

立法會  
*Legislative Council*

LC Paper No. CB(3) 326/03-04

**Paper for the House Committee meeting  
on 30 January 2004**

**Questions scheduled for the  
Legislative Council meeting on 4 February 2004**

Questions by:

- |      |                        |                 |
|------|------------------------|-----------------|
| (1)  | Hon Audrey EU          | (Written reply) |
| (2)  | Hon CHAN Yuen-han      | (Written reply) |
| (3)  | Hon Henry WU           | (Written reply) |
| (4)  | Hon CHEUNG Man-kwong   | (Written reply) |
| (5)  | Hon WONG Sing-chi      | (Written reply) |
| (6)  | Hon Michael MAK        | (Written reply) |
| (7)  | Hon LEUNG Yiu-chung    | (Written reply) |
| (8)  | Dr Hon TANG Siu-tong   | (Written reply) |
| (9)  | Hon TAM Yiu-chung      | (Written reply) |
| (10) | Hon Frederick FUNG     | (Written reply) |
| (11) | Hon Fred LI            | (Written reply) |
| (12) | Hon SIN Chung-kai      | (Written reply) |
| (13) | Hon CHOY So-yuk        | (Written reply) |
| (14) | Hon Albert CHAN        | (Written reply) |
| (15) | Ir Dr Hon HO Chung-tai | (Written reply) |
| (16) | Hon LAU Kong-wah       | (Written reply) |
| (17) | Hon Emily LAU          | (Written reply) |
| (18) | Hon Audrey EU          | (Written reply) |
| (19) | Hon Henry WU           | (Written reply) |
| (20) | Hon WONG Sing-chi      | (Written reply) |

**Note : There will be no oral question for the Legislative Council meeting on 4 February 2004.**

註 :

NOTE :

# 議員將採用這種語言提出質詢

# Member will ask the question in this language

#(1) 余若薇議員 (書面答覆)

目前，全港有 7 間由政府資助的身體弱能兒童學校，其中兩間設有宿舍，供有需要的學生留宿。就此，政府可否告知本會：

- (一) 有多少名兒童正輪候入讀該兩間學校和入住有關宿舍；他們平均已輪候多久；及
- (二) 有否計劃在另外 5 間學校設置學生宿舍或重新調配現時的宿舍資源；若會，計劃的詳情？

(1) Hon Audrey EU (Written Reply)

Of the seven subvented schools for physically handicapped children in Hong Kong, two have hostels for students who need residential places. In this connection, will the Government inform this Council:

- (a) of the number of children currently waiting for admission to the two schools and their hostels, as well as the average time such children have so far been waiting; and
- (b) whether it has plans to provide hostels in the other five schools or redeploy the existing hostel resources; if so, of the details of the plans?

#(2) 陳婉嫻議員 (書面答覆)

政府可否告知本會：

(一) 過去 3 個財政年度：

- (i) 由有關政府部門巡查或經市民舉報後發現未符合香港產地來源規則的個案數目、涉及的金額和貨量；
- (ii) 成功檢控違反香港產地來源規則的個案的數目、涉及的罰款和刑期；及
- (iii) 當局負責巡查工廠及檢查付運貨物的人數；他們有否進行突擊檢查；若有，檢查的次數；

(二) 當局為執行香港產地來源規則而巡查工廠時所核查的項目，以及當中有否包括工資（銀行轉帳紀錄）、強積金供款及協助有關的工廠製造貨物的分判商的詳細地址、負責人聯絡方法、僱員人數和工資等紀錄；若否，當局會否考慮查核有關紀錄；及

(三) 當局迄今接獲按照《內地與香港關於建立更緊密經貿關係的安排》申請原產地證書的數目，以及當中已獲得批准的申請數目？

(2) Hon CHAN Yuen-han (Written Reply)

Will the Government inform this Council:

