

立法會
Legislative Council

LC Paper No.CB(2) 2626/99-00
(These minutes have been seen
by the Administration and
cleared with the Chairman)

Ref : CB2/PL/MP/1

LegCo Panel on Manpower

**Minutes of meeting
held on Tuesday, 20 June 2000 at 2:30 pm
in Conference Room A of the Legislative Council Building**

Members present : Hon LAU Chin-shek, JP (Chairman)
Hon LEE Kai-ming, SBS, JP (Deputy Chairman)
Hon Kenneth TING Woo-shou, JP
Hon David CHU Yu-lin
Hon HO Sai-chu, SBS, JP
Hon Cyd HO Sau-lan
Hon LEE Cheuk-yan
Dr Hon LUI Ming-wah, JP
Hon CHAN Kwok-keung
Hon CHAN Yuen-han
Hon CHAN Wing-chan
Hon LEUNG Yiu-chung
Hon YEUNG Yiu-chung
Hon Andrew CHENG Kar-foo
Hon SZETO Wah

Members absent : Hon James TIEN Pei-chun, JP
Hon Michael HO Mun-ka
Hon Ronald ARCULLI, JP
Dr Hon LEONG Che-hung, JP
Hon SIN Chung-kai

**Public Officers : Item I
attending**

Mr LAM Kam-kwong
Deputy Secretary for Education and Manpower (Atg)

Mr Steve BARCLAY
Deputy Secretary for Environment & Food (B) (Atg)

Mr LAW Yu-wing
Assistant Director of Electrical & Mechanical Services
(Gas and General Legislation) (Atg)

Item II

Mr LAM Kam-kwong
Deputy Secretary for Education and Manpower (Atg)

Miss Erica NG
Principal Assistant Secretary for Education
and Manpower 4

Mr Alfred W K CHAN, JP
Commissioner for Labour (Atg)

Mrs Pamela TAN
Commissioner for Labour (Designate)

Mrs Jennie CHOR
Assistant Commissioner for Labour (Labour Relations)

Item III

Mr Ivan LEE
Principal Assistant Secretary for Education and Manpower

Professor LEE Ngok
Executive Director of Vocational Training Council

Dr Frederick K W MAK
Deputy Executive Director of Vocational Training Council
(Training and Development)

Dr L H LEES

Deputy Executive Director or Vocational Training Council
(Academic)

Mr Y C LI
Senior Training Officer of Vocational Training Council

Item IV

Mr LAM Kam-kwong
Deputy Secretary for Education and Manpower (Atg)

Mr Paul WONG
Principal Assistant Secretary for Education and Manpower

Mr CHOI Chun-sun
Senior Statistician 2
Education and Manpower Bureau

Item V

Mr LAM Kam-kwong
Deputy Secretary for Education and Manpower (Atg)

Miss Erica NG
Principal Assistant Secretary for Education and Manpower

Mr Alfred W K CHAN
Commissioner for Labour (Atg)

Mrs Pamela TAN
Commissioner for Labour (Designate)

Clerk in attendance : Mrs Sharon TONG
Chief Assistant Secretary (2)1

Staff in attendance : Miss Mary SO
Senior Assistant Secretary (2) 8

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I. Job opportunities created by environmental protection initiatives
(LC Paper No. CB(2) 2380/99-00(01) - paper from the Administration)
(LC Paper No. CB(2) 2380/99-00(02) - submission from the Greenpeace)

At the invitation of the Chairman, Deputy Secretary for Environment and Food (DS for EF) briefed members on the Administration's paper which set out the job opportunities likely to be created by the Administration's environmental and conservation initiatives. In particular, DS for EF said that the assessment of job opportunities detailed in Annex I of the Administration's paper was made on the likely employment prospects generated by the environmental and conservation initiatives and commitments announced in the 1999 Policy Address in respect of the Environmental Protection Department (EPD), Agriculture, Fisheries and Conservation Department (AFCD) and Electrical and Mechanical Services Department (EMSD). The Administration estimated that from 2000 to 2006, a total of 1,447 jobs might be created. He pointed out that the Administration was not in a position to assess how the private sector would respond to and complement the Administration's actions, nor the likely job opportunities that would arise from private sector initiatives.

