the service disruption of East Rail Line on 18 May 2017)

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

MTRCL 7. On members' requests, the MTR Corporation Limited ("MTRCL") agreed to:

- (a) report on the outcome of MTRCL's investigation into the service disruption of East Rail Line ("ERL") on 18 May 2017 ("the Incident");
- (b) provide photo(s) of the damaged pantograph;
- (c) supplement details on the inspection and maintenance for pantographs and overhead lines for ERL; and
- (d) advise whether it was feasible to provide the passenger delay minutes of the Incident (i.e. the number of minutes of service delayed multiplied by the number of passengers affected).

Action

IV. Progress update of the construction of the Hong Kong section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link

(LC Paper No. CB(4)1099/16-17(03) - Administration's paper on the progress and financial situation of the construction of the Hong Kong section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (quarterly report for the period ending 31 March 2017)

LC Paper No. CB(4)1099/16-17(04) - Paper on the construction of the Hong Kong section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link prepared by the Legislative Council Secretariat (updated background brief)

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

9. On a member's request, MTRCL agreed to provide a written explanation on the substantial increase in the amount of claims associated with electrical and mechanical works since June 2015.

(Post-meeting note: The Chinese and English versions of the supplementary information were circulated to members vide LC Paper No. CB(4)22/17-18(01) on 12 and 18 October 2017 respectively.)

V. Progress update of the construction of the Shatin to Central Link

(LC Paper No. CB(4)1099/16-17(05) - Administration's paper on the progress update of the construction of the Shatin to Central Link (as at 31 March 2017)

LC Paper No. CB(4)1099/16-17(06) - Paper on the construction of the Shatin to Central

Link prepared by the
Legislative Council
Secretariat (updated
background brief))

10. The Subcommittee deliberated (index of proceedings at **Annex**).
11. On a member's request, the Administration/MTRCL agreed to provide the detailed conservation plan for the archaeological findings at the works sites of To Kwa Wan Station, including whether the monuments and antiques unearthed would be displayed at that Station.

(Post-meeting note: The Chinese version of the supplementary information was circulated to members vide LC Paper No. CB(4)122/17-18(01) on 27 October 2017.)

VI. Manpower resources for railway services

(LC Paper No. CB(4)1099/16-17(07) - MTR Corporation Limited's paper on manpower resources for railway services

LC Paper No. CB(4)1099/16-17(08) - Paper on manpower resources for railway services prepared by the Legislative Council Secretariat (background brief))

12. Due to insufficient meeting time, the Chairman proposed and members raised no objection to not discussing this item at this meeting.

VII. Any other business

13. There being no other business, the meeting ended at 1:35 pm.

Panel on Transport

Subcommittee on Matters Relating to Railways

**Proceedings of the meeting
on Friday, 2 June 2017, at 10:45 am
in Conference Room 1 of the Legislative Council Complex**

| Time marker | Speaker | Subject(s) | Action required |
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| <i>Agenda Item I – Information papers issued since the last regular meeting on 28 April 2017</i> | | | |
| 000524 – 000550 | Chairman | Members noted that no papers had been issued since the last regular meeting. | |
| <i>Agenda Item II – Matters arising from the meeting on 28 April 2017</i> | | | |
| 000551 – 001303 | Chairman Clerk | Voting on the motion raised under the agenda item on "Report on the review of the Mass Transit Railway By-laws and Mass Transit Railway (North-West Railway) Bylaw" at the last meeting on 28 April 2017. | |
| <i>Agenda Item III – Service disruption of East Rail Line ("ERL") on 18 May 2017</i> | | | |
| 001304 – 003014 | Chairman Administration MTR Corporation Limited ("MTRCL") | Briefing by the Administration and MTRCL [LC Paper No. CB(4)1149/16-17(01)]. | |
| 003015 – 003528 | Chairman Mr LAM Cheuk-ting MTRCL | <p>Mr LAM enquired about:</p> <p>(a) whether any testing was conducted on the batch of pantographs fixed with carbon strips of the same model as the damaged one before such pantographs were put into service;</p> <p>(b) the reasons why there was a lapse of 55 minutes before detraining the passengers stranded on the train stopped near Mong Kok East Station; and</p> <p>(c) whether MTRCL would, in case of railway incidents in future, consider providing the affected passengers with timely updates on the estimated time of train service resumption.</p> <p>MTRCL responded that:</p> <p>(a) testing had been conducted before the concerned pantographs were put into service on some ERL trains in 2014. MTRCL was working with the supplier and an independent expert to find out the causes of the damage;</p> | |

