

Information Paper**for LegCo Members' Meeting with The Ombudsman
on 5 December 2017****I. Work of The Ombudsman's Office****(i) For the year 2016-2017****Enquiries and Complaints Processing**

In the 2016-2017 reporting year, the Office received a total of 11 564 enquiries and 4 862 complaints, while 4 974 complaints were concluded.

2. Statistics on complaints and enquiries for the past three years and the first seven months of 2017-2018 (that is, from April to October) are tabulated below:

		Reporting year ¹			
		2014-15	2015-16	2016-17	2017-18 (Apr – Oct)
(1)	Enquiries	12 940	12 159	11 564	7 241
(2)	Complaints				
	(a) For processing	6 241	6 112	5 732	3 769
	- Received	5 339[428]	5 244[213]	4 862[74]	3 011[44]
	- Brought forward	902	868	870	758
	(b) Completed	5 373[472]	5 242[224]	4 974[74]	2 971[50]
	Pursued and concluded	3 025[203]	3 100[205]	2 907[40]	1 702[40]
	- By inquiry ²	2 573[78]	2 740[175]	2 556[16]	1 444[33]
	- By full investigation ³	314[125]	226[30]	218[24]	110[14]
	- By mediation ⁴	138	134	133	148
	Assessed and closed⁵	2 348[269]	2 142[19]	2 067[34]	1 269[3]
	(c) Percentage completed = (b) / (a)	86.1%	85.8%	86.8%	N.A.
	(d) Carried forward = (a) – (b)	868	870	758	N.A.
(3)	Direct investigations completed and announced	7	8	11	8

- Note 1. From 1 April to 31 March of the following year.
- Note 2. Pursued under section 11A of The Ombudsman Ordinance, for general cases.
- Note 3. Pursued under section 12 of The Ombudsman Ordinance, for complex cases possibly involving serious maladministration, systemic flaws, etc.
- Note 4. Pursued under section 11B of The Ombudsman Ordinance, for cases involving no, or only minor, maladministration.
- Note 5. Restricted by The Ombudsman Ordinance, or not pursued and closed due to lack of grounds.
- [] Number of topical cases.
- N.A. Not applicable

3. Based on the allegations made by the complainants, the top three causes for complaint in 2016-2017 were:

- error, wrong advice/decision (33.8%);
- ineffective control (14.3%); and
- delay/inaction (12.9%).

These top three causes and their rankings were the same as in 2015-2016.

4. Of the 2 907 cases pursued and concluded, inquiry remained our chief mode of complaint handling and 87.9% were concluded by this mode, while 7.5% and 4.6% were concluded by full investigation and mediation respectively.

5. In 2014-2015, there was a surge in the number of cases resolved by mediation. Over the past two years, the number of cases resolved by mediation have maintained at a similar level. In 2016-2017, the average processing time in handling a mediation case was shortened significantly from 19 days in 2015-2016 to 13.4 days, with 54.9% of the cases concluded within ten days and 88.7% within a month. Based on the responses to the questionnaires we sent out, 91.7% of the complainants and all of the participating organisations considered our mediation to have achieved what they wanted, and 97.2% of the complainants and all of the participating organisations were satisfied with the work of our mediators.

6. Of the 218 complaints concluded by full investigation, 85 cases (39.0%) were substantiated, partially substantiated or unsubstantiated but other inadequacies found. Among the 2 556 inquiry cases concluded, inadequacies or deficiencies were found in 452 cases (17.7%).

Direct Investigation

7. The Ombudsman's power to conduct direct investigations in the absence of complaints enables her to look at matters at a macro level as opposed to individual cases, and to pursue issues raised by people not personally aggrieved. In 2016-2017, 11 direct investigations were completed on the following subjects:

- (1) Government's Tree Management Regime and Practices
- (2) Government's Handling of Four Stonewall Trees along Bonham Road
- (3) Marine Department's Follow-up Mechanism on Recommendations Made in Marine Incident Investigation Reports
- (4) Government's Follow-up Actions Regarding Insufficient Provision of Public Columbarium Niches
- (5) Temporary Closure of Public Swimming Pools/Beaches under Leisure and Cultural Services Department Due to Shortage of Lifeguards
- (6) Lands Department's System of Regularisation of Illegal Occupation of Government Land and Breach of Lease Conditions
- (7) Education Bureau's Regulation of Kindergarten Application Fees
- (8) Arrangements on Display of Publicity Materials in Public Housing Estates
- (9) Government Regulation of Special Transport Services for Persons with Mobility Difficulties
- (10) Education Bureau's Regulation of Institutions Offering Non-local Higher and Professional Education Courses
- (11) Housing Department's Mechanism for Taking Follow-up Action against Unauthorised Alterations by Public Housing Tenants