- (a) in respect of the past three financial years, of:
- (i) the number of cases of non-compliance with the Hong Kong origin rules detected by the government departments concerned through inspections or reports from the public, the amount of money and the quantities of goods involved;
  - (ii) the number of cases in which prosecution was successfully instituted for non-compliance with the Hong Kong origin rules, the amount of fines and the terms of imprisonment involved; and
  - (iii) the number of officers of the authorities responsible for carrying out inspections of factories and checking of cargoes consigned; whether they carry out surprise raids; if so, the number of such raids;
- (b) of the items checked by the authorities during factory inspections to enforce the Hong Kong origin rules, and whether they include records of wages (records of bank transfers), provident fund contributions and information about subcontractors rendering help to the factories concerned in the manufacture of goods, such as their full addresses, contact arrangements with the persons in charge and the number of employees and their wages; if not, whether the authorities will consider checking these records; and
- (c) of the number of applications for the Certificate of Origin under the Mainland and Hong Kong Closer Economic Partnership Arrangement received by the authorities so far and, among them, the number of applications already approved?

#(3) 胡經昌議員 (書面答覆)

鑒於近日訪港遊客人數大增，政府可否告知本會，有否在位於鬧市的旅遊熱點(例如金紫荊廣場、山頂凌霄閣一帶及嗇色園黃大仙祠)實施特別交通管制措施，以免觀光車輛在路旁等候和接載遊客時造成交通阻塞？

(3) Hon Henry WU (Written Reply)

As the number of visitors to Hong Kong has increased considerably recently, will the Government inform this Council whether it has put in place special traffic control arrangements at popular tourist spots located in busy urban areas, such as the Golden Bauhinia Square, the Peak Tower and its vicinity and the Sik Sik Yuen Wong Tai Sin Temple, so as to avoid traffic obstructions caused by coaches waiting for and picking up visitors at the roadside?

#(4) 張文光議員 (書面答覆)

為重建經濟活力，前財政司司長於 2003 年 5 月成立了兩個專責小組，分別是“重建經濟活力策略小組”(“策略小組”)，負責就該計劃的整體綱領提供意見，以及“重建經濟活力工作小組”，負責審批該計劃所資助的項目。就此，政府可否告知本會：

- (一) 該兩個小組每次會議的日期、主持人和出席者；
- (二) 該兩個小組討論維港巨星匯節目的會議日期及具體內容；及
- (三) “策略小組”是否仍在運作；若是，該小組現正進行的工作項目；若否，當局為何終止該小組的運作？

(4) Hon CHEUNG Man-kwong (Written Reply)

To relaunch the economy, the former Financial Secretary set up, in May 2003, two *ad hoc* groups, namely the Economic Relaunch Strategy Group ("ERSG"), to give advice on the overall plan of the projects, and the Economic Relaunch Working Group, to vet the programmes funded by the projects. In this connection, will the Government inform this Council:

- (a) of the dates of meetings of the two Groups, together with the chairperson and participants of each meeting;
- (b) of the dates of the Groups' meetings at which the Hong Kong Harbour Fest was discussed and the specific details of the discussions; and
- (c) whether the ERSG is still operating; if so, of the projects it is undertaking; if not, the reasons for terminating its operation by the Administration?

#(5) 黃成智議員 (書面答覆)

據報，去年 12 月底，北區一間中學發生了一宗校園暴力事件，一名男學生多次被多名同學毆打。就此，政府可否告知本會：

- (一) 教育統籌局曾就這宗個案採取甚麼跟進行動；
- (二) 有否進行調查，以瞭解中學生在校內遭同學欺凌的情況；若然，調查結果為何及當局如何跟進；若否，會否考慮進行調查；及
- (三) 有何措施減輕學童在校內遭同學欺凌的情況，以及會否加強生命教育，尤其是使他們學會尊重生命、處理情緒，以及與朋友相處之道？

(5) Hon WONG Sing-chi (Written Reply)

It was reported that in late December last year, a case of campus violence occurred in a secondary school in the North District, in which a schoolboy was beaten up by several schoolmates on a number of occasions. In this connection, will the Government inform this Council:

- (a) of the follow-up actions on the case taken by the Education and Manpower Bureau;
- (b) whether it has conducted researches on the problem of bullying in secondary schools; if so, of the research findings and how the departments concerned have followed up the problem; if not, whether it will consider conducting such researches; and
- (c) of the measures to alleviate the problem of bullying in schools, and whether life education will be strengthened to make students learn to respect life, manage their emotions and get along with peers?



