

# **OFFICIAL RECORD OF PROCEEDINGS**

**Friday, 28 October 2005**

**The Council continued to meet at Nine o'clock**

## **MEMBERS PRESENT:**

THE PRESIDENT

THE HONOURABLE MRS RITA FAN HSU LAI-TAI, G.B.S., J.P.

THE HONOURABLE JAMES TIEN PEI-CHUN, G.B.S., J.P.

THE HONOURABLE ALBERT HO CHUN-YAN

IR DR THE HONOURABLE RAYMOND HO CHUNG-TAI, S.B.ST.J., J.P.

THE HONOURABLE LEE CHEUK-YAN

THE HONOURABLE MARTIN LEE CHU-MING, S.C., J.P.

THE HONOURABLE FRED LI WAH-MING, J.P.

DR THE HONOURABLE LUI MING-WAH, S.B.S., J.P.

THE HONOURABLE MARGARET NG

THE HONOURABLE MRS SELINA CHOW LIANG SHUK-YEE, G.B.S., J.P.

THE HONOURABLE JAMES TO KUN-SUN

THE HONOURABLE CHEUNG MAN-KWONG

THE HONOURABLE CHAN YUEN-HAN, J.P.

THE HONOURABLE BERNARD CHAN, J.P.

THE HONOURABLE CHAN KAM-LAM, S.B.S., J.P.

THE HONOURABLE MRS SOPHIE LEUNG LAU YAU-FUN, S.B.S., J.P.

THE HONOURABLE LEUNG YIU-CHUNG

THE HONOURABLE SIN CHUNG-KAI, J.P.

DR THE HONOURABLE PHILIP WONG YU-HONG, G.B.S.

THE HONOURABLE WONG YUNG-KAN, J.P.

THE HONOURABLE JASPER TSANG YOK-SING, G.B.S., J.P.

DR THE HONOURABLE YEUNG SUM

THE HONOURABLE LAU CHIN-SHEK, J.P.

THE HONOURABLE LAU KONG-WAH, J.P.

THE HONOURABLE LAU WONG-FAT, G.B.M., G.B.S., J.P.

THE HONOURABLE MIRIAM LAU KIN-YEE, G.B.S., J.P.

THE HONOURABLE EMILY LAU WAI-HING, J.P.

THE HONOURABLE CHOY SO-YUK, J.P.

THE HONOURABLE ANDREW CHENG KAR-FOO

THE HONOURABLE TIMOTHY FOK TSUN-TING, G.B.S., J.P.

THE HONOURABLE TAM YIU-CHUNG, G.B.S., J.P.

THE HONOURABLE ABRAHAM SHEK LAI-HIM, J.P.

THE HONOURABLE LI FUNG-YING, B.B.S., J.P.

THE HONOURABLE TOMMY CHEUNG YU-YAN, J.P.

THE HONOURABLE ALBERT CHAN WAI-YIP

THE HONOURABLE FREDERICK FUNG KIN-KEE, J.P.

THE HONOURABLE AUDREY EU YUET-MEE, S.C., J.P.

THE HONOURABLE VINCENT FANG KANG, J.P.

THE HONOURABLE WONG KWOK-HING, M.H.

THE HONOURABLE LEE WING-TAT

THE HONOURABLE LI KWOK-YING, M.H.

DR THE HONOURABLE JOSEPH LEE KOK-LONG

THE HONOURABLE DANIEL LAM WAI-KEUNG, B.B.S., J.P.

THE HONOURABLE JEFFREY LAM KIN-FUNG, S.B.S., J.P.

THE HONOURABLE MA LIK, G.B.S., J.P.

THE HONOURABLE ANDREW LEUNG KWAN-YUEN, S.B.S., J.P.

THE HONOURABLE ALAN LEONG KAH-KIT, S.C.

THE HONOURABLE LEUNG KWOK-HUNG

DR THE HONOURABLE KWOK KA-KI

DR THE HONOURABLE FERNANDO CHEUNG CHIU-HUNG

THE HONOURABLE CHEUNG HOK-MING, S.B.S., J.P.

THE HONOURABLE WONG TING-KWONG, B.B.S.

THE HONOURABLE RONNY TONG KA-WAH, S.C.

THE HONOURABLE CHIM PUI-CHUNG

THE HONOURABLE PATRICK LAU SAU-SHING, S.B.S., J.P.

THE HONOURABLE ALBERT JINGHAN CHENG

THE HONOURABLE KWONG CHI-KIN

THE HONOURABLE TAM HEUNG-MAN

**MEMBERS ABSENT:**

DR THE HONOURABLE DAVID LI KWOK-PO, G.B.S., J.P.

THE HONOURABLE HOWARD YOUNG, S.B.S., J.P.

**PUBLIC OFFICERS ATTENDING:**

THE HONOURABLE RAFAEL HUI SI-YAN, G.B.S., J.P.  
THE CHIEF SECRETARY FOR ADMINISTRATION

THE HONOURABLE HENRY TANG YING-YEN, G.B.S., J.P.  
THE FINANCIAL SECRETARY

THE HONOURABLE WONG YAN-LUNG, S.C., J.P.  
THE SECRETARY FOR JUSTICE

THE HONOURABLE MICHAEL SUEN MING-YEUNG, G.B.S., J.P.  
SECRETARY FOR HOUSING, PLANNING AND LANDS

PROF THE HONOURABLE ARTHUR LI KWOK-CHEUNG, G.B.S., J.P.  
SECRETARY FOR EDUCATION AND MANPOWER

THE HONOURABLE JOSEPH WONG WING-PING, G.B.S., J.P.  
SECRETARY FOR THE CIVIL SERVICE

DR THE HONOURABLE PATRICK HO CHI-PING, J.P.  
SECRETARY FOR HOME AFFAIRS

THE HONOURABLE STEPHEN IP SHU-KWAN, G.B.S., J.P.  
SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR

DR THE HONOURABLE SARAH LIAO SAU-TUNG, J.P.  
SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS

THE HONOURABLE FREDERICK MA SI-HANG, J.P.  
SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY

THE HONOURABLE STEPHEN LAM SUI-LUNG, J.P.  
SECRETARY FOR CONSTITUTIONAL AFFAIRS

THE HONOURABLE AMBROSE LEE SIU-KWONG, I.D.S.M., J.P.  
SECRETARY FOR SECURITY

THE HONOURABLE JOHN TSANG CHUN-WAH, J.P.  
SECRETARY FOR COMMERCE, INDUSTRY AND TECHNOLOGY

DR THE HONOURABLE YORK CHOW YAT-NGOK, S.B.S., J.P.  
SECRETARY FOR HEALTH, WELFARE AND FOOD

PROF LAU SIU-KAI, J.P.  
HEAD, CENTRAL POLICY UNIT

### **CLERKS IN ATTENDANCE:**

MR RICKY FUNG CHOI-CHEUNG, J.P., SECRETARY GENERAL

MS PAULINE NG MAN-WAH, ASSISTANT SECRETARY GENERAL

MRS JUSTINA LAM CHENG BO-LING, ASSISTANT SECRETARY  
GENERAL

**MEMBERS' MOTIONS****MOTION OF THANKS****Continuation of debate on motion which was moved on 26 October 2005**

**PRESIDENT** (in Cantonese): Since a quorum is lacking, will the Clerk please ring the bell to summon Members to attend the meeting. Only 26 Members are here now.

(After the summoning bell had been rung, a number of Members returned to the Chamber)

**PRESIDENT** (in Cantonese): A quorum is present now. Meeting shall now start.

**MR ALAN LEONG** (in Cantonese): Madam President, in its policies on and arrangements for land administration and planning, the Government always gives the impression that it has followed fossilized rules, lagged behind the times, failed to take timely actions, not keeping itself abreast of the times. Given the failure of the Town Planning Board (TPB) to effectively establish a link with the civil society in making decisions, there has been a large gap between town planning and public expectations. The Government has even given people the impression that it is tricked by financially powerful property developers who excel in doing business and is led by the nose by them.

In fact, if we can just take a careful look, it is not difficult to find out that there are increasingly strong demands in the community of Hong Kong for a greater degree of participation in planning the environment surrounding us, in order to ensure that land, the most valuable public resource in Hong Kong, will be properly utilized in the fairest way while meeting the expectations and needs of the community. Examples abound indeed, and some typical ones include the campaigns to protect the Victoria Harbour, as many people can be mobilized on each such occasion; public concern on the packaging of the West Kowloon Cultural District, which is a property project, as a cultural project; extensive discussion aroused by the planning of Lantau and the Kai Tak Airport. Other examples are extensive discussion in the community on private treaty grant

following the application by the owner of an oil depot site in Ap Lei Chau to amend the land use of the site by the payment of premium; the two urban renewal projects, namely Wan Chai H15 and Kwun Tong K7, which have aroused public attention; the use of the site to be obtained under Central Reclamation Phase III, the planning of the Tamar site and the need or otherwise to construct the Wan Chai Bypass. All these have aroused heated debates in all sectors of the community.

Madam President, the public has been showing an increased concern for town planning and urban renewal, and disputes between government officials and the public are no longer confined to such issues as the conditions for flats resumption and details of compensation, but also involve the use of newly developed sites, the preservation of community features, improvement of the quality of residents' living, and the conservation of monuments, cultural heritage and natural landscape in various districts. Regrettably, this policy address did not show that the Chief Executive has recognized the aspirations of the civil society in these areas, not to mention proposing specific supporting measures in response to such aspirations.

The public does not wish to see cold-looking Grade A office blocks or super luxurious apartments being developed on every piece of land facing the sea. They wish to have more opportunities to enjoy the harbour. They wish that there would be more greening and sitting-out facilities in the vicinity of their homes, so that they can respond to the Government's call of doing physical exercises for 30 minutes every day. The public wishes that old buildings which have long been the symbols of the community can be preserved as a basis for establishing community identity and for nurturing the next generation. However, there are only very limited channels for the public to put forward these views to officials responsible for planning matters, and many members of the public do not even know that such channels exist. Depressed and disheartened, they can only watch high-rise buildings being erected one after another continuously.

Madam President, the Government briefed this Council last week on what it plans to do with the site reclaimed under the Central Reclamation Phase III. Under the Government's proposal, even if the Central Government Complex and the Legislative Council Building are excluded, there will still be two blocks of buildings with a floor area equivalent to One and Two International Finance Centre lying horizontally at our waterfront. We also have to consider that after

the reprovisioning of the Central Government Offices, certainly some high-rise luxurious residential buildings will be developed on the site. But as the population in Hong Kong is currently shrinking, do we really need so many offices and luxurious apartments? In its planning, has the Government considered that if the site were developed for the proposed use, how polluted and messy the ecology in Central would become as a result of the requisite construction works in the next 15 to 20 years? When the Government sells one site after another to property developers for development of luxurious apartments, has it considered what Hong Kong will be like in three or five decades? What sort of a city will we leave to the next generation?

Madam President, the West Kowloon Cultural District (WKCD) development is another case in point. According to the Government's new thinking, as much as 65% of the site in West Kowloon will be developed by one developer, and it is still unknown as to how the remaining 35% of the site to be put to open tender will be demarcated. Moreover, the WKCD development authority will come into operation only upon the completion of the project. The location and details of all the cultural facilities will be decided by the winning consortium which is laymen in cultural matters. As a result, it is most likely that the developer will first exploit the site for its own benefit, setting aside land with the best view and land that is most easily accessible for commercial and residential development, and that after making enough profits, the developer can simply wash its hands off it gracefully by just leaving behind \$30 billion and a host of white elephant facilities that may not really meet the local cultural needs.

If the WKCD project would end up like this, could it wipe away the impression of "collusion between the Government and business" as in the minds of the people? Regarding the comment made by the cultural and arts sector at the outset that this is a property project packaged as a cultural project, has the Government seriously responded to it and addressed it? While the Government has always insisted that it is opposed to starting the project from scratch again, it has nevertheless proposed so many major changes to the project all of a sudden. How possibly could it justify itself? If the plot ratio requirement can be changed, why should it insist on maintaining the canopy to which the Hong Kong Institute of Architects is opposed? Since changes can be made to the proportion of the site to be developed by one developer, why is it impossible to take one step further in the planning stage and allow the participation of members of the WKCD authority in the process?

The strong opposition in the community against development by one developer or the construction of the canopy is just part of the blunders of the WKCD project that has surfaced. As pointed out by colleagues in the first report of the Subcommittee on West Kowloon Cultural District Development, the thrust of the problem with the WKCD project lies in the lack of transparency in the decision-making process and the Government bypassing the Executive Council and the Legislative Council in making important decisions, and also the absence of systematic consultation. To prove that it has learned the lessons, the Government should make changes and chart a new course in the next stage of the WKCD planning and establish the WKCD authority immediately, separating the cultural project from the property project and giving full explanation and fulfilling its accountability in accordance with appropriate procedures to enable the cultural sector and members of the community to practically participate in studying the policy direction of cultural development and use this as the basis for planning the WKCD project.

Madam President, if the WKCD project can mark the beginning of partnership between the Government and the civil society in land planning, this would definitely set a good example for the future land administration in Hong Kong.

Apart from the need to reform the existing land planning system, a number of urban renewal projects for which procedures have commenced also point to the need to foster a link with the civil society in urban renewal endeavours.

Madam President, the Urban Renewal Authority (URA) is heavily funded by public coffers. It should not just act as another property developer who sets eyes only on profits. However, in order for the URA to play a leading role with creativity while allowing public participation in the redevelopment of old districts, the Government should provide suitable policy support, so that the URA can break away from the old rut and hence give play to its leading role.

Madam President, it is indeed unnecessary for the Government to be always defensive to public opinions. On the contrary, the residents should be taken as its partner in land planning. It should open up more useful channels for the public to take part in making land-related decisions. The Administration should consider showing greater sincerity and proactively adopt an approach that can more closely keep tab on the pulse of the people and be most convenient to the people, for purposes of collecting public opinions systematically and

institutionally, so that the public can truly and practically participate in the decision-making process for land use and the planning of urban and rural areas.

Madam President, the Town Planning Ordinance was amended on 10 June this year to the effect that part of the procedures of the TPB will be made public, so that people who are interested can participate in the process, thus allowing greater participation from the civil society in town planning procedures. However, allowing the public to participate in the process and whether or not the public is capable of participating are two different matters. In order for the people to be truly capable of participating in the process and making constructive input, the Government must channel in more resources and provide professional assistance. Certainly, some planning-related professional institutes in Hong Kong can also provide assistance in this respect. In fact, the Government can also consider adopting a District Council-based approach, whereby officials are deployed to exclusively assist District Council (DC) members to deal with planning-related issues, so that the DCs can perform a statutory consultative role of collecting public opinions in various stages of the town planning process in future.

Madam President, if the Government can do so, direct confrontation between government officials and the public could be avoided. Besides, as the public has the opportunity to contribute their effort to community development direct, a stronger sense of belonging can be instilled in the people and social cohesion can also be fostered. As long as consultation is conducted properly and systematically in an open and transparent manner using a step by step approach, the Government needs not worry about public opinions getting out of control or the same being monopolized or "hijacked" by certain organizations. It is hoped that the Government can extricate itself from the mentality of sticking to the old rut and following established rules and make an effort to improve its work in land administration and planning, with a view to rectifying the mismatch of resources and hence creating an all-win situation.

Thank you, Madam President.

**MR PATRICK LAU** (in Cantonese): Madam President, while I am very glad that it was stated in the policy address that many community development projects would be implemented in the next two years, but unfortunately, the

implementation timetable is much too slow indeed. Initiatives to promote urban renewal and facilitate building maintenance are very important. I hope that through these improvement works, plus the urban renewal programmes, the planning objectives of Hong Kong can be gradually achieved.

I think community-based planning should ultimately seek to develop each district according to its unique characteristics with the support of appropriate and sound public facilities, so that the people can have their daily needs met in the vicinity of their home, thus obviating the need to travel a long way for work or school, medical consultation, shopping, leisure facilities and for taking care of their family members. This can save them time and expensive transport fares and better still, narrow the gap between family members, which will help resolve many social problems.

As I said earlier, members of the public and District Councils (DCs) play a very important role in the planning of the 18 districts. As DC members know their district very well and understand the living habits of the residents, they can truly determine the priorities of various developments in the light of the needs of the community. In this connection, I think the Government should provide additional resources for flexible deployment by DCs, so that resources can be utilized more effectively. Meanwhile, DCs can foster communication with the public and professionals by establishing permanent community consultative groups, with a view to listening to the opinions of the public and professionals and drawing up district planning proposals that are more environmentally-friendly, sustainable and practicable.

However, we should first address the problem of a shortage of community facilities. The slippage in community development projects is often due to lengthy vetting and approving procedures. According to the explanation of government departments, this is nonetheless due to a shortage of manpower, and in order to solve this problem thoroughly, it may be necessary to outsource the vetting work. One option is to follow the practice adopted by the Department of Justice in outsourcing their criminal prosecution work to the private sector. This can alleviate the work pressure on government departments on the one hand and speed up the progress of construction works on the other. Together with measures to increase private participation in infrastructure and public works, the projects can be implemented with greater cost-effectiveness, thus helping the Government achieve the objectives of its economic and fiscal policies.

Madam President, while the Government has endeavoured to speed up the progress of various projects, I do not understand why, with regard to the West Kowloon Cultural District (WKCD) development, it has to take such a long time to establish the West Kowloon Cultural District development authority (WKCD authority)? What difficulties will be encountered in advancing its establishment? I agree with Mr Alan LEONG's earlier comments that the WKCD authority should be given more time to conduct consultation and clearly study how the required cultural facilities should be determined and that the project should start expeditiously after all uncertainties have been cleared! It is because the WKCD development requires government investment. The sooner it starts, the quicker a return can be yielded. Only in this way can the interest of all Hong Kong people be safeguarded.

Madam President, given the ageing of the community, many buildings are decades old. Coupled with the lack of proper maintenance, many buildings are gravely dilapidated. Although these buildings may not be dangerous buildings, it is very common that they lack proper repairs and maintenance over a long period of time, thus posing serious threats to public safety. As we all know, recently there has been a spate of accidents of aluminium windows falling from height causing fatalities and injuries. To ensure public safety, the industry which I represent fully supports the mandatory building inspection scheme, hoping that the objective of community renewal can be achieved expeditiously. I think a beautified community environment can upgrade the quality of living of the people and also attract tourists. Better still, it can even serve as a showcase to the outside world that Hong Kong is a beautiful city, and this can hence maintain our renowned status as the Pearl of the Orient, attract tourists and give a boost to the economy.

Nevertheless, as the biggest dispute now lies in owners not having funds to meet the repairs and maintenance costs after inspection, especially in old buildings with no owners' corporation, and if this is not handled properly, opposition or resistance might be resulted in the community, in which case the well-intentioned scheme would turn into a bad thing. Therefore, to ensure that mandatory building inspection is properly carried out, the Government must plough in more resources while making an effort to follow up initiatives to beautify the environment. I hope that the authorities can ease the burden on the public and in particular, provide assistance to households with financial difficulties. Only in this way can community renewal be expedited.

Madam President, while we support that mandatory building inspection can be a solution to the problem of building neglect, as there are indeed many unauthorized structures in Hong Kong, I think removing all these structures immediately is unlikely and impossible. So, I think the Government should first target actions at unauthorized structures which pose imminent danger and threaten public safety, and exercise discretion in dealing with unauthorized structures that do not affect the public. This will make it easier for the Government to obtain public support.

The policy agenda stated that the Government will "ensure that our planning and land use objectives are geared towards our mission..... with the participation of the community". In this connection, I very much hope that the Government can co-operate with the industry in organizing a building design competition for the Central Government Complex (CGC) and Legislative Council Building at the Tamar site and open up more channels for public participation. In fact, the Government should organize more building design competitions of different types to promote modern and creative building design. For example, when reviewing the small house policy, consideration can be given to formulating policies which encourage creativity and amending obsolete legislation which poses limitations on creative building design, in order to enhance the aesthetics of buildings and the unique features of the community.

Madam President, the industry supports the development of the CGC at the Tamar site, but we consider that the CGC must be architecture par excellence, in order to be representative of Hong Kong. After the completion of the CGC, we think that consideration should be given to developing civic facilities, green belts or a waterfront square on the rest of this CGC site, and all these will form a very important complement. Moreover, in the redevelopment of the sites where the Central Government Offices, St John's Cathedral and Murray Building are currently located, we need to consider preserving monuments and big trees with significant historical and cultural value that can be found there, for these can invoke people's memories of the century-old history of Hong Kong.

Madam President, the Central-Wan Chai Bypass, which is constructed to alleviate traffic congestion in Central, is expected to reach saturation by 2016. As reclamation is prohibited by law and given the unavailability of land, traffic in Central will become paralysed by then if the Government has no

comprehensive plan. Therefore, any redevelopment plan should first take into account the overall planning of Central and its transport network, and most importantly, the principle of sustainable development.

The policy agenda also pointed out that under the principle of sustainable development, the Government plans to "develop a land use, transport and environment strategy under the Hong Kong 2030 study to guide the long-term development of Hong Kong". But as the conditions for such development are not yet ripe, what kind of a city Hong Kong will become in 2030? It is difficult to make a prediction. The industry has questioned that since the authorities cannot even tell the public expressly the short-term development strategy up to 2010 and the medium-term development strategy up to 2020, how possibly could a prediction be made on the long-term development up to 2030? I noted a very special and yet laughable phenomenon in the Town Planning Board, that is, on many plans, the part on Shenzhen is entirely blank and contains nothing at all, not even the most basic components of streets or roads, the cityscape, and so on. However, Shenzhen is linked with the northern part of Hong Kong geographically, and insofar as planning is concerned, we need to take a holistic view; we need to have regard to integration with the peripheral environment and the interface with the transport network. If these are not taken into consideration, how could we call this planning? So, I hope the Government will seriously address this problem. Thank you, Madam President!

**MR TOMMY CHEUNG** (in Cantonese): Madam President, the sewage issue has been discussed for a long time. Since April 1995 when the industry received the bill for the Trade Effluent Surcharge (TES), I have been fighting unceasingly against the unreasonable TES and its appeal mechanism.

This year's policy address has only reiterated the established position on the sewage issue, that is, the Government will actively take forward the Harbour Area Treatment Scheme Stage 2 and implement the "polluter pays" principle. To the catering industry, what sounds slightly more pleasing to the ear is that the Government has undertaken to review the sewage services charging scheme, stating that proposed amendments would be introduced in the first half of next year. I earnestly look forward to this, but I wish to tender a piece of advice to the Government: Do not repeat the past mistake of putting in place another unfair fee-charging and appeal mechanism.

Sewage charge in Hong Kong is calculated according to water consumption and as sewage charge also includes the TES, it is extremely unfair to the catering industry which operates with huge water consumption. If we have to follow the "polluter pays" principle, sewage charge should be calculated on basis of the polluting level of the sewage discharged. However, it is most unfair to the industry that the Drainage Services Department has been using the standard of 10 years ago for calculating the TES. The level of TES is determined on basis of water samples taken from only 20 to 30 restaurants. The sampling process was neither transparent nor scientific, and the figures used for calculation were only average figures. I have made these points in this Council for many times, and I do not wish to repeat them.

Although restaurants can lodge an appeal against the sewage charge or the TES, it costs at least \$20,000 to \$30,000 or as much as \$40,000 to \$50,000 to lodge an appeal once every year. To 90% of the restaurants, the appeal cost is often higher than the TES originally payable by restaurants. Such being the case, the appeal mechanism cannot in the least serve its purpose.

Originally, there is not much problem with the Government adopting the "polluter pays" principle and imposing charges on polluters direct. But if the charges are calculated on an unreasonable formula and if a fair appeal mechanism is lacking, I will definitely raise objection. I wish to state clearly to the Government that by "polluter pays", so to speak, the Government must have regard to the affordability of polluters, but not making them shoulder the cost even if such cost is unaffordable to them.

At present, to put it in a fine-sounding way, the Government has adopted the "polluter pays" principle, but in effect, the situation is like the Government treating guests to a dinner but making us pay the bill. Let us not forget that many underground pipes are decades old. They are grossly worn-out with frequent incidents of malfunctioning and burstings, and their replacement is warranted. But the Government has shirked its responsibilities by charging the full replacement cost to the cost item of sewage disposal. As a result, the Government has always claimed that expenditure has outgrown revenue. In fact, the cost for replacing decades-old sewers should be borne by the Government. The Government should not require various trades and industries to shoulder the expensive cost of sewer replacement just when it started to levy the TES on them. To me, this is tantamount to robbing the industry and using the loot to treat guests to dinners. I must reiterate that if the Government

wishes to achieve full cost recovery for sewage services through the sewage charge and surcharge, the Government has the duty to replace all the old pipes and ensure that the charges are calculated entirely on basis of the polluting level of the sewage discharged. Only in this way can the "polluter pays" principle be realized.

Moreover, I also hope that while consideration is given to adopting the "polluter pays" principle, the authorities should also outsource sewage services and invite tenders from the private sector, in order to reduce the cost and enhance effectiveness.

In the first term of the Legislative Council, I mentioned the use of biodiesel. In the long term, the Government must introduce environmentally-friendly technology to help the industry reduce the volume of sewage discharged or even address the problem of the blockage of pipes by waste oil. I always think that the Government can centralize the recovery of waste oil or used cooking oil, and extract from it residue oil which can then be developed into useful biodiesel. This is a direction for development.

As far as I know, a number of universities in Hong Kong, including the Department of Electrical and Electronic Engineering of the University of Hong Kong, have successfully mastered and developed many advanced environmentally-friendly technologies. But resource constraints have precluded technology transfer and the development of these technologies into profitable industries. Recently, an investor came to me asking for my assistance in recovering used cooking oil from restaurants. I am trying my best to help him with this endeavour, but I think it will be better if the Government can intervene or Secretary Dr Sarah LIAO and even Secretary Dr York CHOW can intervene in the recovery of cooking oil from restaurants. This is, in fact, a win-win proposal. First, we can recycle the used substances that will otherwise be disposed of. Besides, it has been the practice of the catering industry to put the waste oil into oil drums; they will not dispose of the waste oil through the sewers, for this will result in the revocation of their environmental compliance licence and worse still, they will be fined and imprisoned. However, I always have this question in mind: These oil drums are also taken to landfills by refuse collection vehicles, which means that they will eventually be dumped at landfills. Sometimes these oil drums may be flattened or crushed inside the refuse collection vehicles and the recovered cooking oil will leak out, flow onto the

ground and then into the sewers. So, I think it is imperative for the Government to study the recovery of used cooking oil for the production of biodiesel.

Finally, Madam President, I would like to say that given the increasing public awareness of environmental protection in Hong Kong and the fact that there is actual demand in society for environmentally-friendly services, the Government should not seek only to dig into the pocket of the industry under the slogan of "polluter pays". It should adopt a positive approach by taking the lead to finance environmental initiatives such as the development of biodiesel and offering positive incentives to attract participation of the industry, thereby practically turning Hong Kong into a better home to the people.

Madam President, I so submit.

**MR ANDREW CHENG** (in Cantonese): Madam President, on behalf of the Democratic Party, I would speak on the part on transport in the policy address. First of all, there are a number of transport issues that Secretary Dr Sarah LIAO has consistently had to face in recent years. We very much hope that Secretary Dr Sarah LIAO can give us an account of the achievements made in these areas of work.

The first issue is certainly the fare adjustment mechanism which allows both upward and downward adjustment of fares. Madam President, this fare adjustment mechanism was proposed by Secretary Dr Sarah LIAO with great enthusiasm when she took office, and she has since 2002 worked on this task. I believe the next few months will be the most critical moment. I hope and believe that such a fare adjustment mechanism will be put in place earlier and be more viable for buses than for the two railways. On the merger of the two railway corporations, we learn from today's reports that it will be discussed by the Executive Council in December. Yet, this is just rumour, and no one knows whether it is true or not.

In any case, we in the Democratic Party have all along considered that the discussion on the fare adjustment mechanism should not be confined to franchised buses. Before the merger of the two railway corporations, we should consider the fact that with regard to the MTR of which the Government is the principal shareholder and the KCR which is wholly owned by the

Government, a very high percentage of commuters patronize these two railways every day. Let us work out the timetable. Even if the bill can be completed early next year to serve as a basis for the merger, still it may take half a year to one year for the merger to complete. In other words, if the merger of the two railway corporations can be completed only in 2007, it means that it will take five years from 2002 to 2007 before the fare adjustment mechanism can possibly be implemented for the two railways. If I am a board member of the Kowloon Motor Bus Company, I would question why the Government has kept on asking bus operators to give effect to this mechanism but not asking the railway corporations to do the same. I hope that the Secretary, being the representative of the Government, can accord the same treatment to all and identify viable options in the interest of the public. Even if the two railway corporations cannot be merged, still a transparent and objective mechanism that is acceptable to the public in respect of railways should be introduced expeditiously. Seeing that the two railway corporations have been making profits year after year but there is still no mechanism allowing both upward and downward adjustment of fares for railways, the people will only find this unacceptable.

Madam President, let me turn to railway safety again. A couple of days ago the MTR had another incident. There was not much coverage in the media though, perhaps because news about railway incidents has already been fully digested. It is learned that the incident had lasted for almost an hour and eventually, the train involved had to be given a push from behind by another train. I hope that the Government will not treat this operational failure of the MTR lightly, because all the past incidents gave us an impression that the matter would be settled after the Government had read the report and asked them to make improvement. The railway corporation would invariably argue that their operation was highly efficient with a punctuality rate of 99.98%. But we hope that the Government will understand how the public feels about the railway. In the 365 days of a year, despite a 99.98% punctuality rate, there had been several incidents of operational failure, each lasting for an hour or half an hour. To a railway network which claims to be among the best in the world, this rate of failure is still unacceptable to the public. So, I hope the Secretary will not treat the incidents of the two railways lightly. While we understand that front-line employees definitely would not be cut after the merger of the two railway corporations, the synergy effect may still lead to a certain extent of staff reduction at management level. Problems such as the ageing of railways as well as their complexity and operational failure may lead to worrying consequences in the next few years following the merger and as a result of the Government's

neglect of these incidents. So, the Government must not have regard only to the synergy effect in terms of economic benefits. Rather, it must look into the fares as well as the repairs and management aspects after the merger of the two railway corporations. All these involve public interest and are issues of public concern.

Madam President, with regard to the South Island Line, I think there will be rumour again in the next couple of days, because the \$5.5 billion redevelopment plan of the Ocean Park was formally approved by the Government yesterday. In other words, there will be a huge demand for the South Island Line. Madam President, this is your constituency; this is also where I live and so, I have to declare an interest. I think members of the public have already waited for many years. The Aberdeen Tunnel is congested all the time; a traffic accident at Pok Fu Lam Road can plunge Southern District into paralysis. So, there is a great demand for a railway, and I hope the Government will, in the light of the redevelopment plan of the Ocean Park, speed up the construction of a railway. But here, I must remind the Government this: We noticed that the MTR has asked for staggering prices, hoping for as much equity injection by the Government as possible. I must tell the Government here that it has already waived an interest payment of \$780 million in respect of the Disneyland Resort Line, and this is already an extremely big concession given to the MTR. I hope that the MTR will not ask for staggering prices and expeditiously complete the South Island Line in public interest.

Finally, Madam President, I would like to talk about tunnels. The tunnel policy has indeed been a topic of discussion in this Council for many years. The Western Harbour Crossing, Eastern Harbour Crossing, Cross-Harbour Tunnel, and also the Lion Rock Tunnel and the Tate's Cairn Tunnel. All these tunnels do give cause for concern, because although they have made profits, they still keep on increasing their tolls, particularly as the boss of a tunnel has recently become a Member of the Executive Council. I am worried that the Government would favour the interest of the business sector in future and as a result, the tunnels would keep on asking for a toll increase even though they have made profits every year. Such slanting towards the interest of the business sector is worrying. We hope that the Government will expeditiously put forward specific policies. We in the Democratic Party have proposed for many years setting up a tunnel and bridge authority to review how best the various tunnels in Hong Kong can be reconsolidated, so that they would not give the impression that some are scarcely patronized by vehicles whereas some are cramped with

vehicles. Insofar as this policy is concerned, there will be a round of heated debate on it every time a toll increase is proposed, but discussion will die down subsequently. I hope that the Government can expeditiously put forth an effective proposal, so as to show that even though the boss of a tunnel sits on the Executive Council, the Government can still attach importance to public interest, because the resources of tunnels are public resources, and the Government should not favour the interest of the business sector.

Madam President, in respect of the fare adjustment mechanism which allows upward and downward adjustment of fares, the merger of the two railway corporations, the South Island Line, railway safety and tunnels, I hope that the Secretary can make achievements in these areas in her remaining term, so that we will see that the Secretary is worthy of her popularity and the support given to her. Thank you, Madam President.

**MRS SELINA CHOW** (in Cantonese): Madam President, in his policy address the Chief Executive spoke at length on plans to develop various transport infrastructure in Hong Kong in the future. But he did not mention a single word about how the pressing problem of serious traffic congestion that may possibly appear on Tuen Mun Road (especially at the Tuen Mun Town Centre) following the commissioning of the Shenzhen Western Corridor and the Deep Bay Link next year, and I find this most disappointing.

In fact, I have raised this issue on every opportunity and through all channels available, including the relevant panels under the Legislative Council, or bringing this extremely pressing issue to the attention of Directors of Bureaux, Secretaries of Departments and even the Chief Executive directly or indirectly. I have also stated to the industrial and business sector which has a direct interest in this issue at the Greater Pearl River Delta Business Council that a crisis of serious traffic congestion may possibly surface next year. Nevertheless, the problem has not yet been addressed squarely, let alone a solution to it being identified.

In order to prevent a traffic standstill on Tuen Mun Road and at Tuen Mun Town Centre in future, I think the solution is already there, and that is, we should divert the traffic to Route 3. But as most vehicles are unwilling to use the toll-charging Route 3, and as negotiation between the authorities and the operator on a reduction of the toll has not made much progress, this road, which

was constructed at a cost of over \$7 billion, is, therefore, laid to waste. To thoroughly address the problem, the authorities should negotiate with the operator concerned on the acquisition of Route 3 at a reasonable price and then open it for use by drivers free of charge. Meanwhile, the east-bound road link should be built expeditiously, so that the traffic on Tuen Mun Road can be diverted there. I will propose a motion on this issue for debate in this Council next month and so, that is all I would say about this today.

I would like to talk about the Government's infrastructure programme. Be it the headquarter at the Tamar site or the West Kowloon project, the Liberal Party supports the Government expeditiously launching these infrastructure projects which are significant to the development of Hong Kong. This can enable the public to enjoy these facilities as soon as possible and create job opportunities for the construction industry and other relevant industries and professions.

However, whether in respect of public or private projects, we always find that the Government suffers from the shortcoming of working with very low efficiency or very slowly. We hope that the authorities can pay attention to this and make improvement. In respect of public infrastructure, I think the so-called advance work carried out by the Government of conducting studies and preparing the design before tabling a project to the Legislative Council is still too sluggish. Permanent Secretary LO Yiu-ching said at the meeting of the Public Works Subcommittee yesterday that the advance work carried out by the Government for approving a project, which used to take six years, is now shortened to four years and so, great achievement has been made in this regard and the process is now completed at much higher speed. But as far as I know, the documents involved in government projects often have to go through different departments for repeated examination by one department after another, thus wasting plenty of time for no reason at all. Added to this is that some departments are very conservative and cannot make decisions promptly, making it impossible for many projects to commence. Is there still plenty of room for the Government to make improvement in this regard? Can the Secretary show us her determination to thoroughly reform this bureaucratic and wasteful style of work and reduce the time of documents or files passing around different departments, thereby enhancing the work efficiency to a level on par with the private sector? Earlier on Mr Patrick LAU said that the crux of the problem is manpower shortage. But in fact, is this where the problem lies, or should we focus on ways to enhance efficiency in public interest?

In recent years, given the Government's fiscal deficit, coupled with the "big envelop" arrangement for operating expenditure, many departments have to tighten their belt. Even though some departments have the means to launch construction projects, they still postponed their projects time and again or even brought them to a halt, in order not to shoulder the responsibility of having to pay for the operating expenditure required in future. Members of the public are often extremely dissatisfied with the authorities indefinitely putting off projects involving people's livelihood on the ground of financial constraints. Moreover, although the Government has undertaken to earmark \$29 billion every year for expenditure on public works in a bid to stimulate the economy, this provision has never been put to any use over the past few years. Why? This does not only affect the industries concerned, but also the work and operation of the Construction Industry Training Authority. I think as a surplus is gradually registered in the Treasury, the Government should not seek to tighten the purse strings any more. This is basically not conducive to improving and upgrading the quality of the people's living. Nor is it conducive to ameliorating the problem of serious unemployment in the construction industry. I hope the Secretary and the relevant Policy Bureaux, not only the public works-related Policy Bureaux but also other so-called client bureaux, will think twice, in order to upgrade their work efficiency.

On private construction projects, many friends in the construction industry and the real estate sector have recently reflected to me that the vetting and approving work of the Lands Department (LandsD) does leave a lot to be desired, because the procedures are extremely cumbersome and very often, time-consuming. Recently, a developer has made amendments to the Master Layout Plan in the course of the construction works, and the authorities have the right to reassess the value of the site and demand additional land premium. They have, of course, raised objection to this arrangement, and I believe the Secretary is also aware of it. Apart from this, the industry also feels that many formalities required by the LandsD are a waste of time and effort. For example, in negotiations over the payment of additional land premium, once the property developer made a counter-offer, the LandsD will consider that a new application, which means that the property developer will have to queue up all over again. As a result, many projects have to be put off for six to nine months. The industry has queried why time should be wasted as such. In fact, the LandsD should deal with negotiations over the reserve price and the counter-offer in the same procedure, in order to save time. Moreover, the LandsD is grossly inefficient in approving the certificate of compliance. Even

an application for felling a tree can drag on for months. According to the industry, the authorities have always attributed this to a shortage of manpower, but in fact, it seems that the delays are not caused by a shortage of manpower. I hope the Secretary can make improvements as far as possible. Here, I would like to add one point very briefly, and I hope Secretary Dr Sarah LIAO will pay attention to it. She has undertaken to put in more resources in respect of red light jumping. We very much hope to see that her comprehensive plan in this regard will be expeditiously implemented in full swing, because I still see drivers jumping red lights every morning. Thank you, Secretary.

**MR LI KWOK-YING** (in Cantonese): Madam President, Hong Kong is a place with a scarcity of land but a dense population. Land is precious and its cost is exorbitant, and reclamation is set to arouse great controversies in the community. Under such circumstances, opening up the frontier closed area has naturally become the only best way to increase the provision of land. Earlier on, Chief Secretary for Administration Rafael HUI reached an agreement with Shenzhen to carry out joint studies on the feasibility of developing the river-loop area in Lok Ma Chau. This can be considered as an important step in the development of the frontier closed area and also to collaboration between Shenzhen and Hong Kong. Now that the policy address has proposed to reduce the size of the closed area significantly. It appears that the policy of opening up the frontier closed area has become a reality. The Government of the Hong Kong Special Administrative Region (SAR) should seize the opportunity and translate its words into actions by expeditiously implementing various possible options for developing the frontier closed area, thereby taking forward the all-direction development of the Hong Kong-Shenzhen border areas and further facilitating the economic restructuring and integration of China and Hong Kong.

As a Member representing New Territories East, I am particularly concerned about the overall development of the New Territories, especially the policy of opening up the frontier closed area. The Democratic Alliance for the Betterment and Progress of Hong Kong has written a proposal on the planning and policy on opening up the boundary titled "Options for and discussion on all-direction development of the Hong Kong-Shenzhen border area". Under the proposal, the border area will be developed to comprise an integrated development zone, an industrial development zone and a tourism development zone, and we hope that the Government will draw detailed reference from it. Of the many proposals on the development of the border area, the development

of the closed area in Sha Tau Kok has all along been a focus of discussion in the community, because Sha Tau Kok has a special background insofar as tourism is concerned. For instance, there is Chung Ying Street with special historical significance; there are small islands and fishing ports with beautiful scenery and a century-old Hakka village. More importantly, as Sha Tau Kok has remained not open to outsiders for a very long time, it particularly gives people the feeling of being mysterious and this has become the most effective gimmick for attracting local and overseas tourists.

Recently, it is said that the Government is not going to fully open up the Sha Tau Kok closed area and that only a small part of it will be opened up and access to it will also be controlled. I hope that this is purely rumour and that the Government will open up Sha Tau Kok on a full scale, because this is the only way to facilitate the redevelopment of the area and hence bring about a higher flow of people in all aspects. In fact, a policy of opening up the area in a restrictive manner will not in the least be conducive to stimulating the economy of the area or increasing the business turnover of shop operators there.

It is learned that the Government plans to open up only the spacious dock area in Sha Tau Kok. This is because of security reasons on the one hand, for it is considered that a partial opening of the area will make it easier to control the flow of people, and on the other, this is for the purpose of developing eco-tourism by making it convenient for tourists to visit the small islands on the opposite shore. But there is neither shop nor restaurant in the spacious dock area. In other words, under the policy of a partial opening, tourists will only be passing by Sha Tau Kok for such destinations as Lai Chi Wo and Kat O, rather than really spending money in Sha Tau Kok. Such being the case, even though many tourists may go to Sha Tau Kok, they only pass by the closed area for other destinations and so, those places, such as San Lau Street, and Sha Tau Kok market and its surrounding area, will not benefit from the tourists at all, and most of the shops in the area will only remain vacant. In that case, how can the local community economy be promoted in the area to the benefit of the people living there?

Given that public awareness of environmental protection has gradually increased, eco-tourism has become very popular indeed. Many places with high ecological value have been developed into conservation areas which allow public visits on the one hand and serve the purpose of nature conservation on the other, thus achieving the objectives of environmental protection and tourism

promotion. However, I hope that the Government, in formulating the policy of opening up the closed area, will not adopt a lopsided approach of only promoting eco-tourism to the neglect of the need to generate actual economic benefits for the residents in opening up the closed area.

In fact, as I said earlier, apart from eco-tourism, Sha Tau Kok also has a rich reserve of historical monuments and tourism resources worthy of promotion to overseas tourists, particularly as great efforts are now being made to promote civic education and teachers have to spend much time and efforts finding suitable teaching materials. Sha Tau Kok can precisely serve as living teaching materials to enhance students' recognition of and sense of belonging towards Hong Kong and the Motherland.

The development of the closed area involves local economic development as well as Hong Kong-Shenzhen economic development. In-depth studies and discussion are, therefore, warranted. I hope that the Government can consider the feelings of the residents of the closed area by putting itself into the residents' position and conduct studies on win-win proposals to the benefit of the residents and the community at large. Thank you, Madam President.

**MR ALBERT CHAN** (in Cantonese): Madam President, the Legislative Council enacted a bill last year to amend the Town Planning Ordinance, and significant improvements have since been made to urban planning. But there are still many hidden worries in respect of land development. There was the example of the Cyberport before, and now, there is the West Kowloon Cultural District (WKCD) development. The use of land is often considered by the public a clear example of collusion between the Government and major property developers, with the Government transferring interest to the developers by transferring land to them. If land is not put to auction through fair, open and impartial tendering procedures, the transfer of land is an act of collusion between business and the Government, an actual transfer of interests. So, I hope that the Government, in approving land grants, will desist from transferring interest in private and working behind closed doors. I hope that it will not purely exercise its administrative powers to dispose of land worth billions or even tens of billions of dollars.