Recommendations

8. During the year, this Office made a total of 254 improvement recommendations on various aspects of public administration. Of these, 177 were related to individual complaint cases and 77 resulted from direct investigations. As at October 2017, 91.7% of the recommendations had been accepted by the departments and organisations concerned for implementation.

Performance Pledge

9. As regards our performance pledges, 97.3% of the complaint cases falling outside our jurisdiction or under restriction were concluded within ten working days, as compared to the service pledge of not less than 70%, while 99.9% were concluded within the target timeframe of 15 working days. For cases screened in for processing, 87.6% were concluded within three months, as compared to the service pledge of not less than 60%. Besides, we further lowered the percentage (to 0.2%) of cases not concluded within our pledge timeframe of six months for reasons such as case complexity, new developments of the case in the mid-stream of the process and delay of organisations/departments under complaint in tendering their replies to us.

(ii) For the first seven months (April to October) of 2017-2018

Enquiries and Complaints Processing

10. During the period from April to October 2017, the Office received a total of 7 241 enquiries and 3 011 complaints.

Direct Investigation

11. To date, eight direct investigations have been completed and announced, while 12 are in progress.

Direct Investigations Completed and Announced

- (1) Hong Kong Airport Authority's Mechanism for Issuing Airport Restricted Area Permits
- (2) Government's Regulation of Factory Canteens

- (3) Food and Environmental Hygiene Department's Criteria for Publicising List of Traders Involved after Issuing Food Safety Order
- (4) The Arrangement between Housing Department and Water Supplies Department Regarding Payment of Water Charges for Common Areas and Vacant Units in Public Housing Estates
- (5) Leisure and Cultural Services Department's Criteria and Procedures for Procuring and Withdrawing Library Materials
- (6) Lands Department's Enforcement against a Village House with Irregularities
- (7) Transport Department's Handling of a Road Section Enclosed and Left Idle for Prolonged Period
- (8) Food and Environmental Hygiene Department's System of Safety Control for Imported Fruits and Vegetables

12. The number of direct investigations to be completed in 2017-2018 is expected to be comparable to last year's.

13. In terms of procedures, most of the time we would conduct preliminary inquiries before deciding whether to initiate a direct investigation. To enhance the transparency of our direct investigation work, preliminary inquiries which are considered suitable will be developed into direct investigations as far as practicable. This will allow us to exercise our statutory power to publish the reports upon completion of the direct investigations. As before, we will publish all our direct investigation reports on the Office's website, and select those reports of wide public interest or community concern for announcement at press conferences.

Complaints Relating to Access to Information

14. We are mandated by The Ombudsman Ordinance to investigate matters relating to the Code on Access to Information ("the Code"). The Code is applicable to Government departments and some named public organisations

only. For other organisations not covered by the Code, complaints against them for refusing information requests from the public would be examined along the line of the principles of the Code in determining whether their refusals involve maladministration.

15. We note a rise in recent years in the number of complaint cases relating to access to information against both Government departments and public organisations covered by the Code as well as those organisations not covered by the Code, and such cases tend to be more complex. In the first seven months of 2017-2018, we already received 57 Code-related cases. The total number for the full year is expected to exceed the 85 cases recorded in 2016-2017, reflecting that members of the public are more aware of their right of access to information.

16. Among the complaints relating to access to information concluded in 2016-2017, we found inadequacies on the part of the organisations under complaint in more than 40% (or 42.4% to be more exact) of the cases. There is indeed room for improvement by departments/organisations in the handling of information requests from the public.

17. Enhancing transparency is fundamental to good governance. While we are empowered by law to investigate complaints concerning alleged non-compliance with the Code and to point out any unreasonable refusal by the Government to release information to members of the public, we are unable to compel the organisations in breach of the Code to make rectification or impose any penalty on them, given that the Code is not legally binding. In March 2014, on completion of our direct investigation into the access to information regime in Hong Kong, we recommended that the Government should consider enacting legislation to safeguard the public's right of access to information. We consider it important for the Government to quicken the pace in legislating for the freedom of information.

