

立法會
Legislative Council

LC Paper No. CB(1)2343/04-05
(These minutes have been seen
by the Administration)

Ref: CB1/SS/10/04

**Subcommittee on Proposed Resolution under
Section 22 of the Tung Chung Cable Car Ordinance**

**Meeting on
Monday, 5 September 2005, at 10:45 am
in Conference Room A of the Legislative Council Building**

- Members present** : Hon Miriam LAU Kin-ye, GBS, JP (Chairman)
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon SIN Chung-kai, JP
Hon Howard YOUNG, SBS, JP
Hon Albert CHAN Wai-yip
Hon LEE Wing-tat
- Members absent** : Hon CHAN Kam-lam, SBS, JP
Hon CHEUNG Hok-ming, SBS, JP
Hon Albert Jinghan CHENG
- Public Officers
Attending** : Ms Maisie CHENG
Deputy Commissioner for Tourism
Economic Development and Labour Bureau
- Miss Patricia SO
Assistant Commissioner (Tourism) 2
Economic Development and Labour Bureau
- Mr Raymond CHAN
Senior Assistant Law Officer (Civil Law)
Department of Justice
- Mr Albert YUEN
Assistant Commissioner/Bus & Railway
Transport Department

Miss Alice AU YEUNG
Principal Transport Officer/Bus & Railway 2
Transport Department

Attendance by invitation : MTR Corporation Limited

Ms Teresa CHEUNG
Legal Manager General

Skyrail-ITM (Hong Kong) Limited

Mr Ken CHAPMAN
Chief Executive Officer

Mr Bill CALDERWOOD
General Manager

Clerk in attendance : Ms Anita SIT
Senior Council Secretary (1)9

Staff in attendance : Miss Anita HO
Assistant Legal Adviser 2

Mr Anthony CHU
Council Secretary (1)2

Action

I Confirmation of minutes and matters arising
(LC Paper No. CB(1)2167/04-05 - Minutes of meeting held on 21 July 2005)

The minutes of the meeting held on 21 July 2005 were confirmed.

II Meeting with the Administration

Matters raised at the meeting held on 21 July 2005

(LC Paper No. CB(1)2236/04-05(01) - Information paper provided by the Administration

Action

LC Paper No. CB(1)2238/04-05(01) - Letter dated 25 August 2005 from New Lantao Bus Co. (1973) Ltd. (in English only)

2. The Chairman drew members' attention to the letter dated 25 August 2005 from New Lantao Bus Co. (1973) Ltd. (NLB) (LC Paper No. CB(1)2238/04-05(01) which was issued under confidential cover for the reference of the Subcommittee's members only as the letter contained information relating to the detailed commercial discussions on Ngong Ping visit combo packages among NLB, MTR Corporation Limited (MTRCL) and Skyrail-ITM (Hong Kong) Limited (Skyrail).

3. The Subcommittee deliberated (index of proceedings attached at **Annex A**).

Clause-by-clause examination of the proposed Tung Chung Cable Car Bylaw

(LC Paper No. CB(1)2236/04-05(01) - Proposed resolution under Section 22 of the Tung Chung Cable Car Ordinance (Cap. 577) moved by the Secretary for Economic Development and Labour)

4. The Subcommittee commenced clause-by-clause examination of the proposed Tung Chung Cable Car Bylaw.

5. Members noted that according to Skyrail's current planning, the journeys of the round-trip ticket for Ngong Ping 360 would have to be taken within the same day. Members pointed out that there were passengers who would choose to reside overnight at Ngong Ping. Skyrail took note of this point and would consider if the validity for the round-trip ticket could be extended for these passengers.

6. The Administration and MTRCL/Skyrail were requested to provide the following information –

The Administration

- (a) To continue to monitor the discussion on cooperative arrangements between Skyrail and New Lantao Bus Co. (1973) Ltd. and report the progress to the Subcommittee in due course;
- (b) To provide the estimated patronage, in terms of passenger trips, of different types of transport modes after the commissioning of the Tung Chung Cable Car System and the completion of the tourism development in Ngong Ping. Where available, the existing patronage situation should also be provided;

Action

MTRCL/Skyrail

- (c) Regarding section 11 on revision of fares of the draft Bylaw, to consider the practical means of giving advance notice of any fare adjustment to the public;
- (d) Regarding section 12 on “Tickets contain no warranty or acceptance of liability” of the draft Bylaw, to consider revising the section to duly safeguard consumers’ interest with reference to the relevant practices/statutory provisions of similar overseas facilities;
- (e) Regarding sections 14 to 16, to advise the Subcommittee of the intended approach for handling cases such as unintentional entry and travel without ticket by children; and
- (f) To advise the Subcommittee of the policies in respect of the offer of concessionary fares and the refund and exchange of tickets.

III Any other business

- 7. Members noted that the next meeting was scheduled for Thursday, 8 September 2005 at 10:45 am.
- 8. There being no other business, the meeting ended at 12:40 pm.