2. DS for EF further said that although the package of measures currently being undertaken by the Administration to promote waste recovery and recycling as referred to in paragraph 6 of the Administration's paper would also lead to the creation of new employment opportunities, the number of jobs which might be created would vary in different recycling industries. This was because at the moment there was quite a significant amount of spare capacity in some recycling industries. Therefore, even if there was a significant increase in the volume of a particular type of waste required to be separated and recycled, such increase in the waste for recycling might not produce a proportional increase in the number of jobs.

3. DS for EF also briefed members on the measures taken by the Administration in managing the disposal of construction and demolition (C&D) material. He said that the Administration was presently identifying various opportunities for recycling and reuse of inert C&D material, including the use of recycled aggregates in low-strength concrete and introducing a pilot C&D material sorting facility.

4. Miss CHAN Yuen-han said that in view of the space available on the former Kai Tak Airport site, it was possible for waste to be sorted and stockpiled on-site for future reclamation works adjoining Kai Tak. Such arrangements, however, would not be feasible at small construction sites. Miss CHAN enquired about the measures which would be taken by the Administration in assisting the building construction industry in disposing C&D material produced at small construction sites.

5. DS for EF replied that in order to minimize the disposal of C&D material at the landfills, more public filling barging points with adjacent C&D material sorting facilities would be commissioned. For example, the construction of a temporary C&D material sorting facility next to the temporary public filling barging point at Tseung

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Kwan O would be commissioned in July 2000. The Administration was also planning to construct a C&D material sorting facility on the former Kai Tak Airport site, once the contract entered with the private contractor for use of the site had expired. DS for EF however pointed out that finding suitable sites for constructing C&D material sorting facilities would not be easy as such facilities were not always welcomed by people living in the vicinity.

6. Mr LEUNG Yiu-chung expressed concern that only 150 out of the 1,446 jobs (or 10.37%) likely to be created by the Administration's environmental and conservation initiatives from 2000 to 2006 were for elementary/low-skilled workers. In order to improve employment opportunities for these workers who made up the bulk of the unemployed in Hong Kong, Mr LEUNG agreed with the results of the survey conducted by Greenpeace and its views that the Administration should expeditiously step up its efforts in developing recycling industries so as to create more employment opportunities.

7. DS for EF responded that the Administration attached great importance to the recovery and recycling of municipal solid waste, i.e domestic, commercial and industrial wastes. He said that at present recovery and recycling of commercial and industrial wastes were doing very well. This was due to the fact that waste from the commercial and industrial sectors was generally homogenous, unmixed and clean, and therefore could be easily separated and recycled. Such a situation however was not found in domestic waste which tended to be mixed, contaminated, small and came from a lot of sources. In order to improve recovery and recycling of domestic waste, publicity and education programmes to raise the environmental awareness of the general public would be stepped up. The Administration would press ahead with its effort to place recycling bins for plastic bottles, aluminum cans and waste papers in public and private housing estates and in public areas. The Administration was also considering a pilot scheme to install separation bins on each floor of a number of selected public housing estates and in public places.

8. Mr LEUNG Yiu-chung said that the progress of waste recovery and recycling of municipal solid waste had been so slow in Hong Kong because the Administration did not put in enough efforts in this regard. A case in point was the fact that the majority of refuse collection points (RCPs) in Hong Kong lacked waste separation facilities, as evidenced by the recent Greenpeace's survey results which revealed that only 148 of the total 2000 RCPs (or less than 0.8%) in Hong Kong had waste separation facilities.