| Time marker | Speaker | Subject(s) | Action required |
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| | | <p>(b) to ensure safety, MTRCL staff had to confirm that the affected section between Hung Hom Station and Mong Kok East Station was de-energized and no train was on the track before detraining the passengers; and</p> <p>(c) MTRCL would explore the dissemination of an estimated time of service recovery on the MTR Mobile App "Traffic News" in future incidents.</p> | |
| 003529 – 004036 | Chairman Dr KWOK Ka-ki Administration MTRCL | <p>Dr KWOK expressed the views that:</p> <p>(a) MTRCL's senior management staff should be held accountable for railway incidents, the frequent occurrences of which recently might have also revealed the ageing problem of the railway system; and</p> <p>(b) the carbon strips procured in 2014 to replace the original ones might have quality problem.</p> <p>MTRCL explained that:</p> <p>(a) it had invested substantially in enhancing, renewing and maintaining its railway assets and infrastructure, and put in place a stringent maintenance regime that met an internationally recognized standard; and</p> <p>(b) the damaged pantograph was fixed with different components, including the concerned carbon strips which were made in the United Kingdom. MTRCL had been looking into the causes of the damage.</p> <p>The Administration advised that, upon the request of the Administration, the Board of MTRCL had decided in 2014 to include serious service disruptions as a consideration in the payment of performance-based remuneration to MTRCL's senior management staff.</p> | |
| 004037 – 004627 | Chairman Mr Alvin YEUNG Administration MTRCL | <p>Mr YEUNG asked about:</p> <p>(a) the reasons for replacing some carbon strips in 2014;</p> <p>(b) the maximum operating time of the backup power supply for emergency lighting and ventilation; and</p> | MTRCL (paragraph 7(b) of the minutes referred) |

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| | | <p>(c) whether the Administration would enhance franchised bus services, including introducing new bus routes, to reduce reliance on railway services.</p> <p>MTRCL responded that:</p> <p>(a) the carbon strips put into service in 2014 were the latest model of the type at that time. They were used to improve the performance in collecting electricity from the overhead lines. At Mr YEUNG's request, MTRCL agreed to provide photo(s) of the damaged pantograph; and</p> <p>(b) the backup power supply on trains lasted for around an hour. With this in view, MTRCL would aim for shortening the time for detrainment of passengers as far as possible.</p> <p>The Administration advised that an appropriate balance amongst various public transport modes was maintained, with railway and non-railway modes occupying some 40% and 60% of the daily public transport journeys respectively. The Administration pointed out that during railway incidents, apart from the provision of free shuttle bus services by MTRCL, other public transport modes (including franchised buses) would also strengthen their services where necessary. Having said that, given the high carrying capacity of railway vis-à-vis other public transport modes, these contingency measures could only mitigate the inconvenience caused to passengers to a certain extent and could not replace normal railway service.</p> | |
| 004628 – 005105 | Chairman Mr Jeremy TAM Administration MTRCL | <p>Mr TAM asked if similar problem had occurred to other pantographs, including those used in other countries/places, that were fixed with carbon strips of the same model as the damaged one.</p> <p>MTRCL explained that:</p> <p>(a) as a precautionary measure, all the other 25 pantographs fixed with the concerned carbon strips would be replaced with the original model; and</p> <p>(b) it would take some time for the supplier and the independent expert to investigate into the causes for the damage. They would also</p> | |