Council Business Division 1
Legislative Council Secretariat
3 October 2005

**Proceedings of the first meeting of Subcommittee on
Proposed Resolution under Section 22 of the
Tung Chung Cable Car Ordinance (Cap. 577)
Monday, 5 September 2005, at 10:45 am
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
Agenda Item I – Confirmation of minutes and matters arising			
000000 – 000019	Chairman	Confirmation of minutes of the meeting held on 21 July 2005 (LC Paper No. CB(1)2167/04-05)	
Agenda Item II – Meeting with the Administration <i>Matters raised at the meeting held on 21 July 2005</i>			
000020 – 000250	Chairman	Opening remarks	
000251 – 000915	Admin	Progress of the discussion between Skyrail-ITM (Hong Kong) Limited (Skyrail) and New Lantao Bus Co (1973) Ltd. (NLB) Presentation of the Administration's paper (LC Paper No. CB(1)2236/04-05(01))	
000916 – 001918	Mr Albert CHAN Chairman Admin	Concern about the effectiveness of the combo package agreed between Skyrail and NLB in sustaining the operational viability of NLB and in promoting the development of tourism in other parts of Lantau Island	
001919 – 002419	Mrs Selina CHOW	The Subcommittee should not interfere with the commercial arrangements between MTR Corporation Limited (MTRCL)/Skyrail and NLB The competitiveness of NLB after the commissioning of the Skyrail	
002420 – 003454	Mr LEE Wing-tat Chairman Admin	Concern that the reduction in patronage in NLB's Ngong Ping routes might put pressure on NLB to increase the fares and/or reduce the service of its other routes	
003455 – 003633	Chairman Admin Skyrail	Timeframe for completing the discussion between Skyrail and NLB on the cooperative arrangements	
003634 – 004049	Mr Howard YOUNG Chairman Admin	Issues relating to the public transport services on Lantau Island should be followed up by the Panel on Transport	

Time marker	Speaker	Subject(s)	Action required
004050 – 004204	Mr Albert CHAN	Mr CHAN’s position on the impact of the Tung Chung to Ngong Ping Cable Car System (CCS) on NLB and the tourism development in other parts of Lantau	
004205 – 004315	Chairman	Concluding remark	The Administration to take action under paragraph 6(a) of the minutes
004316 – 004825	Mr LEE Wing-tat Chairman	Projected patronage figures in the Administration’s paper Request for figures of passengers using different types of transport modes to Ngong Ping after the commissioning of CCS	The Administration to take action under paragraph 6(b) of the minutes
<i>Clause-by-clause examination of the proposed Tung Chung Cable Car Bylaw</i>			
004826 – 005454	Chairman Mr SIN Chung-kai Admin MTRCL	<i>Section 1</i> <i>Section 2</i> Children (under 12 years of age) must be accompanied by a person who has attained 15 years of age	
005455 – 005749	Chairman Mr LEE Wing-tat Admin Mr Howard YOUNG MTRCL Skyrail	<i>Sections 3 and 4</i> Areas posted with a warning sign for no trespass would be limited to the immediate vicinity of the pylons of the CCS. Existing hikers’ trails between Tung Chung and Ngong Ping would not be blocked.	
005750 – 010214	Chairman MTRCL Mr LEE Wing-tat ALA2	<i>Sections 5 and 6</i> <i>Section 7</i> Clarification on the phrase “cause to be deposited or thrown”	
010215 – 011524	Chairman Mr Howard YOUNG MTRCL Admin Skyrail Mr LEE Wing-tat Mrs Selina CHOW	<i>Sections 8 to 10</i> <i>Section 11</i> Sufficient notification of price changes should be given to the trade and public Whether price changes would affect tickets sold in advance Whether publication of notification of price changes could be in the Government Gazette	MTRCL/Skyrail to take action under section 6(c) of the minutes

Time marker	Speaker	Subject(s)	Action required
011525 – 013003	Chairman Mr LEE Wing-tat Admin MTRCL Skyrail Mrs Selina CHOW	<i>Section 12</i> Concern that passenger's rights would not be duly safeguarded as the section would exempt the Company from any liability for any loss or damage caused by service interruption of the CCS, but would not afford any protection to passengers.	MTRCL/Skyrail to take action under section 6(d) of the minutes
013004 – 014114	Chairman Mr LEE Wing-tat MTRCL Skyrail Mrs Selina CHOW	<i>Section 13</i> <i>Section 14</i> The CCS would not be an open system but a turnstile system <i>Section 15</i> The amount of surcharge would be \$500 <i>Section 16</i> Whether the validity period of the round-trip ticket could be extended for passengers who chose to stay overnight at Ngong Ping Ways of handling cases such as unintentional entry and travel without a valid ticket by children	MTRCL/Skyrail to take action under section 6(e) of the minutes
014115 – 014547	Chairman MTRCL Skyrail Mrs Selina CHOW Mr LEE Wing-tat	<i>Section 17</i> Concessionary tickets	MTRCL/Skyrail to take action under section 6(f) of the minutes
014548 – 015220	Chairman Mrs Selina CHOW MTRCL Skyrail Mr LEE Wing-tat	<i>Section 18 and 19</i> <i>Section 20</i> The conditions for refund and exchange would be posted in the CCS area for passengers' information Request for information on the refund and exchange policy of the Company Administration charge that might be deducted in the refund and exchange procedure	MTRCL/Skyrail to take action under section 6(f) of the minutes
015221 – 015325	Chairman	Concluding remarks	
<i>Agenda Item III – Any other business</i>			
	Chairman	Date of next meeting	