Enhancing Quality of Public Administration

18. Our investigations and recommendations have helped to spur Government departments and public organisations on to make improvements in various administrative measures, enhance the quality of public administration, and provide better services to the public. The two examples below can serve to illustrate our achievements.

19. In our Annual Report 2013, we encouraged public officers to apologise to complainants for any injustice that they have sustained, and urged the Government to initiate study and discussions on legislation in this area, with a view to enacting laws for the protection of parties making apologies. We are pleased to note that the Legislative Council passed the Apology Bill in July 2017, and the Apology Ordinance is to come into effect on 1 December 2017.

20. Another example is the Government's policy towards news reporting by online media organisations. The Information Services Department ("ISD") accepted our recommendations and reviewed its policy of "denying all online media organisations access for on-the-spot reporting". In September 2017, a new arrangement was introduced by ISD to grant eligible online-only media organisations access to cover Government press conferences and media events. They can also apply to become registered users of ISD's Government News and Media Information System to receive Government press releases and media invitations.

Public Education and Promotion

21. We attach great importance to publicising the Office's mission and functions. Our aim is to enhance public understanding of our work through diversified publicity strategies and channels. Following the five-episode television mini-series "The Ombudsman 5-minuter" produced in collaboration with the Radio Television Hong Kong in 2016, we launched another eight-episode drama series "Ombudsman's Special II" in April 2017. The series was broadcast through various media, including local television channels, online social platforms and public transport.

II. Replies to Questions Raised by Members

1. Issues relating to environmental hygiene

(to be raised by Hon Holden CHOW Ho-ding)

[At present, the Government adopts the approach of "lowest bid wins" in inviting tenders for outsourced cleansing services. The quality of such services has come under constant criticism. For example, due to the constant shortage of manpower and facilities of the cleansing service contractors, the environmental hygiene conditions in hygiene blackspots are far from satisfactory. Moreover, the Food and Environmental Hygiene Department has not set performance pledges in respect of hygiene blackspots; in spite of the receipt of referrals of complaints, the hygiene conditions in the hygiene blackspots have not improved. As such, will The Ombudsman consider initiating a direct investigation into the above?]

- (1) In the past two years, this Office has not received many complaints about cleansing services of the Food and Environmental Hygiene Department ("FEHD"). They are mainly about adverse impact on environmental hygiene due to substandard street cleansing and refuse collection services by FEHD or its cleansing service contractors.
- (2) Our inquiry or investigation into relevant complaint cases found that FEHD has an established mechanism for monitoring the performance of its cleansing service contractors. In most of the cases, FEHD would take appropriate follow-up actions upon receipt of public complaints. Such actions include site inspections and enforcement actions, requiring the contractors concerned to arrange street cleansing immediately and increasing the frequency of such services.
- (3) However, there are indeed individual cases where the performance of the contractors concerned was unsatisfactory. They reflect inadequacies on the part of FEHD in monitoring its contractors, yet there is no evidence that the problem is attributable to FEHD's tendering system for outsourced cleansing services. Upon our intervention and investigation, FEHD has issued default notices to the contractors and demanded improvement. This Office has also urged FEHD to exercise more stringent control of its contractors and impose substantive penalties on those whose performance is still unsatisfactory.
- (4) We have noted the views of the Honourable Member and, as always, will keep a close watch on FEHD's cleansing services by looking at the current social issues, our complaint cases and public views.

Where necessary, this Office will consider initiating a direct investigation on this issue.

2. **Issues relating to water seepage in buildings**

(to be raised by Hon Wilson OR Chong-shing)

[The number of complaint cases relating to water seepage in buildings has increased significantly in recent years as buildings age. The Joint Office formed under the Food and Environmental Hygiene Department and the Buildings Department is responsible for handling complaints relating to water seepage. However, the ways in which cases are handled by the Joint Office have all along been criticized by members of the public. According to the Joint Office, if the owners/occupants concerned were co-operative, it can normally complete the investigation within 90 working days and inform the complainants of the outcomes. Yet, the investigation time for many cases lasted for more than three months. Should there be a need to enter flats suspected to be causing seepage in order to collect evidence, the investigation time would be further prolonged substantially. Besides, the colour dye testing method adopted for years by the Joint Office to locate the sources of seepage has all the time been criticized as causing nuisance and ineffective. Although the consultant commissioned by the Joint Office has used new devices and technology on a trial basis to help track the sources of seepage in complicated cases, the new technology concerned has not been widely employed. As such, will The Ombudsman consider initiating a direct investigation into the work effectiveness of the Joint Office?]

