

**立法會**  
**Legislative Council**

LC Paper No. CB(1)1343/06-07  
(These minutes have been seen  
by the Administration)

Ref: CB1/BC/3/05

**Bills Committee on Rail Merger Bill**

**Minutes of eighteenth meeting on  
Tuesday, 27 February 2007, at 10:45 am  
in the Chamber of the Legislative Council Building**

- Members present** :
- Hon Miriam LAU Kin-yee, GBS, JP (Chairman)
  - Hon Albert HO Chun-yan
  - Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
  - Hon LEE Cheuk-yan
  - Dr Hon LUI Ming-wah, SBS, JP
  - Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
  - Hon CHAN Kam-lam, SBS, JP
  - Hon LEUNG Yiu-chung
  - Hon SIN Chung-kai, JP
  - Hon LAU Kong-wah, JP
  - Hon Emily LAU Wai-hing, JP
  - Hon Andrew CHENG Kar-foo
  - Hon Abraham SHEK Lai-him, JP
  - Hon LI Fung-ying, BBS, JP
  - Hon Tommy CHEUNG Yu-yan, JP
  - Hon WONG Kwok-hing, MH
  - Hon LEE Wing-tat
  - Hon Jeffrey LAM Kin-fung, SBS, JP
  - Dr Hon Fernando CHEUNG Chiu-hung
  - Hon CHEUNG Hok-ming, SBS, JP
  - Hon Ronny TONG Ka-wah, SC
  - Prof Hon Patrick LAU Sau-shing, SBS, JP
  - Hon KWONG Chi-kin
  - Hon TAM Heung-man
- Members absent** :
- Hon TAM Yiu-chung, GBS, JP (Deputy Chairman)
  - Hon Albert CHAN Wai-yip
  - Hon LI Kwok-ying, MH, JP
  - Hon LEUNG Kwok-hung
  - Hon CHIM Pui-chung

- Public Officers attending** :
- Mr Patrick HO  
Deputy Secretary for the Environment, Transport and Works
  - Mrs CHU POON Kit-man, Hedy  
Principal Assistant Secretary for the Environment, Transport and Works
  - Mr Kady LO Kin-hung  
Chief Inspecting Officer (Railways)  
Environment, Transport and Works Bureau
  - Mr David LAU  
Principal Assistant Secretary for Financial Services and the Treasury
  - Mr Sunny CHAN Yuen-sun  
Senior Assistant Law Draftsman  
Department of Justice
  - Mr Albert YUEN Lap-pun  
Assistant Commissioner for Transport/Bus & Railway
  - Miss Alice AU YEUNG  
Principal Transport Officer (Bus and Railway)  
Transport Department
- Attendance by invitation** :
- MTR Corporation Limited
    - Mr Andrew McCUSKER  
Operations Director
    - Mr Wilfred LAU  
Head of Operations
    - Mrs Miranda LEUNG  
General Manager – Corporate Relations
    - Ms Maggie SO  
External Affairs & Government Relations Manager
  - Kowloon-Canton Railway Corporation
    - Mr Y T LI  
Senior Director, Transport
    - Mr Raymond WONG  
Senior Corporate Affairs Manager

**Clerk in attendance** : Mr Andy LAU  
Chief Council Secretary (1)2

**Staff in attendance** : Ms Connie FUNG  
Assistant Legal Adviser 3

Ms Sarah YUEN  
Senior Council Secretary (1)6

Mr Anthony CHU  
Council Secretary (1)2

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Action

**I Confirmation of minutes and matters arising**

(LC Paper No. CB(1)957/06-07 - Minutes of the meeting held on  
23 January 2007)

The minutes of the meeting held on 23 January 2007 were confirmed.

**II Integrated Operating Agreement**

(LC Paper No. CB(1)627/06-07(01) - The Administration's response to  
issues raised at the meeting on  
19 December 2006 on the integrated  
Operating Agreement

LC Paper No. CB(1)755/06-07(01) - Submission from Dr Hon Fernando  
CHEUNG Chiu-hung on the  
integrated Operating Agreement

LC Paper No. CB(1)1006/06-07(01) - Submission from Dr Hon Fernando  
CHEUNG Chiu-hung on the  
integrated Operating Agreement

LC Paper No. CB(1)520/06-07(01) - Information paper on the integrated  
Operating Agreement provided by  
the Administration

LC Paper No. CB(1)872/06-07(01) - Information paper on collection of  
fares provided by the Administration

LC Paper No. IN03/06-07 - Information note on major changes  
proposed in the draft integrated  
Operating Agreement between the  
MTR Corporation Limited and the  
Government prepared by Research  
and Library Services Division of the  
LegCo Secretariat)

## Action

2. The Bills Committee deliberated (index of proceedings attached at **Annex**).
3. The Bills Committee continued to examine the integrated Operating Agreement (IOA) clause by clause.