#(6) 麥國風議員 (書面答覆)

據報，廣東省當局於去年 12 月揭發有商人使用含有對人類健康有害雜質的工業用雙氧水漂白魚翅，部分經這樣漂白的魚翅已運往本港出售。就此，政府可否告知本會：

- (一) 在本港出售的海味的主要來源地，以及每名市民每年平均食用海味的數量及價值；
- (二) 過去 5 年，有關部門抽取了多少個海味樣本進行化驗；有關樣本被發現含有不適宜供人食用成分或違反其他規定的個案數目及詳情；及
- (三) 鑒於當局與內地有關當局已就食物安全事宜設立相互通報機制，內地有關當局有否向本港當局通報上述事件；若有，通報的詳情；若否，原因為何？

(6) Hon Michael MAK (Written Reply)

It has been reported that in December last year, the Guangdong authorities uncovered the use of industrial hydrogen peroxide, which contained impurities hazardous to human health, by some merchants to bleach shark's fins. Some of these bleached shark's fins had already been transported to Hong Kong for sale. In this connection, will the Government inform this Council:

- (a) of the major sources of dried seafood sold in Hong Kong and the average amount and value of dried seafood consumed per person every year;
- (b) of the number of dried seafood samples taken for laboratory tests by the relevant departments in the past five years; the number and details of the cases in which the samples were found to contain substances unfit for human consumption or breached other requirements; and
- (c) given that it has set up a reciprocal notification mechanism on food safety matters with the relevant Mainland authorities, whether the latter have notified their Hong Kong counterpart of the above incident; if they have, of the details of the notification; if not, the reasons for that?

# (7) 梁耀忠議員 (書面答覆)

據報，近日發生多宗犬隻因進食市民亂放於公眾地方的有毒鼠餌而死亡的事件。就此，政府可否告知本會：

- (一) 現時有否法例規管市民使用有毒鼠餌；若有，有關的法例規定詳情及是否適用於上述事件；若不適用，有何法例處理有關事件；及
- (二) 哪個政府部門負責調查有關事件，以及相關的執法及檢控程序為何？

(7) Hon LEUNG Yiu-chung (Written Reply)

It was reported that there were recently a number of incidents in which dogs died after eating poisonous rat baits placed recklessly by members of the public in public places. In this connection, will the Government inform this Council:

- (a) whether there is any legislation regulating the use of poisonous rat baits by the public; if so, of the details of the relevant statutory provisions and whether they apply to the above incidents; if such provisions are not applicable, of the legislation in place to deal with such incidents; and
- (b) of the government department responsible for investigating such incidents, as well as the relevant enforcement and prosecution procedures?

#(8) 鄧兆棠議員 (書面答覆)

關於向身處北大嶼山的傷病者提供的醫療服務，政府可否告知本會：

- (一) 當局就北大嶼山醫院興建計劃進行的檢討，進展及預計完成日期為何；
- (二) 現時救護車把傷病者由北大嶼山送往九龍西聯網各間醫院急症室的平均召達時間分別為何；該等時間與有關的全港平均數字如何比較；
- (三) 過去 3 年，經救護車由北大嶼山送往公立醫院急症室的傷病者的總人次，以及按分流級別劃分的細項數字；及
- (四) 有否計劃在北大嶼山設立診療所，提供全日 24 小時非緊急醫療服務；若否，原因為何？

(8) Dr Hon TANG Siu-tong (Written Reply)

Regarding the provision of medical services to patients in North Lantau, will the Government inform this Council:

- (a) of the progress and the estimated completion date of the review on the construction plan for North Lantau Hospital;
- (b) of the respective average response times of ambulances for conveying patients from North Lantau to the Accident and Emergency ("A&E") departments of various hospitals in the Kowloon West cluster; how they compare with the average response time for the whole territory;
- (c) of the total number of patient-trips taken by ambulances from North Lantau to the A&E departments of public hospitals over the past three years, together with a breakdown by triage categories; and
- (d) whether it has plans to set up a clinic in North Lantau to provide round-the-clock non-urgent medical services; if not, of the reasons for that?

