

立法會 *Legislative Council*

立法會 CB(3)1670/98-99 號文件

1999 年 5 月 28 日內務委員會會議文件

定於 1999 年 6 月 2 日立法會會議上提出的質詢

提問者：

- | | | |
|------|------------------------|--------------|
| (1) | 楊森議員
(取代原先列入此編號的質詢) | (口頭答覆)(新的質詢) |
| (2) | 李華明議員
(取代其原先提出的質詢) | (口頭答覆)(新的質詢) |
| (3) | 黃容根議員 | (口頭答覆) |
| (4) | 劉漢銓議員 | (口頭答覆) |
| (5) | 吳亮星議員 | (口頭答覆) |
| (6) | 周梁淑怡議員 | (口頭答覆) |
| (7) | 張永森議員 | (書面答覆) |
| (8) | 吳清輝議員 | (書面答覆) |
| (9) | 司徒華議員 | (書面答覆) |
| (10) | 曾鈺成議員 | (書面答覆) |
| (11) | 蔡素玉議員 | (書面答覆) |
| (12) | 鄭家富議員 | (書面答覆) |
| (13) | 譚耀宗議員 | (書面答覆) |
| (14) | 楊孝華議員 | (書面答覆) |
| (15) | 何鍾泰議員 | (書面答覆) |
| (16) | 梁劉柔芬議員 | (書面答覆) |
| (17) | 張文光議員 | (書面答覆) |
| (18) | 單仲偕議員 | (書面答覆) |
| (19) | 梁耀忠議員 | (書面答覆) |
| (20) | 李國寶議員 | (書面答覆) |

立法會
Legislative Council

LC Paper No. CB(3) 1670/98-99

**Paper for the House Committee meeting
on 28 May 1999**

**Questions scheduled for the
Legislative Council meeting on 2 June 1999**

Questions by:

- | | | | |
|------|---|-----------------|----------------|
| (1) | Dr Hon YEUNG Sum
<i>(Replacing the Question previously placed under this number)</i> | (Oral reply) | (New question) |
| (2) | Hon Fred LI
<i>(Replacing his previous question)</i> | (Oral reply) | (New question) |
| (3) | Hon WONG Yung-kan | (Oral reply) | |
| (4) | Hon Ambrose LAU | (Oral reply) | |
| (5) | Hon NG Leung-sing | (Oral reply) | |
| (6) | Hon Mrs Selina CHOW | (Oral reply) | |
| (7) | Hon Ambrose CHEUNG | (Written reply) | |
| (8) | Prof Hon NG Ching-fai | (Written reply) | |
| (9) | Hon SZETO Wah | (Written reply) | |
| (10) | Hon TSANG Yok-sing | (Written reply) | |
| (11) | Hon CHOY So-yuk | (Written reply) | |
| (12) | Hon Andrew CHENG | (Written reply) | |
| (13) | Hon TAM Yiu-chung | (Written reply) | |
| (14) | Hon Howard YOUNG | (Written reply) | |
| (15) | Dr Hon HO Chung-tai | (Written reply) | |
| (16) | Hon Mrs Sophie LEUNG | (Written reply) | |
| (17) | Hon CHEUNG Man-kwong | (Written reply) | |
| (18) | Hon SIN Chung-kai | (Written reply) | |
| (19) | Hon LEUNG Yiu-chung | (Written reply) | |
| (20) | Dr Hon David LI | (Written reply) | |

註 ：
NOTE ：

議員將採用這種語言提出質詢

Member will ask the question in this language

#(1) 楊森議員 (口頭答覆)

政府曾表示會以《基本法》條文並沒有清楚列明立法原意及立法目的，作為提請全國人民代表大會常務委員會解釋該等《基本法》條文的準則。就此，政府可否告知本會：

- (一) 《基本法》中哪些條文並沒有清楚列明立法原意及立法目的；及
- (二) 政府所指的立法原意及立法目的，是單指基本法起草委員會在制定《基本法》時所持的立法原意及立法目的，還是包括其他組織（例如全國人大香港特別行政區籌備委員會）在《基本法》頒布後就《基本法》的條文提出的有關意見？

(1) **Dr Hon YEUNG Sum** (Oral Reply)

The Government has advised that it will seek interpretation of the articles in the Basic Law from the National People's Congress Standing Committee on the basis that the legislative intent and objectives are not expressly stated in these articles. In this connection, will the Government inform this Council:

- (a) of the articles in the Basic Law in which the legislative intent and objectives are not expressly stated; and
- (b) whether the legislative intent and objectives referred to by the Government refer only to the legislative intent and objectives of the Basic Law Drafting Committee when drafting the Basic Law, or also to the relevant views expressed by other bodies, such as the National People's Congress Hong Kong Special Administrative Region Preparatory Committee, on the articles in the Basic Law, subsequent to its promulgation?

#(2) 李華明議員（口頭答覆）

現時由房屋署管理的公共屋邨的診所經營權，交由新邨西醫協會負責批出，私人執業醫生必須加入該協會成為會員，才有資格透過協會安排進行抽籤，獲得該等診所的經營權。另外，現時公共屋邨的醫生對人口比例亦較全港的有關比例為低。就此，政府可否告知本會：

- (一) 會否考慮容許全港所有私人執業醫生均可競投公共屋邨的診所經營權，以及提高公共屋邨的醫生對人口比例，使其與全港的有關比例看齊；
- (二) 當局有否根據競爭政策諮詢委員會的指示，評估該編配政策有否違反公平競爭的原則，以及向其提交報告；若有進行評估及提交報告，委員會有否進一步研究該項政策是否符合公平競爭的原則；若沒有提交報告，原因為何；及
- (三) 廉政公署有否就該項編配政策進行預防貪污及其他不法行爲的研究；若有，曾於何時進行及研究結果為何；若否，原因為何？

(2) Hon Fred LI Wah-ming (Oral Reply)

Since the right to operate clinics in the public housing estates ("PHS") managed by the Housing Department are currently granted through the Estate Doctors Association Limited ("EDA"), private medical practitioners must be enrolled as members of the EDA before they are qualified to participate in the ballot arranged by the EDA to bid for the right to operate these clinics. Furthermore, the current ratio of the medical practitioners operating in PHS to the population served is on the low side, as compared to the corresponding ratio in the entire territory. In this connection, will the Government inform this Council whether:

- (a) it will consider allowing all private medical practitioners in Hong Kong to tender for the right to operate clinics in PHS, as well as increasing the ratio of the medical practitioners operating in PHS to the population served to a level comparable to the corresponding ratio in the entire territory;
- (b) it has, on the basis of the instructions set out by the Competition Policy Advisory Group ("COMPAG"), assessed if such an allocation policy has gone against the principle of fair competition, and whether it has submitted reports on this issue to COMPAG; if it has made such an assessment and submitted such reports, whether COMPAG has further examined the compliance or otherwise of this policy with the principle of fair competition; if no report on this issue has ever been submitted to COMPAG, the reasons for that; and
- (c) the Independent Commission Against Corruption has conducted a study on the prevention of corruption and the prevention of other illegal conduct with respect to this allocation policy; if so, the time when such a study was conducted and the results of the study; if not, the reasons for that?