### Clause 4.13 – Measuring customer satisfaction

4. Some members of the Bills Committee had expressed concern about the inadequacy in the existing arrangements for railway corporations to measure customer satisfaction with their railway services as they only focused on the Customer Service Pledges listed in clause 4.12.3. In particular, Mr Andrew CHENG and Mr LEE Wing-tat considered that it was necessary for the two railway corporations to measure customer satisfaction on the way they handled railway incidents and the related contingency arrangements. The Administration advised that as a regulator, its role was to ensure that a proper mechanism was in place for the railway corporations to undertake passenger satisfaction surveys and publicize their findings. Currently both railway corporations had undertaken passenger satisfaction surveys and other kinds of surveys. Kowloon-Canton Railway Corporation (KCRC) added that it had included specific questions in its passenger satisfaction surveys to solicit passengers' views on the adequacy of its contingency measures to handle railway incidents. MTR Corporation Limited (MTRCL) also pointed out that it would gauge the public views on the performance of MTR through passenger surveys and other channels. Feedbacks from the media and Members of the Legislative Council after a particular incident also served as useful references for the corporation to further enhance its services. In view of members' concern, the two railway corporations undertook to consider reviewing the arrangements for measuring customer satisfaction with their railway services so as to gauge passengers' views on whether they were satisfied with the way the railway corporations handled a particular railway incident and the related contingency arrangements.

5. Some members of the Bills Committee had expressed grave concern that despite the arrangements for measuring customer satisfaction with the railway services, KCRC had not taken seriously the views so collected, particularly in the case of Light Rail (LR). Citing the case of the open fare and ticket inspection system as an example, Mr Albert HO highlighted the long-lasting conflict between passengers and ticket inspectors over the issue of fare payment. KCRC advised that due to physical constraints, it was difficult to install ticket gates at LRT stations. It would however continue to examine ways to improve the open fare system.

### Clause 4.14 – Handling of passenger complaints and suggestions

6. On the arrangements for handling passenger complaints and suggestions as provided for in clause 4.14, the Bills Committee had considered a number of suggestions put forward by members to improve the arrangements. It requested the Administration and the two railway corporations to consider members' suggestions and revert to the Bills Committee.

Action

Clause 4.15 – Signs and passenger information

7. The Bills Committee noted the suggestions put forward by Dr Fernando CHEUNG Chiu-hung to improve the facilities provided to persons with disabilities (PwDs) so as to enable PwDs to proceed safely and correctly with the minimum delay. The Administration and the two railway corporations undertook to consider Dr CHEUNG's suggestions and revert to the Bills Committee. The Bills Committee also deliberated on ways to ensure the proper display of passenger information and how to facilitate passengers to make enquiries and seek in-station assistance.

8. In light of the recent railway incident in which a fire broke out in a tunnel, some members urged the railway corporations to review the adequacy of the lighting and emergency evacuation signs provided inside railway tunnels.

Follow-up actions

Admin/  
MTRCL/  
KCRC 9. To address the various concerns expressed at the meeting, the Administration and the two railway corporations were requested to –

Clause 4.13

- (a) The two railway corporations to consider reviewing the arrangements for measuring customer satisfaction with their railway services so as to gauge passengers' views on whether they were satisfied with the way the railway corporations handled a particular railway incident and the related contingency arrangements;
- (b) KCRC to provide findings of previous passenger satisfaction surveys with regard to customer satisfaction with the contingency measures implemented during KCR railway incidents;
- (c) KCRC to consider improving the arrangements for measuring customer satisfaction with LR service and consider improvement measures such as installing platform gates at LR stations, improving the open fare and ticket inspection system so as to reduce conflicts between passengers and LR staff, introducing monthly ticket scheme for short-haul journeys, improving the traffic light, enhancing the safety of signalized pedestrian crossings across the LR tracks, etc;
- (d) The Administration to consider stipulating in clause 4.13 that the report submitted by MergeCo under clause 4.13.3, including the Administration's assessment of the report and suggested follow-up actions to be taken by MergeCo, should be made public;