#(9) 譚耀宗議員 (書面答覆)

本人經常接獲市民投訴以地磚鋪砌的行人路路面凹凸不平，危及市民(尤其是長者)的安全。關於這些行人路的質素和維修問題，政府可否告知本會：

- (一) 過去兩年，路政署每年接到關於行人路路面不平坦的投訴個案數字及進行維修的次數；
- (二) 會否制訂措施，包括改用硬度及質素較佳的鋪路磚，以減少行人路路面不平坦的情況；及
- (三) 有何措施及早處理市民的投訴和加快維修不平坦的行人路路面？

(9) Hon TAM Yiu-chung (Written Reply)

I often receive complaints from members of the public about rugged surfaces of slab-paved pavements which may endanger the safety of the public, especially the elderly. Regarding the quality of and repair works on these pavements, will the Government inform this Council:

- (a) of the respective numbers of complaints received and repair works carried out by the Highways Department in respect of uneven pavement surfaces in each of the past two years;
- (b) whether it will formulate measures, including the use of paving slabs that are harder and of better quality, to minimize the occurrence of uneven pavement surfaces; and
- (c) of the measures in place to handle complaints from the public in a timely manner and expedite the repair works on uneven pavement surfaces?

#(10) 馮檢基議員 (書面答覆)

政府可否告知本會，是否知悉：

- (一) 按個案性質劃分，過去 5 年每年乘客擅自闖入地鐵有限公司(“地鐵公司”)路軌範圍的個案數目和涉及的傷亡人數；
- (二) 現時地鐵公司為每個車站裝設月台幕門的進展情況，以及該公司預計將於何時可在全部車站裝設月台幕門；及
- (三) 現時地鐵公司有何措施保障在未裝設幕門的月台上候車乘客的人身安全？

(10) Hon Fredrick FUNG (Written Reply)

Will the Government inform this Council whether it knows:

- (a) the number of cases in which passengers entered the track areas of MTR Corporation Limited ("MTRCL") without authorization and the casualty toll concerned in each of the past five years, broken down by the nature of such cases;
- (b) the progress on the installation of screen doors by MTRCL at each of its station, and the estimated completion date for the installation of screen doors at all stations; and
- (c) the measures MTRCL has in place to safeguard the safety of passengers who wait for trains on platforms not installed with screen doors?

#(11) 李華明議員 (書面答覆)

據報，根據環境保護署設於觀塘區的一般監測站紀錄，該區在2001年共有18小時空氣污染屬“甚高”水平，而在2002及2003年則分別為64和136小時，顯示該區的空氣污染日趨嚴重；以全年空氣污染屬“甚高”水平的總時數計算，在2003年，觀塘區是本港空氣污染最嚴重的地區。就此，政府可否告知本會：

- (一) 觀塘區的空氣污染通常在甚麼時段、天氣及環境狀況下較為嚴重；
- (二) 鑒於近年不少位於該區的工業大廈已改變作非工業用途，當局有否研究為何該區的空氣污染反而日趨嚴重；若有研究，結果為何；及
- (三) 有否制訂長遠策略，以減輕該區的空氣污染；若有，該項策略的詳情；若否，原因為何？

(11) Hon Fred LI (Written Reply)