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| | | <p>ensure if other carbon strips of the same model in other countries/places had similar problems.</p> <p>The Administration advised that it was following up with MTRCL on the issue raised by Mr TAM.</p> | |
| 005106 – 005542 | Chairman Deputy Chairman MTRCL | <p>The Deputy Chairman was of the view that:</p> <p>(a) MTRCL should use advanced technology for maintenance of the power supply system, and more visual inspections of overhead lines should be conducted; and</p> <p>(b) MTRCL had to review its procurement process to find out any deficiencies.</p> <p>MTRCL responded that:</p> <p>(a) apart from regular visual inspections, its maintenance staff would inspect the overhead line system with a Track and Overhead Line Geometry Recording Vehicle, and with an aerial working platform vehicle regularly; and</p> <p>(b) it had put in place stringent procedures for procurement.</p> | |
| 005543 – 010015 | Chairman MTRCL | <p>The Chairman considered that:</p> <p>(a) the decision to procure the concerned pantograph components for replacing the original ones was not well thought out; and</p> <p>(b) MTRCL should carefully investigate into the cause of the incident and report to members on its findings to allay concerns over the unusual occurrence of the overhead line being pull down by the damaged pantograph.</p> <p>MTRCL assured members that it had been conducting an in-depth investigation with a view to preventing recurrence of similar incidents in future.</p> | MTRCL (paragraph 7(a) of the minutes referred) |
| 010016 – 010442 | Chairman Ms Tanya CHAN MTRCL | <p>Ms CHAN asked about:</p> <p>(a) the number of other pantographs that were not replaced with the concerned model of carbon strips; and</p> | |

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| | | <p>(b) the reasons for replacing the carbon strips in 2014, and whether MTRCL had monitored their performance after the replacement.</p> <p>MTRCL explained that:</p> <p>(a) in total 116 pantographs of the concerned ERL train fleet had been fitted with carbon strips of the original model by the time of the meeting; and</p> <p>(b) the new model was chosen as it produced less friction when contacting with the overhead lines, and hence was more durable. MTRCL staff would closely monitor the functioning of any new components.</p> | |
| 010443 – 010900 | Chairman Dr Helena WONG MTRCL | <p>Dr WONG considered that more frequent inspections of pantographs should be conducted, rather than just once in every 21 days. She also asked about the expected service life of the concerned carbon strips.</p> <p>MTRCL advised that the frequency of inspecting pantographs and their components was determined according to the suppliers' recommendations and MTRCL's past experience. On Dr WONG's further enquiry, it agreed to supplement details about the inspection and maintenance for pantographs and overhead lines for ERL.</p> | MTRCL (paragraph 7(c) of the minutes referred) |
| 010901 – 011321 | Chairman Mr LUK Chung-hung MTRCL | <p>Mr LUK considered that:</p> <p>(a) MTRCL should strengthen its manpower in railway maintenance, and retain frontline maintenance staff by improving their remuneration; and</p> <p>(b) MTRCL should explore the use of advanced technology for checking the overhead lines in parallel with the checking by visual inspections.</p> <p>MTRCL responded that:</p> <p>(a) MTRCL had attached importance in ensuring the provision of sufficient manpower resources in carrying out railway inspection and maintenance works, and clear guidelines and training for frontline maintenance staff; and</p> | |