Action

Clause 4.14

- (e) The Administration to consider revising clause 4.14.1 to the effect that MergeCo should set up users consultative committees, which should include, inter alia, users from PwDs and the elderly;
- (f) MTRCL to provide information on the criteria adopted in inviting PwDs organizations for joining its consultative procedures;
- (g) The Administration/two railway corporations to consider:
  - i) publicizing the contents of the report furnished to the Administration under clause 4.14.2 on the Internet;
  - ii) making public the Administration's assessment on the report, including suggested follow-up actions to be taken by MergeCo;
- (h) The Administration to consider revising clause 4.14 to the effect that:
  - i) the Administration could, at any time during the operating period, request MergeCo to furnish a report summarising the complaints and suggestions received by MergeCo on any specific matters in relation to its railway services and any action taken by MergeCo thereon;
  - ii) a new provision allowing the Administration, based on the report submitted by MergeCo to the Administration under clause 4.14.2, to request MergeCo to conduct passenger satisfaction surveys on issues in relation to its railway services which were of great public concern but not included in the Customer Service Pledges stipulated in clause 4.12.3.

Clause 4.15

- (i) The Administration to consider specifying a minimum display area for the signs and passenger information in every station so as to ensure the clear display of passenger information at convenient locations;
- (j) The two railway corporations to consider displaying a hotline number near the ticket and add-value machines for passengers to make enquiries and seek in-station assistance;
- (k) The Administration to consider revising clause 4.15 to the effect that:
  - i) MergeCo should provide and maintain tactile guide paths and escalator audible signals;

Action

- ii) MergeCo should display on railway premises and the approaches thereto appropriate signs and information in Chinese and English, Braille texts and display systems with audible sounds and captions;
- (l) MTRCL to explore any flashing light system used in overseas rail systems that would not have an adverse effect on persons with epileptic symptoms;

Clause 4.16

- (m) The Administration to provide details of cases in the past two years, if any, in which the Administration had requested MTRCL to consider specific suggestions made under clause 4.16.2 for changes in operation of its railway services but MTRCL had decided not to adopt any such suggestions.

**III Any other business**

- 10. The Bills Committee agreed to continue examining IOA clause by clause at the next meeting scheduled for Tuesday, 6 March 2007, from 4:30 pm to 6:30 pm.
- 11. There being no other business, the meeting ended at 12:45 pm.

Council Business Division 1  
Legislative Council Secretariat  
13 April 2007

**Proceedings of the eighteenth meeting of  
the Bills Committee on Rail Merger Bill  
on Tuesday, 27 February 2007, at 10:45 am  
in the Chamber of the Legislative Council Building**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
<i>Agenda Item I – Confirmation of minutes and matters arising</i>			
000000 -000014	Chairman	- Confirmation of minutes of the meeting held on 23 January 2007 (LC Paper No. CB(1)957/06-07)	
<i>Agenda Item II – Integrated Operating Agreement</i>			
000015 - 000149	Chairman Administration	- Opening remarks  - Briefing on clause 4.13	
000150 - 001953	Mr Andrew CHENG Mr LEE Wing-tat Chairman Administration MTR Corporation Limited (MTRCL) Kowloon-Canton Railway Corporation (KCRC)	- Discussion on clause 4.13 regarding i) details of the passenger satisfaction surveys ii) questions to gauge passengers' views on whether they were satisfied with the way the railway corporations handled a particular railway incident and the related contingency arrangements iii) whether the findings of the passenger satisfaction surveys could truly reflect the passengers' views on the service standards of the railway corporations	Administration/ MTRCL/KCRC to take necessary follow-up action
001954 - 002026	Dr Fernando CHEUNG Chairman	- Discussion on the proposed amendment to clause 4.12 on "the reliability of facilities provided to persons with disabilities (PwDs)"	Administration to take necessary follow-up action
002027 - 002549	Mr Andrew CHENG Chairman KCRC MTRCL Administration	- Discussion on clause 4.13 regarding passenger satisfaction survey to gauge passengers' views on whether they were satisfied with the way the railway corporations handled a particular railway incident and the related contingency arrangements	
002550 - 003147	Mr Albert HO KCRC	- Discussion on reviewing the Light Rail (LR) service and how to respond to the passengers' views to improve the open fare system and other aspects of LR service	KCRC to take necessary follow-up action