9. DS for EF responded that subject to availability of space, waste separation facilities would be provided to the existing as well as new RCPs. He further said that whilst the Administration was very much in favour of promoting reuse and recycling, it should be noted that not all recycling facilities were environmentally-friendly as recycling very often was a dirty and noisy process and could consume a large amount of energy, sometimes even more than that used for producing virgin products. Although incineration and landfilling did have their problems, so long as they were properly designed and managed, they would not impact adversely on the environment.

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DS for EF further said that even with the successful implementation of various waste reduction and recycling measures, it was envisaged that the existing landfills would not have enough capacity to accommodate the waste in the long run. To overcome the problem, the Administration intended to introduce landfill charges so as to deter unnecessary dumping of waste in the landfills. The proposed plan also had the added benefit of generating value to the recyclable waste. The Administration would conduct a public consultation in the coming months to seek public views on the charging levels. As far as a waste to energy facility was concerned, DS for EF said that the Administration was still identifying a suitable site for the project.

10. Mr LEE Cheuk-yan expressed dissatisfaction that the Administration had all along disregarded the views from the Task Force on Employment to create employment opportunities through developing recycling industries. He urged that this should be done expeditiously. Mr LEE also expressed concern that although many households had separated the recyclable materials from the general waste by putting the former into recycling bins, there were incidents where all the recyclable materials were mixed with the general waste at RCPs and then transferred to landfills for final disposal.

11. DS for EF responded that the Administration had looked into the alleged complaints about the mixing of recyclable waste at RCPs, but could not find any evidence which proved that they had actually occurred. In his view, if such incident did occur, it would be an isolated case. He said that so far as waste collection in government buildings and public housing estates were concerned, it was unlikely that recyclable materials would be mixed with other waste at RCPs because the private contractors were required under the contractual arrangement to ensure that the separated waste were transported to the respective recyclers. To ensure that the recycling of separated materials were actually taking place, for example, the Housing Authority had recently introduced a scheme whereby there was a paper process that could trace whether the recycling of the waste had actually taken place.

12. Mr LEE Cheuk-yan disagreed with DS for EF's argument that the mixing of recyclable waste at RCPs was an isolated case, having regard to the fact that the majority of RCPs did not have waste separation collection facilities. He enquired when the Administration would provide waste separation collection facilities at all RCPs.

13. DS for EF reiterated that the reason why a lot of the existing RCPs did not have waste separation collection facilities was because they were built many years ago. He assured members that where there was space and where there were new RCPs being built, waste separation collection facilities would be installed in RCPs as far as possible. DS for EF further said that RCPs were not intended to be a waste sorting facility. Where a RCP had a waste separation collection facility, it was merely meant to provide a facility for people to dump the separated waste. On the question of where the separated materials would go if there were no waste separation collection facilities at RCPs, DS for EF responded that in places which had launched their own waste recovery programme, the separated waste would be collected by workers of the waste collection services for transport to exporters and recyclers. DS for EF conceded that the

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situation was not perfect, and the Administration was working very hard to improve the situation.

14. In view of the Administration's intention to construct a sorting facility for C&D material, Mr LEE Kai-ming enquired whether consideration would also be given to constructing a sorting facility for domestic waste.

15. DS for EF replied that the Administration had no plan to construct a sorting facility for domestic waste because if the separation of domestic waste was not done right at the outset, many of its components would not be economically and practicably recyclable. DS for EF explained that if papers were mixed with the general waste, such as wet food waste and vegetable cuttings, the papers would get so contaminated that there was no point in separating them later because the paper recycling industry would not accept wet and contaminated papers. With other recyclable waste such as aluminum cans, tin cans, glasses and plastic bottles, it was much better to make sure that they did not get mixed with the general waste in the first place. As such, the Administration considered that the best strategy to adopt was to identify the types of waste which could be reused and recycled, and then to promote the separation of that waste right at source.

16. Mr CHAN Wing-chan expressed concern about the small number of jobs which were likely to be created by the Administration's environmental and conservation initiatives. He urged the Administration to speed up the pace of waste recovery and recycling so as to create employment opportunities as well as to protect the environment.