On the transport front, Secretary Dr Sarah LIAO has, over the years, repeatedly proposed setting up a fare adjustment mechanism which allows both

upward and downward adjustment of fares. We hope that this fare mechanism will be introduced by the end of the year and that it will be a concrete mechanism accepted by the public. By then, the relevant companies must not just effect a nominal fare reduction of \$0.1 or \$0.2 to respond to the Government haphazardly, because transport expenses borne by the public have accounted for an increasingly greater share of their income over the years. However, the profit of transport operators, particularly the MTR, is measured in billions of dollars and reached as much as over \$4 billion last year. But despite the deflation, there has been no reduction at all in MTR fares over the years, and this has continuously added to the burden of the public in their living.

On the other hand, given the diversified modes of transport, the public has to pay more and more extra fares for interchanging. So, following the establishment and implementation of the fare adjustment mechanism, the next challenge will be to promote interchanging comprehensively, particularly free interchange on the same journey, and interchanging between different companies and modes of transport. In that case, members of the public only have to pay fares relating to the journey, and do not have to pay double the fares for interchanging to another mode of transport. Sometimes, they even have to pay triple the fares for they have to make one or two more interchanges. This is extremely unfair. As many bus franchises are scheduled for renewal in 2007, the Secretary, through the renewal of their franchises, must force these companies to accept this fare adjustment mechanism and set out clearly in the terms and conditions that they have to accept and implement the interchange arrangements.

In respect of the environment, a very terrible incident happened in Tin Shui Wai just this morning. It concerns the open nullah in the district. This morning, hundreds of dead fish surfaced in the nullah, and the foul smell from the nullah in the entire Tin Shui Wai is unbearable. Now, insofar as the sky is concerned, there is the fear of avian flu, and dead fish is also found everywhere in the sea. It seems that nowhere in Hong Kong is land of joy any more. The stink at the Tin Shui Wai nullah has persisted for years. It has been there since people began to move to Tin Shui Wai. What happened today is, I think, the greatest environmental disaster in history. I reported this incident to the Secretary when I saw her in the early morning. Staff from the Food and Environmental Hygiene Department have arrived there to remove the dead fish from the water. But the cause of this problem obviously has to do with the

handling of the water in the nullah in Tin Shui Wai and the disposal of poultry waste, particularly the illegal discharge of pig manure. As long as these problems are not addressed, the public will face greater consequences in respect of hygiene and the environment.

With regard to air, very often, many people have pointed an accusing finger at the industrial development in the Mainland, particularly the Pearl River Delta. In fact, what Hong Kong can do is to encourage and arrange for the use of liquefied petroleum gas or natural gas by private vehicles as far as possible. However, a very big problem is also involved here. Secretary Michael SUEN is here in the Chamber. The Environment, Transport and Works Bureau seems to be very supportive of this measure, but it is extremely difficult for land to be granted to build more gas filling stations, particularly natural gas filling stations. I do not accept the argument that this is due to technical difficulties. In order to improve the air, I think various Policy Bureaux and departments should seriously think about solutions, because if natural gas can be used by vehicles, improvement could be made early to the air pollution problem in such congested districts as Causeway Bay and Wan Chai. In that case, even if Hong Kong people do not have the air of democracy, they can at least be spared from having to take in the exhaust emitted from factories and vehicles. I hope the Secretary can seriously consider this. Thank you, Madam President.

**MR ANDREW LEUNG** (in Cantonese): Madam President, it is announced by the Chief Executive under the heading of "Regional Economic Co-operation" in his policy address that land in the boundary closed area will be released for development. I welcome this proposal from the Government of the Hong Kong Special Administrative Region (SAR). The land concerned is extremely valuable to Hong Kong, because if we can capitalize on its geographical advantage to support the development in both Hong Kong and Guangdong, it will bring benefits to our regional economic development. I propose to use part of the land for the development of high value-added industries and technological research and the training of talents, with a view to upgrading the competitiveness of Hong Kong. Through the establishment of a boundary industrial zone where the free entry and exit of both mainland and Hong Kong residents are allowed, the SAR Government may enhance the development of technological research and the training of talents, thereby attracting the return of Hong Kong businesses. And, with the help of the Hong Kong brand name and its advantage, the creation of jobs for the whole of Hong Kong can be fostered.

Besides, in view of the overall development of the Pan-Pearl River Delta Region, the SAR Government should promptly establish a new eastern boundary control point at Lian Tang, so as to cater for the expanding cross-boundary transport demand. Situated between Man Kam To and Sha Tau Kok, Lian Tang is a designated open port under the 11th Five Year Plan of Shenzhen. Instead of entering downtown Shenzhen, cross-boundary lorries can simply travel via Lian Tang straight to eastern Guangdong, northern Guangdong, Fujian, Jiangxi, and so on. It is worth noting that when Fujian and Jiangxi develop further and build up closer trading and commercial ties with Hong Kong, the economic hinterland of Hong Kong will be greatly expanded, thus enhancing Hong Kong's status as a transport and logistics hub. The volume of cross-boundary traffic from these two provinces to Hong Kong via Guangdong will increase drastically, so the Shenzhen-Hong Kong eastern corridor and a new boundary control point at Lian Tang will be useful in partially absorbing the huge increase in cross-boundary traffic.

The establishment of a boundary control point at Lian Tang is of immense significance, in the sense that apart from fostering the exchanges of regional economic resources, it can also play a triggering and leading role. But the most important point is that we must open our transport networks to the Mainland to pre-empt our marginalization. In other words, we must ensure that Hong Kong is integrated into the economic core of the region and able to establish a complementary partnership with the entire region and the cities in it. We know very well that with the strength and resources of Hong Kong alone, we cannot possibly achieve any success in the fierce competition of the world market today. For this reason, Hong Kong must integrate itself into the regional economic core by all means and then consolidate its advantages and identify new locomotives of the economy, so as to strive for a leading role in the economic core of the region. The construction of the Shenzhen-Hong Kong eastern corridor can divert cross-boundary traffic and help foster the repositioning and development of the Pan-Pearl River Delta Region. This is beneficial in all respects. I hope that the SAR Government can seriously consider the above proposal. I so submit.

**MR MARTIN LEE** (in Cantonese): Madam President, a Director of Bureau told me yesterday that a politician from Australia who had visited Hong Kong recently had said to him that from what he had heard, Hong Kong is very good in terms of welfare and education, and the tax rate here is also very low and so,

Hong Kong is really a paradise. I did not know whether I should cry or laugh on hearing this. It is because rent is very expensive in this paradise; if the angels see that their tenants are living happily or the business of shop tenants is good, they will increase the rent very quickly. If the tenants are still living happily and shop tenants are still running their business well, they will further increase the rent. So, the rent will keep on rising until it becomes unaffordable to the tenants who may then think about moving to hell. People in hell live in caged homes. Although caged homes are small in size, their rent per cu m or cu ft is still very expensive. Why is it so? Madam President, it is because the Government has all along adopted the high land price policy. As a result, only a small number of people can really live in this paradise. This paradise has two storeys. In the past, only one family lived on the upper storey; their surname is the same as mine. Now, there has been 100% improvement, for another family surnamed KWOK also lives there. So, while it used to be called the city of the LEE's family, it is now known as the city of two families. Other property developers live on the lower storey of the paradise. So, people doing other business, such as retail, catering, and so on, are in very straitened circumstances. It will be very expensive to buy a flat of their own. Even a couple who are lawyers or doctors may not have the means to buy a home suitable for their dwelling or a more decent home.

The Government has also given many favours to property developers in other areas. For example, they have land lease for special uses and when the special use of a site is spent, the Government will allow them to develop the site jointly with other property developers and of course, they have to pay a regrant premium for this. But I would like to ask the Government why it does not recover the land instead. Since the special use of the site, such as for building schools, or liquefied petroleum gas transit depot as in the case of Ap Lei Chau, is spent, and if this need no longer exists, why does the Government not recover the land and put it to auction? Why are they allowed to pay a regrant premium? We all know that the payment of a regrant premium is in their favour. If not, they would not have agreed to paying it and they would not have wanted the site. Why does the Government give such favour to property developers in its policy? Why does it have to sell this site in Ap Lei Chau? Why does it allow them to redevelop houses there? Ap Lei Chau is a renowned place, as it transpires. Madam President, as you may know, Ap Lei Chau is in the Guinness World Records for being a small island with the highest density of population and yet, even more houses will be built on it. Why is it not zoned for recreational use?

Another point that I do not understand is that, with regard to land zoned for government use, the Government would nonetheless sell the site when the use is repealed. If there are not many buildings on the site, it is certainly a good thing to put it to auction and sell it for proceeds. But if the site is already densely populated, such as the site in Central and Sheung Wan now designated for redevelopment, that is, the police quarters where our Chief Executive grew up, why should it be put to auction? There are already many buildings, and people walking on the street at noon can hardly see the sky and the sun. I think the Government should introduce a new policy and that is, for such densely populated places that are zoned for government use, when the use is repealed, the site cannot be redeveloped for commercial or residential purposes. If the need to put the site to its original use really does not exist any more, the site should then be rezoned as open space.

Madam President, in early October, some friends who are fellow hikers asked me to go hiking with them in Italy. I said I could not make it because I did not have the time. But later, they said that they would go to Guangdong for leisure. But I thought that it did not matter if I did not go, because during the "golden week" starting from 1 October, the weather in Hong Kong would be pretty good and one does not need to go to Italy, for the blue sky here would be not bad. But that was not the case. This year, during the "golden week" starting from 1 October, I went hiking at the Peak and the place was full of foul, stale air. I did talk to the Secretary about this, and she gave me lots of reasons in her explanation. She said that in the neighbouring areas of Guangdong Province there are now many vehicles in addition to factories. But there were already many vehicles last year, and I think this is an unacceptable explanation or excuse. Madam President, what all Hong Kong people wish to see is concrete results, not excuses. In fact, air pollution has reached a state that is intolerable to us all. Many foreign businessmen doing business in Hong Kong — every time when I chat with them at the general chamber of commerce, every one of them will raise the same problem of air pollution. Dr David LI also talked about this problem yesterday. I think the Government should take on a leading role and expressly announce that air pollution is the number one enemy of all Hong Kong citizens, so that we can tackle this problem wholeheartedly. I share the views of Dr David LI who opined that the Chief Secretary for Administration should take the lead. I appeal to the Chairman of every political party to join the Panel on Environmental Affairs. I also hope that all major newspapers will carry a page on environmental protection.

More specifically, it is necessary to enact legislation to impose regulation on idling engines. The Secretary has made many points in her explanation. She said that many parents do not like this measure, because their children hope to enjoy air conditioning when they get into the car. But are there children who do not become sweat-soaked when they are home from school? Why do kids nowadays want air conditioning once they get into the car? This will not do them any good either, because if all vehicles have the air conditioner turned on and their engines are not switched off, the children, before getting into his car, will take in much polluted air when passing by other vehicles. Mr CHEUNG Man-kwong has mentioned this problem, and this is also the case for school buses. Why can we not enact legislation to require all drivers to switch off their engines when their vehicles are stopped? I personally will do that, but when I stand at roadside, the engines of the vehicle in front of me and the one behind are not switched off, and what can I do about them? I will then take in their black smoke. As far as I know, a stopped vehicle with its engine kept running emits pollutants 20 times more than a vehicle running at a speed of 50 km. However, I think minibuses or taxis waiting for passengers at waiting points should be given exemption, because I know that switching off an engine and restarting it again will emit eight times more pollutants. So, these vehicles should enjoy exemption when waiting for passengers.

Madam President, I wish to make another concrete proposal. I found that many buses in Central only have a few passengers during off-peak hours. I have observed the situation very carefully and at one time, I could only see one passenger on a bus. Is it a must for all buses to come to Central? Of course, some people may say that residents of the New Territories will wish to sleep on the bus on their way to work until the bus pulls in at the terminus. But I think we should not allow so many buses carrying so few passengers to Central, because pollution is very serious in Central and Causeway Bay, and the problem is evident to all. A few years ago, the Democratic Party proposed to the Government the setting up of a bus terminus in Sheung Wan and in Causeway Bay respectively, so that all buses coming to Hong Kong Island via the Western Harbour Crossing will stop at the Sheung Wan terminus and then return. Similarly, all buses coming to Hong Kong Island via the Eastern Harbour Crossing or the Cross-Harbour Tunnel will stop at the Causeway Bay terminus and then return. Environmentally-friendly shuttle buses can be provided to run between these two bus terminuses. Of course, these shuttle buses should run at higher frequency, so that passengers do not have to wait for too long. To the residents, although they will need to interchange, it can save time and is,

therefore, worth it. They can use the time saved to sleep for a bit longer at home, so that they do not have to sleep on the bus. In fact, the bus companies, the MTR Corporation Limited and the tramway company all support this proposal. But I do not know why the Government has not yet introduced it.

Moreover, Madam President, the Democratic Party also has other proposals. Pardon me. If this proposal on environmentally-friendly shuttle buses can be implemented, the traffic conditions will be significantly improved, thus obviating the need for reclamation in Central. If the result is good, and I believe it will certainly be so, then it can also be tried out in Mong Kok, Kowloon. Besides, we would like to put forward another proposal and that is, the many pedestrian footbridges on Hong Kong Island can be linked to form a network of pedestrian footbridges, so that members of the public can walk all the way from Western District to Causeway Bay using footbridges without having to walk on the street. This is, in fact, feasible. There are many pedestrian footbridges in Central. Why do we not link them all up? This is entirely feasible. We can make them less tedious by, for instance, placing flowers and plants there or renting out space for people to put up advertisements. We can do a lot of things there. Why does the Government completely ignore these proposals made by the Democratic Party, proposals that I consider to be very constructive? Now that I have the honour to be appointed as a member of the Commission on Strategic Development, I hope that apart from "splitting the point-winning tiles of Fat Choi", this issue can also be resolved.

Thank you, Madam President.

**MR DANIEL LAM** (in Cantonese): Madam President, at the Chief Executive's Question and Answer session in October last year, I, on behalf of the New Territories Heung Yee Kuk, asked the Government to reduce the sea and land transport fares borne by the public but to date, the relevant mechanism has yet to be put in place. This is very much regrettable.

Hong Kong is now in the course of economic recovery and yet, the general public still does not feel the benefits of economic recovery. On the contrary, some public transport operators have applied for fare increases presently, causing even greater hardships for the people in their living. Yesterday, outside the Legislative Council, seven Members, including Mr LAU Wong-fat, and I

received representation from residents of outlying islands against the ferry company's application for a fare increase.

Madam President, the New World First Ferry Services Limited is going to increase its ferry fares. This is very unfair to residents of Cheung Chau, Ping Chau and Lantau. Ferry is a major means of transport to them, and they have to rely on ferry to go to work in urban areas and to do business with neighbouring islands day in day out. But the ferry company has proposed a hefty fare increase when residents have no choice at all. Residents can do nothing but resign themselves to the reality.

Madam President, we appreciate that the ferry company, being a business corporation, certainly wishes to maximize profit for the company. But the point is that enterprises must also fulfil their corporate responsibilities. Proposing a fare increase when the economy is just picking up may create an adverse impact on the development of tourism in the region and may result in a loss in revenue instead. So, this is not a wise move at all. I think the Policy Bureau can consider stepping up negotiations with the ferry company, with a view to putting forward more suggestions on ways to boost revenue, so that the residents can live and work in peace and contentment.

Madam President, I so submit.

**MR ALBERT HO** (in Cantonese): Madam President, I will first speak on planning and land administration issues.

Land is a valuable resource that we must put to good use, and land sale is an important source of revenue to the Treasury. Under the Basic Law, the Government obviously has the power to grant land leases, but this power must be exercised to the benefit of public interest in Hong Kong while upholding the principle of fairness, impartiality and openness. What I have said is actually in line with the market-led policies advocated by the Government.

However, the Public Private Partnership (PPP) policy implemented by the Government in recent years has aroused grave concern among us. We find that this mode of operation can actually allow the Government to finance consortiums to participate in projects that are, on the surface, conducive to public interest by

awarding to the consortiums the right to land development. But the Government, when granting land, has always deviated from the market principles of fairness, impartiality and openness, causing suspicions of the Government transferring interests to certain consortiums or giving favour to them in its policies, and even collusion between business and the Government; even though these may not have really happened, there are at least these suspicions among the public. With the pledge for strong governance made by Chief Executive Donald TSANG after taking office, these policies must be rectified.

With regard to the operation of the PPP approach, the biggest problem is actually the lack of transparency and criteria for screening or selecting partners in an impartial and fair manner, and even in respect of land grant and evaluation of land prices, a convincing objective principle is lacking. The Cyberport and the MTR Corporation Limited (MTRCL) after its privatization before, and such development projects as the West Kowloon Cultural District (WKCD) development today, can all serve as examples for discussion.

The Government absolutely has no reason not to auction the sites intended for financing the relevant projects and subsequently inject the funds into the participants for them to develop projects of public interest. This could dispel all the suspicions of transfer of interests and collusion between business and the Government. Had the Government worked according to these principles as just suggested by me, at least it would not be queried over a large number of vacant flats in the Cyberport. It is because, as a matter of fact, we can see that while the consortium responsible for developing the Cyberport has not made any profit in the project of public interest, it has nevertheless gained a handsome profit in the associated property development project of Bel-Air, reaping handsome proceeds that could have been generated otherwise to public coffers.

Secondly, in the WKCD development, although the site has been slightly reduced from the original 40 hectares to about 27 or 28 hectares now, it is still considered a single-package development project of a massive scale. Despite the absence of concrete statistics as proof of public support, the Government has still insisted on building a canopy at a cost of billions of dollars, making people think that the purpose of its doing so is to maintain the single-package development approach. Why must it do this? Is it that our officials have long decided among themselves that the project will be awarded to the participant comprising two major consortiums, just as people have suspected?

Madam President, I would also like to talk about the MTR. The MTRCL has all along been given the right to develop superstructure property projects and land along the MTR alignment. Although the MTRCL is required to pay a regrant premium to the Government, such payment of regrant premium has long been questioned, for it is considered a subsidization policy. Although the Government repeatedly stressed in the course of enacting the legislation on the privatization of the MTR that this policy is fair and just because there are objective criteria to go by insofar as regrant premium is concerned, officials or Members in support of the privatization of the MTR had emphasized time and again in the debate that according to the MTRCL and the many statistics, it would be impossible for the MTR to sustain its development and in particular, to develop more MTR lines if the MTR is not given superstructure development rights. Does this not explain even more explicitly that this policy is, in effect, a subsidization policy? It is meant to give extra benefits to the MTRCL by granting to it superstructure development rights.

In this connection, I must state clearly that if the MTR is still wholly owned by the Government, as in the case of the Kowloon-Canton Railway (KCR), we would not oppose giving it exclusive superstructure development rights. But this subsidy should cease after the privatization of the MTR, because the Government absolutely should not provide any business corporation with subsidies that are not clearly defined. For this reason, in the course of scrutinizing the legislation on the privatization of the MTR, the Democratic Party had proposed an amendment. While the amendment was negated in the end, we did put across a very clear message and that is, even though the Government is a major shareholder of the company, there is still no reason to grant exclusive development right of a site to a business corporation. Therefore, for the same reason, I wish to tell Secretary Dr Sarah LIAO clearly that if the two railway corporations are to be merged in future, the Democratic Party will continue to insist on this policy and that is, the merged company is a commercial concern, and the Government absolutely should not give it exclusive superstructure development rights above the stations along its alignment. I hope that the Government, in considering the merger plan, will clearly consider the reasons and principles behind my proposal.

In fact, the Government can do it in a simple way by selling the land to generate proceeds, so that the concern of the business sector or the public can be dispelled, and then inject the proceeds from land sale into projects of public

interest. Why does the Government not do so? It really beats us as to why the Government does not do so. The only reason that we can think of is that it intended to bypass this troublesome Legislative Council and secondly, it intended to bypass the market mechanism which encompasses open and fair competition; and that is why it has resorted to a decision-making mechanism fully dictated by officials, and even a process in which the policymaking power is kept entirely in the hands of individual officials.

Given the irregularities in these arrangements, no wonder the public has considered them unfair and unjust, and they have also tarnished the reputation of Hong Kong as an international metropolis. So, I hope the Government will rethink about it. It must not think that international rating agencies always have misunderstanding of Hong Kong and that they do not understand our rule of law and the operation of our market. These outsiders may, in fact, thoroughly understand what is going on. Many international investors precisely feel that under the present situation, they cannot compete on a level playing field and they have, therefore, faithfully reflected the situation in response to questions from rating agencies. I hope that the Government must address squarely these concerns of the people. It must not rest on its laurels and offer all sorts of excuses to explain things away.

The second point that I wish to talk about is the modification of land lease. The existing Application List System has reflected that the Government is very careful in handling our land reserve. But we find that when handling the land reserve, the Government actually has a backdoor which is always open to property developers for them to modify the conditions of land lease for development purposes. The Government has explained that this backdoor is not opened easily. First, there is the Town Planning Board (TPB) as the gatekeeper. But as many colleagues have mentioned, and as many people said in expressing their views during the scrutiny of the Town Planning (Amendment) Ordinance 2004 last year, the existing composition of the TPB is questionable. People have questioned whether it can truly operate independently and impartially, or whether it is often just a tool to materialize the Government's wish in urban planning.

As we all know, Madam President, the Chairman of the TPB is the Permanent Secretary of the Housing, Planning and Lands Bureau, and its secretariat is staffed by civil servants. Many members of the TPB have intricate relations, whether direct or indirect, with the real estate industry in Hong Kong.

Recently, I have dealt with an application for replanning relating to the West Kowloon project, and I found that nearly half of the members have to openly declare that they may have an interest in this project. We can also see that in handling the WKCD development, the TPB, in order for the project to materialize the wish of the Government, has specially put in place a mechanism for meetings to be held with the Government in camera, so that the concept or the idea of the project can be scrutinized and views be given before proceeding to a procedure that openly accepts opposition. All these are astonishing to the people, and they have also questioned why the TPB in Hong Kong is so compliant to the wish of the Government.

Let us further look at the regrant premium. It is unnecessary for me to reiterate here that the assessment of regrant premium is often more of an art than a science. In saying so, I have no intention to show any disrespect to the profession. However, the result of premium assessment can, in fact, be immensely contentious. This is precisely why many market participants prefer tendering or auction, which can more accurately reflect the market price of land.

Therefore, we always hold that even though the owner owns a piece of land, if it is an agricultural or industrial site and if the owner wishes to change it into a commercial or residential site for development, the owner should, apart from seeking an approval from the TPB, also go through an assessment process of the Lands Department where appropriate for a determination of the amount of regrant premium.

The Democratic Party considers that this practice of paying a regrant premium can hardly reflect the operation of the market, making it impossible to arrive through the market at an objective amount of premium. So, we hope that the Government can adopt a new thinking and consider if it is possible for the regrant premium to truly reflect market price through tendering. The Secretary will certainly say that since the owner owns the land, why should he have to put his land to tender? But we must bear in mind that this owner intends to redevelop the land, and he could do so only by modifying the original conditions of the lease. Even though the TPB has given its approval, the owner still has to pay a regrant premium. Then how should the amount of this regrant premium be determined? Madam President, we consider that one of the methods of determination is to put the land to public tender and see if there is anybody willing to offer a price for the site, and the highest offer will reflect the price at which the market is willing to pay in order to develop the site into a

commercial/residential site. However, in order to be fair to the owner, the original owner of the site can reserve the right to pay a regrant premium based on the highest offer in the market. This is most desirable.

If the owner is unwilling to do so, he can, of course, refuse to pay the regrant premium, or alternatively, he can give the site to someone else for development. Then, through certain procedures, the development cost can be separated from the original cost of the land, and the landowner will be compensated at an amount being the cost of the land before development. Certainly, this involves a legal mechanism, and legislation has to be enacted to decide on the mode of operation. In fact, it is not difficult to understand this concept.

There are now many ways that the Government can make owners surrender their property for development by others. For example, under the urban development programme, if 90% of the property titles has been acquired, the remaining 10% will have to be surrendered for joint development. Besides, we can also see that under certain circumstances, the Urban Renewal Authority has the power to recover land for development which is conducive to public interest. Such being the case, I think the modification of land lease for other uses concerns not only the right of the owner. Under certain circumstances, although the owner will be given a higher priority, I think insofar as the amount of regrant premium payable by the owner is concerned, it cannot be considered as having completed the entire procedure by just leaving it to negotiations between the owner and the Government behind closed door. I hope that the Government can consider the idea suggested by me just now. The Democratic Party will put forward our proposal in more detail for consideration by the Government.

What I have just said does not cover special contracts awarded by the Government for public purposes, for example, the special uses as specified in accordance with the outline development plan, including petrol filling station, exchanges of telecommunications companies, and so on. The Government has offered concessionary conditions for these companies or consortiums to operate these special businesses. If, due to changes in the environment, these companies cannot or do not plan to run the business continuously and therefore do not need the sites anymore, we consider that there is every reason for these sites to be returned to the Government for other uses. Certainly, the Government will make a decision according to the TPB procedures as to whether

the sites should be developed as an open space for the public or for other uses by the Government, or even for other development purposes where the circumstances are appropriate. But the Government absolutely should not, and I stress, should not allow the corporation which was originally granted the site for special use to negotiate with the Government in private and then modify the terms of the contract or seek a land grant exclusively for its development. This is absolutely unacceptable to us.

Madam President, the last point that I wish to talk about is the Home Ownership Scheme (HOS) policy. In fact, in this year's briefing to the Panel, I suggested to the Secretary that it is now opportune to re-examine the plan rashly made a few years ago under the leadership of TUNG Chee-hwa of bringing the construction of HOS flats to a complete halt and suspending the sale of HOS flats for several years. As I said at that time, the plan had been introduced rashly without being carefully thought out. This decision has caused Hong Kong to suffer unnecessary and unreasonably huge losses. Over 20 000 flats have since been left vacant, which is an extremely enormous waste. Whether in respect of management fees, rates, government rent, interests or depreciation, the losses incurred by us amount to billions and even tens of billions of dollars. In fact, over the years, many grass-roots and public housing tenants in Hong Kong have managed to enter the private market through the HOS policy, a policy which is beneficial to the well-being of the people. We do not see why such a good initiative can be completely scrapped in a short time without extensive consultation, resulting in over 20 000 HOS flats being left vacant for many years. The Government said that these flats will be put on sale gradually only in early 2007, and this, I think, is grossly absurd.

I hope that the Chief Executive and the Secretary can handle this policy with a new mindset and style of work. The Democratic Party hopes that the Government can immediately resume the sale of vacant HOS flats in early 2006 by selling the returned HOS flats to green form applicants as a first step. We hope that 5 000 to 6 000 flats can be put on sale in 2006. I think the time now is appropriate, because the property market is presently still considered stable, if not heated. I do not wish to see the Government putting HOS flats on sale when there is another upward trend in the interest rates or when there is rumour about the bursting of property bubble in the United States. This would not do any good to the entire market. To sum up, it is unnecessary for us to continuously follow an immature, obsolete policy. I hope the Secretary will give a response on this point. I so submit.

**MR JAMES TIEN** (in Cantonese): Madam President, first of all, I would like to tell the two Directors of Bureaux that although my speech will be rather short, which is obviously no match for that of Mr Albert HO, it does not mean that I do not respect the two Directors, just that there is a limit to my speaking time.

In relation to the purview of Secretary Michael SUEN, I wish to make a point relating to land use, or the method of land disposal. I take exception to the comments made by some Members about the Government being unfair or colluding with the business sector. On the contrary, I think that the Application List policy is a good policy. Of course, there is always room for improvement in any good policy. For example, despite a 20% discount for developers applying for the auctioning of land on the Application List, the land price actually will not be lowered. The price is lowered only at the stage of application, but the final selling price will be 20% to 30% higher. In this regard, I would like to express some of my views.

Madam President, take this year as an example, the two or three sites that property developers applied for their auctioning in the last two months and early this year were all large in size, involving \$3 billion to \$4 billion and covering a gross floor area of hundreds of thousands of sq ft. We noticed that in the course of bidding, only a few major property developers could afford to offer bids. The Government may not take a keen interest in whether major property developers or small property developers can take part in bidding, but we consider it more desirable if more developers can participate in the bidding, so that buildings to be completed in future will not be controlled by only a few major property developers.

Another point that I wish to make is the opening up of Sha Tau Kok which I did mention in this Council early this year. The Secretary for Security said at the time that difficulties were envisaged for security reasons. As Mr LAU Wong-fat mentioned yesterday and as Mr LI Kwok-ying also mentioned today, if we consider it purely from the land administration perspective, the opening up of this area is a very good proposal. But can the pace be quickened and is it possible not to focus only on tourism? In fact, considering the present-day circumstances in Hong Kong, is there still a need for the closed area to be kept in such a big size? Is it possible to reduce it a bit? I would like the Secretary to pay attention to this.

On the West Kowloon Cultural District (WKCD) development, I would like to reiterate to the Secretary that we very much support the Government's withdrawal of the award of the contract to one single tender. The Liberal Party still has concern over this development and holds that although the Government has withdrawn the award of the contract to one single tender, it should not allow the successful consortium to decide on which part of the site should be parcelled out. It is most appropriate for the Government to hand to the successful consortium half of the site, whereas the remaining half should be decided by the Government as to when it will be put to auction.

Besides, we consider that instead of requiring the successful consortium to inject \$30 billion into the fund, this \$30 billion might as well be given to the Government direct for it to subsequently pass onto Joseph YAM, Chief Executive of the Hong Kong Monetary Authority (HKMA) for investment, so as to yield a return. In recent years, the HKMA has achieved an investment return of 5.3%, which is higher than the Government's projection of 5%. Given that the HKMA can yield a 5.3% return on its investment on average, if the money is handed to the HKMA for investment to yield a return, criticisms from Members about the Government bypassing the Legislative Council could well be avoided. The Government can hand this sum of money to the HKMA, rather than directly giving it to the Authority overseeing the WKCD development. In fact, Members hope that the WKCD Authority will comprise more members from the arts and cultural sector, whose duties will have little to do with finance.

On the canopy issue, as we have already said, if the Government has to build the canopy, it must be careful because the problem arising from its repairs and maintenance may be even bigger than the technical problem involved in building the canopy. That is why we always have reservations about it. The canopy is beautiful indeed, but problems are set to arise if it is not properly maintained.

Moreover, in respect of air quality, the Liberal Party wishes to state to Secretary Dr Sarah LIAO our view that a majority of the pollutants come from the Mainland. During the golden week early this month, we had days with clear, azure sky in Hong Kong. Indeed, the days were the brightest ever. Pollution in the Mainland is very serious indeed. That mainland factories were closed on holidays during the golden week had already helped the situation greatly. I hope that the Government will make continuous efforts to negotiate with the authorities in the Pearl River Delta, with a view to abating pollution.

On the renewal of licence of the two local power companies in 2008, I hope that more clauses on environmental protection and pollution control can be incorporated into the new licence. I believe members of the public and the industrial and business sector will throw great weight behind this.

Finally, on no idling engines. We already put to the Secretary a question on this issue during a motion debate previously. The Secretary gave us a very positive response, but she said that this is not feasible with certain industries. This, we agree, and taxis, public light buses and professional drivers should obviously be given exemption. Requiring taxi drivers to switch off their engines while waiting for passengers would cause even greater confusion, and a restart is bound to produce even more black smoke. We consider that the "no idling engine" requirement should target at private cars, government vehicles and most of all, tourist coaches because when they carry tourists to and from the Peak, they often have to wait for almost an hour and their engines should be switched off and so should the air conditioners while they are waiting. I hope that the Government can pay attention to this point. Thank you, Madam President.

**MR JASPER TSANG** (in Cantonese): Madam President, in his speech earlier on, Mr LI Kwok-ying again made reference to a study carried out earlier by the Democratic Alliance for the Betterment and Progress of Hong Kong on fully opening up the frontier closed area. In fact, the report was already submitted to the Chief Executive some time ago, and made available to the media on a public occasion. However, we noticed at the time that the media did not attach much importance to it, because we could see that the Government's attitude was not very keen about it. We have proposed for some time already that the frontier closed area be developed to comprise an industrial zone, an integrated development zone and a tourism zone. But the Government has not been very responsive in its attitude and so, the media know exactly how they should react to it.

When we submitted the report to the Chief Executive, Mr TSANG said that the development of the closed area would involve huge investments, for the Government will have to inject considerable funds into it because infrastructure facilities are lacking there. Perhaps it is because of this that the Government has not been very enthusiastic about its development. However, we should be able to see that although the area has been designated as a closed area for a long

time and huge resources will be involved at the initial stage of development since development has long been ruled out as an option for the area, the return will actually be very high. We hope that the Government, especially the two Directors of Bureaux in this Chamber today, can study our report seriously. Mr CHEUNG Hok-ming will further elaborate this point later on.

Mr Andrew LEUNG knows best the aspirations of the industrial sector, and he particularly pointed out earlier on the importance of opening up the frontier area. Recently, I have met with the Chairman of the Hong Kong Watch Manufacturers Association, who particularly stressed that the designation of a high value-added industrial zone in the frontier area would be significantly useful to the watch manufacturing industry, because they do not require a lot of space for their factories. We have taken a look there and according to our observation, if the Government considers that the provision of "three connections and one levelling" (which means water supply, electricity supply, roads and site formation works) as required for many sites in the area would require plenty of resources, there is a piece of "formed land" readily available in the Sha Tau Kok area. This site is not big in size, and it may not be practicable to build other types of factories on it. But in my discussion with members of the watch manufacturing industry, they considered that this site would be very suitable to them, because they do not need a large piece of land for operation. Besides, subject to the consent of the trade union, they can adopt the "1+1" approach to import workers from the Mainland. They said that it is still value for money even if they have to shoulder the full cost incurred by the Government in developing the site. We hope that the Government can truly take on a more positive attitude.

Moreover, Madam President, I hope that Secretary Dr Sarah LIAO can seriously consider another issue. Mr TO is also in the Chamber now, and I believe he will share my view. It is about the noise nuisance caused by road traffic to densely-populated residential clusters in the urban areas. The situation of the constituency represented by Mr TO and me is very miserable, for there is this problem in a number of districts. In Kowloon City, there is the East Kowloon Corridor in To Kwa Wan; in the Yau Tsim Mong district, there is the West Kowloon Corridor in Tai Kok Tsui; and in Sham Shui Po, there is the Lai Chi Kok Bridge in Lai Chi Kok. All these roads are in the proximity of residential dwellings. I believe Mr TO, like me, has never ceased to receive complaints over the years.

When we reflected these complaints to the Government, the Government said that many unsolvable technical problems are involved. Even though there is a need to install noise barriers, nothing could be done because the retrofitting of noise barriers was not taken into account during the construction of these flyovers and so, such installation will render the roads overloaded, and there is hardly any space for their installation either. We suggested the use of noise absorbent materials, but they said that these materials are not durable, that the curved sections on roads and the gradient may cause these materials to become worn-out very soon and that it will cause even greater nuisance when repairs are necessary at an interval of several months. We also suggested the retrofitting of insulated windows, but after assessing the noise level, officials of the Environmental Protection Department said that the readings were within the permitted level most of the time and so, such windows could not be retrofitted for them.

I remember that many years ago when the Kai Tak Airport was still in use, residents of Kowloon City had complained that they could hardly sleep after the extension of the programming hours at the airport. The Director of Civil Aviation then said that he must spend a night there personally to see what the situation was, and he really did. I hope that the Secretary will think in the same way too. Just spend one night there and she will know. (*Laughter*) When residents came to me to lodge their complaints, I believed what they had told me entirely. Why? It is because from their faces, I knew instantly that they did not have enough sleep. They really looked annoyed and agitated, and they said that they could not possibly sleep at night. A resident — I will not mention the name of his building in order not to affect its property price but it is a high-class apartment block — said that even when the bathroom door was closed, the bathroom door would shake when a heavy-duty vehicle passed by. So did the things that were hung on the door, and they gave out the sound of "da da da.....". He said that he could not sleep at all.

If the Government said that this is a technical problem, certainly, it can cite a lot of reasons to justify it. But we have this conventional wisdom: "Need is the mother of invention". If the Government is genuinely striving for the well-being of the people, it should put itself in the place of these residents who are suffering. I noticed that when the Chief Executive talked about environmental protection in the policy address, he did not mention the problem of noise pollution, but this is a problem in real life in these developed districts

and it is affecting many people. Our city has been talking a lot about striving for the well-being of the people and how modernized we are and yet, this problem has consistently remained unsolved. Is this acceptable to us all? Since the Secretary is responsible for monitoring transport matters and also overseeing matters relating to environmental protection and public works, this is the best opportunity to solve the problem. Is it really impossible for adjustments to be made to the noise problem? From the perspective of public works, is it entirely impracticable for noise mitigation measures to be taken? I hope that the Secretary can deal with this issue with a more comprehensive and holistic viewpoint. Thank you, Madam President.

**MR LAU WONG-FAT** (in Cantonese): Madam President, the policy address emphasizes that environmental protection is the responsibility of the community as a whole. But I would like to add that for the sake of the long-term and sustainable development of Hong Kong, a well-thought-out strategy should be devised to put the idea into practice.

Nature conservation on private lands in the New Territories has long been a frustrating problem to landowners. Two proposals, namely, management agreements and public private partnership, have been put forward under the new conservation policy, but in practice, these proposals are just meant to shift the responsibility for nature conservation to non-governmental organizations, landowners and property developers. The issue of compensation for landowners is altogether evaded. This is a most unfair and unreasonable practice.

Article 6 and Article 105 of the Basic Law respectively provide for the protection of the right of private ownership of property and the right to compensation for lawful deprivation of property. However, at present, once a piece of land is designated a conservation area, its use will be frozen forever and the landowner is not given any compensation. In June this year, when the Legislative Council debated the new conservation policy, I already pointed out that this is tantamount to a deprivation of people's property by the Government. Nature conservation and environmental protection are both a righteous cause that should be supported, but if there is no respect for the right of private ownership of property, if there is arbitrary deprivation of private property, and if the rights of landowners are grossly ignored, then, nature conservation will be reduced to an unjust and draconian policy.

The Heung Yee Kuk and the DAB once advocated the utilization of proceeds from developing nature conservation zones, such as land use modification application fees and regrant premiums, for the purpose of establishing a nature conservation fund dedicated to training a greater number of quality conservation personnel and meeting the expenses of land acquisition, exchange and leases. As the old saying goes, "invest in the land of bliss and there shall be never-ending wealth." This is precisely the rationale behind the Chief Executive's advocacy of "strong governance for the people" and "upholding social justice". If the proceeds from nature conservation can be ploughed back to nature conservation, if nature conservation and the protection of the right of private ownership of property can be given equal emphasis, there will be boundless beneficence.

Madam President, I so submit.

**MR CHEUNG HOK-MING** (in Cantonese): Madam President, with regard to the maiden policy address of the Chief Executive, in my opinion, Mr TSANG would like it to benefit all in the community, so as not to let anyone down. In the policy address, everyone can find here and there some of the views that he or she has expressed. For example, on the issues of opening up the frontier closed area and the West Kowloon Cultural District (WKCD) development, it somehow shows that the Chief Executive has taken on board some opinions of the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB). Today, I will focus on these two issues in my speech.

First, the WKCD development. The WKCD development is a turning point of Hong Kong's cultural policy for the next 30 years, loaded with all sorts of expectations. The DAB welcomes that the Government has taken on board our proposal and will establish a WKCD Authority. Initially, we propose that this WKCD Authority will lead the arts development in the WKCD in the future or even further evolve as the policymaking authority overseeing all cultural and arts matters in Hong Kong and co-ordinating all cultural and arts facilities in the territory. Whether or not the WKCD would become a soulless, empty shell, as it has been criticized, will to a large extent depend on the terms of reference of the WKCD Authority. However, the Government seems to have regarded the WKCD Authority as a "housekeeper wearing a golden belt around her waist" whose job is purely to look after the cultural facilities in a super luxurious housing estate, but not having any say on the design of or the choice of materials

for this luxurious development. How can members of the public feel assured about such an Authority?

Although Chief Secretary Rafael HUI said that the Government planned to introduce a bill to the Legislative Council in March and April next year, in order to enact legislation on the establishment of the WKCD Authority, and stated that construction works under the WKCD development could commence only in three years or so the earliest, the Government has surprisingly continued to hold closed-door meetings with the shortlisted consortiums, actively making an effort to pick the final winner. Under this proposed blueprint for development, will the WKCD development become a hybrid of the three models already seen by the public? Will the cultural sector's expectations of the hardware be incorporated at the moment the three athletes are about to dash past the finish line, thus making earth-shaking changes in the final model itself?

I do not know whether the WKCD development, like the policy address, will answer the wishes of the people by pleasing everyone in the community. A reason cited sometime ago by Chief Secretary Rafael HUI to explain why he insisted on the construction of the canopy was that there were great controversies in the public and so, it would be inappropriate to remove the canopy from the project at this stage. As the expectations of the cultural sector of the hardware vary greatly, insofar as the hardware design of the cultural project is concerned, will Chief Secretary Rafael HUI then simply turn the models into real objects without making the slightest modification to them on the ground that a consensus has not yet been reached, resulting in these real objects being permanently erected on this site in West Kowloon?

The DAB is loath to see the WKCD development eventually falling through. All sectors of the community have been highly concerned about this project, and they are so gravely concerned about it because "one who loves too deeply hates too deeply". I am very worried that the WKCD development would become a hybrid with a dragon's head for the property part but a snake's tail for the cultural part. The past description of it as having a tiger's head and a snake's tail means that there are congenital deficiencies and that it is destined to be a failure. However, it remains unknown as to whether "a dragon's head and a snake's tail" can hit the jackpot in one leap. Dragon is a symbol of powers, and under the leadership of a dragon's head, how can we bring into play the harmonious characteristic of dragon while preserving the characteristics the

snake's flexibility and vitality? This is exactly the most important part of the test.

The WKCD development has all long been labelled as a property project. Some people even hold a dim view of its effectiveness as a cultural district. In my opinion, subsidizing cultural and arts development by proceeds generated from property projects may as well be a direct and highly effective financing option. I also hope that sustainable development can truly be achieved for the cultural district.

The Government has now withdrawn the single-tender arrangement and decided to require the winning property developer to parcel out no less than 50% of the residential and commercial gross floor area at the WKCD site for tendering by other developers. This is no doubt a friendly gesture of heeding public opinions. However, the decision as to which parts of the site are to be parcelled out and how they should be put to tender will entirely rest with the winning consortium, which will also assume a co-ordinating role for the future WKCD development works and be charged with the obligation of developing all core arts and cultural facilities.