<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
003148 - 004301	Mr Andrew CHENG Mr LEUNG Yiu-chung Administration MTRCL	<ul style="list-style-type: none"> <li>- Discussion on the scope of the passenger satisfaction survey (clause 4.13.2)</li> <li>- Discussion on how the Administration assessed the report submitted by the post-merger corporation (MergeCo) and whether the Administration would make known to the public the report, including the Administration's assessment of the report and suggested follow-up actions to be taken by MergeCo (clause 4.13.3)</li> </ul>	Administration to take necessary follow-up actions
004302 - 004916	Mr LEE Wing-tat Mr Albert HO KCRC	<ul style="list-style-type: none"> <li>- Discussion on improving the arrangements for measuring customer satisfaction with the LR service and taking appropriate follow-up actions to address the concerns expressed by passengers in respect of the LR service</li> </ul>	KCRC to take necessary follow-up actions
004917 - 005859	Mr Andrew CHENG Administration MTRCL Chairman	<ul style="list-style-type: none"> <li>- Discussion on the scope of the passenger satisfaction survey (clause 4.13.2)</li> </ul>	
005900 - 005930	Administration	<ul style="list-style-type: none"> <li>- Briefing on clause 4.14</li> </ul>	
005931 - 010142	Mr WONG Kwok-hing Administration MTRCL	<ul style="list-style-type: none"> <li>- Discussion on publicizing the contents of the report furnished to the Administration summarizing the complaints and suggestions received by MergeCo in relation to its railway services, and any action taken by MergeCo on the Internet (clause 4.14.2)</li> </ul>	MTRCL to take necessary follow-up action
010143 - 010719	Dr Fernando CHEUNG Administration MTRCL KCRC	<ul style="list-style-type: none"> <li>- Discussion on Dr Fernando CHEUNG's proposal on setting up users consultation committees to meet with different passenger groups, including PwDs and the elderly (clause 4.14.1)</li> </ul>	Administration to take necessary follow-up action
010720 - 010906	Mr LEUNG Yiu-chung Chairman Administration	<ul style="list-style-type: none"> <li>- Discussion on whether the Administration would make public its assessment to the report submitted by MergeCo under clause 4.14.2</li> </ul>	Administration to take necessary follow-up action
010907 - 011401	Ms Emily LAU MTRCL KCRC	<ul style="list-style-type: none"> <li>- Discussion on the criteria adopted by the two railway corporations in selecting PwDs organizations for consultation on issues relating to PwDs</li> </ul>	MTRCL to take necessary follow-up action

Time marker	Speaker	Subject(s)	Action required
011402 - 012449	Mr Andrew CHENG Administration Chairman	- Discussion on the timing that the Administration could request MergeCo to submit report under clause 4.14.2 and a new provision allowing the Administration to request MergeCo to conduct passenger satisfaction surveys on issues which were of great public concern but not included in the Customer Services Pledges	Administration to take necessary follow-up action
012450 - 012523	Administration	- Briefing on clause 4.15	
012524 - 013046	Mr WONG Kwok-hing Administration MTRCL KCRC	- Discussion on specifying a minimum display area for the signs and passenger information and the provision of tactile guide paths and Braille text for the visually impaired passengers	Administration to take necessary follow-up action
013047 - 013312	Ms LI Fung-ying MTRCL KCRC	- Discussion on displaying a hotline number near add-value and ticketing machines for passengers to seek assistance	MTRCL/KCRC to take necessary follow-up action
013313 - 013855	Dr Fernando CHEUNG MTRCL Administration	- Discussion on Dr Fernando CHEUNG's proposal to clause 4.15 on i) provision of tactile guide paths and escalator audible signals ii) displaying appropriate signs and information in Chinese and English, Braille texts and display systems with audible sounds and captions iii) provision of flashing light system that would not have an adverse effect on persons with epileptic symptoms	Administration and MTRCL to take necessary follow-up action
013856 - 015245	Mr Andrew CHENG Ms Emily LAU Prof Patrick LAU Mr LEE Wing-tat MTRCL KCRC	- Discussion on clause 4.15 regarding i) provision of sufficient lighting and emergency evacuation signs in railway tunnels ii) provision of escalator audible signals iii) Upgrading of entry gates that could display the remaining stored value on an Octopus card when passengers touched the card on an Octopus Fare Deducting Processor gate  - Discussion on the signage along the approach roads/pedestrian walkways to the railway stations	MTRCL/KCRC to take necessary follow-up action

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
015246 - 015318	Administration	- Briefing on clause 4.16	
015319 - 015740	Mr Andrew CHENG Administration Chairman	- Enquiry and request for information on cases in which the Administration had requested MTRCL to consider specific suggestions for changes in operation of its railway services but MTRCL had decided not to adopt any such suggestions (clause 4.16.2)	Administration to take necessary follow-up information
<i>Agenda Item III – Any other business</i>			
015741 - 015759	Chairman	- Date of next meeting	

Council Business Division 1  
Legislative Council Secretariat  
13 April 2007