

Chapter 2

The Select Committee

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A. Appointment of the Select Committee and its terms of reference

2.1 On 29 July 1998, the Legislative Council resolved that a select committee be appointed to inquire into the circumstances leading to the problems surrounding the commencement of the operation of the new Hong Kong International Airport at Chek Lap Kok since 6 July 1998 and related issues. In the performance of its duties, the Select Committee was authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) to exercise the powers conferred by section 9(1) of that Ordinance, empowering the Committee to summons witnesses before it to give evidence and produce documents.

B. Membership of the Select Committee

2.2 Upon the recommendation of the House Committee, the President of the Legislative Council appointed on 29 July 1998 the following 13 Members as Chairman, Deputy Chairman and members of the Select Committee respectively:

Hon Mrs Selina CHOW LIANG Shuk-ye, JP (Chairman)
Dr Hon Raymond HO Chung-tai, JP (Deputy Chairman)
Hon Edward HO Sing-tin, JP
Hon LEE Wing-tat
Hon Margaret NG
Hon MA Fung-kwok
Hon Ambrose CHEUNG Wing-sum, JP
Hon Christine LOH
Hon CHAN Kam-lam
Hon SIN Chung-kai
Hon LAU Kong-wah
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk

Miss Salumi CHAN, Acting Chief Assistant Secretary, Legislative Council Secretariat, served as Clerk to the Select Committee.

C. Scope of inquiry

2.3 At its first meeting on 30 July 1998, the Select Committee, having regard to the resolution passed by the Council on 29 July 1998, agreed that the scope of its inquiry would cover the following 10 areas of concern:

- The choice of 6 July 1998 as the date of commencement of the operation of the new airport
- Integration, co-ordination and supervision of construction and operation, including contingency plans
- Infrastructure and facilities
- Passenger services
- Air cargo services
- Security
- Airport staff performance
- Noise under the flight paths
- Responsibilities and liabilities
- Overall economic loss in Hong Kong

D. Collection of documents

2.4 The Select Committee also agreed to collect from the relevant bodies the documents in respect of the 10 areas of concern. A list of documents obtained from August 1998 to January 1999 is in **Appendix 1**.

E. Procedures for conducting the inquiry

2.5 In conducting the inquiry, the Select Committee has followed the procedures stipulated in Rules 78 and 79 of the Legislative Council Rules of Procedure. It has also made reference to the procedures and practices adopted by the committees of the former Legislative Council in conducting inquiries under the Legislative Council (Powers and Privileges) Ordinance (Cap. 382).

2.6 When deciding upon the procedures to be adopted, the Select Committee was mindful of the need to be fair and to be seen to be fair to all parties whose interests or reputation may be affected by the proceedings.

2.7 It was the decision of the Select Committee from the start that the examination of witnesses would be held in public and that all witnesses summonsed to attend the Committee's hearings to give evidence and/or produce documents would be required to do so under oath.

2.8 The Select Committee also agreed that a refusal by a witness to answer questions or produce documents would be handled in accordance with the procedures set out in the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) and the resolution passed by the former Legislative Council under section 15 of that Ordinance. The said resolution is in **Appendix 2**.

F. Appointment of consultants

Consultants on information systems

2.9 The Select Committee commissioned a five-person consultancy team of University of Hong Kong academics to assist members on the technical aspects of the key information systems installed at PTB of the new airport. These technical aspects included project planning and implementation, systems integration and testing. The consultancy team comprises the following members:

Professor Francis Y L CHIN
Dr David W L CHEUNG
Dr M C PONG
Dr Bethany M Y CHAN
Mr H F HUNG

2.10 The consultancy team submitted its report, “FIDS and FIDS-Related Problems Surrounding the Commencement of Operations at the Chek Lap Kok Airport”, to the Select Committee on 12 November 1998. Part I of the report, the Main Report, is in **Appendix 3**.

Consultants on noise under the flight paths

2.11 The Select Committee has also commissioned two consultants from the International Air Transport Association (IATA), Captain Neil JONASSON and Mr William BOURKE, to advise on the problem of noise under the flight paths of the new airport. The two consultants submitted their reports and a supplementary report to the Select Committee on 20 November and 17 December 1998 respectively. They were also summonsed to attend the 31st public hearing of the Select Committee on 19 December 1998 as witnesses. The reports and the relevant correspondence are in **Appendices 4 to 9**.

G. Schedule of meetings, visit, public hearings and witnesses

2.12 From 21 September 1998 to 19 December 1998, the Select Committee held 31 public hearings to receive evidence from a total of 27 witnesses. From July 1998 to January 1999, the Select Committee held one open meeting and 60 closed meetings to review the progress of the inquiry, examine the evidence collected and draft the report. It also visited PTB of the new airport and ST1 on 18 September 1998. The schedule of meetings, visit, public hearings and witnesses of the Select Committee is in **Appendix 10**.