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| | | (b) the maintenance inspection cycle for the pantographs was 21 days. Equipment would be used to check their conditions. Detailed checking was conducted every three years. | |
| 011322 – 011808 | Chairman Mr Wilson OR Administration MTRCL | <p>Mr OR enquired about:</p> <p>(a) MTRCL's plan for enhancing its contingency measures during railway incidents; and</p> <p>(b) the Administration's follow-up actions after receiving the investigation reports on railway incidents from MTRCL.</p> <p>MTRCL responded that it had conducted regular staff training and emergency drills with relevant government departments in preparation for railway incidents. It would seek continuous improvements in the contingency arrangements taking into account the views collected from affected passengers in railway incidents and the Legislative Council ("LegCo") Members.</p> <p>The Administration explained that it would review the investigation report on railway incidents, and advise and follow up with MTRCL on improvement actions. Where necessary, the Administration would also separately engage an external expert to give independent advice.</p> | |
| 011809 – 012218 | Chairman Dr CHENG Chung-tai MTRCL | <p>Dr CHENG criticized MTRCL for taking a hasty decision to replace the original pantograph carbon strips with the faulty model. He raised doubts about the effectiveness of MTRCL in overseeing the procurement operations of ERL after taking over the railway network from the then Kowloon-Canton Railway Corporation.</p> <p>MTRCL reiterated that it had ensured due process in the procurement of the new carbon strips. The rail merger had not affected the effective procurement operations of ERL.</p> | |
| 012219 – 012934 | Chairman Ms Claudia MO Administration MTRCL | <p>Given the frequent occurrences of railway incidents, Ms MO urged the Administration to step up measures to enhance railway service performance.</p> <p>The Administration responded that:</p> | MTRCL (paragraph 7(d) of the minutes referred) |

| Time marker | Speaker | Subject(s) | Action required |
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| | | <p>(a) the number of serious service disruption incidents had remained at a low level since the Rail Merger; and</p> <p>(b) upon Government's request, MTRCL had set up a Risk Committee to oversee the Corporation's risk profile. MTRCL had also created an Engineering Director post to drive engineering excellence. To enhance monitoring of MTRCL's railway operation, the Electrical and Mechanical Services Department had also strengthened its manpower resources in its Railways Branch.</p> <p>The Chairman requested MTRCL to advise whether it was feasible to provide the passenger delay minutes of the service disruption incident concerned (i.e. the number of minutes of service delayed multiplied by the number of passengers affected).</p> | |
| <p><i>Agenda Item IV – Progress update of the construction of the Hong Kong section ("HKS") of the Guangzhou-Shenzhen-Hong Kong Express Rail Link ("XRL")</i></p> | | | |
| 012935 – 013332 | Chairman Administration | Briefing by the Administration [LC Paper No. CB(4)1099/16-17(03)]. | |
| 013333 – 013811 | Chairman Ms Claudia MO Administration | <p>Ms MO pointed out that the Administration's paper had mentioned about the construction of a Mainland port area ("MPA") inside West Kowloon Station ("WKS"). She doubted why an MPA was being constructed before the implementation of Hong Kong and Mainland customs, immigration and quarantine ("CIQ") at WKS of HKS of XRL ("the co-location arrangement") was finalized. She also asked about the progress of the construction of Mainland section of cross-boundary tunnels.</p> <p>The Administration responded that:</p> <p>(a) the construction of boundary control facilities was included in the funding application for the HKS of XRL project approved by the Finance Committee ("FC") back in January 2010; and</p> <p>(b) the construction of Mainland section of cross-boundary tunnels was in progress. The Highways Department ("HyD") would continue to liaise with relevant Mainland authorities concerned and closely monitor the progress of the remaining works with the assistance of its</p> | |