- (1) This Office is fully aware that members of the public are dissatisfied with the Joint Office's handling of water seepage complaints. We agree that the Joint Office has taken much longer time in handling some seepage complaints and there is room for improvement. When we conclude a complaint case, we will point out the areas for improvement to the Joint Office. However, we must also note that the Joint Office can only use non-destructive methods to eliminate one by one different possibilities in order to identify the seepage source. It is therefore inevitable that some cases would require more time to complete the investigation.
- (2) The Joint Office has explained to us that from the perspective of law enforcement and prosecution, colour water tests are relatively effective because it is more difficult for the parties suspected to be responsible for water seepage to legally challenge the test results. Nevertheless, we have long noticed that in some seepage cases the Joint Office was unable to identify the seepage source despite a number of colour water tests. That means conducting the same

tests repeatedly would serve little purpose. In such circumstances, we would urge the Joint Office to use infrared and microwave technologies where practicable to identify the seepage source so that the suffering of the parties affected may end as soon as possible.

- (3) We understand that the Joint Office has commissioned a consultancy firm to study the use of new technologies. The study will soon be completed and a report will be submitted to the Joint Office. We expect to see more deployment of new technologies by the Joint Office.
- (4) In handling complaint cases, we have gained a clear understanding of the public's grievances about the work of the Joint Office and we have often made appropriate recommendations. We, therefore, have no plan to conduct a direct investigation on this issue.

3. **Issues relating to the lease of ward offices**

(to be raised by Hon Steven HO Chun-yin)

[Ward offices are provided by the Hong Kong Housing Authority ("HA") in public rental housing estates to facilitate the communication of Legislative Council ("LegCo") Members and District Council ("DC") members with residents and the provision of services in need. However, according to HA's existing procedures for processing applications for lease of ward offices, elected DC members in the respective constituencies are classified as the first priority category for allocation of ward offices, while LegCo Members returned by functional constituencies are classified as the last category in the order of priority. As such, it is often difficult for the latter to be allocated ward offices in public rental housing estates, unless through shared tenancy. Although both LegCo Members returned by functional constituencies and elected DC members have to communicate with residents in local communities, applicants are not treated fairly under the aforesaid allocation mechanism of HA and there is alleged "disparity in treatment and unfairness". In view of the above, will The Ombudsman consider initiating a direct investigation into such matters?]

- (1) This Office is aware that at present, the Housing Department ("HD") accepts individual or joint applications by District Council ("DC") members and Legislative Council ("LegCo") Members for leasing non-domestic units in public housing estates as ward offices, which are allocated according to the following order of priority:

Priority**Nature of Office**

- First: The elected DC member of the constituency concerned;
- Second: Other DC members of the district;
- Third: LegCo Members returned from the geographical constituency concerned; and
- Fourth: LegCo Members returned from functional constituencies.

- (2) We agree that both LegCo Members returned from functional constituencies and elected DC members attach great importance to communication with the public. However, in view of the resource constraints, it is not unreasonable for HD to establish an order of priority for allocating suitable premises in public housing estates for use as ward offices.
- (3) We have learned from HD that the DC members of the district to which a housing estate belongs are accorded first and second priorities on the consideration that DC members in these two priority groups (especially the elected DC members of the constituency concerned) have the local residents in that district as their prime service targets. LegCo Members returned from geographical constituencies, elected by the electors of the constituencies they belong to, also have the residents in their respective constituencies as their prime service targets. Nevertheless, given that a LegCo geographical constituency is generally larger than that of a DC, the area in which an elected LegCo Member can identify a suitable premises as a ward office is also much bigger. As for LegCo Members returned from functional constituencies, all of them are elected by the electorates of their respective functional constituencies in Hong Kong. Their service targets are in fact scattered all over the territory and they, therefore, have an even wider choice in terms of district and location when setting up a ward office. Consequently, they are accorded a lower priority compared with those councillors in other groups when applying for a ward office. However, HD currently allows joint applications for leasing ward offices. That should somehow help ease the keen demand of some councillors in search of suitable premises as ward offices.