17. DS for EF responded that the estimation of the 1,446 jobs merely referred to jobs which were likely to be created from the environmental and conservation initiatives to be undertaken by the EPD, AFCD and EMSD, and had not included the additional jobs which would be created in the Government, non-governmental organizations and in the private sector arising directly from other similar initiatives or projects which would be launched by the Administration in the next few years. DS for EF explained that although it was envisaged that a considerable number of jobs would be created in the private sector, no attempt had been made to assess job opportunities in this regard due to the fact that the private sector could do things in many different ways either using high technology and few jobs or low technology and many jobs.

18. Mr CHAN Wing-chan enquired about the measures to be taken by the Administration to assist the recycling industries. DS for EF responded that the Government's policy was not to directly subsidize particular companies or industry. Nevertheless, in view of the need to enhance the recycling rate and to ease the pressure on the landfills, the Administration intended to introduce landfill charges which should have a significant impact on waste recovery and recycling. The Administration had consulted the recycling industries on the introduction of landfill charges. They were very supportive of the new measure and wished that it would be implemented as soon as possible. To help the recycling industries to be self-sustaining and economically

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viable, the Administration would allocate suitable land solely for recycling purpose at affordable rent. As the profit of waste recovery and recycling was often marginal, leasing land through open tendering exclusively to waste recycles could lower their operating cost. DS for EF pointed out that overseas experience revealed that subsidizing recycling industries was not the best approach. In many instances, the recycling industries would produce recycled products which were not marketable and these products invariably might end up in storage or being dumped in landfills.

19. Dr LUI Ming-wah shared members' view that the Administration had not done enough to improve waste recovery and recycling in Hong Kong. He suggested that the Administration should study experience from Toronto where the implementation of waste recovery and recycling had been very successful. He also suggested that consideration could be given to providing each household with its own set of recycling bins. Dr LUI said that given that commercial waste was much easier to separate than domestic waste and as the business community was very supportive of waste recovery and recycling, the Administration should render more assistance to the business community, particularly the small and medium-sized companies, in setting up their own waste recovery programme.

20. DS for EF responded that the Administration had made reference to overseas experiences in formulating initiatives in waste recovery and recycling and would incorporate those overseas experiences relevant to Hong Kong's environment. The Administration reckoned the benefit of providing each household with its own set of recycling bins but considered that this would not be generally feasible as the majority of Hong Kong's households had limited space. Alternatively, consideration was being given to providing recycling bins on each floor of the public and private housing estates. This arrangement however would not be feasible in all instances as the public area of many new developments were also very small and placing bins thereat might violate fire services legislation. On the question of rendering more assistance to the business sector in waste recovery and recycling, DS for EF said that the business sector had done very well in this regard. However, the Administration would not be complacent and would continue its efforts to assist the business sector in waste recovery and recycling as far as possible.

21. Miss Cyd HO said that the Administration should not put the blame on the public for not having enough awareness on waste recovery and recycling. She further said that apart from promoting the recycling of materials such as papers, aluminum cans, glasses and plastic bottles, the Administration should also urge the manufacturers of household and office appliances to collect the used appliances for recycling. Miss HO enquired about the cost and the environment impact of using landfills, incinerators and recycling facility for waste treatment.

22. DS for EF responded that the Administration hoped that with the provision of more recycling bins in more convenient locations, and coupled with the stepping up of publicity and education programmes, public awareness on waste recovery and recycling would be increased. DS for EF said that the Administration had started to examine on

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how to expand the types of materials which could be reused and recycled. For examples, all government offices and a lot of companies in the private sector had started to recycle used toner cartridges. He undertook to provide a written reply to the information requested by Miss HO.

II. Measures to promote employer and employee relations

(LC Paper No. CB(2) 2380/99-00(03) - paper from the Administration)

23. Acting Commissioner for Labour (C for L (Ag)) took members through the Administration's paper which detailed the measures taken by the Administration to promote employer and employee relations.