At first, the DAB would like the site excluding the part of cultural facilities to be auctioned publicly, and the proceeds to be generated from the public auction should go to the Treasury. The Government's land zoning proposal has aroused concern about what criteria there will be in the future that are fair and objective in balancing the interests of all sides. I hope the Government can make it clear that the authority for land disposal in respect of the WKCD site rests with the Government, in order to ensure that the land to be parcelled out for development by other developers will not be second-class or inferior. In parcelling out land to other consortiums, the Government should observe the normal land sale procedures of putting the land to public auction for bidding by consortiums. Only in this way can we ensure that this important WKCD site can be sold at the most desirable price through a fair and open process.

All members of the community are most concerned about whether sustainable development can be achieved for the WKCD development, so that there would not be the case where no funds are available even for hiring workers to clean the canopy. Under the Government's new proposal, the winning consortium would no longer be required to pay for the repairs of the canopy and the operating expenditure of cultural facilities for a period of 30 years. Instead,

it would have to inject a lump sum of \$30 billion into the statutory body to be established soon for it to operate as a trading fund. According to the information provided by the Government, the operation of the canopy and cultural facilities alone will lead to a loss of \$500 million a year.

The \$30 billion has thus become a very puzzling figure. Can this sum of money be sufficient for the development of the WKCD in the next 20 years? Although Chief Secretary Rafael HUI openly replied in the Legislative Council that \$30 billion would be sufficient, he did not provide a guarantee as to what follow-up actions would be taken in the event of a mistake in calculation. Take the Housing Authority (HA) as an example. Ten years ago, whenever Home Ownership Scheme flats were put on sale, the oversubscription rate often exceeded 10 times. We had never worried about the HA not having funds for the construction of public housing. Today, what we see is that the HA is caught in financial woes and it has to sell its carparks and shopping malls to sustain its operation. We cannot but think that if this \$30 billion is found to be insufficient in future, the four museums would be nothing more than just piles and piles of cultural relics owing to a lack of operating funds.

Certainly, we can look at another practical issue. That is, will this \$30 billion dampen the enthusiasm of the screened-in consortiums? According to the guideline given by the Government to the screened-in consortiums, the plot ratio in respect of the land grant was 1.81, but the proposals made by the three screened-in consortiums had all exceeded this figure. I do not know by how much the proceeds of the entire project will be reduced as a result of the rigid 1.81 requirement under the new proposal. Will the consortiums still be interested in making commitments for the development of the WKCD? Will the developer carry out shoddy works in accordance with the price, making it impossible for the cultural district to become a first-class cultural district in the world, as desired by the Chief Executive at the outset, but leaving behind only a cultural district covered by a huge lid?

The core of the WKCD development is cultural and arts development. I hope the Government can spend more time on formulating a set of cultural policies and stepping up the promotion of arts. I do not wish that all Hong Kong will have is an empty shell of culture.

I have spoken at length on the WKCD development. Now, I would like to speak on the opening up of the frontier closed area.

In this policy address, the Chief Executive proposed that the 2 800 hectares of the closed area can be opened up partially, and that the scope of its opening will be published in the first half of next year. The DAB has completed a proposal on all-direction development of the Hong Kong-Shenzhen border area, and I am very glad that the Government has provided a clearer direction on this issue this year.

The Chief Executive mentioned that the sizable private land holdings and wetlands with conservation value in the area, and the substantial cost of development, make careful overall planning a must. In this connection, the Government will, in the first half of 2006, commence the planning study, consult the public and then draw up development plans.

Here, I wish to point out that there have been many study reports on the opening up of the closed area already. The DAB also made a proposal last year, specifically pointing out the direction of developing four key zones in the area. For instance, the river-loop area can be developed into an integrated zone where high technology can be developed and elements of eco-tourism can also be incorporated; Ta Kwu Ling can be developed into an industrial and technology zone, and consideration can be given to developing the vehicle equipment manufacturing industry and the aerospace industry; Sha Tau Kok can be developed into an eco-tourism zone; and an industrial park can also be developed in the vicinity of the Western Corridor.

The South East Kowloon Development has been caught in a state of tug-of-war for nearly 10 years. On the current proposal of opening up the frontier closed area, I am very worried about whether the Government would spend more time only on consultation, consultation and again consultation. As pointed out in the initial report on Hong Kong 2030: Planning Vision and Strategy published earlier by the Planning Department, there are many ecologically sensitive areas in the border area, and given a lack of sewage treatment facilities and transport facilities, immediate development of the area is deemed inappropriate but the area can still be developed for high value-added uses to the benefit of both Shenzhen and Hong Kong in the medium to long term. The report initially suggested that in the border area there are three places with development potentials, including the Lok Ma Chau Loop which can be developed as a trade expo; Heung Yuen Wai which can be developed into a logistics centre; and Kong Nga Po which can be developed into a new town. I hope that the Government can clearly explain to us whether the forthcoming

public consultation exercise includes only the initial proposals made by the Government internally? Will the Government consider the proposals put forward by other organizations, and in particular, will the proposals made by the DAB be incorporated into the scope of consultation to be conducted by the Government?

Since the Government is now determined to open up the closed area, I hope it can draw up a clear timetable to enable manufacturers who are interested in investing in the closed area to make preparations. In the meantime, the DAB hopes that through this opportunity of opening up the border area, the industrial policy and development in Hong Kong can be readjusted, thereby creating more job opportunities. According to our rough estimate last year, the smooth opening up of the frontier closed area can create 60 000 job opportunities.

Finally, I wish to mention incidentally the location of the Central Government Offices. The Chief Executive stated explicitly that the construction works of the government headquarter will be launched this year, and that tenders will be invited and funding approval will be sought from the Legislative Council Finance Committee this year. The new Central Government Complex at the Tamar site is expected to be completed by 2012 or 2013.

The DAB openly pointed out sometime ago that it is better to reprovision the Central Government Offices in Southeast Kowloon than at the Tamar site. I hope the Government can give sufficient reasons to justify to the public as to why the Government has insisted on the Tamar site.

Madam President, I so submit.

**MR WONG YUNG-KAN** (in Cantonese): Madam President, with respect to environmental protection, I would like to talk about the serious destruction done to marine ecology. Recently, I have been going around with friends from my sector to inspect marine ecology. To be frank, owing to the reclamation works around Penny Bay and its neighbourhood, the undersea world there is dead. I do not know if the Government has sent any people there to look at it.

As this is the case, a few days ago in the meeting of the Panel on Environmental Affairs, I mentioned another worrying spot, Sai Kung. The

Government plans to carry out some sewage works in Sai Kung. The place is presently the best and the loveliest backyard of Hong Kong. There we find lovely beaches and the scenery there is magnificent. All along, I have been worrying that if the Government has not done its job well, the sea in Sai Kung will be like all the beaches in New Territories West, not fit for swimming. In that eventuality, it will be the greatest harm done to all the people of Hong Kong. I therefore hope that the Government must act with great prudence in this matter.

Why do I care so much about the seas in Hong Kong? This is because Hong Kong is surrounded by the sea everywhere and if things are not done properly, the seas which are of immense value will die because of the works projects and the mindset of the Government.

Besides, I hope that in either the reclamation works or other works to be implemented in future, the Government must not just look at a few metres of water beneath the surface of the sea. It must look at what calamities have been inflicted deep below the surface. Has the Government ever studied into this or looked at it? For me I do not think the Government has ever done any study on this. I hope that the Government can conduct a study of the underwater ecology in Hong Kong and find out how serious harm has been done to it. The Government must never pass all the responsibility onto the fishing industry. I hope the Government must think over this point.

Another thing I wish to talk about is a cycling track developed by the Government in the New Territories recently. What I find surprising is that certain sections of this cycling track do not link up with other places. The Government has always encouraged the people to ride bicycles. This is a good thing. In Tai Po, some cycling tracks are not linked with the housing estates and so if a cyclist wants to go into a housing estate, he has to push his bicycle into it. This is not reasonable. As the place has open nullahs, so I have suggested in the District Council to make use of the open nullahs to make cycling tracks for people who like to ride bicycles. This would also be good for people's health. Unfortunately, the Government has said that these open nullahs will not be used. Once we were in the Pearl River Delta Region and we found that this was done there on the Mainland. In some parts of their nullahs, the surface is raised and this permits people to walk or ride their bicycles on it. Why can this be done on the Mainland but not here? Is it because our Government has not given enough thoughts to this? I think some studies ought

to be done on this. I am in full support of developing cycling tracks. The problem is how can they be made better and this is where the greatest problem is.

Mr Jasper TSANG has just talked about the noise problem. Originally I did not want to talk about noise as the problem is not mentioned in the policy address. In 1991 when I was a member of the District Council of Tai Po, I had repeatedly suggested in the meetings of the District Council with Mr CHEUNG Hok-ming that noise abatement facilities be built on the New Territories Circular Road. Our suggestion was accepted by the Government. Some consultation was held a few years ago on the proposal that noise abatement facilities be installed in Kwong Fuk Estate. But the residents there opposed very strongly for the reason that the Government were not prepared to listen to their views. What the residents wanted were transparent noise barriers but the Government wanted to put up opaque barriers in green. That was why the residents opposed very strongly and the proposal was shelved eventually.

Residents from my own constituency and those from Wan Tau Tong Village have been urging for the retrofitting of noise barriers. The Government has said that it would need to take a look first but nothing has come out of that. Once I gave a plan to people in the Highways Department and asked them to give it to the Director of Department and the Director of Bureau. The plan shows that there is an expressway going up a slope behind the housing estate. I must admit that the Government has really done something and some noise abatement facilities have been put up there. But these are not enough as that is an expressway and drivers will accelerate when they reach the place. That is why the noise problem is very serious there. The name of that road is Po Nga Road. I hope that the Director of Bureau, in considering livelihood issues, can take this into consideration and put up noise barriers in places or highways close to residential areas. This will make the people truly live in peace and work in contentment.

Madam President, I so submit.

**MISS CHAN YUEN-HAN** (in Cantonese): Madam President, the two Directors of Bureaux, I do not have much speaking time left, though there are lots of questions I would like to raise. I am very concerned about matters in the policy portfolios of the two Directors of Bureaux. However, I can only talk about them very briefly.

I have voiced my concern to Secretary Michael SUEN many times, including the time when he was an accountable Director of Bureau. At that time, he had assumed office just then, so I told him I would talk to him later. Then on and off I have talked with him on this question of how land should be used. Land is a public resource in society, then should the entire policy on land use be focused on a single property project? Over the past decade, there were voices in society which took exception to this view. They thought that there should be many criteria related to this land policy. It is through various ways and means, such as putting up opposition, fighting for a cause, taking to the streets, collecting signatures, and so on, that these criteria are stated and views expressed.

When attending a meeting on this subject on the last occasion, I told the Director of Bureau that land was a precious kind of resource and consideration should not just be made to use land in real estate projects without thinking about its impact on the quality of people's lives. Hence things like ridgelines, viewing corridors, circulation corridors, and so on, are set up by the Government itself. Things must be done to protect our cultural relics and revitalize our city. Do not just build blocks after blocks of buildings and skyscrapers that tower in our skyline. Such criteria are prescribed by the Government itself. But now it is slapping its own face. I told the Director of Bureau that some people had said that there were people in society putting up opposition against the Government and they even said that those of us Members who held onto the Government's criteria and engaged in public movements were all unforgivable public enemies.

In the process of urban development in Kwun Tong, some people told the residents there that people the likes of CHAN Yuen-han were demanding that the ridgelines be protected and opposed dense building clusters. But without these where could money for urban development be found? So they asked. Secretary, I am very surprised to hear that. Some other people counselled and abetted residents of Nga Tsin Wai Village to oppose the protection of ancient monuments by the District Council. Now the inhabitants of Nga Tsin Wai Village are facing great problems as they have to find a quick solution to the problem of redevelopment that they have been discussing for almost two decades. The village is now falling apart and the people there are having a hard time. Some people do not care about how the inhabitants can get their compensation quickly and they even counsel and abet these inhabitants to oppose

the attempt made by the District Council to protect the monuments. Who have said such things? It is the representative of the Chief Executive Officer of the Urban Renewal Authority (URA).

If the Director of Bureau does not believe in what I have said, I can go with him to Nga Tsin Wai Village to live with the inhabitants there. Then he would see the point. For almost two decades, irrespective of whether the residents of Kwun Tong or Nga Tsin Wai, the buildings in which they live are seriously dilapidated. To be frank, if these buildings are not redeveloped, there are bound to be problems. The Government once undertook that redevelopment would complete by March 2007 and should it fail to take place, the residents may sue the Government. The URA is well aware of the existence of this deadline, but not only is it deceiving the people, it has also made heaps of comments which run counter to government policy.

Both Mr TUNG and Mr TSANG do pay great attention to urban development. They understand that this would improve the life of the people as well as the entire cityscape. This is a major premise *a priori*. Today I have heard Mr Alan LEONG say that the URA should never be allowed to become a giant land developer. I share his feeling. This is because I think that if Mr LEONG would attend a meeting of the URA, a lot of feelings must have been aroused in him. I expect each and every Member of this Council who serve on the URA to have some sense of justice because if the problem continues to be dealt with by the URA this way, I think it is really too bad indeed.

Madam President, when they provoked the inhabitants of the village, I said to the people that I was not afraid. It was because we had discussed this together and if some officials did such things, they were not following their code of conduct. Therefore, I now wish to use the remaining time to tell the Director of Bureau that if the Director of Bureau does not care about this matter anymore, people in community will engage in acts trying to undermine the Government's plans. Mr WONG Kwok-hing said to himself just now why this had to happen after all. I agreed with him. If a policy has been formulated by the Government, then why is a body established to take care of clearance matters? If it knows perfectly well that the place will be cleared and it will play the role of a developer, then why does it not stop this? These are the questions I want to ask.

Madam President, I do not really have a lot of speaking time and I cannot go on speaking anymore. I hope very much that the Government can rethink how land should be used properly and it will never permit the tools in its hands to wreck the existing policies. This is what I want to say today. Actually, I would also like to talk about rentals of public housing units, air pollution and many other topics, but I cannot do so due to the limited speaking time I have. I am sorry. I cannot talk about those topics. I hope the Secretary could solve the problems. Thank you.

**MR JAMES TO** (in Cantonese): Madam President, building safety is an issue that we must tackle. Let us therefore examine the mandatory building inspection scheme recently introduced and see what side effects there are.

The ultimate implication of building inspection is repairs and maintenance. At present, there are roughly 13 000 buildings aged 30 years or more. Looking at these buildings from the perspective of a spectrum, I dare say that at least 2 000 to 3 000 of them are — excuse me for being a bit crude — past redemption. Requiring the mandatory inspection and maintenance of these buildings will be the same as forcing their owners to shoulder repair costs they can never afford. In the end, for the two or three buildings at the extreme of the spectrum (as more and more people have recently come to realize), the policy of mandatory building inspection will only become a tool through which property developers can step up their pressure in acquisition of buildings. This is absolutely unfair. I therefore hope that the URA can expand its scope of urban renewal. If it does not do so, a very unfair phenomenon will result.

Several years ago, both Mr Albert CHAN and I myself repeatedly said that the Government must be more enterprising, urging it to quicken its pace and carry out more urban renewal projects. At that time, the property market was in a kind of recession, so we thought that the Government could make use of these projects to boost the economy. I can remember that Mr Albert CHAN and I both went to see Mr TUNG, advising him that there was this excellent method which can achieve the many-fold purpose of increasing job opportunities, inducing economic recovery and carrying out urban renewal. We expressed the hope that he could adopt this as the underlying theme of his policy address. However, he never accepted our idea.

Actually, it is not too late now to put this idea into practice. Why? The reason is that there is now a very interesting phenomenon — high prices of new flats coupled with very low prices of older properties. It is therefore an excellent opportunity to acquire old properties for redevelopment. Although, the prices of new flats may not be a true reflection of their current market value in some cases, it is still an excellent opportunity. The Government has been repeatedly arguing that the adoption of seven years as the basis of compensation is much too expensive, and the Chief Executive has even remarked on various occasions that a review of this is required. All this in fact foretells possible major changes in the policy concerned. But I think that this is most unfair to the public.

The West Kowloon Cultural District development project has also seen a very interesting development recently. Many surveyors have come forth and commented that this project is not worth implementing as it will not be profitable at all. Besides, some have also talked about a conspiracy theory, saying that the real intention of the Government in setting such a high price is to deter interested developers, thus preventing people from talking any more about "collusion between the Government and business". But is the Government's recent approach really meant to deter interested developers? Or, is the saying that there will be no or at best very meagre profit just a disguise intended to conceal some secretive actions?

The Chief Executive once confided to students that this is just a land development project which, however, can be supplemented by some tourism elements. But where are the cultural components? I suppose they can only serve as a kind of embellishment and packaging disguise. That being the case, the project will never be able to give the people the facilities of a cultural district and act as a landmark of cultural activities.

In regard to road noises, Mr Jasper TSANG made many excellent remarks which happen to be what I also want to say. Perhaps, it is because we both serve the residents of West Kowloon and thus have many grievances. Is it really technically impossible to make any improvements? Or, is it just because of problems with financing? If the latter is the case, there is still some hope because we can always wait. But the Government has already hastened to say that it is technically impossible. I once wondered whether we could conduct a world-wide consultation exercise (not any invitations to tender). I think this

will enable us to find out whether there are any people more capable than us and whether all is really impossible. I think the Government should have the boldness and ability to solve this problem. I hope that it can formulate some schemes to tackle this long-standing problem which has plagued the residents for so long and which has practically driven people mad.

**PRESIDENT** (in Cantonese): Does any other Member wish to speak?

(No Member indicated a wish to speak)

**PRESIDENT** (in Cantonese): If not, the meeting will now be suspended for 10 minutes. Public officers will speak when Council resumes.

11.21 am

Meeting suspended.

11.31 am

Council then resumed.

**PRESIDENT** (in Cantonese): A quorum is lacking now. Will the Clerk please ring the bell to summon Members back to the Chamber.

(After the summoning bell has been rung, a number of Members returned to the Chamber)

**PRESIDENT** (in Cantonese): Council now resumes to continue with the fourth debate session. Two public officers will speak in this session. They have up to 45 minutes in total for their speeches, but the first officer to speak may not speak for more than 30 minutes.

**SECRETARY FOR HOUSING, PLANNING AND LANDS** (in Cantonese): Madam President, the recently published policy agenda 2005-06 lists four new and 14 ongoing initiatives of the Housing, Planning and Lands Bureau (the Bureau). Today, I would like to brief Members on the latest progress of some of the Bureau's policy initiatives and our views on them.

First, I will speak on issues of housing and land supply. The quarterly statistics on private housing supply that we have released on a regular basis from November 2004 onwards has enhanced the transparency of market information, thus enabling the public to have a clear picture of the latest flat supply situation while helping the property sector grasp the market situation and determine the future supply of private housing.

From the statistics on private housing supply released last week, we notice that the actual number of private residential units under construction up to the end of September 2005 is 11 700, lower than the 13 000 units over the same period last year. On the face of it, the figures seem to call for concern about a possible shortfall in the supply of flats in the market. However, the number of private residential flats being built does not reflect the full picture of the supply of new flats. In fact, the supply of private residential flats in the primary market in the next two to three years will exceed 70 000 units, including: first, the approximately 40 000 units currently under construction; second, the approximately 17 000 completed, but unsold, units; third, the approximately 6 000 units that can be built on sites sold by the Government, the construction of which will soon commence; and fourth, according to the timetable as agreed between the two railway corporations and the Government, it is expected that railway property development projects can provide about 9 000 flats over the same period. The above figure does not include the approximately 6 000 units that can be built on residential sites for which premium has been paid or lease modifications have been completed. Judging from the above, the potential supply of residential flats in the next few years is more than sufficient to meet demand.

As for private housing supply in the longer term, I firmly believe that developers will make appropriate decisions based on market demand. Since the private property market is market-driven, they have to plan their housing production based on projected supply and demand in the market. Naturally private developers have different development strategies and market predictions, but the overriding objective must be to provide sufficient and suitable residential

flats and to ensure that the market can continue to develop in a healthy and steady manner.

In this respect, the Government's fundamental responsibility is to ensure an adequate supply of land to meet the needs of the market. After the land auction held at the end of last month, there are still 32 sites with a total area of 24 hectares on the Application List for developers to choose from. These sites, distributed throughout the territory, are of various sizes, suitable for various needs. Moreover, we will reserve in the next five years a total of about 254 hectares of land for private housing development. To further help private developers in devising their development plans according to their predictions of the property market demand, we welcome their suggestions on any sites in which they are interested but are not included in the list. We will soon be preparing the Application List for 2006-07. I hope the new Application List will better meet the needs of the market.

At present, the Housing Authority (HA) still has over 16 000 surplus Home Ownership Scheme (HOS) flats pending disposal. We have been actively working out the details of the sales arrangements, including the target and sequence of sales as well as the selling price. We plan to offer the surplus HOS flats for sale in batches and in an orderly manner starting from 2007. We expect to exchange views with members of the HA on the preliminary proposals around the end of this year and to announce the details of the sales arrangements as soon as possible, in order to enhance the transparency of market information and to allow prospective home buyers ample time to make preparations.

Last week, we launched the second-stage public consultation exercise to gauge public views on the mandatory building and window inspection schemes. I am glad to see that the community generally supports the broad direction of the mandatory building inspection scheme and has actively expressed views on its implementation details. In fact, the community has discussed mandatory building inspection for quite some time. I am confident that the public and the Legislative Council will eventually accept the proposed scheme for the following reasons: first, the scheme now proposed is based on the community consensus obtained in the first-stage public consultation exercise; second, in working out the details of the scheme, we have thoroughly taken into account the community's main concerns, including the assistance required by owners with financial difficulty and elderly owners without any income; we have covered this aspect in our scheme; third, we will take measures to ensure the quality of

service providers and the level of inspection fees; and fourth, we have drawn on past experience in successfully implementing a series of short- and medium-term measures. The financial and technical assistance provided by the Hong Kong Housing Society and the Urban Renewal Authority has made significant headway in demonstrating the benefits of proper building care, including improving the living environment, raising property values and reducing building insurance premiums. We will enhance the assistance and introduce other support measures.

To date, the discussion in the community on the solution to the building neglect problem has become rather mature and there is already a clear consensus. I hope that the Legislative Council, with regard to the overall interests of the community, will tender more views on the details of the mandatory building inspection scheme, and agree to lay an important legal basis for resolving the building neglect problem. Subject to the community consensus over the proposals, we will press ahead with the requisite legislative work immediately. We hope to introduce the legislative proposals in 2007.

Similarly, the maintenance of public rental housing (PRH) is also our major concern. The HA has just endorsed a scheme under which proactive in-flat inspections and maintenance works will be carried out for all the more than 600 000 PRH flats in the coming five years at a cost of \$6.3 billion. In order to maintain PRH estates in good repair, apart from the efforts of the Housing Department, the full co-operation of tenants is also required in the proper use of estate facilities, prompt repair of defective items and undertaking of appropriate maintenance responsibilities.

On public housing, I feel obliged to say something on its future development. The Public Rental Housing Programme (the Programme) provides homes to some 640 000 low-income families. It is instrumental in raising tenants' quality of life and in promoting social mobility. Despite the tight finances faced by the Government and the HA in recent years, we remain committed to the provision of public housing. Our policy is to continue to maintain the average waiting time for PRH at around three years, so that those families in need can be rehoused and have their living conditions improved as soon as possible.

The construction and management of public housing involve a considerable amount of resources. To ensure the sustainability of the

Programme and to target our resources to those in genuine need, it is imperative to review the current allocation policy, reduce the vacancy rate and combat abuses of public housing resources. With some 30% of our population living in PRH, we are wary of the need to forge a broad-based consensus in society when mapping out the relevant measures. I, therefore, call upon different quarters in the community to take an active part in the discussion on the way forward for the PRH development.

It is particularly worth noting that the judicial review concerning PRH rents was heard by the Court of Final Appeal last week. Irrespective of the outcome, we will abide by the judgement firmly and take the necessary follow-up action in accordance with the judgement.

Most importantly, the judicial review has underlined the need to establish as soon as possible an objective, clear and more flexible rent adjustment mechanism that reflects more closely tenants' affordability and allows both upward and downward adjustments. Pending delivery of the Court of Final Appeal's judgement, the HA will consult different sectors of the community on the establishment of a new mechanism for determining and adjusting rents, with a view to reaching a broad consensus early. The Government will also discuss with Members in detail regarding the relevant legislative amendments, so as to secure the support of the Legislative Council for an early implementation of the mechanism.

As regards planning, one of the Bureau's most important tasks in the coming months will be to assist in taking forward the West Kowloon Cultural District (WKCD) project. On 7 October 2005, the Administration briefed the Legislative Council on the results of the public consultation and the way forward. In response to public concerns, we intend to introduce new development parameters and conditions under the existing development framework. Taking into account the views of the Legislative Council, the Town Planning Board, the community and the screened-in proponents on these new development parameters and conditions, we hope to decide the way forward for the project early next year. Subject to responses from the screened-in proponents, we will formulate detailed requirements for them to revise the existing proposals under the framework of the Invitation for Proposals (IFP). Sufficient flexibility has been built into the IFP for the Government to negotiate with the proponents, with a view to selecting a proposal that best meets the aspirations and interests of the public.

Recently, there has been another round of discussion in the community on harbour planning. Here, I wish to reiterate the Government's pledge: Apart from the existing Central Reclamation Phase III (CRIII), Wan Chai Development Phase II and Southeast Kowloon Development, we will not consider any other reclamation proposals within the harbour. Our policy goals are the continued protection, preservation and enhancement of the harbour.

The reclaimed land of CRIII, which is under way, totalling some 18 hectares, will be used for the construction of essential transport infrastructure, including the Central-Wan Chai Bypass and for reprovisioning the waterfront facilities. The bypass will be built in the form of a tunnel, with the land above it available for use. As a result, over 60% or about 11 hectares of the reclaimed land will be used for the construction of a waterfront promenade, sitting-out areas and catering facilities for enjoyment by the public and tourists alike. Only a very small portion, about 2.6 hectares, of the reclaimed land will be zoned as a Comprehensive Development Area with a low-rise pedestrian landscaped deck on its east and a "groundscraper" development on its west.

I would also like to elaborate on the planning aspect, as several Members have mentioned the subject. We can all recall that this planning underwent a statutory process. Planning for the current development of the Central waterfront, that is, planning for the piece of land reclaimed under CRIII, went through a due process of public consultation back in 1998 in accordance with the Town Planning Ordinance. It has been formally incorporated into the Central District (Extension) Outline Zoning Plan (OZP) after consideration by the Town Planning Board and approval in 2000 from the Chief Executive in Council. The OZP has been formulated through the relevant statutory procedures and sets out clearly the land uses and development restrictions within the zone, as well as the height restrictions for new or redeveloped buildings therein. Certainly, OZPs are not unalterable; the Town Planning Ordinance provides for alterations. However, any proposed change of use or relaxation in building height restrictions in the OZPs must be submitted to the Town Planning Board for consideration in accordance with the relevant provisions of the Town Planning Ordinance. There will also be an open, fair and transparent process of public consultation for the community to air their views on the proposed changes and put forward their arguments for or against the proposals. Having taken all the data and justifications into account, the Town Planning Board will have to deliberate on the proposal and make a decision on whether to accept it or not.

The proposal will still have to obtain the final approval of the Chief Executive in Council.

Lastly, I would like to take this opportunity to express my sincere gratitude to Honourable Members for their valuable opinions and support given to our various tasks in the past. Members' continued support will be of the utmost importance for the smooth implementation of our various policy initiatives and the associated legislative work in the coming 20 months. These include the mandatory building inspection scheme, the regulatory mechanism for minor works and the review of the PRH rent policy which I mentioned earlier. I look forward to working together with Members, on the basis of mutual trust and co-operation and in a pragmatic approach, to implement as soon as possible the above policy initiatives that are closely related to people's livelihood.

Thank you, Madam President.

**SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS** (in Cantonese): Madam President, many Members have offered me lots of valuable opinions on transport and environmental issues, and they have also discussed the concerns of various social sectors. I shall first respond to their views on transport matters by offering a consolidated reply to the problems raised by more than 14 Members.

The Government's responsibility for planning and constructing transport infrastructure facilities and other related problems is certainly of vital importance to our society because the people's livelihood and the provision of transport facilities are inseparable. All the people have a common aspiration: That there can be a sound transport network marked by convenient means of transport and reasonable fares. In view of this, we must pay due attention to reasonableness and legality in the course of road and railway planning. We must also need the advice and assistance of Members in the rationalization of various transport operators. It is because, as Members are also aware, there are always divergent views in every case. As mentioned by Ms Miriam LAU earlier on, despite the fact that railways are generally recognized as the backbone of our transport system, we must still adopt a prudent attitude in our consideration of constructing railways and planning new railway projects because these projects will involve huge investments, and unlike other means of transport, there cannot be any flexible adjustments after completion.

Therefore, we need some time to study and carefully consider the proposed railway projects set out in the Chief Executive's policy address. With regard to road networks, Mr TAM Yiu-chung and Mr LAU Kong-wah are concerned about the impacts on the roads in Northwest New Territories after the completion of the Shenzhen-Hong Kong Western Corridor. We have in fact held many discussions on an integrated road network for Northwest New Territories. What we need to do next is to conduct studies on how we should invest in the construction of these roads with reference to transport demand and our financial constraints for huge investments will be involved. Regarding the tackling of public transport problems, we do have very scientific methods of statistical computations. Members of the public may think that these figures may not correspond to what they actually experience. As Members can also understand, it is very difficult to ease traffic congestion completely in a tiny place like Hong Kong. We can, however, project the dimensions of the congestion problem in any single year on the basis of demographic growth and vehicle growth. I believe our professional colleagues will also tackle the related problems very carefully. It is hoped that with rationalization, the various transport operators can all fit in their respective roles, so that every one of them can operate efficiently, regardless of whether they provide feeder or backbone services.

Transport fares are a common concern to all the people as well as Members because they account for quite a substantial proportion in people's living costs. We have always regarded fare mechanisms as one of our main focuses in all cases — public buses, franchised buses, the MTR, the KCR or the merger of the two railways. I can tell Members that this will remain our concern in the future. We also hope that fare mechanisms can be fair and highly transparent, so that people can know clearly the components of the fares they pay. In this way, fare disputes can be minimized and we can then spare time for other more constructive tasks.

Regarding operating costs, the SAR Government has always been making investments in the construction of infrastructure facilities such as railways, roads and tunnels. In the '80s and '90s, we once commissioned private investment companies to undertake this task. Sometimes, Public Private Partnership, or the BOT mode, was also adopted. Such approaches will usually be adopted when public finances are relatively tight because we hope to see that the construction of infrastructure projects can continue during such times. I hope Members can understand one point about the operation of these railways, tunnels

and buses. In a market economy, we must always try to strike a balance; we must conduct studies to ascertain whether the transport fares concerned are reasonable and whether they can foster sustainable development and provide sufficient funding support. We must therefore always try to strike a balance, with a view to achieving results in both social and economic development.

There is still another major area, namely, cross-boundary transport. We all know that Hong Kong is now closely integrated with the Pearl River Delta Region. Therefore, we must have good transport facilities. Many Members have asked why we do not develop the transport facilities on the east side. Why no roads are being constructed on the east side? Why is the progress so slow? Why can we not act more proactively? In fact, with regard to co-operation with the Mainland, there are always two aspects. We must understand that there is always a major principle. For example, the Western Corridor and the Hong Kong-Zhuhai-Macao Bridge are development projects on the west. This is the major policy of the State. As the developments in the east and the west of Guangdong Province are not balanced, so the national authorities have explicitly said that extra efforts must be made to enhance the development of infrastructure facilities in the west, so as to enable the development in the west to catch up with that in the east. On such a premise, a major project such as the Hong Kong-Zhuhai-Macao Bridge has been given the green light within the relatively short period of one year, so that it can proceed with some detailed feasibility study reports. Apart from the major principle, the development of railways in the country is co-ordinated by the Ministry of Railways, and Hong Kong has to fit in with their overall development, and consideration must be given to how the development can best facilitate the railway transport of both Hong Kong and the Mainland. For example, we are now studying the possibility of further connecting the Guangzhou-Shenzhen-Hong Kong Express Rail Link to Wuhan, and on the east, of having it connected to Fujian by building one additional railway station. From the perspective of overall planning, Hong Kong is only a part of it. Therefore, under these major principles, we must consider the amount of investments involved as well as the future timetables and modes of construction, such as whether magnetic levitation facilities should be built in Hong Kong, and so on. All these warrant careful consideration.

Apart from the major principles, local considerations are also very important. I would like to cite another example. Many Members may think that in joint development projects between Hong Kong and the Mainland, the advance preparations and works of such projects may take a longer time on the

Hong Kong side; as such, Hong Kong may not be able to cope with the faster pace of development on the Mainland. In this aspect, I would like to mention the impact of local factors on transport projects. Let us take the case of the Shenzhen-Hong Kong Western Corridor as an example. The mainland authorities told me that their greatest difficulty in building the connecting roads in Shenzhen lies in the problems they had in resuming land, and that in the process, it had triggered off many protests and demonstrations. So the works of constructing the connecting roads have been delayed. We must also consider other local problems, such as their management approach and the process of implementation. Very often, it may not necessarily be Hong Kong refusing to co-operate. Instead, under the co-operative spirit, both sides need to understand the respective difficulties faced by each other, and it is also hoped that respective solutions can be worked out by the two sides.

I would like to spend more time on discussing the Hong Kong-Zhuhai-Macao Bridge. Regarding the feasibility studies, we have already conducted 20-odd such feasibility studies on subjects such as hydrographic conditions or environment, shipping and transportation, wind velocity assessment, and so on. The subjects covered are rather wide-ranging. And whenever there are differences of opinions, they will be left to discussion by the experts who will then cite evidence to prove their viewpoints. After such expert discussions, everyone involved will come to a consensus, with due emphasis attached to local needs. Therefore, although the reports have been completed, and the majority of advance works have also been accomplished, the most difficult part is still how a consensus is reached for granting the final go-ahead for the project. This is because, whatever question arises, it must be agreed upon and discussed with concessions made by all parties concerned. I hope the proposal on the Bridge can be officially passed as soon as possible, and then the tender process can commence right away.

With regard to environmental protection, over 20 Members have raised questions. I often say that environmental protection has become a matter of common concern to everyone in society, and it has become more closely related to people's livelihood. People who put forward many suggestions in this aspect now are not limited to those belonging to any particular stratum who are concerned about environmental protection. Many Members have put forward suggestions earlier on. For example, some barrister-cum-Members like Mr Martin LEE may not wish to engage into any argument with me because every

time I would go into very great details, in the hope that Members could listen to both the pros and cons of the arguments. Sometimes, it is easier for me to hold discussions with Ms Audrey EU. *(Laughter)* Since environmental protection is a complex issue, if I do not explain the issues clearly, everyone will just move in the wrong direction, and at the end of the day, all of us may end up losing more than we gain. Mr Jasper TSANG requested me to sleep for a night in a place with a high noise level. I can tell Mr TSANG, I grew up in the neighbourhood of the old airport. Standing on the rooftop of the building where I lived, I often fancied myself being able to touch the aeroplanes. We often flew kites which sometimes would catch the aeroplanes. In fact, it was very dangerous. *(Laughter)* Of course, politicians sometimes may have to put up a political show, but I do not want to spend my time in that way. It is also because environmental protection is a well known and very solemn issue, which cannot be resolved easily. I hope the Government can take the lead to solve the air pollution problem by employing some detailed, diversified, scientific and systematic methods, instead of just chanting some slogans. I feel that we have already had enough slogans. Many people say that no matter where they are, such as when they are listening to the radio or watching television, they can always hear information on this subject every day. This is good because it will make more people willing to join us in doing such work.

We have a systematic approach to solving the air pollution problem. First of all, people of all levels of education surely know that we must reduce pollution at source. For example, in Hong Kong, what can be done regarding vehicles has already been done. Due to the time constraint, I am not going to repeat the relevant details. In the aspect of fuels, I must thank Ms Miriam LAU for making the suggestion of using natural gas as a fuel for vehicles. Natural gas has already been used quite successfully in Los Angeles. However, Hong Kong has opted for LPG. What are the restrictions? The scarcity of land in Hong Kong and its huge population have made it difficult for us to find sufficient space for LPG storage. The requirements for the storage of LPG and natural gas are different. Insofar as safety is concerned, how far should LPG depots be kept away from the people? This is exactly where our greatest restriction lies. I know Mr Albert CHAN does not agree to this point. He thinks that the Government had said in the past that it would not be possible to use LPG on an extensive scale, but now we have set up 80 gas refilling stations. So he thinks that it is not really impossible. In fact, at that time, we did have difficulties. We did it under the constraint of our infrastructure facilities. However, if Hong

Kong makes use of all kinds of different gases, it would be difficult for us to identify suitable places for setting up gas depots and gas refilling stations. In that case, are we going to sit back with folded arms, doing nothing at all? No, we are actually conducting some studies. For example, in Canada, hydrogen has already been used as fuel. As the use of both LPG and natural gas will cause similar levels of pollution, so maybe we can consider adopting hydrogen as a fuel. At that time, it was considered that it would take about 10 years before hydrogen could be fully developed as an option for use as fuel. Hydrogen is completely pollution free in the combustion process. So if it can be successfully adopted for use as fuel, it will make the best fuel. Nowadays, many scientific issues have already been resolved one after the other. If we can really make use of this cleanest fuel of all, we shall need to proceed with some corresponding infrastructure projects, so as to make preparations for the required sites.

Therefore, apart from adopting the Euro III or IV standards as a regulatory measure at source, we also hope to do something with the fuels. As for bio-diesel — Mr Tommy CHEUNG is not in the Chamber now — I have visited many restaurants and seen them storing many barrels of oil. As the price of oil is high right now, so the market is very active. In fact, such oil can be used as fuel. We also encourage them to do that. And it is not necessary to pay any fuel duty in using bio-diesel. Apart from changing the pollution situation at source, it is natural that we should also deal with emission reduction facilities. In the '90s, the greatest problem in Hong Kong is caused by nitrogen oxide, that is NOx. As such, many low-nitrogen facilities have been successfully installed in our power plants. With regard to desulphurization facilities, in the past, in our coal-fired and oil-fired power plants, the sulphur reduction approach was adopted. Of course, the use of natural gas in power generation is a major progress, and now one third of our power is supplied by a nuclear power plant.

Having done all such work, did we have more or less pollutants in Hong Kong between 1993 and 2003? Dr Joseph LEE said earlier that the pollutants had progressively increased 2.3% annually. I would like to point out that the figure does not cover all the pollutants; it just refers to ozone. If I have to give an explanation, it may take me an hour before I can explain clearly how ozone is produced and why it is so difficult to treat ozone. In fact, between 1993 and 2003, the amount of sulphur dioxide reduced by 50%. The amount of over 90 000 tonnes, as mentioned by Dr LEE, is already the figure reduced from the original amount of 180 000 tonnes. The amount of nitrogen oxide has also been

reduced from 210 000 tonnes to 96 000 tonnes, whereas total suspended particulates from 16 000 tonnes to 7 300 tonnes; and volatile organic compound (VOC) from 54 000 tonnes to 41 000 tonnes, a reduction of only 50 000 tonnes (sic), which is the smallest reduction.

Members may ask, as the sources of pollution have already been reduced, why should there be no improvement in the air quality? These are local statistics. We cannot rule out the impact brought about by regional influence, which would definitely exist. We all know it very well, and Members may browse our website, and the actual air quality really has not shown any improvement. If we have not implemented these emission reduction measures, the present air quality may even be worse. But having implemented these emission reduction initiatives, we still have not been able to achieve the standards, especially our visibility is becoming poorer and poorer. Members may find our visibility worsening. But I can say that the amounts of both nitrogen dioxide and sulphur dioxide have already been reduced. Members may think that I must be lying, but I am not. As a matter of fact, the formation of ozone has caused secondary photochemical reaction, which is a problem most difficult to resolve. All kinds of oxide staying in the air, once radiated by sunshine, especially when the temperature is high, will cause photochemical reaction and create many smaller particulates in the air, thereby affecting our visibility. Even when the extent of pollution is not too high, it will still cause such photochemical reaction. Mr Vincent FANG often asks, why do we have to regulate VOC? It is because VOC is one of the very significant factors. Its reaction includes many elements, which are not as simple as  $A+B$ . We have to exercise control over each and every factor of A, B, C, D. Some years ago, when the Los Angeles Government wanted to tackle the air pollution problem, it met with very great difficulties because the people did not know that VOC is so significant. As soon as the authorities intend to implement regulatory measures, many people do not feel unconvinced. They may think that such compounds only make up a very small quantity, why should they be subject to regulatory control? But on the other hand, they said that, some compounds making up a large quantity are not subject to any control at all. As far as our situation is concerned, the air carries lots of nitrogen oxide, which is emitted in the process of burning as well as from power plants, factories and vehicles. Nitrogen oxide will be drifting in the air. It poses no problem in the beginning, but we will know the difference after a certain period of time when we take a look at the relevant satellite images. For example, earlier today, there is a high

concentration of air pollution in the north. These pollutants will drift to Hong Kong two days later. Our Tap Mun is the best indicating point because we can see very high concentration of ozone there, but Tap Mun is a place with virtually nothing — no vehicles and is faraway from us. Anyway, the co-operation between Guangdong and Hong Kong is very important.

Ms Emily LAU often says that she hopes I can act more fiercely, and act more like her. (*Laughter*) If acting more fiercely can achieve the purpose, I think I should follow her style. However, both sides eventually must co-operate with each other. There are cultural differences between the two sides. After all, I still think that maintaining a co-operative spirit is the best way of achieving the target.

I would like to share with Members some good news as soon as possible. Guangdong Province has reported to us that the power generation capacity of each of their five power plants has already exceeded 125 kW, and has each successfully installed desulphurization equipment. I asked them further questions because having installed desulphurization equipment may not serve the purpose. If the Commodity Price Control Department has not adjusted the price of electricity, those electricity so generated cannot be used because it is more expensive. The latest news is, a Bureau Director of Guangdong Province paid me a visit a few days ago. He told me that the authorities in the Mainland had approved the increase in electricity tariff by 1 cent to 1.5 cents per unit, and that such cleaner power had already been put on transmission. I have also noticed that in this September and October, after they had begun to implement these measures, we did see an improvement in our air quality index. I do not know how long this can carry on. If the demand increases in future, the air pollution situation could deteriorate again. However, up to 30 September, we have altogether recorded 127 hours in 2005 an air pollution index of 100 in our general air quality monitoring stations. But in 2004, the corresponding figure was 247 hours. I have provided such data to Members just because I want to make Members agree that the data can illustrate something, not just visibility. It is because visibility is related to ozone, which is a rather special issue. I hope such an improvement can sustain, especially when we know that the actual source of pollution has already been put under control.

Madam President, have I spoken beyond my time limit? How many minutes do I still have?

**PRESIDENT** (in Cantonese): When the time display shows 45 minutes, then your speaking time will come to an end.

**SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS** (in Cantonese): So, in the aspect of cross-boundary co-operation, we are most willing to listen to the opinions of Members, and continue to co-operate with the business community.