- (4) Moreover, information provided by HD shows that at present, six LegCo Members returned from functional constituencies (and belonging to the fourth priority group) have leased a total of 13 ward offices in HD's housing estates. Of them, two have leased their offices individually, while the other four are sharing tenancies with other councillors. HD indicated that as at October 2017, there are still 18 vacant premises in its housing estates available for application and lease as ward offices. They are located in various districts in Hong Kong, Kowloon and the New Territories. Honourable Members can approach HD if they would like to know more about the locations of those vacant premises or wish to apply to lease them as ward offices.
- (5) In the light of the above, this Office considers a direct investigation on the issue not warranted at this stage. However, should any councillor find maladministration on the part of HD in leasing out ward offices, they can contact us and we will definitely follow up.

4. **Issues relating to the standards for testing the safety of Chinese herbal medicines and the quality control mechanism**

(to be raised by Dr Hon Helena WONG Pik-wan)

[Since the standards for testing the safety of Chinese herbal medicines in Hong Kong seem to be too lax, there may be loopholes in the quality control mechanism for Chinese herbal medicines. As a result, some Chinese herbal medicines sold in the market were tested to have contained pesticide residues, heavy metals and sulphur dioxide which would seriously affect public health. In view of the above, will The Ombudsman consider initiating a direct investigation?]

- (1) This Office is aware that certain Chinese herbal medicines commonly sold in the market were found to contain excessive levels of pesticide residues, heavy metals and sulphur dioxide in some samples tested by a concerned group. As far as we understand, some of those tested were herbal medicines listed and regulated under Schedules 1 and 2 of the Chinese Medicine Ordinance ("CMO"), while some others, such as red meddard berry, chrysanthemum and honeysuckle, were herbal ingredients not listed in Schedules 1 and 2 of the CMO and thus fell outside its regulatory scope. Those herbal ingredients are regulated under the Public Health and Municipal Services Ordinance, in the same way as general foodstuffs.
- (2) Regarding whether the existing regulation of Chinese herbal medicines is adequate, this Office has preliminarily learned from the

Food and Health Bureau that under the Government's established mechanism, random tests of Chinese herbal medicines are conducted according to the standards stipulated by the Chinese Medicine Council to check whether there are excessive levels of pesticide residues and heavy metals. Currently, the Chinese Medicine Council has stipulated the standards on pesticide residues and heavy metals contained in Chinese herbal medicines, while the limits of sulphur dioxide are still under study. We will seek further information from the Government, including how it regulates the herbal ingredients not listed as Chinese herbal medicines in Schedules 1 and 2 of the CMO, in order to decide whether it is necessary to initiate a direct investigation on this issue.

5. **Issues relating to the Development Bureau's proposal for adopting the "Modular Integrated Construction" method**

(to be raised by Dr Hon Helena WONG Pik-wan)

[The Development Bureau is considering to adopt the "Modular Integrated Construction" method (i.e. by adopting the concept of "factory assembly followed by on-site installation" and the mode of manufacturing, in which conventional labour-intensive site operations will be industrialized and completed in off-site prefabrication yard, and the prefabricated and prefinished modules will then be transported to construction sites for installation) on a trial basis in public building projects. Since most of the prefabricated modules may be produced on the Mainland or other countries before they are imported into Hong Kong, and the Administration currently lacks a comprehensive monitoring mechanism to ensure that water pipes or other water supplying components in such modules comply with the requirements of the Water Supplies Department, such components may be harmful to public health. Will The Ombudsman consider initiating a direct investigation into the above to guard against such components in the prefabricated modules (such as sanitary fittings and water pipes) from affecting water safety?]

- (1) This Office has noted that in the Policy Address published in October 2017, the Government proposes to promote and lead the adoption of Modular Integrated Construction in the construction industry. As far as we understand, the Development Bureau will follow up and study the technologies and other matters associated with Modular Integrated Construction, and will liaise and discuss with the relevant policy bureaux/departments where necessary. Meanwhile, the Buildings Department is in the process of drafting a practice note on Modular Integrated Construction, covering such areas as structural and fire safety, quality control, etc.