It has been reported that according to the records of the Environmental Protection Department's general station in Kwun Tong, the air pollution level in the district was "very high" for a total of 18 hours in 2001, and the respective figures for 2002 and 2003 were 64 and 136 hours, which shows that air pollution in the district has been worsening; and based on the total number of hours per annum for which the air pollution level was "very high", the air pollution level in Kwun Tong was the most serious among all districts in the territory in 2003. In this connection, will the Government inform this Council:

- (a) of the hours of the day, weather and environmental conditions in which the air pollution in Kwun Tong was often more serious;
- (b) as quite a number of industrial buildings in the district have been converted to non-industrial uses in recent years, whether it has studied why air pollution in the district has worsened instead; if it has, of the study results; and
- (c) whether it has established a long-term strategy to reduce air pollution in the district; if it has, of the details of the strategy; if not, the reasons for that?

#(12) 單仲偕議員 (書面答覆)

據報，中國人壽保險股份有限公司早前在港招股上市，招股期間出現連串失誤，先有證券行投訴收票銀行拒收經紀專用的黃色申請表格，而在即將掛牌前，又發生股份分配名單出錯事件，以致有投資者因而錯誤沽空，蒙受損失。就此，政府可否告知本會：

- (一) 有否評估在現行金融及證券監管制度下，證券及期貨事務監察委員會(“證監會”)有否足夠措施監管企業在港招股上市；若有評估而結果顯示有足夠措施，為何上述公司在招股期間出現連串失誤；
- (二) 證監會有否主動調查上述失誤，從而追究責任及研究如何防止這些失誤再次發生；及
- (三) 證監會有否接獲上述投資者的投訴；若有，證監會如何協助他們向有關公司及其上市保薦人追討賠償？

(12) Hon SIN Chung-kai (Written Reply)

It has been reported that during the recent initial public offering ("IPO") in Hong Kong of the China Life Insurance Company Limited, a series of blunders occurred. First, some securities firms complained that receiving banks had refused to accept yellow application forms dedicated for use by brokers. When the listing was about to take place, mistakes were found in the allocation lists, and some investors had made short selling wrongly and suffered losses as a result. In this connection, will the Government inform this Council whether:

- (a) it has assessed if the Securities and Futures Commission ("SFC") has sufficient measures to monitor IPOs of enterprises in Hong Kong under the existing financial and securities regulatory regime; if it has and the assessment results show that the measures are sufficient, of the reasons for the occurrence of the series of blunders during IPO of the above company;
- (b) SFC has taken the initiative to investigate the above blunders, with a view to tracking down the responsible party and exploring ways to avoid the recurrence of such blunders; and
- (c) SFC has received complaints from the above investors; if so, how SFC assists them in seeking compensation from the relevant company and its listing sponsor?

#(13) 蔡素玉議員 (書面答覆)

據報，政府現正研究在深圳河河套地區設立工業特區的可行性，但該地區附近有多種瀕危鳥類和國家級受保護動物棲息，落實發展計劃會嚴重破壞當地的生態環境。就此，政府可否告知本會：

- (一) 當局在進行上述可行性研究時，會否對有關地區進行生態調查，以確定在當地棲息的動物種類；及
- (二) 當局在考慮應否落實上述發展計劃時，會否以保留在當地棲息的動物種類為先決條件？

(13) Hon CHOY So-yuk (Written Reply)

It has been reported that the Government is currently studying the feasibility of setting up a special industrial zone in the river loop area of Shenzhen River. However, as a number of endangered avian species and national protected animals are in the vicinity of the area, implementing the development plan will cause serious damage to the ecological environment there. In this connection, will the Government inform this Council whether:

- (a) in carrying out the above feasibility study, the authorities will conduct ecological survey in the relevant area to ascertain the animal species dwelling there; and
- (b) the authorities will regard the preservation of animal species dwelling in the area as a prerequisite when considering whether or not the above development plan should be implemented?