With regard to the Clean Air Charter, we are very delighted to have the support of manufacturers of both Hong Kong and Guangdong. Not only have our manufacturers in Hong Kong indicated support for it, but also manufacturers from Guangdong — when we were holding a meeting with them, they said that they were willing to comply with the Charter. Insofar as the technical aspect is concerned, which approach is the most useful and cost-effective? The Environmental Protection Department is most willing to effect the best co-operation because many medium-to-small factories are willing to do some environmental protection work, but they have no way of tackling the problems for they do not have the necessary foundation in research studies. For some tougher issues, such as tackling the VOC issue, we do need to conduct some research studies together, so as to identify a better approach.

Now, I would like to discuss the issue of "polluter pays" in the context of environmental protection. I just mentioned the air pollution problem. If we want to have clean air, we need to install desulphurization equipment, which will entail an extra tariff of 1.5 cents per unit of electricity consumed. Are we prepared to pay for this? Let us apply the same logic to the issue of sewage. Has it ever occurred to us that the Government is subsidizing 50% of the costs involved when we flush our toilets every day? I am referring to only the costs of sewage treatment, without including the costs involved in the provision of the infrastructure. Similarly, the handling charges of rubbish is even more expensive because we have been dumping all the rubbish at our landfills without considering the consequences carefully. The rubbish handling costs exceed the sewage treatment costs. I do hope the "polluter pays" principle can achieve more than only boosting the revenue of the Treasury. Research studies all over the world have revealed that economic incentives can bring about changes in the way of life of the people in terms of environmental protection. Let us take the case of the separation of rubbish as an example. If the people find it very inconvenient to separate the rubbish, so they do not take the trouble of doing it,

then how much can we achieve with our regulatory measures even if we have enacted laws to enforce such regulation? Therefore, while we hope to enjoy fresh air and a beautiful harbour, we must also make good use of our resources (even when solid wastes are involved). This will not only help solve our environmental problem but also enable us to make better use of our resources. Perhaps the value of such resources is not too high now, but when it comes to our next generation, such resources may become increasingly scarce. So, we must protect our resources.

Finally, I would like to discuss the noise problem. In the beginning of my speech, I said that we had a complete set of plans of tackling the noise problem. On this subject, such as the installation of noise barriers, we have already conducted detailed studies at many different locations. But the plan was not implemented immediately due to the financial difficulties we had two years ago. Now we shall gradually proceed to install the noise barriers at the relevant locations. I would like to make a clarification here. In a city, we must lay down a standard for noise, such as, is the noise level of 70 decibels considered too noisy? Or is it considered quiet? Of course, it all depends on the personal habits of individuals. But we have set down the standard after conducting many studies and balancing the needs of various parties. I hope Members can be a bit more patient, because apart from some technical constraints, we also have to consider how the resources should be allocated. However, we shall do all such work progressively. We do have plans.

Thank you.

**PRESIDENT** (in Cantonese): The fourth debate session ends. We now proceed to the fifth debate session. The policy areas for this debate session are "food safety and environmental hygiene, health services and welfare services".

**MR WONG KWOK-HING** (in Cantonese): Madam President, as I do not have much speaking time left, I can only draw the attention of Secretary Dr York CHOW to four points. First, I hope that the Secretary can start planning the construction of a hospital in Tung Chung early to cope with the development of Lantau and to address the strong demand of the residents in Tung Chung. It is because following the gradual completion of the Hong Kong-Zhuhai-Macao Bridge, the airport and the many tourist attractions on Lantau, it is more and

more important to build a hospital on Lantau, in order to cope with the future needs. I hope the Secretary can start the planning work early.

Second, I hope that the Secretary will consider expeditiously implementing one-off eligibility test for chronically ill patients and patients in financial difficulties applying for a waiver of medical fees, so that they do not have to apply for a waiver over and over again.

Third, regarding the proof of the absence period in respect of the old age allowance (or the fruit grant), I hope that the Secretary will expeditiously reconsider adopting the same standard as that applied to civil servants of requiring the provision of evidence of survival only once a year after their retirement. Adopting a different standard is a violation of the rule of equity on the part of the Government.

The fourth point is about the Comprehensive Social Security Assistance payment. The Government has recently announced that the payment would be increased by 1%. The rate of increase, though consistent with the relevant index, may not be reasonable. I hope that the Government will not consider this issue in a broad-brush manner, and I hope that the authorities can generously provide assistance to families with particular difficulties. I hope the Secretary can consider these four proposals.

I have used up all my speaking time. Although my speech is short, I hope the Secretary can duly consider what I have said.

**DR KWOK KA-KI** (in Cantonese): Madam President, with respect to the part on health care in the policy address this year, I am actually very disappointed. Only the 66th and 67th paragraphs talk about medical and health matters, while food safety is mentioned in the 64th and 65th paragraphs.

I know that the Director of Bureau has been on a busy travelling itinerary. He has just returned from an international conference on the prevention of avian flu. I know that this must be a very hard time for him. His boss, Chief Executive Donald TSANG, is presently putting up a political show abroad, trying to sell a political reform package that I find it hard to accept even to this day. Nonetheless, the Chief Executive has touched on the SARS epidemic,

saying that Hong Kong is well-experienced in the prevention of the spread of SARS. What we do is comparable to any advanced country in the world because we have undergone the trying times of SARS and our health care system and other infrastructure are not bad at all. He also talked about our laboratories, saying that they have reached world-class standards. And so there will not be any problem with this. Our health care and laboratory people are excellent and they are world-class. But does it mean that, since Hong Kong has learned from the SARS experience, there will not be any problems? This I doubt very much.

We know that during the outbreak of the SARS epidemic, by all appearances, the hand of cards we had showed that we had not done as well as we could have in infection prevention, we had not been vigilant enough and our officials had performed badly. But the most important thing was that the health care system at that time was fraught with problems and this precluded a prompt response to a sudden and major outbreak of an epidemic. We know that the Secretary has been working very hard. He has done a lot this year, such as making preparations for the release of a report on the review of the health care system to be published in two volumes. The first of them has been released. I have reasons to believe that most people will agree with the many recommendations made in the report. How are all these to be put into practice? When? And how long does it take before they can become a reality?

Now this avian flu threat is becoming more real than ever. The situation is like a favourite analogy used by the Secretary, that the problem is like the initial stage of cancer. We would of course agree to this view, but the question remains that we do not know how long treatment should be given to this cancer at its initial stage. The Secretary may well be too anxious to get things done, but the Government is certainly slow. We know that the Government under the leadership of Chief Executive Donald TSANG would only have a term of office of about 20 months. The Chief Executive himself may need to focus his attention on the upcoming election as he may want to stay in office for five more years. In the interim, I would be very worried about work in health care reform. We know that health care reform would touch the nerves of many people as their interests may be rocked. For this reason, the reform package would not be welcomed by a lot of people. I hope very much that the Government will show more sincerity than just giving the issue two short and inconspicuous paragraphs in the policy address as this gives people the impression that the issue is not receiving enough attention that it deserves.

We know that in the past, our health care services were actually geared to using limited resources to satisfy infinite demands. Under the health care system, there are two most vulnerable groups: one is the patients and the other health care workers. Health care workers, especially front-line doctors, belong to the vulnerable group under the present system. They have to work very long hours. As a matter of fact, the income of many young doctors has fallen very much. I am in full support of unionist Members of this Council to press for the setting up of a maximum number of working hours and a minimum wage. This is because doctors are in the same situation as the working class — they are all exploited. Of course, they are being exploited not merely by the Government but also by many unscrupulous health care groups.

What is more worrying and even heartbreaking for me is that many young doctors do not see any good prospects in the health care profession and many of them will not have the opportunity to put what they have learned into use. Often times after they have graduated or finished their training, they would be barred from launching a career in medicine due to public policies and the imbalance between public and private sector health care services. Another factor is that the Hospital Authority does not have any mature and effective training system that would put the minds of young doctors at ease as they undergo training.

Moreover, it is an impossible task to provide the same kind of services to all patients regardless of their needs and financial means. I have said many times, and I have made this point repeatedly, that I hope the Government can do two things, even if these are meant to be stopgap or temporary measures. First, consideration should be given to setting up a training fund for medical and nursing workers. A fraction of the provision for health care should be set aside for this purpose so that medical and nursing workers can receive training and they can go to classes and learn, instead of being overwhelmed by work that they can never finish. In fact, many of them have really become cheap labourers under the present system.

Second — the Financial Secretary is not here right now — I have talked about this before and that is, as a health care financing scheme may take a very long time to plan, I hope some short-term measures can be introduced to spur the people into shouldering their own health care expenses. Such measures may make use of the existing tax rebate mechanism to provide an incentive to the

people. I have talked about this for two years but I have heard nothing from the Government to date.

I am very worried that if no decision is made on this controversial subject of health care financing arrangements within a short time, the quality of health care services and the morale of front-line workers will surely decline. I really hope that even if there is no specific programme at present, the Government can put in more resources for health care according to the four major principles which it has proposed, that is, acute and emergency care, the frail elderly, complicated diseases, the low-income people and training. Certainly I do not want the Government to squander money on these, but I hope that it can put this proposal into practice with all its heart and soul.

I would like to turn to dental services now. The policy address this time has not mentioned dental services. As a matter of fact, dental services in Hong Kong really needs meticulous planning, including the regulation of some undesirable medical advertisements from the Mainland, launching a full-scale review of the manpower needs for dentists and the same kind of thorough review should be undertaken pursuant to the Dentists Registration Ordinance.

There is of course nothing new about the health care financing proposals which the Government is presently studying. This is the fifth package proposed ever since 1993, followed by those in 1997, 2000 and 2004. Now there is some development which really worries me and it is related to the changes in the composition of the Executive Council and I do not know if the Secretary would feel more restrained as a result. However, I would like to send my regards to the Secretary at this difficult time and hope that he would do his best to take forward this reform in health care financing.

Food safety is another area of disappointment to me. This is because after the malachite green and Sichuan pork incidents, no better monitoring body has been established. I thought things would be fine when the Secretary said that the most important thing was to set up a food safety centre. But what we have got is only to change a department which has 14 words in its name into one which has 20 words — the name is so long that I cannot say it in one breath. It would be excellent if the longer the name of a department is, the more work it can do. But such things would only happen in a world of make-believe but never in the real world. It is really my hope and wish that a better institution can be set up for the monitoring of food such as a food safety authority. This

would enable work to be done under a professional and effective system, instead of being entrusted in the hands of people who are not professionals in the field as the case is now.

Lastly, I hope to talk about poor children very briefly. *(The buzzer sounded)*

I so submit. Thank you, Madam President.

**MR ANDREW CHENG** (in Cantonese): Madam President, I agree with what Dr KWOK Ka-ki has said, that the policy address only makes casual reference to the avian flu issue and that is disappointing, for even if this is the policy address of a caretaker government, the pressing problem of avian flu must not be overlooked. The Central Government has since long ago set up an interdepartmental task force on the prevention and control of avian flu encompassing the Ministry of Health, the Ministry of Agriculture and quality inspection departments and efforts are pooled to combat avian flu. Guangdong Province has set up a steering group on the prevention of human and avian flu headed by the deputy chairman of the Guangdong Provincial People's Political Consultative Conference. But in Hong Kong, the matter is still the sole responsibility of the Director of Bureau. Our memories of the SARS epidemic in 2003 are still fresh. In the beginning of the SARS outbreak, various departments just minded their own business and the officials and front-line staff of the health care departments had a hectic time fighting the disease. Other departments did nothing to offer prompt assistance. It was only after the setting up of a committee chaired by the Chief Executive that there were marked improvements in co-ordination between various departments and in deployment of manpower and resources to tackle the situation.

A few days ago, the Secretary said that should avian flu break out in Hong Kong, all the immigration checkpoints might be closed. Then it was reported in the media that some civil servants had expressed a different view. Since the closing of immigration checkpoints is a major decision, so should this decision be made by other departments or people from a higher level? Once there is an avian flu pandemic, that would mean work for many departments and the Health, Welfare and Food Bureau would find it difficult to co-ordinate various departments effectively and pitch in their efforts to prevent and combat the pandemic. The Chief Executive should consider involvement at the preventive

stage for it would be too late if he joins the combat efforts after the pandemic has broken out.

(THE PRESIDENT'S DEPUTY, MS MIRIAM LAU, took the Chair)

Epidemiologists from the World Health Organization (WHO) already issued a warning long ago that the avian flu pandemic might hit any time. When avian flu is lurking at our doorsteps, the preventive work done by the officials is still very sloppy and the live poultry on sale in the markets still remains the hotbeds of the avian flu virus and humans are still vulnerable to infection. The proposal for centralized slaughtering seems to be no more than just talks and if this is done casually only when the virus has run loose, it is doubtful whether the efforts will be effective.

In the aftermath of the ravages of SARS, the Government invited some overseas experts here to review the incident and many recommendations were made. Now two years have passed, but many proposals remain on paper. Though the Centre for Health Protection (CHP) has been set up, it is still unable to fulfil many of the functions proposed by the experts. According to the report of the SARS Expert Committee, the CHP should have a clear understanding of the manpower and specialist expertise needed across the medical and nursing system, provide training and ensure that a major outbreak control plan is in place with simulation drills as appropriate. However, all these functions still remain the responsibility of the Hospital Authority (HA). A centre which is in overall charge of routine surveillance and the control system for infectious diseases is still lacking in Hong Kong. In addition, the many recommendations made by the experts on improving co-ordination within the Government have not fully been implemented. The measures suggested include seconding employees of the Department of Health (DH) to the HA; staff should be encouraged to rotate through the different systems including the DH, the HA and the universities as appropriate; making the "Visiting Medical Officer" scheme permanent; involving Chinese medicine practitioners in sentinel surveillance, and so on. All these recommendations have not really been put into practice. In the face of the avian flu threat, the health care sector in Hong Kong is still fragmented and divided. There is no co-operation between various parties. Should an epidemic break out, this kind of division will pose great hurdles to the control efforts.

In addition, the WHO has urged people of high-risk groups to get vaccinated against influenza. The Democratic Party has asked the Government on many occasions to provide vaccination to senior citizens aged 65 or above. Though the Secretary has undertaken that consideration would be given to this, now only elderly recipients of Comprehensive Social Security Assistance are given free injections. Madam Deputy, providing vaccination to the elderly people is not just a welfare benefit extended to them, it should also be considered as a public health measure. When the people stand a less chance of being infected by other strains of influenza, this would help in the identification of avian flu cases. Moreover, it would help reduce the demand on the health care services as well as the possibilities of cross-infection in the out-patient departments, the emergency and accident departments and such like places. It is unfortunate that in the face of such critical conditions, the Government is unwilling to spend this mere sum of some \$10 million to make preventive efforts more effective.

In terms of outside links, our neighbours on the Mainland and countries in Southeast Asia are places most badly hit by avian flu. In many of these places, the health care and quarantine facilities are by no means advanced and there is always a chance that human-to-human transmission of avian flu is not reported or unable to be identified in the laboratory promptly. So apart from obtaining official information through formal channels, the Government should also seek to exchange, collect and analyse soft information collected through such unofficial channels as the media, the Internet, hospitals, and so on, from mainland or overseas sources. The information so collected must be accompanied by instantaneous response. Now there are more than 100 000 domestic helpers from Southeast Asia working in Hong Kong. When these people return to their home countries on vacation, there are many chances of them coming into contact with poultry and hence there will be greater chances of them contracting avian flu. As there is a time lag in the reporting system for various countries and as influenza spreads very quickly, if an immigration ban is imposed only after human-to-human infection is found, then it is very likely that it would be too late. Therefore, the Government must prepare well in advance, such as requiring people to take their temperature and to decide on the circumstances that require the issue of travel advisory to warn people to avoid going to places with avian flu or prohibit them from doing so.

Lastly, Madam Deputy, I would like to talk about the issue of health care financing and it seems that the Government intends to use continued consultation on this subject as an answer to public concern. I hope the Secretary can seize the opportunity as the issue of health care financing will definitely impact on the health care demand of people across all social strata including the grassroots and middle classes in the next 10 or 20 years or even longer.

Avian flu and health care financing are all issues closely related to public health and safety. The lesson we have learnt from the SARS outbreak is that the epidemic can cause a grave impact on the political and economic systems. We hope the Chief Executive and the Secretary will understand that money must never be spared in this area, and if they choose to impose a fee hike on the patients who are the most helpless and vulnerable in society and deny the grassroots sufficient health care services, the Government will certainly have to bear political risks. I hope the Secretary can learn the lesson in this regard and implement health care financing at the soonest.

**MR LI KWOK-YING** (in Cantonese): Madam Deputy, the policy address this year does not dwell too much on medical and health issues and there are just two short paragraphs on these. No new proposals are made. Hong Kong is now facing problems like an ageing population and the tendency of early incidence of chronic diseases in the population. These when coupled with factors like advancement in medical technology and the imbalance in the utilization of public and private sector hospital services result in an increasingly large public health care expenditure and worries that the existing mode of service delivery cannot be maintained over the long run. Therefore, attention in the community is focused on new reform proposals on the mode of service delivery and the proposals on health care financing to be announced at the beginning of next year.

The consultation paper on reform in the mode of delivery in health care services aims at changing public concepts of health care through a repositioning of public sector health care services and modes of service delivery at various levels. It is hoped that emphasis will be put on the importance of disease prevention and health maintenance, fostering personal responsibility for health, promoting the family medicine system and adopting measures to forge co-operation between public and private sector health care systems. These will hopefully iron out problems with the public and private sector systems and hence enable health care resources of the entire community to be used more effectively.

The DAB supports in principle the reform direction as mapped out in the consultation paper. It is proposed, *inter alia*, that our future health care model should be based on disease prevention, a system of comprehensive primary care and family medicine and a repositioned provision of public health care services. However, the philosophy as advocated in this document is a departure from the past emphasis on public health care services, placing instead more emphasis on personal responsibility and commitment to health, thereby reducing the reliance on public health care services on the part of those who have the means. Seen from the perspective of the public, the standard, quality and treatment costs in our public health care system are as good as, if not better than, those advanced countries practising a low tax regime. Had it not been for the fiscal pressure that the Government is facing, I do not think the Government and the public would be convinced that there is a need for reform. It is unfortunate that the entire consultation paper only gives a sketchy projection of the rate of increase in public health care expenditure. There is no explanation on the fiscal constraints faced by the Government and the acuteness of the problem. Nothing is said on the model of health care financing being contemplated, reform and the way forward with respect to the charging scheme of public health care services as well as the proportion of government subsidies in public health care services in future. First, the paper does not integrate proposals on service delivery with those on the system to facilitate public discussion. Second, the paper attempts to approach the problems by repositioning first, followed by financing and the public is consulted on this approach. But this will only serve to intensify public apprehensions that the Government wants to cut services and shirk responsibility. Members of the public are therefore worried that when they have health problems, they will not be able to afford the expenses. Such worries would not help break the impasse in which the discussion on health care reform is caught at present. The DAB urges the Government to announce expeditiously the financial arrangement concerned, including proposals on health care financing. Views from all quarters should be heard and only in this way can a way forward be identified with public consensus.

On the other hand, the paper advocates the promotion of the family doctor concept. However, if a loose definition is applied to family doctors and if they are not limited to those doctors with specialty training in family medicine, then the DAB would have doubts about the role to be played by family doctors in the entire health care system in future. These doctors should be the first point of contact for patients and as long-term carers of patients. They should also

perform a gatekeeping role in referring patients to emergency, hospital and specialist services. Hence the public expects all family doctors in Hong Kong to have undergone relevant specialist training and to really provide the kind of whole-person care as advocated in family medicine. The DAB is of the view that there is a need for the Government to initiate discussion with the medical sector, including practitioners of traditional Chinese medicine, on professional requirements and specific functions of family doctors. Resources should be allocated to training up more qualified family doctors to satisfy public demand.

Madam Deputy, the paper mentions close partnership between private and public sectors and that it is social consensus. This direction of development has always been supported by the DAB. However, the DAB thinks that the prerequisites for the forging of closer private-public partnership will entail not only institutional reforms but more importantly, reinforcing the monitoring mechanism for service quality in the private sector. This is especially true in the light of the recent developments of health care service groups. Specific monitoring measures should be proposed to ensure service quality and reinforce public confidence in private sector services. On the other hand, the Government must offer sufficient incentives in the form of, for example, tax deduction for medical insurance policies, so that the financially capable can switch to using private services. We hope discussions with private sector health care organizations can commence soon so that they can dovetail with government initiatives.

I recall last year when I moved a motion on the development of the traditional Chinese medicine profession, the Government was criticized in the debate for not honouring its pledge made to implement the plan to provide out-patient traditional Chinese medicine service in government clinics. And there was no policy on promoting the development of the profession, thus causing graduates in traditional Chinese medicine to become very worried about their professional development and prospects. Over the last few months, it is true that the Government has made some response to the problems identified by me, for example, in the setting up of clinics for traditional Chinese medicine, the hiring of graduates in traditional Chinese medicine for in-service training, the introduction of a bill for deliberation by this Council on the issue of sick leave certificates by practitioners of traditional Chinese medicine and the building of a platform for initial co-operation between practitioners of Western and Chinese medicine. We have great expectations for the Government in boosting the development of traditional Chinese medicine in Hong Kong because the policy

address recognizes the role played by traditional Chinese medicine in our health care system.

The greatest problems in the development of Chinese medicine in Hong Kong are the absence of direction, the restrictions to its professional development and the fact that the status of Chinese medicine has yet to be elevated. None of these problems are addressed squarely in the policy address. What is more disappointing to us and the Chinese medicine profession is that in the consultation paper on reform of health care services, the important contribution made by Chinese medicine to the building of a sound health care service system is simply neglected. The effect of this is like barring Chinese medicine from the health care system of Hong Kong.

A key note in the paper is the intention to build a health care system based on disease prevention, hence emphasis is placed on personal health maintenance, preventive care and elderly health care services. All these are strengths of Chinese medicine and not only can it play its part in primary care, but also in hospitalization and extended care. Such strengths are widely recognized and it is the aspiration of the community that Chinese medicine can further develop along these lines.

The DAB thinks that the Government should not concentrate just on the imbalance in the private and public sector systems in Western medicine and hence brush aside the contribution which Chinese medicine can make to the establishment of a preventive health care system. On the contrary, the Government should seize the opportunity for discussions on health care reform and undertake a fresh review of the role and service positioning of Chinese medicine in the entire health care system. The strengths of Chinese medicine must be made good use of and, apart from promoting the development of primary care using Chinese medicine, its therapeutic value should be enhanced by the provision of hospitalization service. Hence an all-round health care service can be provided.

Madam Deputy, lastly I would like to talk about the avian flu problem and the relevant precautions. Of late birds in Europe have been found to be infected by the avian flu virus and as the situation in Asia is still acute, the developments in connection with avian flu have caught the attention of the international community. Hong Kong has already formulated a contingency plan for an outbreak of avian flu. Closure of the boundary is even contemplated as a means

to contain the spread of the epidemic across the boundary following the flow of visitors coming into and out of the territory. As reported in the newspapers a few days ago, the incident in the "Bird Street" highlights the lack of co-ordination among government departments. The Government must face up to the problem. There are also reports that there is an insufficient stockpiling of the potent anti-flu drug by the Hong Kong Government and the stock will not be sufficient in case of a large-scale outbreak. It seems that the Government is not yet well-prepared for an avian flu attack. The DAB thinks that the stockpiling of drugs should be considered as a key element in the contingency plan. Apart from increasing its stock of the drug, the Government must also join hands with the Hospital Authority and the Medical Council to formulate guidelines for the prescription of this potent drug for strict compliance by health care personnel according to clinical conditions. This will prevent any misuse of the drug. On the other hand, the Government should seek help from Chinese medicine and drugs and it must spare no efforts in conducting research with the Chinese medicine profession and the universities in the hope of finding out prescriptions for the prevention and cure of avian flu as a contingency measure.

Apart from these contingency measures, the Government should gather more information on the latest developments of avian flu in our neighbours. Sometime ago the Secretary for Health, Welfare and Food signed an agreement with the Director of the General Administration of Quality Supervision, Inspection and Quarantine of China on the notification system of animal-related epidemics. I believe that when this agreement is implemented, Hong Kong will be able to learn of the mainland situation much faster. For now, my worry is whether Hong Kong can promptly obtain information on the epidemic in our neighbours other than the Mainland. In this respect, the Government must foster stronger links with our neighbouring countries and the World Health Organization. It must also take the initiative to send people to help countries and places hard-hit by the epidemic, making use of our experience in fighting and preventing avian flu. Meanwhile, efforts must be made to get a fuller picture of the developments in connection with influenza in order that Hong Kong can be better prepared for treatment of the disease at an early date.

Madam Deputy, I so submit.

**DR JOSEPH LEE** (in Cantonese): Madam Deputy, I would now like to express my concern about the policy areas of health, food safety and welfare. The

policy address is entitled "Strong Governance for the People". But if we take a close look at its parts on health and elderly policies, we will find out that little is said there and that leads to suspicions that the authorities are not at all sincere in tackling the practical problems found in society now.

With respect to health policies, we welcome the mention of promoting a healthy eating habit among school children in the policy address. Some surveys have shown that there is one obese child out of every five in Hong Kong and as for the causes of child obesity, apart from the lack of physical exercise, children are found to devour too much junk food. Such an unhealthy diet would in the long run contribute to a trend of early incidence of chronic illnesses such as hypertension, cardiovascular problems and diabetes, hence posing heavy financial and health care burdens on society as a whole. We cannot afford to sit back and do nothing about the situation. Efforts should be made to instil in school children a healthy eating habit through the concerted action of schools, parents and food suppliers. Likewise, a healthy eating habit and attitude must be promoted among the elderly who in general overlook the nutrition contents of food and do not care much about the importance of choosing the right food. The authorities should step up education and publicity efforts to heighten the awareness among the elderly of the importance of a healthy diet. The most important thing to do is to provide support as appropriate to high-risk groups such as elderly singletons and recipients of Comprehensive Social Security Assistance (CSSA).

On the issue of health care reform, the discussion paper entitled "Building a Healthy Tomorrow" released in July highlights the importance of reinforcing primary medical care services and states that the health care profession should make such services as health promotion and preventive medicine their prime task. It is unfortunate, however, to see that the paper only stresses the promotion of the family doctor concept and reinforcing community care services while no specific measures are suggested on how health care personnel can complement work of family doctors as a team. There is no special reference made to nurses, pharmacists, nutritionists, therapists and such like specialized health care personnel in terms of specific arrangements. As such, the proposal will only become a medicalization of primary care and nothing else. Just imagine how could such a proposal realize the concept of "prevention is better than cure"? In our opinion, the Government should make good use of the role and functions played by the health care services team to assist health promotion and health education at a community level and bring into full play the concept of

community-based health services. In addition, the report on health care reform only outlines a vision for health care reform and health services on a macro scale and only concepts are introduced. There are no models suggested with concrete details given. It is silent on the issue of health care financing which is the true concern of the public. We hope that the health care financing proposals to be released at the end of this year will be a product of careful deliberations and the public will be given ample opportunities to discuss and express their views so that there can be community-wide participation in deciding a future health care financing plan for Hong Kong.

I think of late the public is very concerned about the problem of avian flu and the possibility that there could be a massive outbreak in Hong Kong. The public would also like to know if the lessons of SARS are learned and whether or not there is heightened alertness to guard against the swift spread of avian flu. In these aspects, we are actually disappointed because as evident in what the Government has been doing over these few weeks past, we know that we are not well-prepared for such an attack — the supply of antiviral drug capsules is insufficient and there are no vaccines available. We can do nothing about the birds and a ban on the import of live poultry is considered not necessary. The Government appeals to the people not to rush to the drug stores to buy anti-flu drugs and says they should not worry because there is an excellent notification system in place and effective preventive measures have been planned. Messages like these seem to vary with each passing day and as the people are bombarded by conflicting news, they feel very confused and scared. We suggest that while the Government should raise its vigilance and guard against all kinds of infectious diseases, the public and all front-line workers should be given systematic and clear messages. This will allay suspicions in the public and the front-line workers can stand firm in their positions and discharge their duties of epidemic prevention effectively.

Madam Deputy, there is a shortage of nurses in hospitals in both the public and private systems and in the care and attention homes. The problem must not be overlooked. The roots of the problem can be traced back to the serious blunders in manpower planning for nurses over the past five years. What the Government must never do now is to approach the problem from a piecemeal manner, such as offering the enrolled nurse programmes again. If this is the case, the result will just be a failure to tackle the problem at root. We suggest that remedial action be taken to undertake fresh manpower planning of nurses in Hong Kong. The University Grants Committee should be requested to increase

funding so that the universities concerned can offer a proper number of places in their nursing programmes and train up professional nurses of a high quality to cope with the enforcement of health policies by the Government.

With respect to food safety, the policy address proposes a food supply chain management system. Policy and concept-wise, the Government seems to have finally realized the importance of complete control of food safety and quality in the entire process of food supply. We welcome this approach taken by the Government to face the problem squarely. However, with respect to the policies and institutional framework mentioned in the report, we are still worried. The policy address attempts to effect a complete overhaul of the food safety system from a policy level and this restructuring of the framework is an obvious attempt to segregate all kinds of food safety work and concentrate on administrative resources and the professional handling of food safety matters. But is this restructuring meant as a reform or will the overhaul be able to solve problems in food safety completely? Will the overhaul be only concerned about management matters and will the bureaucratic structure be enlarged as a result and some directorate posts are created and hence more redundant staff in the Health, Welfare and Food Bureau? Or will the overhaul result in greater flexibility in resource deployment? We will need to wait and see. In addition, we hope that the Government would announce as soon as possible the number of senior officers in the management after the revamp, as well as those in the front line as this will enable the public and the Council to see the true picture and hence dismiss criticisms that the revamp will only benefit those at the top while the grass-roots staff are downsized.

Madam Deputy, the paper released by the Health, Welfare and Food Bureau points out that after the revamp, the inspectorate in the new Food Safety, Inspection and Quarantine Department will be composed of special teams formed by different local professionals and inspections will be conducted of food sources in the supplier countries. We have doubts about the feasibility of this idea. Hong Kong is a place which is almost completely dependant on food imports from the Mainland or other countries and it will not be practicable to monitor and control the great number of food-supplying countries and the vast overseas food markets at source. It would not be financially viable either. It is therefore not practicable. Stepping up inspections is not the best solution and an ideal way would be to reach an understanding with the supplier governments on closer information exchanges and quality assurance agreements. We must maintain transparency in the food incidents notification system to ensure that the

information disseminated is accurate and will help in source management. At the same time, the functions played by local laboratories should be enhanced to enable them to step up the sampling and testing of food and to find out if food supplier countries have honoured their pledges on food safety. If food is found to be substandard, we must take the initiative to impose restrictions on the import of such food or even a complete ban. In addition to all these, active steps can be taken to launch a quality mark certification labelling system. This will result in greater public confidence in food.

Actually, organic farms in Hong Kong can offer safer and healthier food of higher quality which belongs to the upper end of the market. The concept behind this is very much like the labelling system. In view of this, we hope that the Government can lend its support to organic farming in Hong Kong so that it can become a sustainable trade in Hong Kong. The Government should not only attach greater attention to it but also provide support in concrete terms such as granting more leases of arable land, give financial and technical assistance, and so on, in line with the developments in the transition to organic farming. Hence, favourable conditions can be created for the popularization of organic produce in the food market of Hong Kong.

Madam Deputy, lastly I would like to switch to the topic of elderly policy. Elderly affairs are not only related to welfare policy but also to health policy as well. We are concerned about the growth in elderly population and the gradual increase in the demand for various kinds of care and attention homes and elderly care services. In order that high quality elderly care services are provided to the elderly, it is essential to improve the services provided by care and attention homes, this means services should not remain at the provision of basic care services in personal hygiene and looking after the physiological needs of the elders. Services should be enhanced to become whole-person care services, that is, attending to the physical, mental and spiritual needs of the elders. This will enable healthy ageing of the elderly. The social welfare sector has a certain demand for nurses both in terms of their quantity and skills. As professionals, nurses play a very important role in the delivery of integrated and comprehensive elderly care services.

Unfortunately, the funding mode used by the Government in subsidizing the residential institutions only stresses providing basic services to looking after the physiological needs of the elderly. There has been no attempt to review the funding mode to keep it abreast with the changing demands in society for care

and attention home services and the quality of elderly care services. The funding for the purpose of hiring nurses is still governed by the mean income principle which results in more enrolled nurses hired than registered nurses. Given the limited amount of funding and the need for care and attention homes to control their operating costs, in most cases enrolled nurses and even health assistants are hired at a salary not higher than the mean income subsidized. When salaries are so unattractive and the prospects for advancement grim, it is doubtful that high-calibre nurses will be attracted to work in care and attention homes and hence quality of care and attention home services in general can be promoted.

We are of the view that the Government must face up to the health needs of the elderly as they grow old and raise the service quality of care and attention homes. The Government should examine the present mode adopted in subsidizing non-profit-making organizations to set up care and attention homes. The manpower ratio between registered nurses and enrolled nurses must be adjusted and hence raise the mean subsidy amount. This will enable these institutions to offer stable working conditions and enable the homes to hire professional nurses of a higher quality. By so doing the quality of care and attention homes can be raised and comprehensive care services for the elderly can be provided. Hence the elderly can enjoy healthy ageing.

The Secretary may think this suggestion is much too idealistic. But may I ask the Secretary if there is no ideal, it is doubtful that an elderly policy with a soul can be devised.

Madam Deputy, there are some 700 day care centres for the elderly, but they cannot cope with the needs of the elderly population which is constantly rising. We suggest that the Government should increase the number of these day care centres so that the elderly can access more community support services. These elders can also take part in the social and cultural activities in the community and integrate more readily into the community and age healthily. I would also suggest that these centres should offer more courses on care for the elderly, thus enabling the elders to learn the basics of personal care and they will not have to rely on others all the time.

As for elderly health centres, we have asked some elderly people about the services in these centres. They told us that they would have to wait for 46 months before they could have a physical check-up in these centres. Just imagine how many old people can afford to wait for four years or more? This

is beyond our imagination. To solve this problem, I suggest that the authorities should deploy resources effectively and the places in elderly health centres situated in different districts should be determined by the size of the elderly population in each respective district. The number of places in the elderly health centres should be increased in direct proportion to the annual increase in elderly population in each district. This will shorten the time which the elderly will have to wait for a physical check-up. Besides, the Government may also take reference of the School Medical Service Scheme and launch a similar scheme for the elderly. Under such a scheme, senior citizens will need to pay a certain amount of money to the Government and they can have health assessment and physical check-up of the eyes, ears, teeth, and so on. This will enable them to know about their physical well-being and hence care more about their health, thereby postponing the onset of bodily malfunctions and illnesses associated with age.

Moreover, I also suggest that a medical safety net be set up for the elderly. Now the fees remission system for health care services applicable to elderly non-CSSA recipients is very harsh and the procedures are cumbersome. In line with the developments in the co-operation between public and private health care systems, the Government should actively look into the mode of giving the subsidy direct to the elderly for their disposal. The advantages of this are greater flexibility and more choices for the elderly. This introduction of market competition will have an added bonus and, that is, service quality of the care and attention homes can be raised.

Madam Deputy, lastly we would like to express our concern about the problem of elderly abuse. A lot of problems related to elderly care have been brought up but the problem of abuse of the elderly is often neglected. In Hong Kong, this problem is not just a kind of domestic violence. It is not only found in families but often in the community and residential institutions for the elderly as well. As seen from media reports, as there are divergences in the quality of these residential institutions, the problem of elderly abuse has appeared in various degrees. We suggest that the Government should allocate more resources, inspect these institutions more frequently and conduct regular monitoring. It may even take more rigorous actions and revoke the licence of offending institutions. These can hopefully prevent the occurrence of elderly abuse so that the elderly can age in peace and health in the community.

Madam Deputy, I so submit.

**MRS SOPHIE LEUNG** (in Cantonese): Madam Deputy, as Chairman of a centre for certification of organic farming standards, I was extremely pleased when I heard Dr Joseph LEE talk about organic farming a moment ago, because Members in this Council finally started talking about organic farming.

I will express my views on building a harmonious society, the gender problem, and the development of new mindsets for families, women, children and young people. Madam Deputy, as I had to attend a meeting held by the National People's Congress in Beijing two days ago, I missed the discussion on economic affairs. I hope the Deputy President will allow me to spend a little time discussing economic affairs to conclude my speech. However, the discussion will be limited to the last two sentences only.

I greatly support the policy objective proposed by the Chief Executive of fostering harmony in the community. In my opinion, it is the cornerstone for steady social progress too. As the Chairperson of the Women's Commission, I am duty-bound to promote gender equality and raise women's due status in all aspects of life. In my opinion, the two sexes should co-exist in harmony. All people, regardless of sex, have different social roles and responsibilities. They also enjoy equal opportunities and rights in realizing their personal potential to make contribution to society. All these together form an important foundation for fostering harmony in the community. The five-year objective of "Working Together for Social Harmony", set by the Commission long ago, happens to perfectly match the Chief Executive's policy objective.

Mutual respect between, and harmonious co-existence of, the two sexes are the fundamentals of a fulfilling life and career. To achieve the objectives of harmonious co-existence and gender equality, we must start from gender mainstreaming. I am very pleased that the Government has taken on board the recommendations of the Commission by introducing the "Gender Mainstreaming Checklist" compiled by the Commission to be the tool of analysis for policy planning and verification as a more systematic and scientific way of evaluating the gender perspective and needs. The Chief Executive has stated clearly in the policy address that the Government is determined to, in implementing policy initiatives, consider the gender perspective. We are greatly encouraged and hope various government departments can make more extensive use of the Checklist. To upgrade work in this area, the Commission is helping the Government to review the progress made since the implementation of gender mainstreaming. We are also in the process of compiling a pamphlet summing

up and exchanging the experience of the relevant Policy Bureaux and government departments for further promotion of gender mainstreaming.

Besides the Government, we also appeal to various sectors of the community to incorporate gender mainstreaming at different levels for the promotion of gender respect. For this reason, upgrading the public's gender awareness is an important task too. We have to change the public concept of gender stereotyping and create more room for women to realize their potential. We are currently working in collaboration with different organizations for enhanced publicity. We have planned to film a new publicity streamer. We will also work jointly with Radio Television Hong Kong for the filming of television drama series relating to women, and organize celebration activities for the International Women's Day. Members can rest assured that we do not need to spend much in this area. It is estimated that it will only cost \$16 million in 2005-06. The amount of spending last year was even less.

### *Nurturing caring families*

Harmonious families are vital to building a harmonious community. We are pleased to find that the Chief Executive advocates cherishing the family as a core value of our community, and is committed to taking effective measures to enhance family cohesion. Nurturing caring families is one of the work foci of the Commission this year. A dedicated strategic unit has even been set up to formulate our work strategies.

In our opinion, parenting education is the first step towards nurturing caring families. We have spent 18 months with non-governmental organizations promoting studies on parenting education highlights and co-organizing seminars about these highlights for parents. The exceptionally enthusiastic responses demonstrate the strong demands in the community for such in-depth services or activities. For these reasons, the Commission is planning to bring this subject to the community by promoting a pilot project on quality parenting education in the community to facilitate parents in building up support network and instilling correct core values, such as gender equality, mutual respect, self-resilience, personal sense of value, and so on, in children through the parenting process. We will soon conduct a study on the core values to be covered by parenting education in the hope of promoting a set of core values to help parents nurture the next generation. Furthermore, an analysis of

the family friendly employment policies and practices will be conducted. This will help various sectors reflect on how to balance family and work.

### *Combating domestic violence*

Families are supposedly a place of ease and comfort for everyone. Because of the recent spate of domestic violence cases, we cannot help face the fact that these places of ease and comfort should not be taken for granted. While it pained me to note the large number of domestic violence cases, they remind me once again that the community is obliged to prevent domestic violence. Combating domestic violence is another work focus of the Commission this year. We have set up a dedicated working group to review domestic violence policies, services and relevant legislation. A number of in-depth discussions have also been held with different sectors, including government departments, women's groups, service organizations, academics, experts, and so on, on concerted efforts to be made in combating domestic violence.

After summing up the views of various sectors, we believe that the Commission can play a more active role in preventing and combating domestic violence, including promoting various sectors to adopt a "zero tolerance" stance towards domestic violence, nurturing the culture of mutual respect between the two sexes, and equipping women so as to give them access to the information and services they require, and help them make informed choices and live the way they prefer.

In this connection, the Commission will propose strategies for preventing and tackling domestic violence. The strategies cover five areas: (1) enhancing the ability of women; (2) early identification of and intervention in families in danger of domestic violence; (3) punishment of offenders according to law through the criminal judicial system; (4) prevention, education publicity and community support; and (5) promotion of research and information and statistic sharing with respect to handling of domestic violence. The measures under planning include co-operating with the police in promoting combating domestic violence, providing training to raise the sensitivity of the staff of District Offices at the district level to women's needs, and exploring ways to enhance newly arrived women's knowledge of Hong Kong society, and so on. Details of the relevant strategies are expected to be published at the end of this year.

*Participation in social affairs*

As part of the community, women are entitled to equal opportunities in social participation. At the political level, we are pleased to see that the Government has set a benchmark of 25% for the proportion of women as a target for appointment to advisory and statutory bodies (ASBs). I have also found that women's participation in ASBs has been raised from 21% in December 2003 to 24.8% in June 2005, close to our initial target. The Commission will continue to support the Government in reaching out to, identifying and cultivating potential female candidates to enable more capable women to participate in social development.

To upgrade women's ability in participating in social affairs, the Commission is planning to set up a "women leaders' network" to enable aspiring and potential women to build up a liaison network to, through seminars or related activities, help enhance their knowledge of the Government's ASBs and encourage their active participation. Actually, co-operation among various sectors and their support, not only the effort of a single party, are vital to encouraging women to actively participate in social affairs. It is the hope of the Commission that various sectors can co-operate sincerely in actively nurturing and supporting women to participate in social affairs.

In the context of the economy, the community has to help middle-aged or less-educated women to enhance their social and economic roles. In this connection, employment assistance, continuous learning and child care services should be stepped up. In my opinion, social and economic participation of women can be effectively promoted through the setting up of co-operatives or other *modus operandi*, such as operating a "soup kitchen for the community". Furthermore, I suggest setting up a "community health centre" to, through training and voluntary work, better enable women to promote health messages and let them play an ambassador role in families and the community for the promotion of healthy living, so that they will have an additional platform to give play to their potential. We will continue to explore the feasibility of this scheme with stakeholder groups.

Madam Deputy, here I would like to point out that, although we do have plenty of plans, if we do not work hand in hand with others, we will find that we will be treated by them like aliens. Why has the community developed to such a

state? It warrants in-depth consideration by Members. However, they will be very excited if we really walk with them hand in hand, and great success is possible too. This is also what each of us, who choose to join the community, should consider seriously. Why has our community developed to such a state?