- (2) Since Modular Integrated Construction is still at the planning and study stage, the questions of building safety and water safety involved are to be explored and handled. At present, we consider that the Government should be given more time for formulating the specific operating proposals of this new initiative. Honourable Members who are concerned about the latest development of this matter and the water safety monitoring mechanism should seek information from and give their views to the Development Bureau. If Members are aware of any possible maladministration on the part of the Government in handling this matter in the future, they are welcome to provide us with relevant information and we will consider whether it is necessary to initiate a direct investigation on this issue.

6. **Issues relating to sexual harassment of persons in custody**
(to be raised by Dr Hon Helena WONG Pik-wan)

[Due to the delay of the Correctional Services Department ("CSD") in formulating policy on the prevention and handling of sexual harassment of persons in custody and its failure to devise a mechanism for handling such kind of complaints, persons in custody are not afforded comprehensive protection of their rights and interests. As such, will The Ombudsman consider initiating a direct investigation into the issues relating to CSD's endeavor or otherwise to create an environment which is not sexually hostile?]

- (1) In recent years, this Office has not received any complaints from inmates in connection with sexual harassment in correctional institutions under the Correctional Services Department ("CSD"). We will communicate with CSD to explore the concerns raised by the Honourable Member. If Members have any information about inmates being sexually harassed while in custody, they are welcome to provide us with evidence. After examining all the available information, we will consider whether it is necessary to initiate a direct investigation.

7. **Issues relating to the monitoring of imported food products**
(to be raised by Dr Hon Helena WONG Pik-wan)

[The incidents involving excessive level of dioxins in hairy crabs supplied to Hong Kong have revealed that the Administration has neither enacted any legislation to stipulate the limit on the level of dioxins in food nor maintained proper communication with the Mainland in order to reach

consensus in this respect. As a result, different regulatory standards are adopted by the two places. Moreover, the problem relating to fake health certificates of food imported from Brazil has also revealed that the mechanism for regulating food safety in Hong Kong may be far from satisfactory as it has failed to safeguard public health. In view of the above, will The Ombudsman consider initiating a direct investigation into such matter?]

- (1) On the issue of food safety, this Office has just published on 13 November 2017 a direct investigation report with the title “Food and Environmental Hygiene Department’s System of Safety Control for Imported Fruits and Vegetables”, in which we made eight improvement recommendations on the sampling and inspection of fruits and vegetables as well as the relevant statutory standards.
- (2) Regarding the incident of falsified health certificates for food imported from Brazil, we noticed that upon receipt of the complaint lodged by a food importer in September 2017 about a falsified health certificate accompanying a consignment of frozen chicken feet from Brazil, the Centre for Food Safety (“CFS”) of the Food and Environmental Hygiene Department immediately suspended the import of products to Hong Kong by the exporter and two Brazilian production plants as listed in the health certificate. This Office has also learned from the CFS that samples of imported food with and without health certificates attached would be collected for testing alike in accordance with the established mechanism.
- (3) In response to the above issue and in the wake of the incident in March 2017 of Brazilian food companies selling rotten and suspected carcinogenic meat, the CFS has started discussions with Brazilian authorities to further improve the import arrangements for Brazilian frozen meat and poultry, including considering restricting the list and number of Brazilian plants allowed to export products to Hong Kong, and examining further the proposed import control arrangements. Information shows that the CFS proposed that the number of Brazilian plants allowed to export products to Hong Kong be reduced to 80. On the CFS’s invitation, those in the industry have already raised their views on the proposal by mid-November. The CFS would analyse the views in order to strike a balance between stronger safeguard for food safety and provision of a business-friendly environment for the industry.
- (4) In respect of the incident of hairy crab samples containing dioxins at a level exceeding the statutory limit, the CFS has begun in recent months its seasonal sampling and inspection of imported hairy crabs.

It would contact the importers concerned in case unsatisfactory samples are found. In mid-November, the CFS indicated that it has learned from the Mainland authorities their plan to include dioxins as a chemical material to be routinely tested in food before export. Experts from the Mainland and Hong Kong will conduct detailed technical studies on the testing standards and methods for dioxins. Meanwhile, the Secretary for Food and Health has stated that in the coming year, the CFS will conduct comprehensive reviews on the testing standards for hairy crabs to see whether statutory regulation is necessary.

- (5) The CFS has begun reviewing the above two issues. We will keep a close watch on developments of the situation. A direct investigation is not warranted for the time being.