| Time marker | Speaker | Subject(s) | Action required |
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| | | Monitoring and Verification Consultant ("M&V Consultant"). | |
| 013812 – 014237 | Chairman Mr LAM Cheuk-ting Administration | <p>Mr LAM demanded early announcement on the proposal on the co-location arrangement within the current term of the Government ending on 30 June 2017 for consultation with LegCo and the public.</p> <p>The Administration responded that it was pressing ahead the discussion with the relevant Mainland authorities on the legal arrangement for implementing the co-location arrangement to tie in with the target commissioning date (i.e. third quarter of 2018). It would give an account to LegCo and the public as soon as practicable.</p> | |
| 014238 – 014654 | Chairman Mr Jeremy TAM Administration | <p>Mr TAM expressed concerns about various issues relating to the co-location arrangement, such as emergency and rescue plans and security measures to be taken against smuggling via Shek Kong Stabling Sidings which would not have CIQ facilities.</p> <p>The Administration responded that it had paid due regard to various pertinent issues including security matters in devising the co-location arrangement.</p> | |
| 014655 – 015113 | Chairman Deputy Chairman Administration | <p>The Deputy Chairman expressed support to the co-location arrangement. He was of the view that:</p> <p>(a) implementing the co-location arrangement, which was not without precedents, was key to realizing the maximum benefits of HKS of XRL; and</p> <p>(b) the Administration should put forward a concrete proposal including implementation timetable for and details of the co-location arrangement for early discussion and scrutiny by LegCo.</p> <p>The Administration reiterated that it was pressing ahead the discussion with relevant Mainland authorities. Both sides agreed that the target should be to implement the co-location arrangement that would comply with both the Basic Law and the principle of "One Country, Two Systems". When both sides had reached a consensus regarding the co-location arrangement, the Administration would report to LegCo and the public as soon as possible, and then proceed with the local legislative work.</p> | |

| Time marker | Speaker | Subject(s) | Action required |
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| 015114 – 015559 | Chairman Dr Helena WONG Administration MTRCL | <p>Dr WONG asked about:</p> <p>(a) the exercise of jurisdictions of Hong Kong and the Mainland in MPA, as well as its construction cost; and</p> <p>(b) reasons for the substantial increase in the amount of claims associated with electrical and mechanical ("E&M") works since June 2015.</p> <p>The Administration responded that details relating to MPA would be announced in due course.</p> <p>MTRCL explained that the delay in the target completion of HKS of XRL had given rise to the need for revising the programme of subsequent E&M works, hence the additional costs incurred. Substantiated claims had been received from the E&M contractors since 2015. On Dr WONG's request, MTRCL agreed to provide the details of the cost increase after the meeting.</p> | MTRCL (paragraph 9 of the minutes referred) |
| 015600 – 020032 | Chairman Dr YIU Chung-yim Administration MTRCL | <p>Dr YIU continued to ask about the details of the co-location arrangement, such as the delineation of MPA inside WKS. He also asked about:</p> <p>(a) further details of the substantiated claims including the cost shared by contractors under the pain share/gain share mechanism; and</p> <p>(b) details of any liquidated damages paid by the E&M contractors to MTRCL.</p> <p>The Administration responded that it was premature at this stage to disclose further details on the co-location arrangement. On Dr YIU's request, the Administration agreed to liaise with MTRCL for arranging a site visit to HKS of XRL for members.</p> <p>MTRCL then explained that:</p> <p>(a) contractors had to provide sufficient justifications with detailed supporting documents to substantiate their claims. MTRCL examined every claim to ensure strict compliance with the contract terms and established procedures; and</p> <p>(b) the E&M contractors were liable for any liquidated damages after the substantial completion of the works. As the E&M works</p> | |

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| | | <p>were still in progress, information about liquidated damages was not yet available.</p> | |
| 020033 – 020500 | Chairman Administration | <p>The Chairman enquired about the details of the discussions between the Administration and MTRCL on the operation of HKS of XRL, including the terms of the service concession.</p> <p>The Administration responded that the HKS of XRL project had been taken forward on the assumption that MTRCL would be invited to operate HKS of XRL under a service concession approach. The Administration had already commenced discussion with MTRCL in this regard.</p> | |
| 020501 – 020904 | Chairman Mr YIU Si-wing Administration MTRCL | <p>Mr YIU asked about:</p> <p>(a) the operational details of HKS of XRL, including the Mainland cities to be connected by XRL and the fare levels. He also asked when the Administration would announce relevant details; and</p> <p>(b) whether the construction progress of HKS of XRL had been affected by the recent heavy rainstorm.</p> <p>The Administration explained that it had been discussing with the Mainland railway operation authorities and MTRCL on the operational details of HKS of XRL, including fare setting.</p> <p>MTRCL responded that the recent heavy rainstorm had not affected the construction progress much. It added that the target completion date of HKS of XRL had already included a contingency period to take account of known risks and uncertainties, including inclement weather. Delay recovery measures would be carried out to catch up the progress as appropriate.</p> | |
| 020905 – 021308 | Chairman Mr CHAN Chun-ying MTRCL | <p>Mr CHAN asked about the mechanism for assessing claims from contractors, and the projected total amounts of cumulative expenditure for the awarded contracts and compensation for all substantiated claims by contractors.</p> <p>MTRCL responded that:</p> | |