*Empowerment of women*

Since the implementation of the Capacity Building Mileage Programme (CBMP) last year, there have been criticisms in this Council about the Programme. However, I wish to ask the critics whether they have really listened attentively to the radio broadcast of the CBMP. I can assert that the answer is "no". Madam Deputy, experience-sharing sessions are held annually. In the first-year experience-sharing session, more than 300 women brought with them their family members to share their experience, and every one was deeply touched. I hope the critics can note that they should not make criticism only. Furthermore, they should not bring the "badmouthing" culture into this Council. Targeting women's needs, the CBMP offers flexible and convenient modes of learning to encourage women to upgrade their ability in all areas, nurture interests in active learning, develop a sense of self-improvement and dignity, and fully develop their potentials. Madam Deputy, the interests in learning I talked about actually refer to the interests of "knowing everything", not necessarily the interests in learning promoted in schools.

This self-learning programme, promoted by the Commission and co-organized by The Open University of Hong Kong (OUHK) and Commercial Radio, provide women of different backgrounds and educational levels with life-long learning and self-development opportunities. Since the launch of the CBMP in March 2004, more than 6 000 people have enrolled. According to a survey conducted by OUHK, hundreds of thousands of audience have listened to the radio programmes. There are also views indicating that students have benefited from the courses in terms of increased interests in learning, and enhanced confidence and knowledge in resolving problems and facing frustrations in daily life. Their attitude toward society has also become more active than before.

We are greatly inspired by the achievement of the CBMP. We are also very pleased with the Government's recognition of the work of the Commission in this respect. We will continue to work closely with OUHK and Commercial

Radio to further upgrade the quality of the CBMP. We have even invited some interested people to conduct in-depth studies and listen to these programmes and then advise us on better ways to stimulate and reach out to the hearts of the people to bring us to a higher level in terms of quality.

To fight for women's due status and rights, social concept and culture must be changed. However, we must also start from individuals in order to foster mutual respect and harmony. This is indispensable to building a truly harmonious community. Since its establishment in 2001, the Commission has been performing the strategic functions of championing for women's causes, inspiring new ways of thinking and catalyzing changes, and mobilizing community resources. The Commission will continue to, through sectoral co-operation and complementing the Government proactively, bring about a harmonious community in which there is equal development opportunities and mutual respect between the two sexes.

Madam Deputy, I would like to say a few words on the creativity of young people.

Being a vibrant international city, Hong Kong is also the economic and financial lifeline of the region. Furthermore, we have to nurture a creative culture to make creativity and innovation a new symbol of this city where young people can express their vitality to the fullest. Actually, we have the conditions to develop creative and avant-garde culture. Yet, the first step to creativity development is to jump out of the original cultural framework to explore new territories and new mindsets under minimum restraints. Hong Kong must develop such a mentality and awareness to foster room for creativity so that young people can, apart from having the opportunities to realize their potential, strive to develop the city into the Greater China's capital of RAP culture.

New mindsets have to be nurtured. More importantly, a platform for practice and development is necessary. Not only can the platform put creativity and new mindsets into practice, it also serves as an important venue for the rejuvenation and transformation of thinking. This is what the Government is currently lacking. I hope the Commission on Strategic Development, as well as various organs and committees responsible for youth development affairs, can give serious consideration to this. The practice of leading young people with the "middle-aged" mentality should also be discarded, for that will only lead to more problems and the handling of youth affairs with "stopgap" solutions. We

must make detailed planning to tackle the youth development problem in a concrete and comprehensive manner. I hope the Commission on Strategic Development can adopt this attitude.

In the past three years, more than 30 business establishments — I just heard that some 30 more establishments have joined — voluntarily joined the School-Company Partnership organized by the Young Entrepreneurs Development Council (YDC), a private organization. Without taking a cent from the Government, the YDC has managed to benefit more than 2 000 secondary students, all of them from Band 3 schools. Through the registered YDC Mind Change™, the participants have managed to change their way of viewing things, adopt a new mindset, and bring marked improvement to their studies, social relations and family lives. Regarding the resources voluntarily contributed by the business sector to the young people, what exactly are these resources? They refer to the actual participation of the middle-level and middle-aged staff of the participating companies. The employees have to spend more than 40 hours over a period of six months working as volunteers in the participating schools. This clearly reflects their high expectations on the future of the young people. Yet, as the saying goes, it is not easy to build a foundation to start one's career, but it is even harder to keep it. To consolidate and update the young people's mindsets, full complementary support from the community is called for. What the business sector can do is very limited. We hope the Government and various youth agencies can, by all means, create an atmosphere of new mindsets and a new culture so that our younger generation has a place to go for the air they really need.

### *Children's Council*

Although little has been said about children in the policy address this year, I still wish to say a few words on the issue of Children's Council. Since the launch of the Children's Council project in 2003, three Children's Councils have been convened. I am very pleased to see that children in Hong Kong have finally had the opportunity to give their potential play in this area. For advanced countries, Children's Councils are nothing new. Hong Kong has now finally taken the first step.

However, have we ever given thought to what we want our children gain from the Children's Council? The Children's Council is actually just a model, or a simulated framework, to let children learn the way adults discuss politics

and other business. However, all this is just hardware. Although the participating children have in the past put forward slogans or requests to the Government or society, their requests, nevertheless, are still being treated as slogans. Do we need to think what we actually want these children gain from the Children's Council?

We must try to understand them with the mentality of a child. The Children's Council is a good hardware, through which children learn and understand the ways of thinking and skills of handling things in the adult world. More importantly, a platform within their scope of thinking should be established to enable them to experience in concrete terms the real platform of their own circle and grasp the true meaning of responsibilities and commitment, and how they should act. Only through this practical process can they understand in concrete terms what we mean by discussing business. We must respect children's unique way of looking at things around them. We must not forcibly impose the adult way of thinking on them. I hope the Children's Council can perform its function even better in the future. During an earlier discussion with several students from the Children's Council, I suggested that it might be even more appropriate to target their promotional efforts at a certain District Council and let the District Council vigorously promote their cause to achieve the goal of setting up a Children's Council in the schools in its district and, by doing so, further propel the schools to carry out reform in teaching methods, and so on.

### *Helping the economy to power ahead*

Next I will spend a little time on economic issues. Madam Deputy, I have no intention to discuss economic issues here. I only wish to discuss some economic issues from the angle of social harmony. This is a very important position, and I will use it to summarize my speech.

The Chief Executive points out in the policy address that "helping the economy power ahead at full steam means that we must augment our efforts in all areas where Hong Kong has a comparative advantage. We will strive to consolidate the existing pillar industries. At the same time, we will closely follow changes in the market and respond promptly to ..... in new growth areas." I greatly share this view of the Chief Executive. Madam Deputy, this view, if successfully realized, will produce a positive impact on giving impetus to the mindset and ideology of the entire society. What our people want is encouragement. We need not argue further. The last thing we want to see is

pointless disputes. However, what should be done to consolidate Hong Kong's pillar industries? What plans and proposals are required? To consolidate the existing pillar industries, comprehensive and well-conceived plans are essential. I am convinced this is going to be an important task for the Commission on Strategic Development.

Stress on regional development is the major trend of global economic development. Hong Kong must cope with this trend before it can keep moving forward steadily. It is therefore imperative for us to position ourselves and identify the role of Hong Kong in regional development. During an earlier reception hosted by a few colleagues and me, the visiting President of the European Parliament, and the Speaker and members of the Singaporean Parliament expressed high expectations on Hong Kong's role in the Asian-Pacific Region, as well as their great emphasis on Hong Kong's development. I believe these are the common expectations of the people of Hong Kong as well. While the international community is watching Hong Kong closely, we should focus our field of vision and engage ourselves globally from a macro perspective. We must stop "internal depletion", and stop wasting excessive energy on internal matters. We once told a former head of the bureau responsible for welfare that welfare could not be separated from economic development. Moreover, discussions had to be held with other Directors of Bureaux in order to secure the money to provide benefits. Madam Deputy, welfare concerns not only money, but also public confidence. Can the people lead a stable life in the community? We must point to a major direction for the public before they can feel assured.

Madam Deputy, externally, a solid economic foundation is vital to us in engaging ourselves globally. We must be far-sighted and have a macro vision to start from an overall picture. Internally, social harmony is required for the purpose of embracing the future. We must note the details and start from the hearts. I deeply hope that all sectors can put themselves aside and work hand in hand in the common interest of Hong Kong.

Lastly, on behalf of the Liberal Party, I wish to say a few words on helping the poor. The Liberal Party supports the policy address's community-based approach of helping the people to help one another as well as themselves as its objective of helping the needy coincides perfectly with what we have always advocated. We all care for, and desperately want to help, the most needy people in the community. As different districts may have different problems, we agree that a community-based approach be adopted, so that policy

of aiding the poor can be adjusted in the light of the features of various districts. In our opinion, the existing problems cannot be resolved with a single formula or a sweeping solution. We should even identify a certain district as a starting point by implementing alternative projects so that other districts can follow after seeing the results. Despite our improving economy, our unemployment rate remains at 5.5%. Coupled with the fact that there are quite a number of unemployed people living in remote areas, we support the Chief Executive's proposal on strengthening employment service provided in remote areas. We also hope that employment centres can be set up in Yuen Long and Tin Shui Wai. Apart from performing the role of an employment agency, we hope that these employment centres can, most importantly, make extra efforts to understand the mentality and inclination of the unemployed.

Furthermore, the Liberal Party has collaborated with the business sector in setting up a poverty alleviation fund. We hope to do our best to provide more support beyond the government policy to the most needy disadvantaged groups, such as the elderly, children, single parents, and so on. In view of the favourable responses from various sectors to the fund since its launch, we are very happy to continue promoting the active participation of the business sector in social affairs. We disagree with those Members who criticize the Chief Executive's policy address for its poor efforts in helping the poor. We only hope that all of us can make concerted efforts in building a caring and just society.

Madam Deputy, I wish to reiterate that we must not adopt an imposing stance and raise our fingers of blame. We must play an exemplary role and make ourselves an example for society. I hope to tender this to Members as mutual encouragement. Thank you, Madam Deputy.

**MR ALBERT HO** (in Cantonese): Madam Deputy, on behalf of the Democratic Party, I will speak on welfare policy.

Let me start with the Commission on Poverty. The major goal of the Commission is to promote self-reliance and reduce inter-generational poverty. In May this year, the Commission set up a Task Force on Children and Youth to resolve the inter-generational poverty problem. It has even targeted the crux of the problems of 120 000 Comprehensive Social Security Assistance (CSSA) children for the implementation of a trial scheme. However, in the opinion of

the Democratic Party, the Head Start Programme on Child Development, launched by the Commission, is merely limited to the provision by Maternal and Child Health Centres of antenatal check-up to pregnant women and counselling for post-partum depression. Such being the case, the Programme is, at the most, just a family health programme. Yet, the Commission lacks resources to follow up families with health problems. So, how can it help these poor families to resolve the hardships and difficulties confronting them?

In our opinion, the most effective solution is to bring the slashed CSSA back to its original level and conduct research on daily necessities for the determination of new CSSA amounts. At the same time, a student allowance programme should be set up to provide annual assistance of approximately \$3,000 to primary or secondary students eligible for the Textbook and Stationery Grants Scheme. I believe this can give students from poorer families more opportunities to take part in extra-curricular activities. The Commission is now actively studying the employment poverty problem. We hope this study, considered by us a concrete one, can help the employed people to at least get rid of poverty.

Despite the slight decline in the number of unemployed persons in the wake of the economic recovery, the overall number of CSSA cases remained high at 299 000 in September this year. The number of unemployment CSSA cases, standing at 42 942, was also quite high during the same period. In addition to the problem faced by our community in incurring enormous welfare expenditure to support these unemployed people and their families, the biggest problem is that these people lack self-respect and self-confidence because of prolonged unemployment and they have remained isolated from society for a long time. As such, it is indeed extremely difficult for them to take up employment again. The problem before us is how to get them out of their plight and re-integrate them into society.

The workfare system and concept, reiterated by me today, was proposed by the Democratic Party years ago. The so-called workfare concept actually embraces the concept of the Government or subvented agencies taking a leading role in giving support to all recipients of social assistance by providing them assistance by all means in job seeking and re-integration into society.

According to our concrete proposal, we hope the Government can provide job opportunities to people (people of employment age) who have received CSSA

for 18 months and not yet found a job. Although it actually means turning welfare handouts into wages, the greatest significance is that we can help them take up employment again and upgrade their skills and, most importantly, boost their self-confidence and better prepare them for re-integration into society.

I think the Government and voluntary agencies can play a leading role in this. It is most important that there must be no discrimination against the long-term unemployed persons. Moreover, the Government should avoid offering them obnoxious jobs. If possible, they should be allowed to choose so that they can pick a job from which they can acquire certain skills. We suggest that the trial period of this programme last one year to allow these people, having received CSSA for 18 months, to decide whether they will continue working after one year. Lastly, the Social Welfare Department may decide whether other policies can be adopted to provide these people with assistance while continuing to give them support in their job search.

The last point I would like to raise concerns the Government's proposal of requesting single-parent CSSA recipients to find jobs. According to the proposal, single parents with no children younger than six will be required to work 32 hours a month and earn a minimum of \$1,430. I strongly oppose this proposal and find it extremely repulsive. It will affect more than 60 000 children and create a lot of family and children problems. Moreover, our society has to pay even more dearly. It is most unbearable that many children may encounter developmental problems because of lack of care and parental attention. I hope the Government can announce the abolition of this policy.

**MR WONG YUNG-KAN** (in Cantonese): Madam Deputy, I remember that in the eighth policy address delivered in January this year by the former Chief Executive, Mr TUNG Chee-hwa, there was still no mention of the development of agriculture and fisheries. When a debate was held in this Council, I wondered with lament if these industries would be fortunate enough to catch the last train in the remaining two years of his tenure. Later on, for reasons known to all, my hope soon changed into that of catching the first train during the tenure of the new Chief Executive, Mr Donald TSANG. However, after Mr TSANG had delivered his first policy address, I found that not a single word or phrase on the development of agriculture and fisheries was found in it. Mr TSANG stressed in his policy address, "To demonstrate that we are a credible, pragmatic

and accountable administration, I will only include in this policy address those measures and policies that are capable of implementation within the current term of this Government." . This means that what has not been mentioned will not be done and it also means that agriculture and fisheries cannot catch the first or second train in the first two policy addresses of Chief Executive Donald TSANG, and there will be no development for them. In other words, there is no hope that Article 119 of the Basic Law, which stipulates that the SAR Government shall formulate appropriate policies on agriculture and fisheries, will be fulfilled before the tenure of this administration expires in 2007, which will also be the 10th anniversary of the establishment of the SAR Government.

I understand that in the past eight years, Hong Kong has experienced all sorts of political and economic turmoil and the situation has just begun to see some improvement. There are many tasks requiring government action, so it is necessary to set priorities, however, are the officials in charge of formulating policies on agriculture and fisheries not qualified to put this subject matter on the Government's agenda? I believe that it is worthwhile to raise this issue.

I believe all of us know that recently, everyone in Asia is talking about avian flu. In fact, since 1997, everyone has been talking about the issue of avian flu almost every single year and at each and every moment. Everyone has been talking about this problem all the time. However, it is another matter that I want to talk about, that is, the recent outbreak of avian flu. Recently, there have been successive outbreaks of avian flu in a number of regions in Europe and Asia, including Turkey, Romania, Russia, Indonesia, Thailand, Vietnam and in Qinghai, Xinjiang and Tibet in our country. Madam Deputy, presently, the avian flu has spread to Inner Mongolia, Anhui and Hunan and it is getting closer to Hong Kong. For this reason, our Government is becoming increasingly anxious and is at a loss. Yesterday, some Honourable colleagues mentioned Hunan in the motion debate and were adamant that an outbreak of avian flu had occurred there. Later on, mainland experts confirmed that the disease involved was not avian flu. In fact, the patients were only suffering from lung diseases or bronchitis. I hope that Honourable colleagues will not parrot what others say and they must look into a matter carefully, otherwise, if they make comments rashly, they will scare a lot of people.

However, I still believe that the virus causing avian flu is spread by migratory birds. In the first motion debate in 1999, I pointed out in this

Chamber a number of times that migratory birds and water fowls are the major vectors. However, at that time, the experts, academics and the media all rebuked me, believing that I should not put all the blame on migratory birds.

However, Members can now see that all academics and experts and the World Health Organization have called on us to pay attention to the movement of migratory birds. The course of the avian flu outbreak on this occasion follows the migratory route of migratory birds. I find it strange that yesterday, the person in charge of the wetlands at Mai Po said openly to the media that they had conducted over 400 tests on migratory birds. However, as far as I know, each year, several hundred species of birds will fly to Mai Po to spend the winter there. In other words, on average, this type of tests is conducted less than once on each species of bird, so is such a number of tests sufficient? I hope the Secretary can think twice about this.

Recently, some environmental groups have kept lodging applications to turn the Long Yuen wetlands into a bird-watching area. I believe that at present, there are many places where bird-watching is possible, including Tolo Harbour in Tai Po, the outlying islands and even Aberdeen, and there are many migratory birds at these places. I can tell Members that if they go and have a look at our fish culture zones, they will definitely find migratory birds — egrets and herons — at these 26 fish culture zones and there are a lot of them. The reason for this is that the environment in Hong Kong has improved in various aspects whereas the pace of development on the Mainland is accelerating, so more migratory birds are coming to Hong Kong. In view of this, I hope that the Government will continue to monitor migratory birds instead of just talking and taking no action.

Another point that I wish to raise is that the Government has recently announced a series of protective measures and I think that such an attitude is positive. True enough, this is not just all words. I believe that we should speed up the process of offering a range of know-how and techniques to farms, markets, the transportation industry and workers, so that they can have a clear understanding of the problems in this regard.

In addition, I hope that members of the public will note that some meat can enter Hong Kong through smuggling. I have talked about problems relating to chilled chickens before. If chilled chickens are not handled properly, they may be contaminated by viruses. I do not mean that there is definitely something

wrong with chilled chickens, I only hope that the authorities can step up quarantine work. All these are the problems that I want to raise. In addition, I also hope that the Government can enhance its vigilance and prevent unruly elements from bringing birds into the territory illicitly.

As we all know, land is scarce and the population is large in Hong Kong. Urban development is rapid and as a result, land devoted to agriculture and fisheries is decreasing, so the quantity of agricultural and fishery produces is also decreasing. In addition, since there is a lack of careful planning on the development of agriculture and fisheries and no consideration or attention whatsoever has been given to them, this has led to the present over-reliance on imported food and the serious problems that we face. A few days ago, Secretary Dr York CHOW said openly that should the human-to-human transmission of avian flu occur — he was only talking about an eventuality that has not yet occurred — measures to close the borders would be taken. In that event, certain measures will be taken to deal with the various types of food, meat, and so on, including those imported from the Mainland. Concerning the measures in this regard, I wonder if the Secretary can explain the details to us more clearly on 31st this month. We also hope that the SAR Government can prepare for rainy days and understand the demerits of an over-reliance on imported food, so that it can step up its surveillance measures and ensure a supply of safe food. In recent years, agriculture and fisheries have seen some development in some overseas countries, in particular, in some places in Asia where they have never been developed before and a lot of overseas investors have been attracted to make investments at these places. If we look at the agricultural and fishery produces in Hong Kong, we will find that their quality and quantity have always enjoyed a good reputation, however, the Government is bucking the trend and keeps curtailing the room of survival of the sector. The DAB believes that the Hong Kong Government must reconsider the importance of local agriculture and fisheries, so as to carry out more effective monitoring and offer one more choice to the Hong Kong public.

Madam Deputy, in the past, there were many food-related problems that had directly impinged on agriculture and fisheries. The streptococcus suis infections found in pigs, the problem of malachite green, which is carcinogenic, found in fresh water fish, the chloramphenicol found in crabs and the fire ants found in plants had all impinged directly on agriculture and fisheries. Moreover, with the recent continual outbreaks of avian flu in Hong Kong, it can be said that there were assaults on all fronts. I hope that the Government will

gain some enlightenment from all these, that although imported products can solve the problem of food supply, the most desirable approach is for the food to be produced locally. Of course, land in Hong Kong is limited and the quantities produced are not great. However, I wish to point out here that earlier on, the Government proposed the withdrawal of the licences for pig farming. The industry has been holding discussions with the Government in hope that the Government can offer assistance to the industry, so that the pig-farming industry can develop on the Mainland. I believe the Secretary may have raised this matter with the relevant parties. I hope that the authorities can implement the measures as soon as possible because the industry will also organize a group visit to Guangdong to discuss this matter with the relevant parties. I hope that the authorities can really implement this scheme as soon as possible.

Madam Deputy, for a long time, since the Government believes that agriculture and fisheries are dispensable, ever since I became a Member representing the sector in 1998, I have been urging the Government to propose a package of proposals on the sustainable development of agriculture and fisheries. The Government also said that it is possible that it has spoken more about the development of agriculture and fisheries than I have and that these industries will receive a certain amount of support. I hope that the Government can consider speeding up the development of fisheries in Hong Kong. In addition, I also hope that the Government will pay attention to another problem. Madam Deputy, as you are well aware, the ever increasing oil prices have landed fisheries in Hong Kong in a serious plight. Insofar as health care and welfare is concerned, up to now, no fisherman has applied to the Government for CSSA in the second half of this year. However, I have to tell Members that 60% of the fishing boats have gone on less than two fishing trips each month. However, the fishermen have still not applied to the Government for CSSA. I can tell Members that in recent years, of the people in various trades and industries, fishing folks have the lowest income because 80% of our income is spent on diesel. Therefore, the livelihood of our fishing folks is actually very difficult. I hope that the Secretary can assist us in this regard. I have also raised these problems with the officials of the Agriculture, Fisheries and Conservation Department (AFCD), however, we have never seen any official conduct any survey or study on fishing folks. Is this acceptable?

This group of people also belong to Hong Kong and the Government has always been aware of their existence, however, the Government has never shown any concern for them. I hope the Government can really show its concern for

this group of fishing folks working in the fishing industry and care about their livelihood. It is possible that they will become unemployed. If they really lose their means of living, they have no choice but to apply for CSSA, thus increasing the burden borne by the Government. However, up to now, I have still not seen any fishing folk do this.

Furthermore, an incident that happened in October this year made me really very angry. At that time, I was in Beijing to have meetings with the State Ministry of Agriculture. The long and short of it is that, in 2002, I initiated a motion debate on promoting the development of agriculture and fisheries. At that time, the Government immediately commissioned a consultancy study to devise development plans and the Government even proposed offering training to our sector. However, on my visit to Beijing, the official in charge of agriculture and fisheries told us one thing and I felt very upset on hearing it. It turned out that five years ago, the State Oceanic Administration once told the Bureau Director concerned — not Secretary Dr York CHOW but the one in office prior to his predecessor — "Hey! We are going to develop offshore fishing. Will you people in the SAR Government be interested in doing that together with us?" They proposed that they do something together with us, however, it turned out that the officials in charge of fisheries at that time, including the Assistant Director of the AFCD, said to this effect, "We do not think it necessary. We are now conducting a policy study. After we have formulated some sort of policy in future, the Government will then seek co-operation from the Mainland."

(THE PRESIDENT resumed the Chair)

Presented before us at that time was a readily available window of opportunity through which we would have been given some say or a quota that the Government could have given to us, however, we shut the door on it, so nowadays, on hearing about this, we can only cry our hearts out. The Government even said at that time that none of us was willing to embark on such an enterprise. We have been lobbying for five years, hoping that the Government can assign someone to assist us, however, the results that we got only make us feel miserable. The sector has been fending for itself in the outside world and some of its members have found some opportunities and are doing quite well. However, these are only individual cases and the Government

has said that it would not extend loans to individuals. We asked the Government if it could extend loans to companies or groups of people to assist them in their development or in transformation. The Government only said that it would depend on individual circumstances and four years have passed ever since it said so.

This matter really saddens me very much. Our officials have turned a blind eye to the plight of the sector. To put it more harshly, they are really good for nothing; all they know is to lecture us in their offices and in every meeting, all that they know is to rattle on and on. Mr Albert CHAN is not present in the Chamber now but the person responsible for preparing the report is a relative of his. This person had discussions with me on several occasions and each time, he spoke until he was hoarse and could speak no further. He said the Government had advised us that the amount of loan that we could apply for must not exceed \$500,000 and applications exceeding this cap of \$500,000 should not be included. In that case, how can the fishing industry possibly be developed? How can this industry possibly be assisted in its development? This is virtually impossible. Later on, even this person who had prepared the report was sacked, so, what development can there possibly be? I could only say to the Assistant Director then, "Hey, you cannot possibly do that. You did not even pay the salary and now you have made such a mess."

Recently, I went to Taiwan to meet this person. He kept saying to me that if the fishing industry in Hong Kong was not fixed up properly, it would only meet its demise because even if we wanted to develop it in future, there would be nobody to heed the call. Therefore, I hope that the Secretary can conduct some study in this regard.

In addition, I also want to talk about the use of malachite green in fishing culture. We in the industry have all along been very compliant towards the Government and are willing to co-operate with it. For over a decade, we have not used this drug known as malachite green, however, fish farmed on the Mainland using malachite green are still imported into Hong Kong for sale.

Recently, our sector is planning to implement a scheme called the "accredited fish farm scheme" in conjunction with the AFCD. If this scheme is successful, we hope that the Government can assist members of the sector in seeking development by offering loans to them. I am not requesting the Government to offer interest-free loans or grants but low-interest loans to these

people, so that they can transform their businesses and find some room for development. This is our greatest expectation for the Government.

Madam President, having said so much, I wish to revert to a topic that all of us are aware of.

It can be seen from the Chief Executive's policy address that he has accepted the views of the DAB and proposed the establishment of a Food Safety, Inspection and Quarantine Department. I hope that this proposal can really be implemented and such a department can be established. In addition, I am lucky enough to be accorded a time slot to move a motion and I will have the opportunity to move a motion on food safety measures next Wednesday. I hope that Honourable colleagues, through the debate next Wednesday, can consider how we can deal with food safety properly. I believe that this is our greatest expectation.

Concerning the problem of malachite green, I wish to cite a real example. Together with Mr CHEUNG Hok-ming, I have written to the General Administration of Quality Supervision, Inspection and Quarantine and the State Ministry for Agriculture. I pointed out in the letter that the fishing farming method of our country is reputed in the world, however, the reputation of our country and the health of our nationals will be jeopardized if aquaculture is not carried out properly. Four or five days later, Minister DU Qinglin gave me a prompt reply, saying that he had planned to dispatch four teams to eight provinces where aquaculture is practised to inspect all the cultured aqua produces and investigate how the problem of using prohibited drugs can be solved. I feel that from the way he handled this issue, it can be seen that he attaches great importance to the health of nationals. In contrast, the Hong Kong Government is turning a blind eye to our sector. I believe herein lies our greatest cause for concern indeed.

On the way that the Government deals with food safety, I wish to raise several points: first, since our food is mainly imported from the Mainland, it is often the case that we have to take whatever delivered. I hope that in animal farming, including in farming of poultry, pigs, poultry products and aqua products, it is necessary to carry out monitoring at source. The Secretary has stated in his policy agenda that he would do so, however, we hope the Secretary will let us know in what ways he is going to implement this measure. I think that apart from the work in this area, the communication between the

Government and the Mainland and the sector is also indispensable. What matters most is how the efforts in this area can be stepped up. Therefore, I hope that the authorities can carry out monitoring at source, and this is also the practice throughout the world.

Another matter has to do with the tracking system. On the last occasion that I received funding from the AFCD to attend a course in Taiwan together with some members of the sector, in the course, the people there told us very clearly that according to the practices of the European Union, when aquaculture products — of course, I am not talking about orange-spotted groupers and the like — are imported into the European Union, it is necessary to meet all requirements laid down by the European Union, that is, each production system, each link in the chain of production, from fish fry to sale and processing, must all be documented for the purpose of tracking. All the information must be very clear and highly transparent. Recently, we have also had discussions concerning the local fishing industry and examined the situation in this regard. In addition, we also hope that the Government can also put in place a regime, so that imported food will comply with our requirements, instead of waiting until an incident has happened before the authorities deal with it. Otherwise, we will be very worried.

Madam President, I now want to talk about the issue of local poultry. Recently, the sector told us that they were very worried and on further reflection now, I also feel very worried because just now, in this Chamber, Members kept asking why we do not implement centralized slaughtering, regional slaughtering, and so on. I wish to ask the Government: Should centralized slaughtering or regional slaughtering be implemented, since there would no longer be any supply of live chickens in Hong Kong, in the event that an outbreak of avian flu occurs on the Mainland, what will be done? Will the authorities assist the agriculture and fishing industries to resume business free of charge and ask them to resume operation immediately? I am not saying this out of momentary anger. It will not be difficult for the Government to make our sector disappear. It is only necessary for the authorities to formulate a hard-line policy to do so. In the entire establishment, including in the Executive Council, the Legislative Council and even among government officials and in the process of policy formulation, it can be said that the influence that can be exerted by our sector is the weakest. Although we have the support of the DAB, I believe there are also divergent views in our sector but it is only natural. I believe that by that time, the entire sector will have been forsaken. However, I wish to ask again: If our sector was

completely wiped out but there is an outbreak of avian flu again, what will the authorities do? What will the officials in charge do? What will microbiologists who said that they wanted to wipe out avian flu completely do? Should they not bear any responsibility? I believe they all have to bear some responsibility in this regard. All parties have to bear some responsibility. It is no longer possible to wipe out avian flu, this being so, we have to consider how we should come to terms with this reality and ensure the survival of all parties. I believe this is the thing we should do before all else.

Therefore, I hope that the Government, academics and the sector can jointly study this issue of food safety and all parties should play a part. Be it on the Mainland or in other countries or regions in Asia, people are doing things this way. In contrast, our Government is not. The authorities think that only the academics, microbiologists or medical experts in Hong Kong count most and they often ignores members in the sector, assuming an attitude of "I could not care less about you". The authorities pay no heed whatsoever to what the sector says. Is this reasonable?

As I have pointed out many times in meetings, manufacturers of food are not allowed to sit in the Advisory Council on Food and Environmental Hygiene. I once discussed this with Mr Tommy CHEUNG and felt that nobody cares about the opinions voiced by us. Is this reasonable? The authorities only listen to the advice of certain experts, however, these experts are not food experts but medical experts. According to experts, infectious germs can be transmitted through the air, and since I have spoken for half a day and sputtered so much saliva, I have surely released a lot of germs and all Members in the Chamber should have been infected already. I believe many Honourable colleagues have been infected by the germs released by me.

Therefore, I hope that the Government can think twice about this. An advisory committee studying the establishment of Food Safety, Inspection and Quarantine Department cannot even accommodate a representative from the sector. Is this reasonable? I hope the Secretary will think twice. I have pointed out many times that there are presently many abandoned village schools in the New Territories. Is it possible for the authorities to allocate these school premises to the sector so that they can be used as research bases? Has the Government ever considered this proposal? This is because we in the farming and fishing industries all want to continue to survive and develop, instead of extending our hands and ask for benefits from the Government. We only hope

that the Government can recognize that there is a need for our sector to exist and continue to develop.

Madam President, finally, I wish to add one point. The Shenzhen Municipal Government — I am now a delegate to the Shenzhen Standing Committee of the Chinese People's Political Consultative Conference — often told me that it is possible for Shenzhen to have no villages but it is not possible for it to have no agriculture. The Shenzhen Municipal Government has leased a lot of land at Heyuan and Huizhou to agriculturists to develop agriculture. Their produces are transported into Shenzhen and these produces have been put on display as green food many times. I hope that our SAR Government can also consider if local agriculture can develop in this direction. Can the authorities discuss this with us? Can agriculturists of Hong Kong export the quality produces that they grow in Shenzhen back to Hong Kong? I hope the Secretary can think further about this.

Thank you, Madam President.

**MR FRED LI** (in Cantonese): Madam President, structural reorganization is naturally the focus of food safety and environmental hygiene issues in this year's policy address.

Since this topic will be discussed in a motion debate to be held in this Council next week, as pointed out by Mr WONG Yung-kan earlier, instead of repeating too many points here, I will leave them till next week. However, I will discuss other food safety and environmental hygiene issues more thoroughly.

Judging from the reorganized food safety control framework, the Democratic Party agrees that food safety be handled separately. This is also consistent with our long-standing demand. However, only government departments are involved in this reorganization exercise. The newly established Food Safety, Inspection and Quarantine Department is still under the Health, Welfare and Food Bureau. When the accountability system was launched, the Democratic Party already expressed concern about the excessive functions of the Bureau. Judging by the function of collective accountability, there is inequality between Bureau Directors in terms of workload, and even the corresponding political risks. Let me cite the Secretary for the Civil Service and the Secretary

for Constitutional Affairs as examples. There is such a great difference between the two Bureau Directors and Secretary Dr York CHOW, who looks increasingly weary and likely to fall ill easily. It is evident from the policy address that Chief Executive Donald TSANG has racked his brains to find some extra work for Secretary Stephen LAM with reluctance by putting mainland offices under the management of the Constitutional Affairs Bureau. The situation of Secretary Dr York CHOW is, however, totally different. Not only is he overshadowed by avian flu, he is plagued by a wide range of food safety issues. Furthermore, he has to tackle the Comprehensive Social Security Assistance issue, ponder over the health care financing problem and, finally, bear the enormous political responsibility attached to all these issues. This is why Secretary Dr York CHOW once indicated his risk of having to step down at any time. Hence, the Democratic Party believes that it is still necessary to review the functions of various Policy Bureaux under the accountability system in the long run to bring about a more reasonable delineation of responsibilities among the Policy Bureaux.

From the information submitted by the Government, we can see that a lot of information on the reorganization of the food safety framework, including estimated departmental expenditure, the establishment of the directorate and non-directorate staff of the Food Safety, Inspection and Quarantine Department and the Agriculture, Fisheries and Conservation Department (AFCD), and the specific delineation of responsibilities among various departments, has not yet been accounted for. The Government must explain to the Council and the public. Only through doing so can the Democratic Party judge whether food safety accidents can be handled in the most effective manner through the reorganization.

Madam President, the avian flu issue has definitely become the subject of global concern recently. Being a member of the global village, we must pay great attention to any outbreak of avian flu anywhere, not to mention the fact that there have been successive outbreaks in various places in Europe and Asia. We should all the more take stringent precautions. Unfortunately, there seems to be a gap between the Government and public expectation. For instance, despite the notification by the Ministry of Agriculture to the Health, Welfare and Food Bureau of an outbreak of avian flu in Anhui Province days ago, the SAR Government failed to notify the people of Hong Kong immediately on the grounds that there had been no import of birds from the province and that the actual impact of the news on the territory was not be substantial. Such an

attitude of the Government has indeed rendered the notification mechanism useless. In the opinion of the Democratic Party, the significance of the notification mechanism lies in its function of facilitating flow of information and, through liaison between the governments of the two places, disseminating the latest news for the information of the public to enable them to grasp the situation, take precautions, and even urge the Government to step up its efforts. The Government's attempt to block, and delay the dissemination of, the flow of information this time is not at all helpful. It seems to have failed to reflect on itself even after lessons have been learnt from the SARS incidents. The famous line "there is no outbreak of SARS in the community" has indeed taught the people of Hong Kong a bitter lesson and loosened their vigilance. Here is a demand of the Democratic Party: The Government must rectify its mistake by expeditiously making public any avian flu information passed by the Mainland through the notification mechanism to keep us updated about the latest developments of avian flu in China.

For the sake of taking early precautions against avian flu, the Democratic Party urges the Government to request market traders to strictly comply with the avian flu prevention requirements, step up market cleaning, monitor the breeding of birds in local farms, and prohibit over-breeding. The Government has in the policy agenda mentioned imposing greater control on agricultural and fisheries operation. While greater control is essential, the Government has to, under the persistent threat of avian flu, help improve the operation environment by getting rid of backyard farms being run very much like a family business and moving towards modernized farming. Only in doing so can the public hygiene problems confronting the agricultural sector be resolved once and for all.

The policy agenda also mentions other ongoing initiatives, such as setting up middle-sized slaughtering plants, regulating restricted dining places, amending legislation, ensuring the water quality of fish tanks for keeping live seafood, and so on. All these government initiatives are already known to the public. However, I wonder if Secretary Dr York CHOW has deliberately overlooked or unintentionally omitted this. Actually, the Government already indicated last year its intention of examining the introduction of a mandatory food recall system and proposing feasible initiatives. Yet, in this year's policy agenda, not a word is mentioned about the relevant work and objectives. Of course, it is essential to review the relevant food safety legislation, including making improvements to food labelling legislation and regulations on additives and harmful substances. However, the absence of mandatory food recall

legislation will leave the food safety system with an enormous gap, despite the fact that the industry has so far been quite co-operative and willing to take recall actions after the outbreak of food safety incidents or when there is doubt. Nevertheless, it is still necessary for the Government to make proper preparations by preserving the mandatory food recall power for public protection.

Little has been said in the policy agenda about environmental hygiene matters. Actually, since the dissolution of the two Municipal Councils, environmental hygiene work has been completely handed over to the Food and Environmental Hygiene Department (FEHD), which is under less supervision than the two former Municipal Councils. Supervision in the past was carried out in a more careful manner as the two former Municipal Councils were responsible for policymaking and supervising the two municipal services departments. In my opinion, the performance of the FEHD and the AFCD is not necessarily better than that of the two former municipal services departments. For instance, after the "scrapping of the two Municipal Councils", the rents of public markets in the New Territories and urban areas are still inconsistent. And, despite repeated discussions over the years, the environmental hygiene licenses issued by the two former Municipal Councils are still being charged different fees. Such policymaking leaves room for improvement. It has even been discovered by the media earlier that the street washing teams of the FEHD have failed to meet half the time standard prescribed by the FEHD for street washing. Actually, since 2001, the Audit Commission has twice criticized the FEHD for wasting public money in carrying out street washing. It seems that the FEHD has not yet ameliorated the problem thoroughly. Given the Government's intention to give District Councils more power, should it not go further beyond culture and recreation, swimming pools and libraries? Environmental hygiene does have a close bearing on the public. Should the Government not consider transferring the environmental hygiene work of the two former Municipal Councils to District Councils as well?

Madam President, I so submit.

**MS LI FUNG-YING** (in Cantonese): Madam President, Chief Executive Donald TSANG emphasizes in the policy address that it builds on our past achievements and delivers on the pledges of securing a "people-based" government he made during the Chief Executive Election campaign.

"People-based" governance is no new slogan to the people. It has been chanted frequently down through the time from the former Chief Executive, Mr TUNG, to the incumbent Chief Executive, Mr TSANG. Many commentators have pointed out that Chief Executive Donald TSANG's policies of governing Hong Kong as set out in the policy address are just alternative versions of Mr TUNG's policies. These commentators may not be entirely correct, but at least in respect of livelihood issues, the concepts advanced by the former Chief Executive and the incumbent Chief Executive on "people-based" governance are essentially the same, both being market-oriented. The concept of assisting the underprivileged is built fundamentally on making them re-enter the labour market by hook or by crook, and all sorts of grand and high-sounding excuses are invented for the purpose. One example is this statement quoted from the 41st paragraph of the policy address: The Government will emphasize helping people capable of work to move from welfare to self-reliance.

I am a member of the Commission on Poverty, and I know that it is currently engaged in two major undertakings — first, the task of encouraging the establishment of social enterprises as a means of assisting the unemployed and the underprivileged in securing employment and re-entering society; second, "My STEP", a project tailor-made to assist youngsters in becoming self-reliant with the provision of discipline training and mandatory employment arrangements. All this is essentially aimed at helping people to move from welfare to self-reliance.

I have no objection to these undertakings because they can provide the resources required for assisting the poor. But I do not think that they can possibly bring about any fundamental changes to the problems of impoverishment and wealth gap in Hong Kong. Can the Government tell us the number of welfare recipients whom it will regard as not capable of work? Even people with disabilities want to find a job nowadays; many elderly people in their sixties or seventies are employed as cleaning workers or caretakers; the Social Welfare Department criticizes single parents for remaining idle at home; many young or middle-aged people are unemployed. In brief, all those who are not hospitalized are basically capable of work, can all stand on their own feet, move from welfare to self-reliance and re-enter the labour market. However, are the market conditions faced by Hong Kong workers taken into account under our welfare policies? Last week, when making his ruling on a labour dispute in the Kowloon Magistracy, Magistrate Ernest LIN remarked that Hong Kong labour laws were lagging far behind those in other countries, and that deduction of

wages and attempts to prevent employees from joining trade unions had reached an intolerable state. Such remarks did not come from the labour sector but from the Court, our last safeguard in the upholding of justice. Therefore, may I ask whether the avowed intention of helping people to stand on their own feet and move from welfare to self-reliance is meant ultimately to plunge the underprivileged into a market with intolerably backward labour protection? How can this be called "people-based" governance? How can we claim that ours is a just and caring society?

The Chief Executive also raises the point of cherishing family values in the policy address, saying that with care and concern, the Government will seek to solve the problems connected with the rising number of divorced and single-parent families, family separation caused by cross-boundary employment, population ageing and the difficulties faced by parents of dual-income families in juggling their jobs and family life. Grass-roots people and the underprivileged do need care and concern, but if the Chief Executive is at all sincere in tackling all these problems, he must do much more than merely expressing care and concern; he must take concrete actions and identify problems and solutions within the system. Immediate improvements must then be made, or else his avowed care and concern will be reduced to mere lip-service, political embellishment and even a downright political gimmick.

In regard to food safety and health care, many challenges are in store for us. I support the Government's move to establish a Food Safety, Inspection and Quarantine Department for ensuring food safety in Hong Kong. Besides, I hope that faced with the threat of the avian flu epidemic, Secretary Dr York CHOW can also pay heed to the advice of Chinese medicine professionals while attaching importance to the views of experts trained in Western medicine. I believe that Chinese medicine can also serve a very useful function in the prevention and treatment of the flu epidemic. I hope that since even the Chief Executive's policy address recognizes the important role of Chinese medicine in the local health care system, the Bureau will no longer waste this valuable resource in the fight against this epidemic.

According to the Chief Executive, a health care financing scheme will be proposed early next year for public discussions. Put simply, health care financing is actually about asking people to shoulder a larger share of health care costs. Grass-roots workers all fear that they may have to shoulder a heavy financial burden imposed by health care expenses.

Madam President, in this last debate session on the policy address, I wish to make clear my views on the several amendments to the Motion of Thanks. Actually, when the Committee on Rules of Procedure conducted its consultation, I already put forward my views clearly. I do not support any amendments to a neutral motion (such as this Motion of Thanks). Although these amendments — for example, the one proposed by Dr Fernando CHEUNG — can reflect the views of the grass-roots people, and mine as well, I will not vote for them. I wish to put my position on the record lest there may be any misunderstanding.

Madam President, I so submit.

**MS MARGARET NG** (in Cantonese): Madam President, in this session, I wish to talk about two issues relating to the family. The first is family reunion and the second is domestic violence.