24. Referring to paragraph 9 of the Administration's paper, Mr CHAN Wing-chan enquired about the progress made by these industry-level tripartite committees in promoting harmonious employer and employee relations. He further enquired whether the code of labour relations practice for the catering trade as referred to in paragraph 9 of the Administration's paper was legally binding.

25. C for L (Ag) responded that the tripartite committees were producing positive effect gradually. Citing the tripartite committee on the catering trade as an example, he said that the tripartite committee had decided to first concentrate its efforts in dealing with matters which were relatively easy to resolve. For example, the tripartite committee had discussed measures to facilitate employers in maintaining leave records so that disputes over leave/rest days taken by employees could be reduced. He added that the Labour Department was currently producing a CD-ROM on the good management practice on leave-rostering. On the second question asked by Mr CHAN, C for L (Ag) said that although the code of labour relations practice was not legally binding, the necessary safeguards for employees' rights and benefits had been provided for in the relevant legislation and the code of labour relations practice would in fact contain guidelines which offered better safeguards to employees.

26. Miss CHAN Yuen-han said that employer and employee relations were not as good as the Administration had depicted in its paper to the Panel. She pointed out that there were many instances whereby employers were reluctant to enter into negotiations with their employees to resolve labour disputes. To overcome the problem, Miss CHAN was of the view that the best solution would be to enact legislation on collective bargaining.

27. C for L (Ag) responded that the Administration maintained its view that collective bargaining was not the solution to all labour disputes. He pointed out that if employers did not have the sincerity and intention to resolve the disputes, forcing them to attend meetings with their employees would not help the matter.

28. Mr LEUNG Yiu-chung said that at present many employers had used the loophole in the legislation to exploit their employees, such as unreasonably dismissing

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employees to avoid making contributions to the mandatory provident fund scheme or paying them the long service payments etc. He enquired what actions would be taken by the Labour Department to address such abuses by employers.

29. C for L (Ag) responded that under the Employment Ordinance, an employee is protected against unreasonable dismissal and the employer is required to pay the employee his entitlement to long service payments upon termination. He said that the relevant amendment was made to the Employment Ordinance in 1997 to discourage employers from dismissing their employees in order to avoid their liabilities to their employees under the law. The Administration would continue its efforts to provide better employment protection for employees. For example, the Labour Department had recently completed a review of the reinstatement provisions under the Employment Ordinance and proposed that further improvements be made. With the proposed improved provisions, where an employee who had been found to be unreasonably and unlawfully dismissed made a claim for reinstatement or re-engagement, the Labour Tribunal might make an order of reinstatement or re-engagement without the need of securing the consent of the employer concerned, if the Tribunal considered it appropriate and reasonably practicable. Having consulted the Labour Advisory Board, the Administration was now in the process of preparing a bill to implement the improvements.

III. Employment situation of graduates from Information Technology Assistant courses and graduates from courses offered by The Vocational Training Council

(LC Paper No. CB(2) 2380/99-00(04) - paper from the Administration)

30. Members noted the Administration's paper which set out the employment situation of the graduates from the pilot Information Technology (IT) Assistant Course and graduates from the range of full-time courses offered by the Vocational Training Council (VTC).

31. Noting that 53% of the 133 economically active graduates from the IT Assistant Course had accepted job offers, Mr Kenneth TING enquired how the job placement rate of the graduates from the IT Assistant Course compared with that of the graduates from other similar courses.

32. Principal Assistant Secretary for Education and Manpower (PAS/EM) replied that it was difficult to make such a comparison as there was no other courses similar in nature to that of the IT Assistant Course. He said that as the majority of the 178 graduates had only graduated at the end of May 2000, the Administration was satisfied that 53% of the economically active graduates had already secured employment. The Administration would continue to monitor the situation and had also enlisted the assistance of VTC and the Employees Retraining Board (ERB) to help graduates to find jobs. PAS/EM added that having consulted the IT industry, the Administration

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planned to run the IT Assistant Course in the next two years, and at least 1,000 places for the Course would be offered each year.