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| | | <p>(a) as at 31 March 2017, 258 cases of substantiated claims were resolved. Subject to the needs of individual works and progress of the relevant assessment and discussion, interim awards had been made for some cases. The updated financial expenditure of the construction of HKS of XRL had been reflected in each quarterly report submitted to LegCo; and</p> <p>(b) resolution of the contractual claims would be monitored by a high-level inter-departmental Project Supervision Committee. The M&V Consultant appointed by HyD would also examine the handling of contractual claims by MTRCL.</p> | |
| 021309 – 021707 | Chairman Ms Tanya CHAN Administration MTRCL | <p>Ms CHAN was disappointed that the co-location arrangement remained unresolved after prolonged study by the Administration. She expressed the concern that implementation of a co-location arrangement at WKS of HKS of XRL might contravene Article 18 of the Basic Law.</p> <p>The Administration reiterated that the Government and the Mainland authorities were pressing ahead discussions on the co-location arrangement.</p> | |
| 021708 – 022119 | Chairman Mr Nathan LAW Administration MTRCL | <p>Mr LAW asked if the testing and commissioning ("T&C") of HKS of XRL to be conducted in the second half of 2017 would cover the CIQ procedures for passengers. He also asked about the details of the co-location arrangement such as the setting up of CIQ facilities, and the exercise of Hong Kong and Mainland jurisdictions at WKS.</p> <p>MTRCL explained that T&C of HKS of XRL to be conducted in the second half of 2017 aimed at cross-boundary dynamic testing for XRL trains, and would not involve any passengers.</p> <p>The Administration reiterated that discussions relating to co-location arrangements and necessary construction works were in progress.</p> | |
| 022120 – 022528 | Chairman Mr CHAN Han-pan Administration | <p>Mr CHAN pointed out that:</p> <p>(a) the co-location arrangement was critical to fully unleashing the transport, social and economic benefits of the HKS of XRL project; and</p> | |

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| | | <p>(b) according to the findings of a survey, nearly 70% of the interviewees supported the co-location arrangement, while some of them indicated that they were not familiar with the arrangement. He opined that the Administration should enlist wider public support.</p> <p>The Administration noted his views.</p> | |
| <i>Agenda Item V – Progress update of the construction of the Shatin to Central Link ("SCL")</i> | | | |
| 022529 – 023059 | Chairman Administration | Briefing by the Administration [LC Paper No. CB(4)1099/16-17(05)]. | |
| 023100 – 023524 | Chairman Mr LEUNG Kwok-hung Administration MTRCL | <p>Mr LEUNG enquired about:</p> <p>(a) the reasons for the further cost increases of the SCL project; and</p> <p>(b) the effectiveness of the existing monitoring mechanism in reducing the risks of further project delay and cost overrun.</p> <p>MTRCL responded that the construction works of SCL were affected by various factors, including the archaeological and conservation works at To Kwa Wan Station and the enabling works to cater for the topside development at Exhibition Station.</p> <p>The Administration explained that:</p> <p>(a) a detailed review for the costs of the main works of SCL would be completed by MTRCL in the second half of 2017; and</p> <p>(b) application for additional funding for the advance railway works of SCL had been submitted to and was under consideration by FC for approval.</p> | |
| 023525 – 024003 | Chairman Dr YIU Chung-yim Administration MTRCL | <p>Dr YIU asked about further details on the discovery of the large metal object found on the seabed within the reclamation area under Wan Chai Development Phase II ("WDII"), and the related impact on the works progress and construction costs of SCL.</p> <p>MTRCL responded that the discovery of the large metal object had resulted in the suspension of reclamation and associated works, and also adversely affected the site handover arrangement in</p> | |