Madam President, concerning family reunion, I hope that you, Madam President, will not think that since this subject matter seems to fall within the scope of security rather than the scope of this session, it should therefore be discussed in the session on security. I have a special reason in raising it now, since I believe it is necessary for the Government to change its way of thinking. In the past, issues of family reunion — what I am talking about is Hong Kong people with children or spouses on the Mainland — are considered purely as issues relating to security, immigration, migration, immigration policy or population policy. I believe that such an approach is not comprehensive. We should ask ourselves what the principle underlying all government policies is. It is to create a harmonious and stable society. This is an area to which any government would attach great importance.

How can we create a stable and harmonious society? In the past, we always regarded the family as the basic unit and such a concept can be observed in the area of welfare. For several decades, from the colonial era to the present, the family has always been considered the basic social unit and emphasis has always been placed on the family. In all aspects, including the rehabilitation of inmates and juvenile delinquents, it is always necessary to see if there is enough support from the family. If there is care and support from the family, the results in rehabilitating the people concerned will be more pronounced. In dealing with cases of juvenile delinquency, if there is support

from the family, our Courts will consider refraining from dispensing the most severe penalties.

Similarly, it is also necessary for us to look at family members separated on both sides of the boundary from the viewpoint of welfare. For people whose children or spouses are on the Mainland, the consideration of our immigration policy should be on how to make these families complete. We should not hold the presumption that these people were born on the Mainland and therefore are not permanent residents of Hong Kong. We have to ask first of all whether they are permanent residents of Hong Kong and then decide accordingly whether this is our business or that of the mainland authorities. We have to bear in mind that these people are the family members of Hong Kong people. They are Hong Kong people and belong to the families in Hong Kong. How can we make their families complete so that the children can be reunited with their parents in Hong Kong? How can these people live together with their spouses and family members in Hong Kong after marriage? It is necessary for families to be complete before we can talk about social harmony.

To give an example, if someone's spouse does not live in Hong Kong, the whole family will have to rely on many types of welfare services. For example, for elderly people, if their children who can take care of them and who are very willing to do so do not live in Hong Kong, these families will consequently have to make use of other types of welfare services, for example, residential care and family services. These services, as the Secretary is well aware, cannot replace the warmth of a family in any case. No matter how good the people helping these elderly people are, they cannot compare favourably with the personal attention given by the children of these elderly people. Many such cases have come to my attention and I know that the children of these people really have the purest of intentions. Of course, some elderly people may have several children and not all of their children live on the Mainland. However, it is possible that the other children of these elderly people may not be able to take care of them for various reasons, whereas their children on the Mainland are very willing to do so or may have visited Hong Kong a number of times. However, each time, they have to go back because they have come here on two-way permits.

To use a case that came to my attention recently as an example, the husband in the family was a permanent Hong Kong resident. His four children were also permanent Hong Kong residents, however, his wife could not come to Hong Kong because she did not have a one-way permit. This woman was

expecting her fifth baby and each time she came, she had to come on a two-way permit and she had to pay the very high fees and charges applicable to non-residents for the examinations that she underwent in the hospital. I made enquiries with the Secretary for Security, who said that if her husband was a Hong Kong resident, she would also be treated as a Hong Kong resident. However, this is in fact not the case and she had to pay fees and charges applicable to mainlanders. Although they were willing to pay them, the burden was heavy. On such matters, I hope that together with the Secretary for Security, Secretary Dr York CHOW can give comprehensive consideration to them, so that our families can be more complete. It is only necessary to allow one mainlander to come to Hong Kong to make a family complete and we will also be able to use our resources more rationally.

Madam President, I now wish to talk about domestic violence. The Chief Executive also pointed out in his policy address that he would not condone family violence. These are indeed fine words but in reality, no action has been taken. The most important thing that the Government should do is to provide services to the victims. In case of domestic violence, the victims may not always be women, but the vast majority of them are. How can timely and appropriate services be provided to them? What I wish to point out in particular is that appropriate services include the provision of immediate and sound legal advice to them, so that victimized women know what her legal rights are and what legal channels are available to afford them protection. Of course, it is not the case that everything has to do with the law, however, often times, it can be ascertained what can be done according to the law. Actually, it is rather difficult for lawyers to help victimized women directly. However, the point that I wish to raise is: Can we assist organizations in offering legal advice to victimized women?

If the Government thinks about this matter along this line, I think that first of all, the Government should provide greater encouragement to civil organizations. In fact, there are at present many civil organizations devoted to helping these victimized women, including the Rainlily. It provides one-stop services designed specifically for women subjected to sexual violence and the services provided are in fact very meaningful. After women have been subjected to sexual violence, they will experience a feeling of worthlessness and if they have to hop around to seek assistance, that is a really miserable experience. The services provided by the Rainlily enable women to get in touch

with the centre through a telephone hotline, so that one-stop services can be provided by the centre, including making a report to the police, medical examination, counselling, and so on. However, the Rainlily said that its funds have been exhausted and it does not know from where further funding will come. The Government should not always take upon itself to implement policies or make its departments assume such responsibilities, rather, it should also encourage civil and voluntary organizations to do so, so that when these organizations can come up with some good plans, they can be given government funding.

On targeting domestic violence, what I wish to see most is the establishment of an emergency department for domestic violence. Is it possible to establish an emergency department, so that whenever instances of domestic violence occur, they can be dealt with expeditiously?

Madam President, on the ways to prevent domestic violence, part of the work involves amending the law so that there can be a clearer definition applicable to actual circumstances in the law and it is necessary to consider how making applications to the Court for an injunction can be made easier. In addition, people subjected to sexual violence or violent treatment from family members for extended periods of time should also be given counselling. All these measures are necessary.

However, I wish to point out sole reliance on the laws is not enough because the laws are merely made up of provisions and they must be applied in order to be of assistance to people. In view of this, I hope that the Government can recognize the importance of offering timely legal advice. Some people may ask why this matter has not been raised with the Director of Administration. This matter involves legal services and legal assistance, so why is it not relayed to him? I hope that Secretary Dr York CHOW can convey the viewpoints of the users and the public to the Legal Aid Department since very often, what they need is not assistance in taking legal actions but in preventing things from getting to such a pass. Even divorce cannot solve any problem and it will only lead to more domestic violence. If timely legal advice can be provided, then a family does not have to go down such a path.

Therefore, concerning social welfare, the Secretary has a very important role to play and I hope that he can convince the Government. I believe that the

coverage of such a scheme can be very wide. However, insofar as domestic violence is concerned, consideration can be given to allowing members of the legal sector to set up hotlines under outsourcing contracts to provide assistance to people in need, such as social workers and voluntary agencies. When their clients encounter legal problems, they can get in touch with the lawyers immediately to obtain immediate services.

Madam President, people dealing with this type of problems all know that timely and correct legal advice is very important, however, no matter how much resources are committed to providing legal aid, offering legal advice is not the same as offering assistance. We still need voluntary groups in which people can make use of their free time to offer assistance. The efforts in this area are still far from adequate. I hope that the Secretary can lend me a hand and in doing so, a service will also be done to society as a whole. Thank you, Madam President.

**MISS CHOY SO-YUK** (in Cantonese): Madam President, originally, it was my intention to talk at length about environmental issues, however, since I had to attend a hearing of the Town Planning Board on the re-zoning of a plot in Oil Street and the meeting was delayed by an hour, I could not make it in time to comment on issues relating to environmental protection. However, I still wish to take this opportunity to talk about the portability of the Old Age Allowance (OAA).

Each time I met the Financial Secretary, I would raise the issue of the portability of the CSSA and the OAA to the recipients' hometowns. The Financial Secretary is now present and I believe he also remembers that I have raised this matter before. The Secretary is also present and I remember that I also raised this matter on the first occasion that I met him and I have also raised this matter in this Chamber. Here, I wish to first thank the Financial Secretary and the Secretary because they have both agreed to extend the portability of the CSSA to as far as Fujian Province starting from this year, so I want to thank them both on behalf of my fellow natives from Fujian Province. As regards CSSA recipients who have returned to their hometowns in other provinces, of course, they hope that the portability of the CSSA can be extended to other provinces on the Mainland and I hope that the Financial Secretary and the Secretary will consider this seriously.

I now wish to talk about issues relating to the OAA. I am also grateful to the authorities for extending the absence limit from 180 days to 240 days, since this is better than nothing. However, even though the absence limit has been extended to 240 days, the problem can still not be solved completely. Madam President, I receive innumerable enquiries and complaints every day from elderly people who have to travel between the Mainland and Hong Kong each year because of the requirement of remaining in Hong Kong for 120 days. Even if they intend to live in their hometowns, due to the need to remain in Hong Kong for 120 days each year, they have to retain an abode in Hong Kong and do the same in their hometown. As a result, they are on the horns of a dilemma. The authorities, in extending the absence limit from 180 days to 240 days, cannot really help them in any significant way.

We often say that we have to give elderly people more choices. Madam President, in recent years, we found that the policy of the Government on having exchanges with the Mainland has already undergone some adjustments and this is particularly the case with regard to the latest policy address delivered by the Chief Executive. For example, the Individual Visit Scheme, the Admission of Mainland Professionals Scheme, and so on, were introduced. The Chief Executive also said that university graduates from the Mainland looking for jobs in Hong Kong would be allowed to remain here for longer periods of time, so that they can settle in Hong Kong on landing jobs here. Similarly, we have also enhanced our exchanges with various provinces on the Mainland. Apart from the Office of the Government of the HKSAR in Beijing, we also have offices in Guangdong, Shanghai and Sichuan. Many offices have also been established in various provinces. In fact, it can be observed easily that there is a government policy of promoting exchanges between the two places, however, the Government is now restricting some people from going back to their hometowns, thus causing them great inconveniences.

I have had discussions with many elderly people, who said that if the Government extends the portability of the OAA to their hometowns, they very much wish to return to their hometowns and live there. Why do they want to do so? This is because many people among them cannot communicate in the local tongue and this is particularly the case for those who are more advanced in years. Take the people from Fujian Province as an example, I believe eight out of 10 elders from Fujian Province cannot speak Cantonese, still less English. In their hometowns, they really have the feeling of being at home as people there speak

the same tongue. They still have a lot of old friends and relatives there because all along, most Fujianese have remained on the Mainland and only a small number of them have come to Hong Kong. Upon retirement, most of these overseas ethnic Chinese hope that they can go back to their hometowns and live there. Many elderly people also want to die in their hometowns. Take my father as an example, he was a naturalized Pilipino who had lived there for several decades. He had migrated to the Philippines before I was born, but before he died, he also wished to return to his hometown.

Elderly people do not know when they will become ill and most of them want to settle in their hometowns and live there in peace. However, they have no income and they are also worried about their inadequate savings. If the Government allows them to continue to receive the OAA, which amounts to several hundred dollars, back in their hometown, although this sum of money cannot serve much purpose in Hong Kong, since most of them have their own abodes in their hometowns and do not have to pay any rent, these several hundred dollars per month, together with the several hundred dollars given to them by their children each month, will add up to over \$1,000 and enable them to live in dignity, instead of having to cram into a small flat together with their children, thus making them feel that they are lodging at some other people's place. Therefore, I hope that the Financial Secretary and the Secretary can spend more time on understanding the mentality of elderly people.

Madam President, according to the Government's explanation, there are three reasons for not removing the restrictions in this regard: firstly, the financial commitment may increase substantially as a result. This is because some elderly people who have already settled in their hometowns may come back to Hong Kong to apply for the OAA on learning that elderly people who have settled in their hometown for good can continue to receive the OAA. Since it is impossible for the Government to estimate the figures in this regard, it is possible that the move will increase the burden borne by the Government. Madam President, I have told the Government a number of times that we can accept the requirement that elderly people have to receive the OAA in Hong Kong for two or even three consecutive years — at present, the requirement under CSSA is one year and it would of course be best if the requirement under OAA is also one year — however, even if it is two years, there would be no cause for concern if we require elderly people to receive the allowance for two years before they can settle in their hometowns. I do not think that any elderly people would, for the

sake of receiving several hundred dollars per month, come back from the Mainland solely for this purpose to establish a home anew in Hong Kong. They have to rent an abode in Hong Kong, put up with the high cost of living here for two years before they can receive this "fruit grant". Therefore, if the Government is concerned that the financial burden will become too heavy, such concern is in fact unwarranted and will not become a reality.

The second reason put forward by the Government is that the administrative cost will increase as a result. This is even more groundless. At present, an absence limit of 180 days is still imposed on elderly people. As far as I know, the absence limit of 240 days will come into effect only at the end of this year. At present, if elderly people remain on the Mainland for more than 180 days, they will receive letters from the Social Welfare Department right on the next day advising them that the issue of the OAA will be halted. In other words, computers will keep track of them automatically and I do not think they will look up every case manually. The number of days that an elderly person has left Hong Kong is shown clearly on the computer. On prompting by the computer, the Department will issue letters immediately. Since the Department considers that no problem is involved in setting the absence limit at either 180 days or 240 days, why can it not set the limit at 364 days?

Madam President, I often say that if elderly people are allowed to live on the Mainland for 364 days a year, we will find this acceptable. Why should the limit be set at 364 days? This is because in this way, the Government can require elderly people to come back to Hong Kong for one day, as the Government says it is concerned that some elderly people may have already passed away in their hometowns without the Government's knowledge and the Government will continue to issue the allowance every year. I believe that it is possible to require elderly people to come back to Hong Kong for one day. In this way, it should be alright if they put up at their relatives' or friends' place for a day or two or even several days. However, requiring elderly people to lodge at other people's place for 120 days is all but impossible. The Government can also make reference to the practice in Taiwan, where such a practice is adopted with regard to veterans. It is only necessary for these veterans to have photos of themselves taken, put their fingerprints on the photos and have both verified by the government of the local county before sending the certified recent photos and fingerprints to the Taiwan Government to prove that the elderly persons concerned are still alive. In this way, there will not be any need to worry about money being paid out unnecessarily.

The third reason put forward by the Government is that in paying out public funds to elderly people, it is hoped that they can spend the money in Hong Kong instead of on the Mainland, however, this reason is even more absurd. Given that the Government presently allows them to spend their money for 240 days on the Mainland, I do not understand why they must spend their money for 120 days in Hong Kong. Moreover, the OAA under discussion is a gesture intended to requite elderly people for the services they rendered to society over long periods of time, a "fruit grant", so to speak. On such a trivial matter, why is it necessary to grudge the 120 days, so that countless elderly people who have returned to their hometowns can find no peace every day? In fact, many elderly people found that their allowance had been suspended by the Government after returning to Hong Kong because they did not know that they would lose their eligibility if their period of absence was exceeded by three or five days. Here, I wish to tell the Financial Secretary and the Secretary with the utmost sincerity that the Government will not find itself paying out money unnecessarily, and what they will get in return is the heartfelt gratitude from countless elderly people. I hope that the Government can review the portability of the OAA as soon as possible.

In addition, Madam President, I also want to spend some time to talk about the situation that may arise due to the closure of the accident and emergency department in the Ruttonjee Hospital. Madam President, recently, you have also met a deputation together with several Members including me. The deputation was worried that the accident and emergency department of the Ruttonjee Hospital might be closed as this is the only hospital providing accident and emergency services in Wan Chai, Causeway Bay, Central, Sai Ying Pun and even Southern District. Although the Government has said today that the Hospital Authority does not have such a plan, however, why has this piece of news been doing the rounds? I hope that it did not originate from the Government. I am worried that the Government is adopting the tactic of making intimations first and pressing ahead if there is no opposition. The day before yesterday, I conducted a signature campaign in Wan Chai and collected nearly 1 000 signatures from the public in just over an hour. All of us can see that this is not just a problem for the 170 000 residents in Wan Chai District. The transient population in the district is 600 000 to 700 000 person per day. Moreover, on special occasions such as exhibitions or rallies, the transient population may even reach more than 1 million. Under these circumstances, if members of the public require urgent treatment, the remaining nearest hospital would be Pamela Youde Nethersole Eastern Hospital (Eastern Hospital). On

the one hand, the Government is telling us that the reason for carrying out reclamations is traffic congestion and this applies to Eastern District and the entire Hong Kong Island, and on the other, it pays no heed to the traffic congestion and is relocating some accident and emergency services to Eastern Hospital. Therefore, before the Government makes any formal announcement, on behalf of the countless residents of Hong Kong Island who have approached me, including residents of Eastern District, I express their wish that no additional burden be imposed on Eastern Hospital. I hope the Government will drop this matter and think no more about it.

Madam President, I so submit.

**MR TOMMY CHEUNG** (in Cantonese): Madam President, it is only natural that the people should continue paying greater attention to food safety. So when the policy address has responded to the people's aspiration in this regard by reshuffling the government framework and establishing a Food Safety, Inspection and Quarantine Department to strengthen the Government's supervision of food safety, the Liberal Party and I definitely welcome such an initiative, and the industry will also be most willing to comply with the new measure.

However, if the Government continues acting like what it has usually done by taking the easier course of action, that is, even before proper control of food supply at source is in place, it has already proceeded to tighten the control of retail shops and restaurants and make them bear the ultimate responsibility, and if this practice is allowed to go on, then it will only be imposing excessive control, thereby seriously compromising the prospects of the restaurant industry and the wet markets.

The freshwater fish incident is an obvious example. In order to address public concern, the authorities have proceeded to amend the Harmful Substances in Food Regulations in great haste to stipulate that all kinds of food that are being imported, sold or even transported, should not contain malachite green. It is an across-the-board approach to exercise control at both wholesale and retail levels. There are defence clauses, but if malachite green is found in any restaurants or any live fish sold by fish vendors in the markets, the burden of proof will fall on restaurant operators or fish vendors who have to prove that they have not breached the laws.

We all know that only operators of aquaculture farms, out of the motive of maximizing their profits, will add malachite green into fish ponds to cure the skin diseases or injuries of the fish, so as to ensure that the outward appearances of the fish remain unaffected. However, when the live fish are transported to the fish vendors and the restaurants, they are ready to be slaughtered. Are there any reasons for the vendors to add malachite green into the water at this juncture? As far as the outward appearances of the fish are concerned, especially in the case of the wet markets, a freshwater fish put on sale has already been cut into many smaller pieces, why should the vendors add malachite green into the water then? It is absolutely unlikely that they should have any motive for doing that. Frankly speaking, they cannot derive any extra profit from such acts, so there are no reasons for them to do that.

Much to our regret, the Government has opted for an easier way out in order to give the people a prompt response, even though it is fully aware of such a situation. For this purpose, the Government proceeded to amend an existing piece of legislation and added malachite green into its schedule, so as to enable it to invoke the laws under inappropriate circumstances without due regard to the unique circumstances in the application of malachite green. And then, fish vendors and restaurant operators are forced to bear the responsibility. Sometimes, a several-dollar grass carp that has been found to contain malachite green in laboratory tests may oblige the fish vendor concerned to hire the service of a lawyer and to look for the relevant invoices and receipts all over the shops, so as to prove his innocence. Yet the penalty is six months of imprisonment plus a fine of \$50,000.

In addition, as now the measures of controlling the supply of freshwater fish at source have not been formulated properly, no one can absolutely guarantee that the live fish aquaculture farms in the Mainland are all law-abiding and would not secretly add malachite green into the water. Besides, unlike live pigs, live fish are not imported only from authorized wholesale farms. And the authorities have not set up any mechanism for sample-checking live fish. Under such an incomplete regulatory system, how can the Government require the vendors and restaurant operators to be held legally responsible? Therefore, I urge the authorities to clarify the regulatory system of freshwater fish as soon as possible, so as to allay the concern of the industry, and to exclude the retail level of the industry from the scope of regulation in the legislation for banning the use of malachite green.

Besides, I would like to discuss the fish tank water. With regard to the Government's proposed plan to exercise control over the sources of fish tank water, I would like to say I welcome it. However, at present, once excessive bacteria counts are detected in the water samples extracted from restaurants, the authorities would immediately impose an order to close down such restaurants by virtue of the Public Health and Municipal Services Ordinance. They simply do not bother to ask further questions. It is of course most convenient and easy for the Government to adopt such a hard-line approach. However, has it ever occurred to the officials that such an approach will instantly ruin the restaurants' reputation which has been built up after years of dedicated operation? The restaurants will not deliberately use fish tank water with extremely high bacteria counts, nor will they deliberately add vibrio cholera to the water. However, as the fish vendors need to add new supply of fish into the fish tanks, so in cleaning the fish tanks or when they add new fish into the fish tank, they may pour the fish together with the water into the fish tanks. In this case, if the source of such water contains excessive bacteria, then it may not be possible for them to immediately keep the bacteria count of the water in the fish tank within acceptable levels, even if they are equipped with disinfection control devices. And incidentally if an inspector from the Food and Environmental Hygiene Department arrives at the restaurant concerned at this juncture to take a water sample, then the operator of the restaurant will be aggrieved. What is more, the work of food supervision should be undertaken by the Government. It should not be the responsibility of the restaurants to determine whether the goods provided by seafood suppliers or seawater suppliers are up to the standards, nor should they be held responsible. The authorities should not times and again pass the buck to the restaurants.

Therefore, in the meantime of urging the authorities to implement the Quality Seawater Assurance Scheme and for the accreditation of quality seawater suppliers, we think the Government should stop the practice of arresting restaurant operators and closing down their restaurants. If the water samples are found to be below the required standards, members of the industry will definitely clean up and disinfect the restaurants concerned immediately. And the authorities should track down the sources of supply expeditiously and take proper actions against them. The scope of control at source should also include seawater suppliers and fish vendors, instead of just being confined to the fish tanks of restaurants.

Madam President, I would also like to discuss the issue of central slaughtering. The Government has another policy initiative which has also disregarded the interests of the industry, namely, the plan to slaughter poultry at districts or to reduce the population of live local chickens being raised. In fact, we have already had a concrete example before us. After the implementation of the central slaughtering of ducks and geese, the entire ducks and geese raising industry has been pushed towards the brink of extinction. The industry has died *de facto* because there are no more ducks and geese being sold in Hong Kong, and they are completely replaced by chilled ducks and geese. Does the Government really have to insist on implementing this plan, thereby leading to the recurrence of the tragedy of the Central Slaughterhouse for ducks and geese at Western District? By then, another 3 000 to 4 000 workers engaged in the poultry retail trade will become jobless, and tens of thousand of people currently working in poultry farms, wholesale and transportation industries will become unemployed. Can the Government simply sit back and relax?

The Government plans to reduce the population of live poultry keeping as permitted by the local farm licences from the present 3.7 million to 2 million. Has it ever occurred to the authorities that this is an intervention of the market, thus substantially pushing up the prices of chickens? At a time when the entire world is facing the imminent threat of avian flu, all the countries and territories have taken prudent precautions. However, we have not seen any countries adopt the method of reducing the quantity of live chicken keeping. It is reasonable to kill all the chickens in infected areas. However, it is really like trimming the toes to fit the shoes if we adopt the measure of reducing the quantity of live chicken keeping even before any outbreak of epidemic has taken place and instead just rely on other places for the supply of chickens and let other places bear the risks. It seems a selfish approach, and on the surface, it seems Hong Kong can stay aloof from all such risks. But in fact, we are handing over the control of the live poultry market of Hong Kong to other people, and eventually we may have to suffer from the bad consequences.

As a matter of fact, the authorities have always said that local farms pose very great threats of avian flu as the farms are very close to the residential areas. However, why can the Secretary not consider the re-planning of land use, so that some remote sites can be used for operating chicken farms, and efforts should be made to assist chicken farmers in taking precautionary measures to raise the level of bio-security, to prevent the invasion of wild birds and to enhance the

management quality of local chicken farmers? Only if these are implemented can we call this a positive and constructive approach.

In order to achieve the target of separating chickens from human beings, there are actually many flexible methods. The authorities must think twice before making a decision. If no live chickens are available in the market of Hong Kong, the reputation of Hong Kong as the "gourmet's paradise" will be gone forever. Frankly speaking, the avian flu has spread to different parts of the world, but I do not see any evidence showing that it is caused by the chickens. Instead, all of them are related to migratory birds. I often say that it would be the best if the Secretary can give us some pistols, so that we can shoot down the migratory birds whenever we see them flying in the sky. Perhaps we would feel safe if no migratory birds fly past Hong Kong. The problem may not lie with live chickens.

I would also like to discuss the number of inspection visits. With regard to exercising food supervision, I feel that the authorities should allocate its resources in a more suitable manner. Next week, a motion debate will be conducted on this subject in this Council, so I am not going to discuss this now in great details. Several years ago, the Government conducted over 480 000 inspection visits of restaurants annually, but the number of such inspection visits has been dropping by the year. This is a good trend. But I still find the number too high, which is causing great disturbance to the restaurants, thus severely affecting the business environment. The authorities should improve its risk assessment system, so that the risk of each restaurant can be assessed. By doing so, it may become possible for the Government to make less inspection visits to restaurants with good records and low risks. As a result, more health inspectors can be spared to strengthen the supervision of food at source as well as to launch more educational initiatives for front-line staff.

Madam President, finally I would like to discuss the smoking ban. I must reiterate that the smoking ban will definitely have a major impact on the restaurant industry. In August, I joined two other Honourable colleagues to go on a fact-finding tour to Norway, Ireland and Thailand to examine the measures implemented to ban smoking and their effectiveness. In each of these countries, I raised questions with restaurant operators. All of them gave me the same answer, that is, the business would definitely be affected and that the business would not benefit from it. Some restaurant operators said that it had not affected them; while others said it had affected them — as many as 50% of the

restaurants were slightly affected, while some had even closed down already. Yet, unfortunately, we were unable to visit these restaurants which had already closed down.

I believe the situation in Hong Kong is even more worrying. Hong Kong is densely populated, with very little space for setting up any open air cafes specifically for smokers. In addition, it has become very convenient for people of both Hong Kong and the Mainland to travel across the boundary to the other side and such cross-boundary travels have become very frequent. So, a full-scale smoking ban will definitely encourage the smokers to go northward to the Mainland to spend money. As such, the impact suffered by local restaurants will be too great to be fathomed. The restaurant industry agrees that long-term smoking is hazardous to health, and the practitioners are willing to comply with the anti-smoking initiatives launched by the Government. However, in recent years, operators of the restaurant industry have been so severely affected by rising rents and costs that most of them are actually struggling for survival. As a matter of fact, they cannot stand any more negative impact.

In fact, most overseas countries implement their smoking bans in phases, and would not act like Hong Kong in trying to hop to success in one single leap. Therefore, I sincerely hope that the authorities can heed the viewpoints of the industry and adopt a gradual and orderly approach in implementing the anti-smoking policies. It is hoped that a grace period of two to three years can be granted, and exemption periods should be introduced so as to allow restaurants or entertainment establishments especially for smoking customers can enjoy certain waivers, so as to allow practitioners of the industry to take a respite and to find some room for survival.

Madam President, as the Financial Secretary is present today, I would like to take this opportunity to make some additional remarks because on the last occasion when I spoke on a motion on the business environment, he was not in this Chamber. And what I have to say is also related to the subjects under discussion in this session. The Subgroup on Business Facilitation led by the Financial Secretary is mainly concerned with conducting studies on issues related to the licensing of supermarkets and convenience stores. But right now there are also major problems with two kinds of licences for the catering industry. The first type is the food business licence. Members may not believe in this: Restaurants operated in factories are not allowed to hang signs of their shops

outside the factory premises and their entrances cannot be facing the street side. And patrons of such restaurants must be people working in that particular factory. However, how can we know that these patrons are working in the factory concerned? These licensing requirements were drawn up over 20 years ago. I hope the Financial Secretary can hold a meeting with practitioners of the industry to gain an understanding of the related issues. The second type of licence is open air cafe licence. It is now very difficult to find suitable places for establishing such open air cafes, and the application process is much too difficult and long. I hope the Financial Secretary can specifically pay more attention to the issues related to these two types of licences. And I also hope that I can arrange for members of the industry to meet with the Financial Secretary, so that they can personally present to him the problems they are facing. Thank you, Madam President.

**MR BERNARD CHAN:** Madam President, in his address, the Chief Executive mentioned the need for a sustainable health care system. The current system cannot continue in its current form. Either we have to find new ways of financing health care, or we have to see our high-quality health services go into long-term decline.

The Health and Medical Development Advisory Committee will be putting forward options for reform next year. The insurance industry wants to contribute to the public consultation on this subject. We believe that our administrative and operational experience in health care could be very helpful.

The industry currently provides coverage for two and a half million people in Hong Kong, including those covered by group policies. We believe it is possible for Hong Kong to make far better use of private-sector facilities, by reducing the gap in prices between private and public health care providers. We are convinced that this can be done in a way which is affordable, and which guarantees service quality. We also believe that it is possible to increase patients' choice, and reduce the burden on public hospitals and primary health care services.

We agree with the Government that preventive care and primary providers should play a bigger role for the whole community (*noise from mobile phone*) — Sorry, static from the phone. Sorry, Madam President.

We agree with the Government that preventive care and primary providers should play a bigger role for the whole community, including within homes for the elderly. We believe it is possible to use a new financing structure to encourage efficiency among providers and healthier lifestyles among consumers.

The community needs to rethink the relationship between private and public sectors. In particular, we need a more seamless system, so that patients can move between the two conveniently.

Several commentators have suggested a medical savings plan. This would operate a bit like the MPF, where everyone has an individual account. This is definitely worth considering. However, we do not believe that this would completely solve the long-term problem. We are fairly sure that risk-pooling elements will be essential.

A sustainable financing model for health care is possible. But politically, it will be a sensitive issue because at the end of the day, we need to put more funding into the system, and it has to come from somewhere in the community. People in Hong Kong have become extremely accustomed to a system where the Government heavily subsidizes health services, and directly provides a large proportion of them.

I certainly agree with those who say that the working people, the middle class, and the elderly of Hong Kong are entitled to good quality, affordable health care. They are. The question is, how do we pay for this entitlement in the future?

The insurance industry plans to explore a number of areas next year. These include:

- looking at the data to compare the strengths of the public sector and the private sector, and see how that would be reflected in the different roles of social and private insurance;
- looking at the pros and cons of voluntary versus compulsory systems. Obviously, a larger system will allow for lower costs and more comprehensive coverage; and

- looking at issues like quality assurance, especially with things like the family doctor concept.

Madam President, Hong Kong insurers support the Government's aims in reforming health care finance. We look forward to working with all stakeholders to create a sustainable system which provides quality and affordable care to all Hong Kong people.

Madam President, this is actually my prepared text, and I am supposed to stop here, but then, my Honourable colleague Mr Tommy CHEUNG just mentioned a minute ago about smoking. As I am a big advocate of anti-smoking in Hong Kong, I need to say a few things.

Just a few days ago, I happened to have a drink in one of the most recently opened new hotels in Hong Kong which was graciously opened by our Financial Secretary. Actually, like everything else in Hong Kong, when it is new, it is fully occupied. It so happened that I had to patronize this particular outlet — the smoking outlet — because it was the only outlet where nobody was in there. It was a horrible one hour which I had to suffer with all those second-hand smoking. I was joking enough telling the people working there that they only had to tolerate that sort of second-hand smoking six more months. I think it is so bad for the people working there. If I have to suffer for one whole hour, I can imagine it would be much worse for the health of all the other staff who are working there 24 hours. So, I certainly disagree with Mr Tommy CHEUNG that we need to wait any longer. I will give every bit of endorsement to Secretary Dr York CHOW to put forward the proposal to ban smoking in public areas. I do not think the Hong Kong public can wait any longer for that. Thank you, Madam President.

**MR FREDERICK FUNG** (in Cantonese): Madam President, before this year's policy address was delivered by the Chief Executive, we had expected that he would highlight the importance of poverty alleviation and point out the direction and hand down the policies. But it is disappointing to see that the same old tune was played again and the poverty problem in Hong Kong was not looked into and approached from the perspective of a social welfare blueprint or a policy on poverty alleviation. This shows that after TUNG has stepped down and when TSANG has come into power, the Government still has only a very flimsy commitment to poverty alleviation.

Mr TSANG, the Chief Executive, mentions in the 40th paragraph of the policy address that the Government will "implement district-based poverty alleviation measures". Both the Hong Kong Association for Democracy and People's Livelihood (ADPL) and I think this "district-based" measures idea has become an excuse for the Government to shirk its responsibilities. The Commission on Poverty has come into existence after the last policy address and now almost a year has lapsed. But apart from visits to some districts and launching some trial schemes which can likewise be done even by welfare agencies, the Commission on Poverty does not impress people that it has any powers, nor has it examined the question of whether or not existing policies are a cause of poverty, not to mention that it can be expected to formulate any policy that will stamp out poverty. The so-called "community-based" poverty alleviation measures would be implemented in communities like Sham Shui Po, Tin Shui Wai and Kwun Tong where the poverty situation is serious. The Government says that poverty alleviation work would be done at a community level and this means that district-based organizations will be set up to be chaired by the respective District Officers. However, these organizations have neither powers nor resources and a lot of time has been spent on co-ordinating various government departments. The socially disadvantaged groups in the districts are only given some "poverty alleviation programmes" but these work programmes are not a policy for district-wide implementation.

The 39th paragraph of the policy address mentions the Community Investment and Inclusion Fund and the Partnership Fund for the Disadvantaged which seek to build social capital. However, it has been four years since the Community Investment and Inclusion Fund was set up in 2001 and 64 projects have been sponsored by the Fund and the amount of funding granted takes up 18% of the moneys in the Fund, less than 20% of the total. This shows that appropriation has been slow. When coupled with the complicated funding criteria, the Fund has been much criticized by the welfare agencies. As for the Partnership Fund for the Disadvantaged, as the model of matching grant is adopted, applications from small and not so well-known community organizations are not accepted. Therefore, it is not very helpful to them. It also shows that the Government lacks determination in taking forward poverty alleviation work.

Last month, I went with some colleagues in this Council, that is, Dr Fernando CHEUNG, Mr LEE Cheuk-yan and Mr LEUNG Kwok-hung, to

Britain and Ireland to study poverty alleviation work being done by the governments there. Recently, I attended a sharing session with Dr Fernando CHEUNG held by the Hong Kong Council of Social Service and shared our experience with people from the welfare sector. What has impressed me most in the trip is the high degree of commitment the governments there give to poverty alleviation work as well as the resources they have put in to eradicate poverty and forge common understanding in society. Hong Kong lags way far behind in all these aspects. Poverty alleviation work in Hong Kong could definitely have been done much better and more comprehensively than other countries. I can cite one example and that is the Head Start Programme on Child Development mentioned in the last policy address, the aim of which is to reduce inter-generational poverty, and it is commendable. But as the authorities admitted in a recent meeting of the Sham Shui Po District Council, the Programme was after all a health care plan of the Department of Health and it had nothing to do with poverty alleviation. We can see that the authorities lack a mission in poverty alleviation work and they do not have any guiding philosophy behind what they do. The Commission on Poverty does not have any authority to spearhead poverty alleviation work in the departments and no timeframe is set as a target for poverty alleviation. All these account for the lack of progress in such work in Hong Kong. Now I would like to cite the example of the Sure Start Programme in Britain. It is Britain's first district-based programme which came into existence in 1999. Now each small community in Britain has a similar support centre of this kind and the authorities plan to set up 2 300 such centres throughout the country. These centres enlist participation from the education sector, the nurses and parents to ensure that infants of three to four years of age will each have 12.5 hours of care every week. The districts offer inexpensive and quality activities to children after school. I asked people from the welfare sector in Hong Kong whether or not Hong Kong was really not capable of setting up such kind of support centres. The reply I got was we were able to do this. The Government has the capabilities but not the determination. It is not that it is incapable, but it does not want to.

With the policy thinking of helping to move from welfare to self-reliance, the Government must strengthen support given to working people, especially working parents. This will enable those who can work go out to work. As parents work and do not have to worry about minding their children, they can improve their lot with the money they earn. While the Sure Start Programme in Britain is certainly a valuable model, the Hong Kong Government must put into

practice all related principles, policies and directions, especially with respect to the prescription of a minimum wage. When minimum wage is introduced into subvented organizations, the Government should include its public works contracts into the scope covered by minimum wage. This will help those employed earn money to support their family.

All in all, both the ADPL and I think that if the Government will deal with the poverty problem with the attitude stated in the 99th paragraph of the policy address, then it is just being too pragmatic. What it boils down to is that there is a lack of a guiding philosophy and no blueprint for long-term development is drawn up to tackle the problem. The Chief Executive must never think that since his term of office would last only 20 months and as it is so short, then he can afford to overlook the needs of the grassroots and the disadvantaged groups. He should instead formulate specific policies and targets and show more determination to solve the poverty problem which is deteriorating from day to day.

Madam President, I would like to state the position of the pan-democratic camp in this Council, that as the policy address does not respond to public demand for the way forward and a timetable for the dual elections by universal suffrage, and as no determination is shown on livelihood and poverty alleviation issues, the pan-democratic camp in this Council will vote against the policy address.

Thank you, Madam President.

**DR FERNANDO CHEUNG** (in Cantonese): Madam President, today I propose an amendment to the Motion of Thanks to express my regret for Donald TSANG's lukewarm efforts in poverty alleviation and to request him to face squarely the problem of the wealth gap between the rich and the poor.

One of the major themes of the policy address of Chief Executive Donald TSANG is "Fostering harmony in the community". However, the poverty problem is so serious in our society. Our wealth gap situation ranks third in the world, yet our public fiscal reserve *per capita* is number one internationally. We own luxurious products. For example, the number of Rolls Royce and Mercedes-Benz vehicles *per capita* of Hong Kong is among one of the highest in the world. Yet we still have tens of thousand of grass-roots people earning

mediocre incomes for themselves. Working for 10 hours a day, many of them can only earn several thousand dollars a month, which is inadequate for feeding themselves. With such conditions in society, how can we have harmony?

The policy address of Donald TSANG mentions that he will pursue "strong governance for the people". However, in the policy address, he has only devoted limited coverage to alleviating poverty and helping the poor. Besides, with the exception of some programmes designed for facilitating the disabled's early return to society, all the others are vague and unreal. For example, he says that the Government has set up the Commission on Poverty (the Commission). He also says that the policy thinking of the Government is to help the people to help themselves; to implement poverty alleviation measures in the various districts in due course; and to enable needy children to have extra resources, and so on. All these measures are old ones, and the rationales behind them are just some old tunes, which we have heard many times already.

Mrs TSE of the Commission is present in this Chamber today. I am very glad that she can spare some time to listen to our opinions. It is a good move for the Government to establish the Commission, and it is a move in the right direction. The Commission, chaired by the Financial Secretary, and participated by four Directors of Bureaux, should be capable of working out some good solutions to address the poverty problem and the wealth gap problem. Yet, while the Commission has been established for nearly one year, what kind of improvement has the Commission made in terms of public policies, be they policies in the economic, social or other aspects? How has it alleviated the difficulties of the poor people in Hong Kong from a policy perspective?

All along, apart from some abstract concepts, we have only seen some members of the Commission making inspection visits to the districts, discussing some procedures and specific services that seem relevant only to individual districts. But is it necessary that such discussions should be led by an official of the rank of the Financial Secretary and be participated by Directors of Bureaux? At the end of the day, we still cannot see any determination of the Commission in alleviating poverty from a policy perspective. And such policies could well be policies for implementing social security, or policies for advocating a universal retirement protection scheme for tackling the poverty problem of the elderly. But has the Commission ever discussed these? With regard to working poverty, has the Commission discussed the issue of minimum wage? As for assisting new immigrants to Hong Kong, has the Commission discussed the sufferings of

these people which were brought about by the present population policy? Instead of discussing these primary social policies, the Commission has gone to the various districts to discuss what kind of self-help organizations should be established in the districts and what kinds of good schemes should be implemented, and so on. It seems the Commission has prescribed the wrong remedies for the disease, and it has acted in a way that is totally incompatible with the responsibility and roles it should assume. Therefore, as reflected by the situation during the past one year, the Commission seems to be only a vase, instead of being a mechanism that can really achieve something.

The economy of Hong Kong has shown some signs of revival. With the gradual increase in the size of the working population, the issue of poverty alleviation seems less pressing now. However, the poverty problem will not automatically disappear as a result of economic growth. Undoubtedly, Hong Kong nowadays has become more affluent than it was in the '70s. But the Gini Coefficient of Hong Kong has risen substantially from 0.34 in 1971 to 0.525 in 2001. It clearly shows that the wealth gap is expanding, and will be expanding in the future.

In fact, the poverty problem is very complicated, and the economic factor is just one of the contributory causes. For example, the poverty of the elderly is attributable to the absence of a retirement protection system, whereas the poverty of the disabled and the ethnic minority groups or new immigrants is caused by a rejection of them in society. These problems cannot be removed only by the strength of our economic growth. Therefore, the Government should examine the causes of various poverty problems, and then take the initiative to formulate policies with a view to tackling poverty in a comprehensive manner from various perspectives such as education, medical care, housing, welfare and other community planning initiatives, and so on. However, it seems that the Commission has so far not done any specific work in this regard.

In fact, it is imperative now for us to proceed with the work of poverty alleviation. We are moving into the phase of inflation again. If the income of the poor cannot be improved considerably, they will lead an even harder life. Donald TSANG must face up to this social problem.

Recently, several Honourable colleagues and I visited Ireland — Mr Frederick FUNG has mentioned it too. One of the practices adopted by people there is the mainstreaming of poverty alleviation. According to this practice,

when the Government formulates policies, enacts legislation and draws up budgets, it must consider whether such policies, legislation or allocation of resources would lead to the worsening of the wealth gap between the rich and the poor, and whether these measures would cause unfairness to the poor people. Under such a framework and mechanism, Ireland is able to prevent the worsening of the wealth gap problem when formulating its policies.

Apart from the issue of poverty alleviation, Donald TSANG has also mentioned many other issues in the policy address, but all of them are discussed only on a superficial level. Basically, no solutions are provided to all these issues. For example, in tackling domestic violence, Donald TSANG has only mentioned that the Government will launch a pilot scheme to provide counselling to domestic violence offenders, and such a pilot scheme absolutely cannot address the present severe situation. During the first half of this year, the Social Welfare Department (SWD) has received over 1 600 new complaints of spousal abuse, and another 400 or so complaints of child abuse. So, on average, we have 10 new cases of domestic violence every day. But, according to government information, between 2001 and 2003, there were less than 10 cases annually in which offenders of domestic violence were convicted and imposed a probation order. The scheme mentioned in the policy address is intended to provide some counselling through a pilot scheme to domestic violence offenders convicted and imposed with probation orders, or to a small number of people who volunteer for receipt of counselling. So it is just a scheme of a much too limited scale for achieving the purpose. It simply cannot address the source of the problem.

Besides, organizations in society have been urging the Government to criminalize domestic violence by way of legislative amendments. The criminalization of domestic violence will help minimize such violence to a certain extent. Even if the legal provisions are already in place, we still need to monitor their enforcement situation. For example, even to date, the police would still ask the plaintiff or the victim whether she would like to institute prosecution actions against the offender. But it is very difficult for family members or victims to make the decision rationally or objectively. When the victims decide not to take prosecution action against the offender, the police would then adopt a lenient approach. Such situations occur times and again. The most shocking point about the Tin Shui Wai tragedy in which a father killed all the family members is the fact that all the departments concerned and all the support mechanisms have failed to function properly. Therefore, if we do not

have a central co-ordination mechanism to supervise and co-ordinate all the different departments responsible for handling family violence so as to avoid the recurrence of similar tragedies, the so-called "zero-tolerance" policy can never be put into practice. In fact, today, we can see that this so-called "zero-tolerance" policy is nothing more than an empty slogan devoid of substance.