#(14) 陳偉業議員 (書面答覆)

當局於 2002 年 6 月 19 日答覆本人提出的質詢時表示，當局已採取若干措施監管代收債款公司(俗稱“收數公司”)的追債手法。然而，本人仍然接獲不少市民投訴，指這些收數公司的追債活動令他們情緒受到困擾，甚至令他們萌生自殺念頭。雖然銀行聘用收數公司或採取法律行動追討欠款並不違法，但此舉卻令事主造成沉重之心理壓力。就此，政府可否告知本會：

- (一) 過去 15 個月，市民就收數公司的滋擾行為向警方舉報的個案數字；
- (二) 法律改革委員會就立法規管收數公司的活動和追債手法所進行的研究的進度；及
- (三) 會否考慮加強執法，以遏止收數公司採取滋擾性的追債手法；若會，有關的詳情；若否，原因為何？

(14) Hon Albert CHAN (Written Reply)

In reply to my question on 19 June 2002, the Administration said that some measures had been taken to monitor the tactics used by debt-collection agencies for recovering debts. However, I am still receiving many complaints from members of the public alleging that they have been seriously distressed by the tactics used by debt-collection agencies, to the extent that they have even contemplated committing suicide out of frustration. While it is legal for banks to hire debt-collection agencies or take legal actions to recover debts, such actions have put debtors under immense psychological pressure. In this connection, will the Government inform this Council:

- (a) of the number of cases reported to the Police over the past 15 months about debt-collection agencies' harassment;
- (b) of the progress of the study conducted by the Law Reform Commission on the making of laws to regulate the activities and debt recovery practices of debt-collection agencies; and
- (c) whether it will consider stepping up enforcement to curb the harassing practices of debt-collection agencies; if so, of the details; if not, the reasons for that?

#(15) 何鍾泰議員 (書面答覆)

據報，香港有潛質成爲醫療服務之都。就此，政府可否告知本會：

- (一) 過去 1 年，來港接受治療的人數及他們主要來自哪些國家；
- (二) 市場調查公司有否比較世界各地的醫療服務水平；若有，香港的醫療服務在世界的排名；及
- (三) 有否計劃提升香港成爲醫療服務之都；若有，詳情爲何；若否，原因爲何？

(15) Ir Dr Hon HO Chung-tai (Written Reply)

It has been reported that Hong Kong has the potential to become a capital of medical services. In this connection, will the Government inform this Council:

- (a) of the number of persons who came to Hong Kong for medical treatment in the past year and the countries they mainly came from;
- (b) whether market research companies have compared the standards of the medical services in various places in the world; if so, of the ranking of Hong Kong's medical services; and
- (c) whether it has plans to promote Hong Kong as a capital of medical services; if so, of the details; if not, the reasons for that?

#(16) 劉江華議員 (書面答覆)

據報，現時內地旅客在進入香港時須向香港當局提交已填妥的健康申報表，他們在返回內地時亦需向內地當局申報健康狀況。部分內地旅客是在其他內地省市前往深圳的火車上填寫該表格，以縮減辦理入境手續的時間。然而，並非每班火車的乘客均獲派發健康申報表格，不少旅客因而須在羅湖車站旁的聯檢大樓索取及填寫表格，延誤了入境時間。此外，從其他陸路口岸、機場及海港進入香港及返回內地的內地旅客亦出現類似延誤。就此，政府可否告知本會：

- (一) 是否知悉現時由哪一個內地政府部門負責向內地來港旅客派發健康申報表；若沒有負責的政府部門，香港當局會否向內地當局提出建議及協助；
- (二) 有否接獲從陸路口岸、機場及海港進入香港及返回內地的旅客投訴上述延誤；若有，香港當局如何與內地當局跟進這些投訴；及
- (三) 實施內地居民來香港“個人遊”政策至今，當局有否措施解決內地旅客進入香港及返回內地時遇到的上述延誤問題；若有，有關措施的成效為何？

(16) Hon LAU Kong-wah (Written Reply)