33. The Chairman enquired whether the number of places planned for the IT Assistant Course matched the demand of the IT industry. PAS/EM replied that he could not gauge the actual demand for graduates from the IT Assistant Course as the manpower survey on the IT industry conducted by the Administration last year did not contain findings on demand for IT staff at the junior assistant level. He however said that based on the job vacancies of over 400 identified by VTC's and ERB's placement office in the past few months, there appeared to be a great demand for junior IT assistant.

34. Noting that 45 graduates from the IT Assistant Course had indicated preference to pursue further full-time study, Mr Kenneth TING enquired whether consideration would be given to securing employment for them and providing them with on-the-job training. PAS/EM replied that those graduates who had indicated preference to pursue further study would either enroll in a full-time diploma course or continue their secondary six education. They were therefore not interested in seeking employment.

35. Miss Cyd HO enquired about the gender distribution of the graduates from the IT Assistant Course and graduates from the range of full-time courses offered by VTC. She suggested to include such information in papers provided by the Administration in the future where appropriate. Deputy Executive Director of Vocational Training Council replied that he did not have the information on hand and would provide it to members after the meeting. He assured members that VTC had not pre-set the number of male and female students when taking in students for the IT Assistant Course.

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(Post-meeting note : The Secretary for Education and Manpower informed the Panel in writing on 22 September 2000 that the female and male distribution of the graduates from the IT Assistant Course was 33% and 67% respectively.)

36. Mr LEE Kai-ming enquired whether consideration could be given to providing on-the-job training to graduates from the IT Assistant Course after they had secured employment. PAS/EM replied that the Administration had no plan to do so as channels were available for further IT training, e.g. they could apply for advanced IT part-time courses offered by VTC.

IV. Consultancy on the best overseas manpower forecasting practice
(LC Paper No. CB(2) 2380/99-00(05) - paper from the Administration)

37. Principal Assistant Secretary for Education and Manpower introduced the Administration's paper which detailed the objective, scope, findings and recommendations of the Consultancy on the best overseas manpower forecasting practice.

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38. Mr LEE Cheuk-yan enquired when the Administration would conduct the next manpower forecasting. PAS/EM replied that the Administration had started to conduct a manpower forecasting in March 2000 using the statistical by-census figures of 1996 as the basis for projecting manpower requirements for the period 1999 to 2005. Although the Administration had not come to a decision on whether Hong Kong should adopt the econometric approach for future manpower forecasting, the Administration would incorporate the enhancement such as collection of soft data through establishment surveys, special household surveys, expert review, etc. to improve the existing statistical projection model. The results of the manpower forecasting currently underway would be available around August this year. He said that the Administration planned to update the manpower forecasting in 2001/02 when the results of the next population census had become available. This was in line with the practices in many overseas countries where manpower forecasting was conducted once every two to three years.

39. Miss CHAN Yuen-han was of the view that the Administration should adopt an econometric approach in its manpower forecasting, and further enquired when the Administration would come to a decision. PAS/EM replied that the Administration was studying carefully the recommendations of the consultancy with due regard to the effectiveness and merits of the various options and the resources input requirements and financial implications. The Administration hoped to reach a decision on the way forward to develop a manpower forecast model best suited to Hong Kong in the latter half of the year.

V. Revision of Government fees and charges

(LC Paper No. CB(2) 2380/99-00(05) - paper from the Administration)

40. Members noted the Administration's paper which set out the proposals relating to the revision of Government fees and charges for judicial services provided by the Judiciary and services provided by the Labour Department in relation to the filing of claims to the Labour Tribunal and the Minor Employment Claims Adjudication Board respectively.

41. The Chairman opposed the fee proposals. Mr HO Sai-chu said that the Liberal Party considered the fee proposals acceptable.

42. The Chairman thanked members and the Administration for their contribution to the work of the Panel during the session.

43. There being no other business, the meeting ended at 4:30 pm.

Legislative Council Secretariat

26 September 2000