Let us take the welfare of the elderly as another example. Donald TSANG has just spoken vaguely on providing "community-based" elderly services as well as introducing more elderly health care services. However, he has not uttered a single word on any concrete plans or proposals. The Hong Kong Council of Social Service has conducted some surveys on comprehensive family care services. The findings show that the elderly people who require the so-called "community-based" elderly care services are waiting for the provision of such services in an extremely long queue. For example, elderly people who require personal care services have to wait for six months on average. Personal care services include assisting the elderly in their daily life and preparation of food, toileting and bathing, and so on. As for home cleaning services, the elderly have to wait for 14 months on average. It takes four months of waiting for the elderly to be provided with the meal delivery service, the provision of which is for elderly who are unable to or with no one in the family to cook any meals for them. Such a service is most urgent, but the elderly still have to wait for four months, and the longest wait could be up to nine months. In fact, it is impossible for the elderly to wait for four months. May I ask what alternatives the elderly have? What alternatives do their families have? The only option left to them is to send the elderly to private elderly's homes, the quality of which leaves much to be desired.

I really doubt whether Mr TSANG understands the elderly's great demand for such services. Does he know how many additional services have to be introduced and how much additional resources must be allocated before the elderly can live independently in the community? Donald TSANG has mentioned nothing in his proposal, except some hollow promises of making improvement and providing such services in future. But I am afraid all these will eventually become some dishonoured cheques!

If our Chief Executive thinks that he can win the support of the people just by launching such image engineering, pretending that he is ready to accept public opinions, then he has made a major mistake. If he is not genuinely sincere in

working for the socially disadvantaged groups, the people will find out the truth and they will discard him eventually.

Madam President, on behalf of the social welfare sector, I would also like to respond to one of his remarks in the policy address, that "The Government will continue its partnership with the social welfare sector and endeavour to promote the development of welfare services.". These words sound great to the ears, but people of the welfare sector would simply shiver in disgust upon hearing the word "partnership". This is because since the Government implemented the arrangement of "lump sum grant" funding arrangement several years ago, people of the social welfare sector have never enjoyed any happy days. In the face of a worsening problem of "same work with different wages", the contradiction, division and confrontation between the organizations and staff colleagues, the vicious competition among organizations in bidding for outsourced projects, and even the master-servant relationship between the Government and the organizations, the so-called partnership has long been shattered completely.

All along, we have been urging the Government to review the funding arrangement of lump sum grant. This funding mechanism does give greater flexibility to the organizations. However, under the present climate of resource reduction, such flexibility will just give the organizations greater room in substantially cutting the remunerations and welfare of colleagues in the social welfare sector with a view to keeping down the costs of service provision by all means. At present, nearly half of all the colleagues in the social welfare sector are employed on short-term contracts (usually with a term of about one year), and their salaries have already been delinked completely with their previous salary scales — some are earning 70% of 70% of their original salaries.

Recently, I have commissioned several scholars to conduct a study in our sector. Over 680 social workers have been interviewed to answer the question of whether they agree that the lump sum grant arrangement can improve service quality and performance. The findings show that 90% of the social workers disagree. On the issue of whether the lump sum grant can simplify working procedures and enhance cost-effectiveness, 80% of the social workers disagree. Besides, 85% of the social workers even say that the trust between the organizations and front-line staff is very fragile. 95% colleagues in the sector respond by saying that they are not optimistic about the prospects of the social

work profession. Under the present circumstances, we can say that we have moved into the Dark Age of the social welfare sector.

In the initial phase of implementing the lump sum grant funding arrangement, the Government still promised to uphold the so-called contract spirit and pledged to shoulder its responsibility for the existing staff. However, the Government has withdrawn this undertaking recently, resulting in greater contradiction in the social welfare sector. For certain organizations, in order to survive, they tried all means to dismiss veteran workers. With such uncertain prospects, we are afraid that this profession will run into an overall succession problem.

In the past, the Government would have amicable discussions with the social welfare sector and its service users before making any decision. We used to have the mechanisms in place for discussing and studying the development blueprint of the social welfare sector. We had the white paper, five-year procedure plan as well as annual reviews. We would map out the future development plan of the social welfare sector in the light of changes in society, the needs of service users and people's wishes. This is the blueprint. This is planning — planning with rational discussion. However, the Government seems to have acted according to its own preferences now. Sometimes it would outsource certain projects. Sometimes it would hold discussions with individual organizations and offer contracts to them. Sometimes, it may even conduct tenders selectively. Under such circumstances, we must fight for a return to a blueprint for the social welfare sector. Thank you.

**MS EMILY LAU** (in Cantonese): Madam President, during our meeting with the Chief Executive in the past few months, we stated that, besides seeing no development in democratic political system, Hong Kong is also facing another problem, namely, the problem of the worsening wealth gap between the rich and the poor. And we shall also state these points (in fact we have been mentioning them all the time) in the meeting we will soon have with the Financial Secretary.

I agree entirely with what Dr Fernando CHEUNG has said just now. Very often, we like to compare Hong Kong with other places. Even for Mr TUNG Chee-hwa, he also said in the past that Hong Kong should "surpass Britain and catch up with the United States". However, we often make such

comparison with top-rated countries in the world. If we examine our economic development, of course, we do possess very good conditions for a comparison with them. But when the discussion is drawn to the wealth gap problem, as Dr CHEUNG has said just now, Hong Kong ranks third in the world. Which countries occupy the first two positions? Madam President, they are Honduras and the Central African Republic.

I am not sure whether our officials would think that Hong Kong should be on a par with these countries, though I do not have the slightest intention of discriminating against these countries. However, under most circumstances, Hong Kong is seldom grouped in the same category of Honduras and the Central African Republic, and so on. The issue has been discussed for a very long time, but many officials remain unperturbed. Now, Mr Donald TSANG has become the Chief Executive. One day, I heard Prof Nelson CHOW (a member of the Commission on Poverty (the Commission) led by the Financial Secretary) say in a radio interview that the wealth gap issue had faded out, and that was why very little coverage had been devoted to assisting the poor in this policy address. I do not know what kind of undertaking the Financial Secretary will give us, but Prof CHOW thought that the present new Donald TSANG regime did not consider aiding the poor a significant issue. However, I still think that this issue is very significant.

There is a certain non-government coalition in Hong Kong with the specific concern of helping the poor. Many Members present in this Chamber and myself are members of this coalition. We had intended to invite members of the Commission to pay on-site visits to the districts. On 16 August of this year, we invited members of the Commission to join us. But Madam President, all the members of the Commission were unable to spare any time to join the visit. So, only Mrs TSE, the Secretary of the Commission and her colleagues could show up. It did not matter. We were still very thankful for the participation of the Secretary of the Commission in joining us in the visit to Shum Shui Po, whereas the other members did not have the time to go to Shum Shui Po to conduct an on-site inspection of the poverty situation there.

On that day, we witnessed many cases, and I believe Mrs TSE can also recall one of them, that is, a mother was living with her two children in a room of less than 100 sq ft. In such a congested room, all kind of sundry items were scattered. How can these two little children grow up properly under such a

congested environment? However, I realize that, when the Financial Secretary set up the Commission, he stated that there were two problems that would call for priority treatment, namely, inter-generational poverty and working poverty. I really do not know how long little children living in such a room, or those living in even worse conditions (well today many little children are sitting in the public gallery upstairs, and I believe they may not be living with their families in a room of 100 sq ft) will have to wait before their lot can be improved. Talking about "waiting", I heard that it takes 18 years of waiting before a heated swimming pool can be built in Tai Po. Madam President, this is our so-called "strong governance".

Therefore, I very much hope that the authorities can do something about inter-generational poverty. I had talked to the Permanent Secretary Mrs Fanny LAW, about this. She asked me whether it was necessary to effect certain tilting in terms of policy and resource. In fact, Madam President, no matter how you name it, I simply feel that Hong Kong has a responsibility to take care of the socially disadvantaged groups, especially the little children, the group of people all of us consider them to have the greatest need for special care.

When we say that we need to take care of the housing needs of the little children, we do not mean to say that luxurious flats of several thousand sq ft in area should be provided to them as homes. Instead, we are saying that we should provide them with reasonable housing which can make them feel relaxed after returning from school, where they can play around and have fun or do their homework. I believe what we are discussing now is how many tens of thousand little children not enjoying this. A former Vice-Chancellor of the University of Hong Kong once told me that, many of his students did not have their own rooms; some even did not have their own desks. Under such circumstances, how should we address the problem of inter-generational poverty? Apart from facing the housing problem, many students have to stay in the school to do their homework after normal school hours because their homes are much too small and they do not have a computer or other equipment at home.

Recently, I heard that a school in Tin Shui Wai had allocated a covered playground for the setting up of a library for use by students and parents after school. I understand that, as the Permanent Secretary has said, we cannot build another library there just because the school has set up a library there? In fact, we have a lot of resources in the district, and the schools also have such resources within the schools. However, these facilities will be closed after

school. I also understand that if we want the schools to make use of such facilities, we must provide assistance to the schools as support. I hope the Financial Secretary can consider ways of assisting these little children in such aspects as housing, school facilities, and so on.

In the meantime, I heard that some little children living in Yuen Long and Tin Shui Wai had never been to Central District. This is indeed very shocking to me. The emergence of such a phenomenon is attributable to, firstly, the high travelling costs involved, and secondly, the fact that certain families absolutely do not have the means. It was not until we had made our way to the New Territories that we started to realize that some little children had never been to Kowloon and Central. What kind of place is Hong Kong actually?

Therefore, Madam President, irrespective of whether the Chief Executive cares about the issue of aiding the poor, I hope the Financial Secretary can do something pragmatic to solve the problem, unless he announces now that the Commission will be abolished altogether. Although it may not be possible for us to remove the problem completely, the work of tackling inter-generational poverty, that is, how to take care of the next generation, is still very important.

Madam President, next, I would like to speak on the issue of avian flu because I feel really very very concerned about this. That explains why I raised this issue twice with the Secretary during the briefing on this policy address. The avian flu outbreak has taken place throughout the world. I recall that, on the day before yesterday, Mrs Carrie YAU, the Permanent Secretary, made a remark right after a meeting with other departments. What did she say, Madam President? She said, "We Hong Kong people need to prepare for the worst." I do not know what she meant by asking us to "prepare for the worst". Maybe later on Chief Secretary for Administration Rafael HUI can enlighten us in this regard. We may have to make our own preparations, but what the Government is doing now could be an attempt to guide the people to reduce their expectations to the minimum. I know the Government has been very good at doing this kind of public relations tricks. I also do not know how much taxpayers' money the Government has been spending on recruiting all the very best public relations talents. But most important of all, the Government should do some solid work. I also told Secretary Dr York CHOW that he needed to assume responsibility. I do not care which department is responsible for food safety, but I hope the Secretary can tell us how Hong Kong will proceed with its preparations, so that people from all walks of life can feel assured.

This is one of the areas of responsibility of the Secretary, and he is empowered to lead other departments as well. However, there is one very important point. Madam President, I had once asked the Secretary that since the Mainland had to notify us under certain circumstances (of course we cannot exercise any supervision over the mainland authorities), when some incidents did occur, would they notify us immediately? Actually the World Health Organization (WHO) also hopes that the Mainland can do this. The reply of the Secretary was in the affirmative at that time. However, according to the media, many incidents have actually been covered up. But the truth can never be hidden. I hope the mainland authorities can really notify the Secretary honestly, and then the Secretary will then relay the message to Hong Kong people. As a matter of fact, the mainland authorities really must not cover up the truth. When some incidents have occurred, the governments of both Hong Kong and the Mainland must notify each other of the occurrences of such incidents, and such information must be relayed to Hong Kong people through the Secretary. With regard to the closure of the border, the ban on the import of chicken and other measures, the Secretary must disclose these to us and he must also urge them and advise them what to do in order to do better. By then everyone should be extremely alert like during the wartime, and the Secretary would then be the commander-in-chief. In the past, it was Mr TUNG Chee-hwa who acted as the commander-in-chief. However, a member of the Executive Council told me that if Mr TUNG took up the post of commander-in-chief, he would be scared to death. I hope the incumbent commander-in-chief will not scare anyone to death, because the battle is already around the corner.

Madam President, I so submit.

**MR VINCENT FANG** (in Cantonese): Madam President, I wish to take this opportunity to express my gratitude to all those engaged in live poultry farming and trading because since the first outbreak of avian flu in 1996, or 1997, they have been rendering their full co-operation to the Government, observing all the guidelines on avian flu prevention. As a result, Hong Kong is now at the forefront of avian flu prevention. At a time when there have been so many outbreaks of avian flu in different countries recently, we can still say proudly that over the past one year, there has not been even one single case of avian flu in Hong Kong — not even one single case among food poultry.

However, it is a great pity that these people will soon join the unemployed ranks, and some of them may even have to apply for Comprehensive Social Security Assistance. The reason is that there is now a worldwide panic on avian flu. The Health, Welfare and Food Bureau has formulated a contingency plan on the outbreak of avian flu, and the measures include the slaughtering of chickens and the closure of boundary control points. For days, the Hospital Authority (HA) has been telling the public how many hospital beds and drugs there will be. But I must say that these are all passive remedial measures to be adopted after the emergence of problems.

A couple of days ago, the HA announced eight preventive measures, some examples being keeping one's hands clean and the proper use of face masks. I believe Members will not think that these measures are effective precautions against avian flu. What the public want to know are the signs of an outbreak, the symptoms, how infection can be prevented, how the infected can be isolated and how avian flu can be prevented at source.

We should tackle the source of infection. A few months ago, after I had learnt of the spreading of avian flu to Russia by migratory birds, I asked the Secretary a question in this Council on the ways of preventing the spreading avian flu by migratory birds. But the Government insisted that the existing surveillance system was already very satisfactory. By now, it has been proved all over the world that migratory birds are really responsible for spreading avian flu this time around. We cannot stop migratory birds from flying from place to place. But should we still keep the bird sanctuaries freely accessible, allowing people to come into contact with migratory birds posing higher risks of infection and then return to the urban areas? In contrast, the poultry industry is required to adopt very stringent measures. From the very beginning, chickens have to be inoculated and disinfection and cleansing have to be carried out in the course of transit. Finally, chickens must be separated from buyers in the market. There seems to be different treatment in these two cases.

Prevention is more effective than treatment. If we can do more to tackle the source of prevention, if we can, for example, enhance the surveillance of migratory birds, minimize the contact between human beings and migratory birds, step up the inspection of local chicken farms and those in the Mainland supplying chickens to Hong Kong, do a good job in inspection at the boundary and disseminate clear information among the public, we will have put in place effective precautions. Hong Kong will then be very safe and no one will need

to panic. As a member of the public, I think Hong Kong should put in place a mechanism for ensuring food safety, whereby all foodstuffs imported into Hong Kong are monitored at source and quarantined before import. About 99% of our foodstuffs are imported, so if similar incidents occur frequently, I do not think anyone will be interested in the business of foodstuffs import. The Government has decided to establish a food safety centre. I hope that this can enhance the monitoring at source of the safety of all foodstuffs imported into Hong Kong. That way, the industry will be able to operate without any worry and people can eat their food without any worry too.

With these remarks, I support the original motion. Thank you, Madam President.

**MR TAM YIU-CHUNG** (in Cantonese): Madam President, helping the poor has been the focus of the welfare policy of the SAR Government in these two years. However, in the policy address this year, apart from a scheme for visiting doctors to take care of the medical needs of the disabled residing in rehabilitation centres, there are no other new measures. The work of helping the poor cuts across different policy areas. Consequently, if there is inadequate co-ordination among various government departments and the Commission on Poverty thus has to do the job alone, its efficacy will be greatly reduced.

Apart from government measures, the success of the work of helping the poor also depends on the concerted efforts and participation of different sectors of the community. For this reason, the Government should actively co-operate with enterprises, voluntary agencies and non-governmental organizations, with a view to promoting the development of the third sector and urging enterprises to discharge their social responsibility fully. There is currently a general shortage of banking services in the housing estates of the New Territories. In some cases, there is even the absence of any automatic teller machines. The situation with telecommunications services is just the same. All these are the basic services required by the people in their daily life, but the operators concerned are also profit-oriented and they refuse to set up any business outlets in these places. Residents are greatly inconvenienced as a result. If the Government fails to impose licensing conditions that require these private organizations to provide adequate business outlet services, such market imbalance will continue. The Government must not watch the situation with folded arms. It should consider the possibility of active involvement and allow some public organizations such as

the Hongkong Post to operate such services at the local level. The Government avows that it encourages self-help and mutual assistance among the people. But it must refrain from providing mere lip-service. The Government is duty-bound to support the establishment of social networks and the provision of basic livelihood services. It is only in this way that it can enhance the ability of grass-roots people to overcome their personal and family difficulties.

With the ageing of our population, the demand for health care, residential care and nursing services for the elderly is becoming increasingly great. Long-term nursing care service and health care service for the elderly are interrelated. In regard to hospitalization service, 35% of all the hospital beds are taken up by elderly people aged 65 or above. From this figure, we can notice that with the shortage of community care and sustained care facilities, the problem of elderly people staying in hospital for restorative care will only worsen, thus exerting an even heavier pressure on the health care system. However, if we look at this figure from another perspective, we will see that if we can increase community care and sustained care services and build up a satisfactory community care network, a more effective utilization of resources within the health care system will be achieved.

But there has been no sustained increase in the government resources committed to the provision of residential and community care services over the past two years. Little wonder that I am frequently requested by elderly people to help them get a place in elderly homes as soon as possible. Since the policy address reiterates the importance of further implementing the concept of community elderly care, more resources should be allocated to expand the services required. "Portability" is a new direction being adopted for the provision of many public services, and the Government also intends to adopt it for the provision of elderly services. We can also notice that private elderly homes are trying to attract customers by placing prominent advertisements on their helping the elderly to apply for Comprehensive Social Security Assistance (CSSA). Elderly people may choose the elderly homes they want and use the CSSA they receive to pay the charges. This is already a form of "portability" in action. However, the existence of some low-quality elderly homes shows that "portability" alone may not necessarily be able to raise the overall standards of elderly homes. The key lies in the amount of CSSA. The operating cost of a residential place subsidized by the Government is 70% or even 80% higher than the subsidy received by private elderly homes from elderly CSSA. Because of

cost consideration, private elderly homes may find it hard to raise their quality of service. Therefore, if we are to improve the service quality of private elderly homes, we must provide the required financial resources in addition to stepping up supervision.

Early this year, the Government announced the policy of extending the period of absence for "fruit grant" and disability allowance recipients to 240 days. The policy came into effect earlier this month. I hope that the Government can relax this policy further, so that the elderly people in need can really be free to choose their places of living and enjoy a happy old age. Thank you, Madam President.

**DR RAYMOND HO:** Madam President, our Chief Executive has a dream, that is, Hong Kong is to be a society which cares and which is fair and just. Caring for the health of its citizens is the cornerstone of a good and caring society.

I will first speak on the area of health services. Our reputable and efficient system has gained positive recognition internationally for its high quality over the years. I have no doubt that we can continue to maintain this esteemed reputation. Having endured the difficult struggles of the SARS epidemic, Hong Kong's medical personnel dutifully and bravely performed their work to overcome the crisis. The Government has also done much to advance the control and surveillance of communicable diseases. Efforts have also started in developing Chinese medicine and clinical knowledge. Although the Government is trying hard to make health services self-sustainable and tackle the increasingly growing financial burden, the basic needs of the general public, especially the weak and the elderly, should not be ignored or neglected. It is reasonable and necessary for the Government to be involved in administering our health sector. With a progressively ageing population, we can foresee that health care requirements will be increasing. The Government's role in this area will be crucial and vital. Without a stable medical system and a healthy population, how can we even talk of attaining a caring society? There is room for improvement as the Administration studies future financing options in developing a modern and integrated multi-disciplinary health care system. In addition, more emphasis should be placed on health education and on promoting sports and exercise among the general public. That is the most basic and effective way to improve public health at an elementary level.

The word "harmony" was mentioned many times in the policy address. In order to achieve real long-term social harmony, we must tackle issues such as finding employment for workers with low academic qualifications and skills; resolving the declining real pay of certain jobs; reaching out to a polarized middle class; tackling the problem of the widening income gap and an ageing population; alleviating the hardships of new mainland arrivals in adapting to a new life here, and redefining traditional family values. In terms of sustainable development in social welfare, the Government should continue its partnership with relevant sectors through the Community Investment and Inclusion Fund and the Partnership Fund, which help the disadvantaged, support various projects, and actively promote relationships with the business community, the social welfare sector and community organizations. Reaching consensus on these issues will help build social confidence and promote social responsibility among social sectors. The fact is that if we want to talk about equality in a harmonious society, we cannot leave behind those who are in the disadvantaged group.

In particular, special care has to be given to the elderly, the disabled and children in poverty. More and more problems will likely arise from our ageing population, including greater demand for retirement housing, medical and elderly care services. In these areas, the Government should develop a community-based network so that the required services can be easily accessed. It is crucial to ensure that seniors can obtain care as and when they need it.

The disabled also experience access problems and face high transport costs. The Government can further improve the service provided by the Rehabus, as well as encourage public transport operators to give concessionary fares to the disabled. Hong Kong may have a free market system where companies have the freedom to conduct their business independently without political or government interference, but they also should not ignore the needs of the disabled when we talk of corporate social responsibility. Yet, instead of forcing transport operators to act, the best tactic to convince them to help the community and assist the disadvantaged is more effective persuasion. Hong Kong cannot afford to damage its positive reputation as a free business environment. In this respect, I believe the Government must keep up its policy integrity. On the other hand, the provision of enhanced support services and a barrier-free environment for the disabled should continue and should be expedited.

Other than the elderly and the disabled, children in poverty also require our help and special attention. It is important that equal opportunities are offered to kids from poor families or with special needs, such as those from the ethnic minorities, and so on. These helpless children need the support of the community. Education is a cornerstone for them to escape poverty and boost their self-esteem. Providing equal education opportunities and appropriate support is therefore crucial. The Government has long been trying to tackle the education problem of this vulnerable group. I suggest that instead of implementing short-term band-aid measures, there should be a clear and precise long-term policy. So, like a tree, these children can grow from a strong stem foundation from which they can branch out and grow. A special task committee should therefore be established to formulate a relevant policy to tackle this problem.

Furthermore, the standard of living of the working poor needs to be addressed. Due to structural problems in the economy, there are working people who still cannot earn enough to meet their basic living standard. With the gap in wealth widening in Hong Kong, it is imperative that we act in response to the working poor, but the question remains to be how best to assist these families to improve their livelihood? Much discussion has been made on the ideas of maximum working hours and minimum wages. However, these have deep economic implications and will require time to reach consensus. In the meantime, the Government can explore other alternative solutions, such as initiating appropriate subsidies, providing wider coverage of social security assistance, and promoting community-oriented assistance programmes to alleviate some current difficulties.

In general, I do support the principle of a more caring and just society, as stated in the policy address. It is the right direction to take and I hope the Government can achieve its goal with strong sense of urgency within these two years. There is certainly room for the Administration to further extend the Comprehensive Social Security Assistance Scheme to these disadvantaged citizens. For a truly harmonious society, we need to take into account the concerns of every sector and should not ignore the importance of providing equal opportunities. It is my hope that the Government can create concrete policies towards building a caring and just society, and these aspirations will not just remain nice sounding slogans.

With these remarks, Madam President, I so submit. Thank you.

**MR JAMES TIEN** (in Cantonese): Madam President, I know I have only some 50 seconds of speaking time left, but as the issue of poverty alleviation is mentioned in this session, so I would like to speak again.

Mrs Sophie LAU has talked on behalf of the Liberal Party about our position on the topic of poverty alleviation. Of course, in terms of social justice, we think that as a political party of the business sector, the most important thing to foster growth in business so that more people can be hired. If employers have difficulties in hiring employees, that would mean that the employees will certainly have a good chance to look for another employer and greener pasture. This would not be a problem if the economic situation is good. But I understand that some poor people do exist in society and they need help from society.

Madam President, in order to respond to this demand, the Liberal Party has set up a poverty alleviation fund. So far we have received some 500 applications, of which some 100 have been approved. Most of these applications came from poor students lodging an application to get the money to buy books. The Liberal Party will continue with our efforts on this. Thank you, Madam President.

**PRESIDENT** (in Cantonese): Does any other Member wish to speak?

**MR LEUNG KWOK-HUNG** (in Cantonese): Madam President, at the time when I was elected a Legislative Council Member, some journalists asked me what I wanted to do in this capacity. I replied that I wanted to prevent the Government from losing its conscience — I was in fact referring to the reduction of Comprehensive Social Security Assistance (CSSA) rates. I told them that since many CSSA recipients were elderly people, the Government's reduction of CSSA rates was tantamount to making life difficult for the elderly. Discussions were held in the legislature on this issue, but the Government simply gave a formal rejection of all requests and went ahead with the reduction. During the discussions in the legislature, it was revealed that some school children did not even have any money for buying spectacles. The government official concerned replied that it was a very complex issue, but that they would not change the policy. It was said that nothing could be done because they must aim at an appropriate allocation of resources.

I think that poverty alleviation was just an idea flaunted by Mr TUNG to answer and ward off the criticisms levelled at him by this Council. This is also true with the idea of fighting against collusion between business and the Government. This idea is not mentioned anymore after the resignation of Mr TUNG. Last year, in the second paragraph of his policy address, Mr TUNG already mentioned collusion between the business and the Government. But in his reference to this, he used a specific tense, the present future tense. In other words, he was talking about the future, not the present or the past. Mr TSANG has inherited Mr TUNG's practice, talking only about the future. Mr TSANG has never, never ever, mentioned poverty alleviation. He even thinks that there is no need for any law to deal with unfair competition.

I feel really very sad because while the Government keeps talking about fostering social harmony, it has failed completely to formulate any policies on this. Every day, we live a life of deficiency, fear and baseborn poverty, or (in the Financial Secretary's words) just simple lowliness — a very "witty" euphemism indeed. As explained by Sigmund FREUD, whenever one is tensed up, one will release one's tension subconsciously. Honestly, therefore, the word "lowliness" immediately reminds me that I was also born of lowly parentage, right? He thinks that others are lowly, so he looks at them from the angle of a benevolent alms-giver. He thinks that they are very miserable and there are many miserable people, so he wants to come to their rescue. He does not look upon others from the perspective of social equality. We frequently say that we must respect the Basic Law. As a matter of fact, Article 39 of the Basic Law not only guarantees that we shall enjoy such rights as referendum and universal suffrage under the International Covenant on Civil and Political Rights but also protects our rights under the international covenant on economic, social and cultural rights, including the right to appropriate social security.

Honourable Members, Hong Kong is very affluent. Its *per capita* income is among the highest globally. It also holds the sixth largest fiscal reserves in the world. But then the Government keeps saying that it does not have enough money to let the poor live with dignity, that they can save themselves only by becoming self-reliant. Honourable Members, these people are already starving. As the saying goes, dignity is for one who is well-fed and well-clad. How can they save themselves when they are neither well-fed nor well-clad, when they are not free from deficiency? However, they are simply requested to save themselves under the Government's policy on poverty and the Government is not going to offer any assistance.

Honourable Members, before the reunification, there was a spate of discussions on we should opt "food or votes". I have heard Mr Jasper TSANG say that we must not fight for democracy. Should he not be ashamed of himself in saying something like that? Should the DAB also not be ashamed of itself? They claim that they have been fighting for the rights and interests of the grassroots for more than a decade, but they were unable to do anything even when the CSSA rates for their staunch supporters, people like my mother, were reduced. Should they not be ashamed of themselves? Even if the grassroots all prefer food to votes, can the DAB meet their demand? "民主" (democracy) with a missing dot will lead to the emergence of "民王" (king of the people). When there is no democracy, there is no food. The reason is very simple — in all of the discussions in this legislature on environmental protection, labour affairs, constitutional development and all others, the people's views are all the time distorted. "No vote, no money"; "no money, no vote". This is the only conclusion.

Consequently, when there is no democracy, poverty will not vanish. This is the British experience, the American experience, the French experience and even the experience of our Motherland. Regrettably, in our Motherland, the fruit of the revolution has been snatched by some people. These people have eaten the fruit and defecated on the core left behind, so to speak. Honourable Members must never believe what the Government says. The Government says that if people give up their votes, they will have food. This is downright fraud, a joke and also a post-dated cheque — a joke cracked by politicians and a post-dated cheque issued by the Government. Once again, may I ask the DAB and its political allies whether they find themselves absurd, whether they are ashamed of themselves? At the time of the reunification, the people gave up their votes in the hope of receiving food. But now, just how many people are denied both? Thank you, Madam President.

**PRESIDENT** (in Cantonese): Does any other Member wish to speak?

**MR ALBERT CHENG** (in Cantonese): Madam President, the 66th and 67th paragraphs on page 17 of the policy address have to do with health care, but it seems what is mentioned in them lacks any novelty.

The 66th paragraph says, "We attach great importance to public health. We will promote health education and work with the sports sector in this regard." After talking about working with the sports sector to promote health education, the topic is switched to public health. Indeed, if we have time and walk past a fitness centre, we will see some well-fed people jogging inside. If this line is addressed to them, I think it may still be relevant, however, if it is intended to address the poor people whom Dr Fernando CHEUNG has mentioned, then it seems inappropriate. Those poor people scavenge for drink cans every day and dash across the road to collect paper cartons, so they already have an adequate amount of exercise and discussions with the sports sector will not be necessary. In fact, the Government should consider how members of the public can be advised to scavenge less often for paper cartons and drink cans, to refrain from dashing across the road in order to scavenge for items and to move around dragging loads of scrap metal along. Quite the reverse, the Government should discuss with the sports sector how poor people can be made to do this sort of exercise less often. In this way, elderly people who are poor and frail may become healthier.

The 67th paragraph says, "We must develop a sustainable health care system. The Health and Medical Development Advisory Committee has embarked on a study and analysis of various health care financing options.". Concerning the financing options, it seems some colleagues have also touched on this matter today. What is meant by financing is to put into practice the "user pays" principle and that means taxpayers and people who cannot afford to pay tax will foot the bill. The policy address then says, "It will put forward its initial proposals for public discussion early next year.".

In early July this year, the Health and Medical Development Advisory Committee headed by Secretary Dr York CHOW floated a discussion paper entitled "Building a Healthy Tomorrow", which explores the future service delivery model for our health care system. This discussion paper recommends an overhaul of Hong Kong's existing health care system and the focus is on downsizing the public health care sector and repositioning it to provide acute and emergency care to the public to cater mainly for low-income and underprivileged groups so as to create room in the market for the private sector to play a pivotal role in providing primary and specialized medical services to the general public. In order to induce a feeling of shock, Secretary Dr York CHOW likened the present health care system to an early stage of cancer. He said that if no appropriate treatment is given, its condition will deteriorate with each passing

day. Since Secretary Dr York CHOW is a doctor and he is in charge of the health care system in Hong Kong, when he said that we are suffering from an early stage of cancer, that is really scary.

However, with an ageing population in Hong Kong and the increasing costs incurred by health care technology, we all know that the expenditure on public health care services will keep increasing and reach an astronomical figure that cannot be borne by the Government alone. However, having potentially cancerous cells in the human body does not mean that people will fall ill immediately. I am not a doctor, however, I have heard that everyone has cancerous cells in his body. If one is unhappy, subjected to stress or is hard pressed by the demands in life, one will fall victim to cancer very easily. Therefore, we do not have to feel scared merely because there are cancerous cells. As long as the public can lead a happier life and do not have to worry often about having no medicine to take or no doctor to see, then these cancerous cells will probably not develop into a disease.

It is only a matter of time that in funding the public health care sector in Hong Kong, we will not be able to make ends meet. However, it does not mean that it is necessary to introduce drastic reforms now, such that we see the downside before we can benefit from the upside. In fact, the expenditure on public health care in Hong Kong accounts for less than 5% of the Gross Domestic Product (GDP). To other developed and affluent societies, a health care expenditure of less than 5% is simply inconceivable. In fact, this consultation paper issued by the Health and Medical Development Advisory Committee, which consists mainly of private-sector doctors, is not laden with any particularly novel ideas.

In the past, the Government commissioned some professors from the Harvard University to conduct a study and a report was submitted. The problems were explained in detail long ago and a specific recommendation was made to put in place a Medisave scheme in Hong Kong as soon as possible, so as to make hay while the sun shines and make preparations to provide universal health care protection in Hong Kong. In contrast, the discussion paper submitted by Secretary Dr York CHOW only spells out the proposals on reforming the service delivery model but has deliberately evaded the issue of health care financing. This is not just a shortcoming but also obviously a deliberate arrangement born of political calculations. Sure enough, at the end

of July, Secretary Dr York CHOW made it known through the Hospital Authority (HA) that the deficit of the HA would reach \$670 million this year and the reserve would be exhausted, therefore, other sources of funding had to be identified. He then exploited this situation by saying that the Government will put forward a new proposal on health care financing at the end of this year. Now that we have read the policy address, we know that this proposal cannot be submitted at the end of this year and will be submitted at the beginning of next.

The design of the Government on health care financing is evident to all. In short, the Government is sacrificing public interests to cater for the interests of private-sector doctors and medical institutions by depriving public health care institutions and the public at large of their rights. Concerning the health care reform proposals made by Secretary Dr York CHOW, my position is very simple, that is, if the current problems facing the public health care sector cannot be solved, we should not try to sate our hunger with something so insubstantial as to indulge in futile discussions on reforms to the future service delivery model. Nor should the Government exploit the problem of a budget deficit and use it as an excuse to increase the fees and charges of public health care services arbitrarily.

In fact, so far, the expenditure on public health care services in Hong Kong accounts for only about 2.5% of the GDP and is a far cry from the 16% in the United States, so the situation has not yet reached a point warranting public concern or the fuss made by public opinions. The Government, which is incompetent in its governance and lacks method in managing public finance, has hijacked the budget deficit as an excuse to drastically reduce public health care expenditure and forced the HA to comply through a Procrustean approach, thus seriously compromising the standard of public health care services. Ultimately, it is the general public who will suffer. In order to cut expenditure, the HA has implemented a policy of same work but different pay, thus dealing a serious blow to the morale of front-line health care workers. In addition, the HA has also scaled down the professional training for practising doctors, thus contributing directly to the recent mass exodus of senior consultants.

At present, the proposals on reforming the health care delivery model are obviously intended to throw the gates wide open for private-sector doctors and health care institutions and will only intensify the rebellious sentiments among health care workers in the public sector, who are already feeling oppressed, and

speed up the pace of their exodus. This will surely have an infinite and profound impact on grooming a new generation of talents in health care. We have to understand that the greatest strength of the public health care sector in Hong Kong lies in its emphasis on both research and clinical treatment and their mutually complementary relationship. As a result, generations of talents have been groomed and our standard of health care ranks the top in the world. Now, in order to cut back on resources, the HA has declined to renew contracts with many government doctors who have undergone inadequate professional training and these doctors have to go into private practice. The level of their medical skill is already dubious. Should the reform newly conceived by Secretary Dr York CHOW be put into practice in future, this situation will only deteriorate and the outcome should be readily conceivable even without further elaboration.

Secretary Dr York CHOW also said that the Government would impose a cap on health care expenditure and it would be maintained at 14.4% of the recurrent public expenditure. Based on the expenditure on public health care in 2004-05, the amount is about \$30.2 billion. However, Hong Kong is an economically advanced region and its GDP is increasing every year. I believe that even if the present expenditure on public health care is doubled, it will still account for less than 5% of the GDP, so this will not pose any problem at all.

Secretary Dr York CHOW, in making exaggerated claims and stressing the severity of the problem, has shown that he is indeed very good at political manoeuvres. Who would actually benefit from the reform proposals being floated by Secretary Dr York CHOW? Does he have the long-term interests of the public in his mind? The general public will be able to see very clearly. They will not be easily deceived and be led by the nose by the Government.

Frankly speaking, if we want to solve the present problem of scarce resources in the provision of public health care in Hong Kong, there are many ways to increase resources and it is unnecessary to cut the expenditure indiscriminately. For example, the Government can hand over all existing health care schemes catering for civil servants and their family members to the private sector, so that the pressure on the public health care system can be eased. In addition, the Government should also recover all costs from people seeking treatment at public hospitals who have taken out medical insurance, so as to increase the revenue of public hospitals. In fact, apart from medical insurance, the insurance payments for work injuries and serious injuries or deaths can also

be a major source of income for the public health care sector. Anyone who has taken out insurance or is covered by compensation for injuries at work and serious injuries or deaths does not have to worry about them not getting the money to treat their injuries or illnesses because insurance companies really have the responsibility to pay all expenses. Moreover, since the amount of money involved is huge, it will be sufficient to solve the financial problem of the public health care system. The Government can also seek compensations from tobacco companies because each year, diseases caused by smoking have consumed a huge amount of public funds running into billions of dollars. There is no reason to foot this bill with public funds. Of course, it is also necessary to abolish the present arrangement under which the HA has to surrender its surplus to the Government.

In sum, the Government must exhaust all practicable means to increase revenue before it can talk about health care reform and saddle the financial responsibility on the general public. Only by doing the tasks before us well and exerting our utmost to improve the existing public health care services will we be able to maintain the first-class standard of health care in Hong Kong, establish the basis for further deliberations and study the long-term reform of the health care delivery model in Hong Kong. The Government, instead of taking this course of action, has aimed at distant goals rather than address immediate concerns, thus drawing attention to its shortcomings.

Concerning tobacco companies, the Legislative Council is now scrutinizing an anti-smoking bill. Members in the sector have money and power and have exercised a great deal of influence to lobbying against the legislation or to delay its enactment as far as possible. Smoking is hazardous to health and I think there is no doubt about this, so Members do not have to argue about this. The Government has been working on this issue for 10 years, however, it has been dragging its feet over this matter year after year. Each year, the health care expenses on treating patients who were smokers or passive smokers stood at billions of dollars and many lives have been scarred or lost. Although I do not agree with the health care financing schemes and health care reform proposals put forward by the Secretary, I am very pleased that once Secretary Dr York CHOW had assumed office, he took drastic actions by tabling the relevant bill to the Legislative Council and the first motion that was passed in the Legislative Council last year was that on a total ban on smoking. Moreover, the amendment to motion proposed by me at that time was also passed. Here, I

wish to thank the Government and Secretary Dr York CHOW for tabling the bill to the Legislative Council for scrutiny.

It does not matter whether we do a good job in health care financing or not as it is never too late to make amends. However, concerning anti-smoking measures, I believe that we should implement them immediately. I believe most of the Members who care about the health of the public and any government that cares about public health will do their utmost to bring about a total ban on smoking. As regards the requests of some members in some industries for exemptions and a so-called cooling-off period, they are totally unnecessary. This is because if a ban on smoking will impact on business, there is no difference if it is implemented a year earlier or a year later. According to the principle on health care financing spelt out by Dr York CHOW, it is of course better to have an operation earlier than later because the business environment can be improved sooner. I think that if a smoking ban is implemented earlier, it will actually help various sectors. Therefore, I very much hope to see the relevant bill passed this year and do not wish to see members in various trades cause delays to the passage of the bill because the repercussions will indeed be profound.

Concerning the Motion of Thanks, some Honourable colleagues have moved some amendments. However, having read the policy address published by the Chief Executive, Mr Donald TSANG, I found that he has indeed changed the fallacious, grandiose and hollow gestures of the SAR Government in the past. Although there are still some shortcomings, for example, the Government has dragged its feet on the pace of democratization, and I find this regrettable, the majority of the public support this policy address. Members in the pro-democracy camp, for example, Mr Frederick FUNG, have said that all Members of the pro-democracy camp oppose this Motion of Thanks. As a member of the pro-democracy camp, I have no choice but to follow others and back the opposition to the Motion of Thanks. However, I really have to say that this policy address is in fact very down-to-earth and is worthy of our thanks. However, as a Member in the opposition, I also cast my vote against the Budget presented by the Financial Secretary last year. Therefore, I will oppose all amendments. Although the amendment proposed by Dr Fernando CHEUNG is worthy of our support, as a Member in the opposition, since I have to oppose the Motion of Thanks, I may as well oppose all of them. I will vote against the amendments and follow Members of the pro-democracy camp in opposing the original motion. I so submit. Thank you, Madam President.

**MISS CHAN YUEN-HAN** (in Cantonese): Madam President, I have very little speaking time left, just about four minutes. I shall mostly talk about my concerns, health care and social welfare.

First, health care. From the news reports over the past few days, we know that the alarm has been sounded for a global outbreak of avian flu. In the evening the day before yesterday, I watched a television news footage about the press conference held by the Health, Welfare and Food Bureau on how to deal with avian flu. But all I could see on television was how we should wash our hands. Madam President, this reminds me of what happened before the SARS outbreak. I was greatly upset by what I saw on television and I hastened to write an article on this in my newspaper column. I find that in contrast, the Macao Government has taken a number of preventive actions marked by a high awareness of the imminent crisis. The Hong Kong Government claims that it has also taken actions, but what we can see on the screen are just the same old stuff — how people should wash their hands and the need for observing personal hygiene, for example. To prevent the spread of avian flu, we need to take actions like this, but in face of the imminent onslaught of the disease, it will not be enough for the Government to cling to such an attitude alone.

Let me cite an example here. After the problem had first emerged in Hunan and the news had been confirmed, the Government did receive some relevant information. But it did not say anything until the press had uncovered it. This was rather like what happened when people started to boil vinegar for disinfection before the last outbreak of SARS. I believe that the Secretary must have drawn lessons from the SARS outbreak. At that time, due to the negligence of certain government departments, the initial stage of Hong Kong's preventive efforts was plagued with various problems. I was a member of the Select Committee concerned, so I know the whole story. I hope that the Government can draw lessons from that experience. We do not wish to see any repetition of history, which is why we urge the Government to take quicker actions, so as to assure us, before a possible global outbreak of avian flu, that it is fully aware of the crisis ahead. It must not be so slow and passive, only telling people to wash their hands.

I also wish to say a few words on health care financing, a topic also discussed by several Members. I do not think that the consultation document recently released is satisfactory enough. We do accept many of its proposals. For example, we agree to the proposal on family doctors. It is a very important

matter for family doctors to ask patients to turn right because the latter must patronize private hospitals. If family doctors tell patients to turn left, they will be very miserable because in telling them to turn left, we must know whether they come from the grassroots or the impoverished groups. They know nothing, absolutely nothing because the whole financing plan makes no mention of this. Therefore, Secretary Dr York CHOW, we cannot accept this consultation document.