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| | | <p>some works areas, such as the reclamation site under WDII, and the work sites of Exhibition Station and Central-Wan Chai Bypass ("CWB"). The deferred site handover had resulted in a cost increase in the main works. MTRCL would continue to liaise with relevant government departments on the site handover arrangement.</p> <p>The Administration explained that several government projects in the area, such as WDII and CWB, were also affected by the discovery of the large metal object. Relevant works departments would take mitigation measures to avoid further delay.</p> | |
| 024004 – 024319 | Chairman Deputy Chairman MTRCL | <p>The Deputy Chairman asked about:</p> <p>(a) whether MTRCL would increase the frequency of train service and arrange special trains at some busy stations, including Sheung Shui Station and Fanling Station, during peak hours after replacing the existing 12-car trains with the new nine-car trains; and</p> <p>(b) the reasons for postponing the installation of Automatic Platform Gates ("APGs") at the ERL stations.</p> <p>MTRCL responded that:</p> <p>(a) after the replacement of the signalling system of ERL, the train frequency could be increased from 20 to 27 trains per hour. MTRCL would closely monitor the passenger flow and operate additional train trips when necessary; and</p> <p>(b) MTRCL was reviewing the feasibility of launching the new trains progressively upon the commissioning of the East-West Corridor of SCL and its diversion effect. Hence, the installation programme of APGs was required to be adjusted accordingly.</p> | |
| 024320 – 024739 | Chairman Dr Helena WONG MTRCL | <p>Dr WONG enquired about:</p> <p>(a) the detailed conservation plan for the archaeological findings at the works sites of To Kwa Wan Station, including whether the monuments and antiques unearthed would be displayed in-situ at the Station in future; and</p> | MTRCL (paragraph 11 of the minutes referred) |

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| | | <p>(b) the grounds of the substantiated claims submitted by the SCL contractors.</p> <p>MTRCL agreed to provide the conservation plan as requested, and further responded that:</p> <p>(a) where there were situations not foreseeable at the tendering stage, such as the archaeological and conservation works at To Kwa Wan Station and unfavourable geological conditions, the SCL contractors were entitled to submit claims to MTRCL in accordance with the relevant contract terms; and</p> <p>(b) the substantiated claims submitted by the SCL contractors were mainly arising from civil works and E&M works. As at 31 March 2017, 68 cases of substantiated claims were resolved and about \$477.5 million were awarded.</p> | |
| 024740 – 025101 | Chairman Ms Tanya CHAN Administration | <p>Ms CHAN queried whether the enabling works at Exhibition Station would increase the construction costs of the main works of SCL; and whether the Hong Kong Trade Development Council would share the costs.</p> <p>The Administration responded that:</p> <p>(a) to allow flexibility for the construction of convention facilities above Exhibition Station, MTRCL was asked to carry out the enabling works. This would increase the construction costs of the main works of SCL; and</p> <p>(b) MTRCL was conducting a cost review of the main works of SCL, including the enabling works at Exhibition Station. The outcome of the review would be announced in due course.</p> | |
| <i>Agenda Item VI – Manpower resources for railway services [Note: This item was not dealt with at the meeting due to insufficient meeting time.]</i> | | | |
| <i>Agenda Item VII – Any other business</i> | | | |
| 025102 – 025235 | Chairman | <p>Closing remarks.</p> <p>Members agreed to seek for an extension of the Subcommittee's work in the 2017-2018 session.</p> | |