It has been reported that travellers from the Mainland are required to complete and submit health declaration forms to the Hong Kong authorities when they enter Hong Kong. They are also required to declare their state of health to the Mainland authorities when they return to the Mainland. Some Mainland travellers fill in the forms while travelling on the trains from other Mainland provinces and cities to Shenzhen, so as to expedite immigration clearance. However, not all passengers on every train are given health declaration forms. Many of them have to obtain and complete the forms at the Joint Inspection Terminal beside the Lo Wu Railway Station, thereby causing delay in immigration clearance. Moreover, Mainland travellers who enter Hong Kong and return to the Mainland via other land boundary control points, the airport and seaports suffer similar delays. In this connection, will the Government inform this Council whether:

- (a) it knows the government department in the Mainland currently responsible for distributing health declaration forms to Mainland travellers visiting Hong Kong; if no government department has been designated to be responsible for this, whether the Hong Kong authorities will put forward proposals and offer assistance to the Mainland authorities in this respect;
- (b) it has received complaints about the above delays from Mainland travellers who enter Hong Kong and return to the Mainland via land boundary control points, the airport and seaports; if so, how the Hong Kong authorities follow up such complaints with their Mainland counterparts; and
- (c) since the implementation of the "Individual Visit Scheme" for Mainland travellers visiting Hong Kong, it has measures to resolve the problem of clearance delays encountered by Mainland travellers in entering Hong Kong and returning to the Mainland; if so, of the effectiveness of these measures?

#(17) 劉慧卿議員 (書面答覆)

關於在去年 12 月獲委任為第二屆區議會議員的 102 名人士，行政機關可否告知本會：

(一) 自 1997 年 7 月 1 日至今，當局曾委任他們加入哪些諮詢組織及擔任哪些其他公職；及

(二) 他們現時的職業和所屬政治團體為何？

(17) Hon Emily LAU (Written Reply)

Regarding the 102 persons appointed as members of the second term District Councils in December last year, will the Executive Authorities inform this Council of:

- (a) the advisory bodies and other public offices to which such persons have been appointed since 1 July 1997; and
- (b) their current occupations and the political groups to which they belong?

#(18) 余若薇議員 (書面答覆)

《青年人紋身條例》(第 323 章)第 3 條規定，為 18 歲以下的人進行紋身，即屬犯罪；如紋身是由註冊醫生為醫學上的理由而進行，則屬例外。就此，政府可否告知本會：

- (一) 自上述法例生效以來，當局就違反有關規定而提出的檢控數目；及
- (二) 在有關法例生效前或後，當局有否就法例的規定向受影響的紋身商舖進行廣泛宣傳；若有，詳情為何；若否，原因為何？

(18) Hon Audrey EU (Written Reply)

Under section 3 of the Tattooing of Young Persons Ordinance (Cap. 323), it shall be an offence to tattoo any person under the age of 18 years except when the tattoo is performed for medical reasons by a registered medical practitioner. In this connection, will the Government inform this Council:

- (a) of the number of prosecutions instituted by the authorities for violation of the relevant provision since the commencement of the Ordinance; and
- (b) whether the authorities have widely publicized the provisions of the Ordinance among the affected tattoo shops before or after its commencement; if so, of the details; if not, the reasons for that?

#(19) 胡經昌議員 (書面答覆)

近期亞洲多國相繼爆發禽流感，導致多人死亡，令人關注禽流感的蔓延情況。此外，近日有市民投訴，清晨時分在維多利亞公園等公眾地方非法餵飼白鴿的情況嚴重。由於禽流感病毒可隨雀鳥散播，令人擔心禽流感會因而在香港爆發，就此，政府可否告知本會：

- (一) 有何措施防止候鳥及本地雀鳥交叉感染及傳播病毒；及
- (二) 會否考慮加強執法行動，以對付於非辦公時間在公眾地方非法餵飼白鴿的人士；若會，詳情為何；若否，原因為何？

(19) Hon Henry WU (Written Reply)

The recent successive outbreaks of avian flu in many Asian countries have caused many deaths, arousing concerns about the spread of avian flu. Furthermore, there have recently been complaints by members of the public about the serious situation of illegal feeding of pigeons in public places such as the Victoria Park at dawn. Since the avian flu virus may be transmitted through birds, there are worries that there may be an outbreak of avian flu in Hong Kong as a result. In this connection, will the Government inform this Council:

- (a) of the measures for preventing cross-infection between migratory and local birds and transmission of viruses by such birds; and
- (b) whether it will consider stepping up enforcement actions against people illegally feeding pigeons in public places during non-office hours; if it will, of the details; if not, the reasons for that?