Since I want to talk about lots of things, I shall be very brief. What I want to say is that in the whole process, the Government has been trying to get things done by stealth. In the case of elderly people wishing to seek out-patient consultation, they have to line up for a chip the night before if they want to seek consultation the following day. The hospitals always tell us that there are still chips left. We may look at Our Lady of Maryknoll Hospital as an example. According to the Hospital, more than 90% of the chips are usually distributed. This means that there will not be any more chips for those elderly people who do not go to the Hospital early enough. As a result, everybody will go to the Hospital and line for a chip as early as possible. If they cannot get a chip when they show up at 6 am, they will start lining up at 4 am. If they still fail to get one, they will come at 2 am. If they still fail to get a chip even by doing so, they will start waiting the night before the day of consultation. This actually shows a shortage of resources. Many elderly people are complaining that they have to start lining up for a chip at increasingly early times. The situation with elderly health centres is exactly the same and the waiting time is also very long. The Government simply draws people's attention to the situation, saying that due to the shortage of resources, the waiting time must be very long. However, it will be unwise of the Government to use this as an excuse for forcing the public to accept anything. Therefore, I hope that the Government can put forward a health care financing plan as soon as possible.

So much for health care. Let me say a few words on social welfare very quickly. There is only one minute left. How can I express my views? There are many elderly people in Hong Kong. Of all the 6.9 million people in Hong Kong, 840 000 are aged 65 or above. Twenty years later, there will be 2 million elderly people, representing one quarter of our total population. Half of the current health care expenditure of the Government is spent on the elderly, and the provision of elderly services is also a great problem. How are we going to solve the problem? Why is it impossible for the Government to make early preparations and introduce a universal retirement scheme, so that retired old

people and even housewives can enjoy financial security in their old age? Madam President, since 1995 when I first joined the then Legislative Council, I have been raising this problem. I have raised this issue with several governments, but no attempt has been made to tackle the problem of population ageing. And, elderly services are still plagued with problems. I hope that the Government can address this problem squarely. Madam President, do I still have any more speaking time? If yes, I will go on. We know that resources are tight, but I still hope that the Financial Secretary can discuss all these welfare or health care issues with the public as early as possible.

**PRESIDENT** (in Cantonese): Miss CHAN, time is up.

**MISS CHAN YUEN-HAN** (in Cantonese): Thank you, Madam President.

**PRESIDENT** (in Cantonese): Does any other Member wish to speak?

**MR PATRICK LAU** (in Cantonese): Madam President, having listened to Miss CHAN Yuen-han's speech on the needs of the elderly and the disabled, I must say that now that the economy of Hong Kong has started to improve, the Government may consider the possibility of restoring the allowances concerned to their pre-reduction levels. I think poverty is a problem found among low-income earners and others experiencing various difficulties in their life, people such as the elderly and the disabled. They are not capable of work, so how can we help them? I very much hope that the Financial Secretary can give some thoughts to this problem.

Besides, I am of the view that in order to solve the problem of poverty, it will be most important for the Government to create jobs for all people in Hong Kong. There are large numbers of unemployed workers in the construction sector; if the Government fails to provide jobs to them, they will lose their impetus. I hope that the Government can offer more job opportunities to them when launching new projects.

To poor people, as long as there are opportunities of receiving good education in Hong Kong, poverty is not so much a problem. Many of the

students I taught in university used to live in public housing estates, but once they managed to find a job after graduation, they could extricate themselves from poverty. Therefore, I very much hope that poor parents can secure employment. That way, their children will be able to receive good education and break away from poverty. Thank you, Madam President.

**PRESIDENT** (in Cantonese): Does any other Member wish to speak?

(No Member indicated a wish to speak)

**PRESIDENT** (in Cantonese): If not, Council will now be suspended for 10 minutes. Public officers will speak when Council resumes.

4.16 pm

Meeting suspended.

4.26 pm

Council then resumed.

**PRESIDENT** (in Cantonese): Council now resumes to continue with the fifth debate session. Two public officers will speak in this session. They have up to 45 minutes in total for their speeches, but the first officer to speak may not speak for more than 30 minutes.

**FINANCIAL SECRETARY** (in Cantonese): Madam President, in his policy address delivered on 12 October, the Chief Executive proposed to build a caring and just society, providing assistance to the poor and helping them to become self-reliant. In this connection, I wish to take this opportunity to reiterate the policy thinking of the Government of the Hong Kong Special Administrative Region (SAR), and briefly explain the work of the Commission on Poverty as well as the key initiatives in this policy address.

The SAR Government has all along endeavoured to alleviate poverty. Apart from ensuring that people incapable of self-care have their basic living needs met, we also hope that everyone can have equal opportunities to develop their own potentials and improve the standard of living of themselves and their family through their own efforts, irrespective of their congenital conditions and family background. The basic directions of our work are:

- (1) To take forward the overall economic development and enhance employment opportunities;
- (2) To upgrade ability through education and training;
- (3) To provide suitable employment assistance; and
- (4) To establish a social safety net to help people in difficulties.

In my speech yesterday, I already explained the Government's economic policies and so, I will not repeat them here. Secretary Dr York CHOW will also speak on various issues related to this session later. I will now focus on measures taken by the Government to enhance employment opportunities and promote self-reliance as well as the work of the Commission on Poverty over the past months.

The Government has all along considered that the most effective way to improve the employment situation is to facilitate economic development and encourage enterprises to create job opportunities and by doing so, the objectives of helping the poor and promoting self-reliance can also be achieved. We certainly understand very clearly that promoting employment cannot simply rely on measures to encourage overall economic development. Efforts must also be made to provide services to support employment and upgrade the ability of the labour force in Hong Kong through education, training and suitable employment assistance. In particular, assistance has to be provided to people affected by economic restructuring and the relocation of jobs outside Hong Kong, so that they can seize the new opportunities brought by economic development and stand on their own feet.

Apart from general employment assistance, the Government has, in collaboration with various non-governmental organizations, provided more focused services, such as the Youth Work Experience and Training Scheme and

the Youth Pre-employment Training Programme targeting unengaged young people, the Employees Retraining Scheme targeting workers who become unemployed as a result of economic restructuring, and also the Employment Programme for the Middle-aged targeting job seekers over 40 years of age.

A substantial part of the Government's public expenditure is spent on providing employment support services and helping unemployed workers to rejoin the workforce. In 2004, the expenditure in this area was about \$4.7 billion. In facilitating employment, the Government's prime objective is to effectively achieve integration among initiatives in different policy areas and cater for the needs of people desperately in need of assistance by, among other things, early intervention, in order to provide more comprehensive support services to the unemployed.

The Commission on Poverty was established early this year with the objective of co-ordinating various policies relating to poverty alleviation, with a view to ensuring that the policies will complement each other and hence attain the expected policy objectives. Enhancing employment support services is precisely a key area of work of the Commission. The Commission firmly believes that employment is the only means to continuously help people with ability to become self-reliant. In this connection, what Mr Patrick LAU has said is very correct. The Commission is in the course of reviewing the effectiveness of various policies and measures helping the unemployed, and how well these policies and measures can complement each other, including various employment services and training measures. The Commission has also agreed to enhance the strength of these initiatives, with a view to strengthening motivation for youngsters who have joined various employment schemes but have not yet landed a job.

The policy address has proposed a number of measures in response to the call for enhancing employment opportunities. The Commission on Poverty is currently promoting co-operation with all parties to further develop social enterprises. The development of social enterprises will in effect achieve the same result as that of "workfare" mentioned by Mr Albert HO earlier. Social enterprises can provide a realistic work environment to help enhance the employability of unemployed workers and help them become self-reliant. Both overseas and local experience shows that social enterprises are a correct direction for helping the disadvantaged groups in employment and encouraging social

welfare agencies to give play to creativity. Social enterprises are just making a start in Hong Kong, and there should be ample room for development in the future.

To respond to the work of the Commission on Poverty and to address the needs of the community, the Labour Department will set up job centres in Yuen Long and North District to provide enhanced employment services and support in the more remote parts of the territory, with a view to assisting unemployed workers to seek employment. Mrs Sophie LEUNG suggested earlier that the Government should make use of these new job centres to be set up by the Labour Department in Yuen Long and North District to enhance the effectiveness of employment assistance. This is also what the Government intends to do, and the relevant Policy Bureaux and departments have already started discussions in this connection.

To better equip our young people to join the labour market and to raise the overall effectiveness of the Youth Pre-employment Training Programme, a greater variety of skill courses will be provided for the trainees; and the workplace attachment training allowance under the programme will also be increased from \$1,000 to \$2,000.

The Government will also relax the eligibility criteria of the Incentive Allowance Scheme for Local Domestic Helpers to promote the development of the local domestic helper market. Moreover, we will increase infrastructure investment to provide more local job opportunities. In the two years between now and end 2006, a number of community development projects will be implemented at a cost of about \$190 million. It is estimated that over 6 300 jobs will be created for the construction industry. This will ameliorate the problems of unemployment and underemployment of construction workers and help them become self-reliant.

Apart from the initiatives to promote employment, the Commission on Poverty has also made an effort to carry out other areas of work over the past few months. I will briefly explain two major areas of work. First, we have established a district-based direction for poverty alleviation. It is very important to map out a district-based poverty alleviation strategy. This is in line with our overall policy direction and will strengthen the role of District Officers in co-ordinating district work. In fact, the district-based strategy is an objective set by us after making reference to the views of members of the

community, including the views expressed by Mr Frederick FUNG earlier and by individuals or organizations with active involvement in district services. After the many visits to districts conducted by the Commission on Poverty, dedicated organizations have been set up in various districts to implement anti-poverty programmes which address the special needs of the districts. They include district networking and opening up school premises and other facilities for use by members of the community in districts where community facilities are comparatively lacking, thereby further putting district resources to good use. Policy Bureaux and departments also work in a district-based direction, stepping up efforts to tackle poverty at the district level. The Commission on Poverty will discuss in the next meeting ways to enhance support for districts, with a view to further taking forward anti-poverty initiatives.

Second, providing more support to children and families. Promoting harmony in families and providing support to our next generation are conducive to building a harmonious society. Our philosophy is to mobilize the strengths of the community through implementing various social policies and measures, with a view to providing our children and youth with an opportunity for healthy and balanced development. As Ms Emily LAU said earlier, the Government is very concerned about the problem of inter-generational poverty and in this connection, a professional group has been set up. The Government will provide extra support to children and youth of poor families or with special needs, in order to ensure that they have a proper opportunity to develop and to help the next generation to bring their potentials into play and strive for continuous improvement. In 2004-05, the Government spent about \$60 billion on children and youth services/programmes, and a quarter of this expenditure (or about \$15 billion) was used for providing services to children and youth from disadvantaged groups. This shows the importance that the Government has attached to nurturing the development of the next generation.

In the last policy address, the SAR Government already proposed many relevant measures, including the pilot Comprehensive Child Development Service for early identification of the varied needs of children and their families and hence intervention as appropriate. As Mr Albert HO said earlier, the Government does understand that the development needs of children must be taken care of, and schools are precisely an important platform for providing the relevant services. So, in respect of education, we will continue with small-class teaching and the School-based After-school Learning and Support Programme to further take care of the development needs of students of poor families.

As undertaken by the Chief Executive in the policy address, the Government will continue to channel resources into the training of talents. In the policy address, there are also a myriad of measures to enhance the support for children and families. They include the following:

- (1) providing suitable learning support and job training to children and youth of ethnic minorities to facilitate their early integration with society;
- (2) in respect of job training, the Government will provide an additional 360 training places in 2006-07 for youth living in Yuen Long and Tin Shui Wai through the Vocational Training Council; and
- (3) in respect of family support, we have increased the number of fee-waiving places under the After School Care Programme, so that more low-income family members can work without worries about their children. Moreover, we will allocate new resources to strengthen and extend family education, and we will proactively reach out to families that have not sought help to address their problems and provide them with suitable support at an early stage. In future, the Government will allocate resources according to the different situations in each district. We will strengthen district welfare planning and co-ordination to optimize our care for families.

Harmonious family life, quality of parents and role models for learning are important factors to the growth of our next generation and also to inculcating positive values of life in them. The Task Force on Children and Youth under the Commission on Poverty will continue to provide support to the relevant initiatives of various Policy Bureaux and study feasible policies and measures to ensure effective deployment of resources and provide assistance to children and youth in need of extra support.

To help the disadvantaged groups to get rid of poverty, it is inadequate to solely rely on government support in terms of policies. It is necessary to promote community involvement and encourage mutual assistance and support among members of the public, so that we can work in concert to promote social harmony. During the past few months, the Commission has made an effort to

promote community involvement by, among other things, introducing the Mentorship Fun Project. I am glad to report here that while the Project has been implemented for only one month, 660 students have already indicated their willingness to become voluntary mentors, and the number is increasing. Through the Community Investment and Inclusion Fund and the Partnership Fund for the Disadvantaged, the Government will actively promote partnership with the business community, the social welfare sector and community organizations to build social capital. The policy address has also proposed a series of measures to enhance family values and family support, with a view to supporting and strengthening families, nurturing the spirit of mutual assistance and care in the community and hence building a caring society underpinned by mutual trust, support and assistance.

Government efforts to serve the grassroots and to alleviate poverty do not just start from the Commission on Poverty and end at this year's policy address. The SAR Government will work in one mind for a common goal, consistently making every effort to boost the economy as a whole and enhance employment opportunities, and to provide support to people in need and provide opportunities for self-enhancement and self-improvement to enable them to get rid of poverty. The establishment of the Commission on Poverty is indicative of the Government's determination to better co-ordinate various policies on the existing basis, with a view to making our anti-poverty initiatives more comprehensive and effective. Similarly, the initiatives proposed in the policy address are complementary to other public policies and will move forward on the basis of the existing measures.

Dr Fernando CHEUNG who represents the social welfare sector has proposed an amendment to the Motion of Thanks, criticizing that the policy address is inadequate in its effort to help the poor and fails to respond to the aspirations of the public. However, if Members can just look into it carefully, they will find that many policy thinkings and proposals in the policy address are closely related to poverty alleviation. These include the many policy initiatives which directly and indirectly help the disadvantaged groups to become self-reliant, improve their lot and strive for continuous improvement. Therefore, on behalf of the SAR Government, I urge Members to support this year's policy address and oppose the amendment proposed by Dr Fernando CHEUNG to the Motion of Thanks.

Madam President, I so submit.

**SECRETARY FOR HEALTH, WELFARE AND FOOD** (in Cantonese): To start with, Madam President, I would like to thank the 25 Members for spending a total of four and a half hours speaking on the subject of this debate session. Compared with last year, when 21 Members chose to speak, this is a positive sign. However, three Members who had spoken last year did not speak on this occasion. They are Mr Ronny TONG, Dr YEUNG Sum and Mr LEE Cheuk-yan, all of whom are not present at the moment. I hope it is not the case that these three Members are indifferent to this issue.

From the statistics gathered earlier with respect to the question, we can see that 14 Members talked about welfare and helping the poor and the elderly, and eight talked about avian flu, nine expressed immense interest in health care financing and reforms, five expressed views on food safety, three talked about the smoking ban, and two about women issues. Mr WONG Yung-kan spent a total of 24 minutes on just one issue. I suppose I have to give some response because he belongs to a vulnerable group. (*Laughter*) I can assure Members that the Government attaches the same importance to the agricultural and fisheries sectors. The same applies to public hygiene and the people's need for food safety. In the future, our policy will seek to balance these two aspects and assist the development of the sectors.

I hope to spend the rest of the time highlighting issues of concern to Members. Despite the Financial Secretary's mention of the elderly service and helping the poor earlier, I still wish to stress that we attach the greatest importance to family services and the nurturing of social values in families, as well as family harmony and assisting the growth of the next generation. In addition to the relevant policies mentioned by us this year, work was carried out in this respect during the past several years too. While our services continue to grow, the units providing such services will also be increased in key areas. Moreover, we will try our best to take education initiatives before problems occur. Moreover, Ms Margaret NG mentioned the issue of domestic violence earlier with which we are dealing. Of course, we must exercise extreme care, particularly in revising or amending our laws, to examine if other problems may arise.

On the elderly service, I must reiterate that great importance is attached to the elderly policy enforced in the community to facilitate union of the elderly with their families. Therefore, all our services aim to enable the elderly to stay close to their family members. In this connection, the wide range of home visit services mentioned earlier must be enhanced. Yet, consideration has to be

given to the supervision of homes for the aged, the upgrading of standards, and the future deployment of resources. Of course, longer-term issues will be explored by the Elderly Commission. Yet, extra efforts will still be made in enhancing work in various aspects, such as elderly protection.

As a motion debate will be held next week on food safety, I hope to discuss this issue again in detail with Members later during the debate.

Now I would like to reiterate our stance on health care financing. We plan to complete the report on health care financing in early next year. Since the publication of the consultation document in July, we have received support from various sectors and many suggestions. Just now, Members also talked about ways to assist health care financing from different angles, though Members seem to have a consensus of hoping for a speedier implementation of health care financing. For this reason, we will complete this task as quickly as possible. Yet, it must be noted that in the aspect of financing, the needs of the entire community and sustainable development must be balanced, which is not an easy task. We will therefore give thorough consideration to this task, and will disseminate the information to Members at different intervals.

In his earlier speech, Mr Albert CHENG seemed to suggest that I was having a grave problem and that my proposal seemed to have completely distorted certain principles. Fortunately, I felt a bit relieved after hearing his explanation for his own voting theory. (*Laughter*)

I wish to spend the rest of the time on specially clarifying an issue of concern to all sectors and Members, the avian flu. I am just back from Canada after a joint discussion with representatives from 30 countries on the assessment of the avian flu risk to the entire world. Some Members said earlier that we had to learn from SARS. I still recall the establishment of a select committee on SARS. I had personally appeared before this Council to take the oath, though I was not given any audience. Moreover, I presented to the then Legislative Council a huge pile of documents, though nobody seemed to have read or mentioned them. I would recommend Members, if they have time, to read the documents in which the principle of controlling an outbreak of contagious disease is mentioned. In particular, in view of the availability of abundant scientific and ecological information to us nowadays, an analysis must be concluded before a conclusion is made. While the World Health Organization (WHO) has access to quite a lot of information from around the world, the territory has also gained a lot of experience, some of it being so-called official

information, and some provided by academics and various sectors. Of course, we do not believe in all information. Objective analysis is definitely essential before a decision can be made.

Here is the current situation: As Members are all aware, after the discovery of H5N1 in Hong Kong in 1997, there have been successive outbreaks of H5N1 among chicken in the territory. At that time, cases of human infection, involving a total of 18 patients, six of whom died eventually, were also reported. The problem was subsequently contained in the ensuing years after the introduction of farm management, vaccination of chicken, cleaning of wholesale and retail markets, and implementation of safety measures. At the same time, imported chicken were required to be dealt with in accordance with a standard procedure. It was estimated at that time that the H5N1 virus would not mutate. What is the present situation? According to my understanding, all viruses will not remain unchanged. As a matter of fact, they will keep on mutating. Judging from the present scientific evidence, however, the influential strain we have at the moment still bears a close resemblance to H5N1. In other words, the problems caused by H5N1 back in those years, easily resulting in bird infection, will still arise. Nevertheless, the virus does not pass from birds to humans easily. Nor will it lead to person-to-person transmission. We must therefore clearly differentiate the definitions of several types of influenza, as many people have mixed them up. As such, I hope clarification can first be made so that Members can explain them to the public.

First of all, there are three definitions of influenza. First, seasonal influenza. There will be two peak periods annually, one between January and March, and the other between July and August. As different types of seasonal influenza will appear every year, constant surveillance of seasonal influenza is required. Vaccines can, though not completely pre-empt, contain seasonal influenza. Some patients may, through vaccination, reduce morbidity or avoid contracting seasonal influenza. The protection, though not necessarily complete, lasts approximately six to nine months. Therefore, vaccination does not mean complete prevention of avian flu and influenza pandemic.

The second definition is avian flu. The present situation suggests that there are different types of avian flu, and H5N1 is of the greatest concern to us. It is evident from the recent global outbreaks of H5N1 that the virus has been carried by many migratory birds to all parts of the world. With the approach of winter, many migratory birds have started migrating southward. We are also

worried that these birds will again carry with them the H5N1 virus from the north to the south. Some Members mentioned earlier controlling migratory birds. It is impossible to do so. We can only detect the birds by keeping a close watch on their migratory trend and collect samples of their excreta for testing in order to understand their situation. Not only do we conduct virus tests on the wild birds in the territory, we do collect information from various parts of South China to find out the magnitude of the problem.

Our greatest consideration is not human inflection of avian flu resulting from human contact with wild birds, because humans rarely come into close contact with wild birds. Moreover, the period of contact must be very long before a person can thus be affected. On the contrary, we are most concerned about the contact of wild birds with poultry, thus resulting in high morbidity among poultry and, consequently, affecting farmers dealing with poultry or other relevant people. This is indeed the crucial part. Therefore, disease prevention must be stepped up as far as possible in farms and in places where there are poultry to prevent contact of wild birds with our poultry. At the same time, the public must, by all means, avoid prolonged contact with wild birds or poultry while we will keep monitoring the situation of H5N1 in the territory.

Though it is known that the H5N1 avian flu can be transmitted to humans, will it lead to a pandemic? At present, no one can predict the answer. Even the WHO experts and scientists around the world do not rule out the possibility of a pandemic, though it will not necessarily occur.

The pandemics that occurred over the past century include H1, H2, and H3, but not H5. Insofar as this issue is concerned, many scientists can only make limited evaluation by watching the development of the entire situation. Both the WHO and other experts, however, consider that there is not a great risk of a pandemic by human-to-human transmission at present. Yet, we must not completely relax our vigilance. We must therefore take the necessary steps. In this respect, like other advanced countries, the Government has taken initiatives in several aspects. First, influenza in Hong Kong will be monitored weekly by keeping an eye on the outbreak of influenza throughout the territory. In other words, when someone develops a fever or a cold, he or she will be examined to see which virus is more influential, and whether there is any new virus. As all the hospital laboratories in the territory are capable of identifying the types of virus, laboratory results can be made available within a very short time, whereas some countries may need to send their samples to faraway places

before laboratory tests can be conducted. With respect to this matter, we can at least get the results very quickly.

Second, we have to rely on front-line health care personnel for early clinical detection of new diseases. After the outbreak of SARS, the knowledge of the territory, in particular public hospitals and private medical practitioners, in this respect is much greater than that of many other countries. Great care has been taken to segregate the patients expeditiously. Therefore, I believe our preparation is adequate.

Is it really necessary for us to move all chicken to places further away from people? We have to carefully observe any changes of the virus before making a decision. If there is any trivial sign suggesting that the vaccines for chicken are ineffective or no longer effective, we will not rule out the possibility of taking more stringent measures. Of course, we will decide what to do depending on ecological developments.

A major conference was recently held in Canada to discuss the adequacy of our drug stock. Judging from the present circumstances, Tamiflu is the most important drug for treating human infection of avian flu. I can tell Members that Hong Kong has stockpiled 3.5 million capsules of Tamiflu, enough for 350 000 patients. Of course, I hope there will not be a need to treat so many patients. The drug will not be distributed indiscriminately. We will administer the drug only to patients with special needs, family members having come into contact with them and people who can spread the virus, health care workers responsible for treating these people, staff of ambulances responsible for delivering these people, or people carrying out any unexpected essential service, that is, special duty personnel. Great care must therefore be taken in deciding how to dispense the drug. Even the WHO is divided over whether it is necessary for various countries or every citizen to stockpile the drug. Of course, it is best for state or regional governments to carry out such work, just as Hong Kong has already done. Some governments which have failed to do so appeal to their citizens to purchase the drug on their own, thereby triggering panic buying of the drug everywhere. On the one hand, people might not be able to buy the genuine drug and, on the other, the validity of the drug bought might be very short, and it will become ineffective after a short while. Therefore, we must be very careful. Policy-wise, we do not encourage any people to buy the drug on their own. Therefore, people who are snatching up the drug should stop doing it. (*Laughter*)

I also hope Members can understand that Tamiflu is not omni-potent, for we cannot foresee what type of influenza might trigger a so-called worldwide outbreak of a pandemic in the future. It is very difficult to say whether Tamiflu will still be effective by then. It might turn out that we have to switch to another drug to effectively treat the illness. At present, we are observing from different aspects to examine if it is necessary to stockpile other antiviral drugs to ensure that we will at least have one more choice in the event of an outbreak.

Another consideration is how long it will take to manufacture the vaccine to deal with a new outbreak of influenza. It will depend on what type of influenza it is and how new the strain is. Generally speaking, it takes at least six months for a new vaccine to be commercially produced. Therefore, we must act very carefully. Many countries have now adopted the vaccines produced from the H5N1 strain taken from Vietnamese patients. While these vaccines might be somewhat effective for avian flu infections of humans by chicken, their effectiveness will still be open to question in the event of an outbreak of a pandemic. We must act with extreme care and refrain from indiscriminately investing our resources in vaccines still under development. We will pay close attention to when and how we should do so. According to my knowledge, our country is making an effort in conducting laboratory work on vaccines. Furthermore, we are keeping ourselves abreast of the progress in all parts of the world through communication with them.

Lastly, I have to tell Members that the Government is actually extremely concerned about the development of this issue. Yet, at the same time, there is no panic. We have adequate knowledge and strategies to handle any contingencies. A wide range of strategies can be considered in the event of a human-to-human pandemic. We cannot say at this moment what we will definitely do. I did talk about the possibility of "closing the boundary control points", a worse-case scenario. A Member also asked earlier whether there would be no food to eat. If food can bring the virus into the territory, we will certainly have to "close" them. If the problem is merely caused by human-to-human transmission, it is most important for us to avoid human-to-human contact in order to control or slow down the outbreak.

Everyone agrees that it is impossible for influenza to be completely avoided. Yet, we must try every possible means to bring it under control and slow it down so that we will have time to conduct testing for a good treatment

protocol while being given time to develop vaccines as well. This is the worldwide view at present. Our co-operation with the international community is also important.

It was pointed out by a Member earlier that however well Hong Kong may have performed, the situation of our neighbours must be closely watched as well. Last week, we signed an agreement with the Mainland's Ministry of Health. The agreement permits, in the event of any unexpected incidents, whether public health is affected by public hygiene or food safety incidents, joint defence to be taken, a panel be set up to enable the problem to be dealt with by professionals, as well as experience-sharing and transmission of information on a regular basis.

I was asked why we had failed to publish some information in the past couple of days. I can tell Members that clarification has to be made upon receipt of any information. For instance, when dealing with the Anhui issue, we had to ask clearly whether any chicken had been imported from the province. If the answer is negative, we can notify the Mainland so that it can publish the news immediately. We should not publish the news for the mainland authorities instead. Neither do we want any other governments to publish news on behalf of the territory. This is why Members should understand very well why we will act in this manner. In the case of Hunan, however, there is, or has been, no importation of chicken from the province. We can therefore publish the news with the mainland authorities simultaneously. We have already reached a consensus on this practice with the Ministry of Health and the State General Administration of Quality Supervision, Inspection and Quarantine. I hope Members can understand. In any case, upon receipt of any information, we will request the place where the outbreak occurs to publish the news expeditiously. It is our view that all countries, whether the Mainland or other places, should adopt the same approach.

Some colleagues have requested me to spend more time on my speech, right? I guess it is unnecessary. (*Laughter*) I was just joking. (*Laughter*) I do wish to use up the 45 minutes.

Lastly, I would like to thank so many Members for expressing their views at so many levels. We will definitely try our best to protect the health and safety of Hong Kong people. Therefore, should Members have any questions,

they can contact us at any time for better understanding. Thank you, Madam President.

**PRESIDENT** (in Cantonese): The five debate sessions are complete.

**PRESIDENT** (in Cantonese): Ms Miriam LAU, you may now speak on the amendments. You have up to five minutes to speak.

**MS MIRIAM LAU** (in Cantonese): Madam President, I suppose I do need to spend five minutes speaking on the amendments.

According to the Rules of Procedure, Members may move amendments to a Motion of Thanks. The amendment of Mr LEE Wing-tat, that of Dr Fernando CHEUNG and Miss TAM Heung-man's amendment to Mr LEE Wing-tat's amendment are all proposed in their personal capacity. These amendments have not been discussed in the House Committee, nor do they represent any consensus of Members. Since I am speaking in my capacity as Chairman of the House Committee, I should not, and it is not appropriate for me to, express any views on the amendments of these three Members. Nor am I supposed to call upon Members to support, or not to support, their amendments.

Madam President, I so submit.

**PRESIDENT** (in Cantonese): I now call upon Mr LEE Wing-tat to move his amendment to the motion.

**MR LEE WING-TAT** (in Cantonese): Madam President, I move that Ms Miriam LAU's motion be amended.

**Mr LEE Wing-tat moved the following amendment: (Translation)**

"To add "and, at the same time, urges the Chief Executive and the Government to expeditiously propose a timetable for the election of the

Chief Executive and all members of the Legislative Council by universal suffrage, and to put forward concrete proposals on the relevant democratization processes including the abolition of the appointed and ex-officio seats in district councils, cancelling corporate votes in functional constituencies of the Legislative Council as well as expanding the electorate base and democratic elements in the Election Committee, so as to respond to the public's strong aspirations for democratic elections by universal suffrage and the establishment of an accountable government" after "his address".

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mr LEE Wing-tat to Ms Miriam LAU's motion, be passed.

**PRESIDENT** (in Cantonese): I now call upon Miss TAM Heung-man to move her amendment to Mr LEE Wing-tat's amendment.

**MISS TAM HEUNG-MAN** (in Cantonese): Madam President, I move that Mr LEE Wing-tat's amendment be amended.

**Miss TAM HEUNG-man moved the following amendment to Mr LEE Wing-tat's amendment: (Translation)**

"To delete "and, at the same time" after "the Chief Executive for his address"; to add "but as the proposed methods regarding constitutional development set out in the Fifth Report of the Constitutional Development Task Force, which the Chief Executive called on the community and this Council to support, fail to take democracy forward to meet the public's aspirations for elections by universal suffrage, this Council will not support them and" before "urges the Chief Executive"; and to add "and a roadmap" after "propose a timetable"."

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Miss TAM Heung-man to Mr LEE Wing-tat's amendment, be passed.

**PRESIDENT** (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

**PRESIDENT** (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Ms Emily LAU rose to claim a division.

**PRESIDENT** (in Cantonese): Ms Emily LAU has claimed a division. The division bell will ring for three minutes after which division will start.

**PRESIDENT** (in Cantonese): Will Members please proceed to vote.

**PRESIDENT** (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Ms Margaret NG, Mr CHEUNG Man-kwong, Mr SIN Chung-kai, Dr Joseph LEE, Dr KWOK Ka-ki, Dr Fernando CHEUNG and Miss TAM Heung-man voted for the amendment.

Dr Raymond HO, Dr LUI Ming-wah, Mr Bernard CHAN, Mrs Sophie LEUNG, Dr Philip WONG, Mr WONG Yung-kan, Mr LAU Wong-fat, Ms Miriam LAU, Mr Timothy FOK, Mr Abraham SHEK, Mr Tommy CHEUNG, Mr Vincent FANG, Mr WONG Kwok-hing, Mr Daniel LAM, Mr Jeffrey LAM, Mr Andrew LEUNG, Mr WONG Ting-kwong, Mr Patrick LAU and Mr KWONG Chi-kin voted against the amendment.

Ms LI Fung-ying and Mr CHIM Pui-chung abstained.

### Geographical Constituencies

Mr Albert HO, Mr LEE Cheuk-yan, Mr Martin LEE, Mr Fred LI, Mr James TO, Mr LEUNG Yiu-chung, Dr YEUNG Sum, Mr LAU Chin-shek, Ms Emily LAU, Mr Andrew CHENG, Mr Frederick FUNG, Ms Audrey EU, Mr LEE Wing-tat, Mr Alan LEONG and Mr Ronny TONG voted for the amendment.

Mr James TIEN, Mrs Selina CHOW, Miss CHAN Yuen-han, Mr CHAN Kam-lam, Mr Jasper TSANG, Mr LAU Kong-wah, Miss CHOY So-yuk, Mr TAM Yiu-chung, Mr Albert CHAN, Mr LI Kwok-ying, Mr MA Lik, Mr LEUNG Kwok-hung, Mr CHEUNG Hok-ming and Mr Albert CHENG voted against the amendment.

THE PRESIDENT, Mrs Rita FAN, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 28 were present, seven were in favour of the amendment, 19 against it and two abstained; while among the Members returned by geographical constituencies through direct elections, 30 were present, 15 were in favour of the amendment and 14 against it. Since the question was not agreed by a majority of each of the two groups of Members present, she therefore declared that the amendment was negatived.

**MS MIRIAM LAU** (in Cantonese): Madam President, I move that in the event of further divisions being claimed in respect of the Motion of Thanks or any amendments thereto, the Council do proceed to each of such divisions immediately after the division bell has been rung for one minute.

(Members talked among themselves)

**PRESIDENT** (in Cantonese): The meeting is still in progress. Will Members please stop talking among themselves for the time being.

I now propose the question to you and that is: That the motion moved by Ms Miriam LAU be passed.

**PRESIDENT** (in Cantonese): Does any Member wish to speak?

(No Member indicated a wish to speak)

**PRESIDENT** (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Mr Albert CHENG raised his hand)

**PRESIDENT** (in Cantonese): Mr Albert CHENG, do you wish to speak?

**MR ALBERT CHENG** (in Cantonese): Madam President, if I oppose this motion, how much time will I have for speaking?

**PRESIDENT** (in Cantonese): You will have up to 15 minutes.

**MR ALBERT CHENG** (in Cantonese): Up to 15 minutes? I oppose the motion. Thank you, Madam President. *(Laughter)*

**PRESIDENT** (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

**PRESIDENT** (in Cantonese): Those against please raise their hands.

(Mr Albert CHENG raised his hand)

**PRESIDENT** (in Cantonese): I think the question is agreed by a majority respectively of each of the two groups of Members who are present. I declared the motion passed.

I order that in the event of further divisions being claimed in respect of the Motion of Thanks or any amendments thereto, this Council do proceed to each of such divisions immediately after the division bell has been rung for one minute.

**PRESIDENT** (in Cantonese): I now put the question to you and that is: That Mr LEE Wing-tat's amendment to Ms Miriam LAU's motion be passed. Will those in favour please raise their hands?

(Members raised their hands)

**PRESIDENT** (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Mr SIN Chung-kai rose to claim a division.

**PRESIDENT** (in Cantonese): Mr SIN Chung-kai has claimed a division. The division bell will ring for one minute after which division will start.

**PRESIDENT** (in Cantonese): Will Members please proceed to vote.

**PRESIDENT** (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Ms Margaret NG, Mr CHEUNG Man-kwong, Mr SIN Chung-kai, Dr Joseph LEE, Dr KWOK Ka-ki, Dr Fernando CHEUNG and Miss TAM Heung-man voted for the amendment.

Dr Raymond HO, Dr LUI Ming-wah, Mr Bernard CHAN, Mrs Sophie LEUNG, Dr Philip WONG, Mr WONG Yung-kan, Mr LAU Wong-fat, Ms Miriam LAU, Mr Timothy FOK, Mr Abraham SHEK, Mr Tommy CHEUNG, Mr Vincent FANG, Mr WONG Kwok-hing, Mr Daniel LAM, Mr Jeffrey LAM, Mr Andrew LEUNG, Mr WONG Ting-kwong, Mr Patrick LAU and Mr KWONG Chi-kin voted against the amendment.

Ms LI Fung-ying and Mr CHIM Pui-chung abstained.

### Geographical Constituencies

Mr Albert HO, Mr LEE Cheuk-yan, Mr Martin LEE, Mr Fred LI, Mr James TO, Mr LEUNG Yiu-chung, Dr YEUNG Sum, Ms Emily LAU, Mr Andrew CHENG, Mr Frederick FUNG, Ms Audrey EU, Mr LEE Wing-tat, Mr Alan LEONG and Mr Ronny TONG voted for the amendment.

Mr James TIEN, Mrs Selina CHOW, Miss CHAN Yuen-han, Mr CHAN Kam-lam, Mr Jasper TSANG, Mr LAU Kong-wah, Miss CHOY So-yuk, Mr TAM Yiu-chung, Mr Albert CHAN, Mr LI Kwok-ying, Mr MA Lik, Mr LEUNG Kwok-hung, Mr CHEUNG Hok-ming and Mr Albert CHENG voted against the amendment.

Mr LAU Chin-shek abstained.

THE PRESIDENT, Mrs Rita FAN, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 28 were present, seven were in favour of the amendment, 19 against it and two abstained; while among the Members returned by geographical constituencies through direct elections, 30 were present, 14 were in favour of the amendment, 14 against it and one abstained. Since the question was not agreed by a majority of each of the two groups of Members present, she therefore declared that the amendment was negated.

**PRESIDENT** (in Cantonese): Dr Fernando CHEUNG, you may now move your amendment.

**DR FERNANDO CHEUNG** (in Cantonese): Madam President, I move that Ms Miriam LAU's motion be amended.

**Dr Fernando CHEUNG moved the following amendment: (Translation)**

"To add ", but as the address is inadequate regarding the effort to help the poor and fails to respond to the aspirations of the public, this Council expresses deep regret and urges the Chief Executive to expeditiously formulate a comprehensive policy on poverty alleviation so as to narrow the gap between the rich and the poor" after "his address"."

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Dr Fernando CHEUNG to Ms Miriam LAU's motion, be passed.

**PRESIDENT** (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

**PRESIDENT** (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Dr Fernando CHEUNG rose to claim a division.

**PRESIDENT** (in Cantonese): Dr Fernando CHEUNG has claimed a division. The division bell will ring for one minute after which division will start.

**PRESIDENT** (in Cantonese): Will Members please proceed to vote.

**PRESIDENT** (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

**Functional Constituencies:**

Ms Margaret NG, Mr CHEUNG Man-kwong, Mr SIN Chung-kai, Dr KWOK Ka-ki and Dr Fernando CHEUNG voted for the amendment.

Dr Raymond HO, Dr LUI Ming-wah, Mr Bernard CHAN, Mrs Sophie LEUNG, Dr Philip WONG, Mr WONG Yung-kan, Mr LAU Wong-fat, Ms Miriam LAU, Mr Timothy FOK, Mr Abraham SHEK, Mr Tommy CHEUNG, Mr Vincent FANG, Mr WONG Kwok-hing, Dr Joseph LEE, Mr Daniel LAM, Mr Jeffrey LAM, Mr Andrew LEUNG, Mr WONG Ting-kwong, Mr CHIM Pui-chung, Mr Patrick LAU and Mr KWONG Chi-kin voted against the amendment.

Ms LI Fung-ying abstained.

**Geographical Constituencies**

Mr Albert HO, Mr LEE Cheuk-yan, Mr Martin LEE, Mr Fred LI, Mr James TO, Mr LEUNG Yiu-chung, Dr YEUNG Sum, Mr LAU Chin-shek, Ms Emily LAU, Mr Andrew CHENG, Mr Albert CHAN, Mr Frederick FUNG, Ms Audrey EU, Mr LEE Wing-tat, Mr Alan LEONG and Mr Ronny TONG voted for the amendment.

Mr James TIEN, Mrs Selina CHOW, Miss CHAN Yuen-han, Mr CHAN Kam-lam, Mr Jasper TSANG, Mr LAU Kong-wah, Miss CHOY So-yuk, Mr TAM Yiu-chung, Mr LI Kwok-ying, Mr MA Lik, Mr CHEUNG Hok-ming and Mr Albert CHENG voted against the amendment.

Mr LEUNG Kwok-hung abstained.

THE PRESIDENT, Mrs Rita FAN, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 28 were present, five were in favour of the amendment, 22 against it and one abstained; while among the Members returned by geographical constituencies through direct elections, 30 were present, 16 were in favour of the amendment, 12 against it and one abstained. Since the question was not agreed by a majority of each of the two groups of Members present, she therefore declared that the amendment was negatived.

**PRESIDENT** (in Cantonese): Ms Miriam LAU, you may now reply and you have eight minutes 11 seconds.

**MS MIRIAM LAU** (in Cantonese): Madam President, I certainly hope that the Motion of Thanks moved by me can be passed today. But whether or not it can be passed is not the most important thing. What is most important is that Members have spent more than 24 hours over the past three days on expressing their insights into government policies with a most sincere attitude. There are both criticisms and praises, but whatever the case may be, I hope that the Chief Executive and even the Principal Officials can all listen to the views expressed with an open attitude, so as to ensure that administration by the Government can always command the support of this Council and the general public. That way, society at large will benefit.

Thank you, Madam President.

**PRESIDENT** (in Cantonese): I now put the question to you and that is: That the motion moved by Ms Miriam LAU be passed. Will those in favour please raise their hands?

(Members raised their hands)

**PRESIDENT** (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Ms Emily LAU rose to claim a division.

**PRESIDENT** (in Cantonese): Ms Emily LAU has claimed a division. The division bell will ring for one minute after which division will start.

**PRESIDENT** (in Cantonese): Will Members please proceed to vote.

**PRESIDENT** (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Dr Raymond HO, Dr LUI Ming-wah, Mr Bernard CHAN, Mrs Sophie LEUNG, Dr Philip WONG, Mr WONG Yung-kan, Mr LAU Wong-fat, Ms Miriam LAU, Mr Timothy FOK, Mr Abraham SHEK, Ms LI Fung-ying, Mr Tommy CHEUNG, Mr Vincent FANG, Mr WONG Kwok-hing, Mr Daniel LAM, Mr Jeffrey LAM, Mr Andrew LEUNG, Mr WONG Ting-kwong, Mr Patrick LAU and Mr KWONG Chi-kin voted for the motion.

Ms Margaret NG, Mr CHEUNG Man-kwong, Mr SIN Chung-kai, Dr Joseph LEE, Dr KWOK Ka-ki, Dr Fernando CHEUNG and Miss TAM Heung-man voted against the amendment.

Mr CHIM Pui-chung abstained.

Geographical Constituencies

Mr James TIEN, Mrs Selina CHOW, Miss CHAN Yuen-han, Mr CHAN Kam-lam, Mr Jasper TSANG, Mr LAU Kong-wah, Miss CHOY So-yuk, Mr TAM Yiu-chung, Mr LI Kwok-ying, Mr MA Lik and Mr CHEUNG Hok-ming voted for the motion.

Mr Albert HO, Mr LEE Cheuk-yan, Mr Martin LEE, Mr Fred LI, Mr James TO, Mr LEUNG Yiu-chung, Dr YEUNG Sum, Mr LAU Chin-shek, Ms Emily

LAU, Mr Andrew CHENG, Mr Albert CHAN, Mr Frederick FUNG, Ms Audrey EU, Mr LEE Wing-tat, Mr Alan LEONG, Mr LEUNG Kwok-hung, Mr Ronny TONG and Mr Albert CHENG voted against the motion.

THE PRESIDENT, Mrs Rita FAN, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 28 were present, 20 were in favour of the motion, seven against it and one abstained; while among the Members returned by geographical constituencies through direct elections, 30 were present, 11 were in favour of the motion and 18 against it. Since the question was not agreed by a majority of each of the two groups of Members present, she therefore declared that the motion was negatived.

#### **NEXT MEETING**

**PRESIDENT** (in Cantonese): I now adjourn the Council until 11.00 am on Wednesday, 2 November 2005.

*Adjourned accordingly at twenty-two minutes past Five o'clock.*