#(20) 黃成智議員 (書面答覆)

一名愉景灣居民於 2002 年 6 月揭發有發展商未經許可佔用北大嶼山郊野公園部分土地長達 20 年，但原來該發展商於 1981 年已向政府申請以短期租約方式使用該幅土地，只是地政總署沒有妥善備存有關的檔案，以致未能翻查有關處理上述短期租約申請的紀錄，而該署在 2003 年年中才去信要求有關的發展商以短期租約方式租用該幅土地。就此，政府可否告知本會：

- (一) 有否評估地政總署在處理上述 1981 年的短期租約申請時是否失職；若有，評估的結果；若否，原因為何；
- (二) 根據房屋及規劃地政局局長於本年 1 月 14 日在立法會會議就本人的質詢所作的回覆，過去 5 年未經許可佔用政府土地進行商業用途的個案大部分已獲得處理，但處理此宗涉及大型發展商和所涉土地面積廣闊的個案，卻需時超過 20 年，當局有否評估與過去 5 年所處理的個案相比之下，上述個案的處理手法是否有欠公平；若評估結果顯示有關做法是公平的，理據為何；此外，該發展商在佔用該幅土地的 20 年期間，有哪一段時間屬非法佔用有關土地；
- (三) 地政總署根據甚麼準則釐訂向該發展商發出的短期租約所列明的租金款額，以及會否向發展商追收 20 年佔用期的租金及差餉；若會，所持的法律理據和分別涉及的租金和差餉款額；若否，原因為何；及
- (四) 當局如何跟進該發展商不同意以短期租約方式租用上述土地或放棄使用該幅土地；會否考慮收回該幅土地作其他用途；若會，詳情為何；若否，原因為何？



(20) Hon WONG Sing-chi (Written Reply)

A resident in Discovery Bay disclosed in June 2002 that part of the land in North Lantau Country Park had been occupied without authorization by a developer for 20 years. It turned out that the developer concerned had in fact applied to the Government in 1981 for the use of the land under a short term tenancy ("STT"), but records on how the application had been handled at that time could not be retrieved due to the failure of the Lands Department ("LD") to keep the relevant files properly. It was only in mid-2003 that the LD wrote to request the developer concerned to lease the land under a STT. In this connection, will the Government inform this Council:

- (a) whether it has assessed if there was dereliction of duty on the part of LD in handling the STT application made in 1981; if it has, of the assessment results; if not, the reasons for that;
- (b) as according to the reply given by the Secretary for Housing, Planning and Lands to my question raised at the Legislative Council meeting on 14 January this year, cases of unauthorized occupation of government land for commercial uses in the past five years had mostly been handled, yet the Government has taken over 20 years to deal with the above case which involves a major developer and a large piece of land, whether the authorities have assessed if the case has been handled in an unfair manner when compared with those handled in the past five years; if the assessment results indicate that the case has been handled fairly, the justifications for that; and during its 20 years of occupation of the land, the specific period in which the developer occupied the land illegally;
- (c) of the criteria used by LD for determining the amount of rent payable specified in the STT issued to the developer concerned, and whether it will recover from the developer the rents and rates payable for the past 20 years of occupation; if so, of the legal basis for doing so, as well as the respective amounts of rents and rates involved; if not, the reasons for that; and
- (d) how the authorities follow up on the developer's non-acceptance of leasing the land under a STT or relinquishing the use of the land; whether they will consider resuming the land for other uses; if so, of the details; if not, the reasons for that?