

OFFICIAL RECORD OF PROCEEDINGS

Wednesday, 23 November 2005

The Council met at Eleven 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

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

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

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

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

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.

THE HONOURABLE HOWARD YOUNG, S.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 FERNANDO CHEUNG CHIU-HUNG

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

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

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:

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

THE HONOURABLE MARGARET NG

THE HONOURABLE SIN CHUNG-KAI, J.P.

DR THE HONOURABLE KWOK KA-KI

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

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 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

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

CLERKS IN ATTENDANCE:

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

MRS JUSTINA LAM CHENG BO-LING, ASSISTANT SECRETARY
GENERAL

MR RAY CHAN YUM-MOU, ASSISTANT SECRETARY GENERAL

TABLING OF PAPERS

The following papers were laid on the table pursuant to Rule 21(2) of the Rules of Procedure:

Subsidiary Legislation/Instruments	<i>L.N. No.</i>
Merchant Shipping (Registration) (Fees and Charges) (Amendment) Regulation 2005	200/2005
Shipping and Port Control (Amendment) Regulation 2005	201/2005
Specification of Public Office	202/2005
Merchant Shipping (Limitation of Shipowners Liability) (Rate of Interest) (Amendment) Order 2005	203/2005
Shipping and Port Control Regulations (Amendment of Seventh Schedule) Notice 2005.....	204/2005

Other Papers

No. 32 — Ocean Park Corporation
Annual Report 2004-2005

No. 33 — Office of the Privacy Commissioner for Personal Data,
Hong Kong
Annual Report 2004-2005

Report of the Subcommittee on Closed Area (Hong Kong Ministerial
Conference of World Trade Organization) Order

ADDRESSES

PRESIDENT (in Cantonese): Addresses. Mr Patrick LAU will address the Council on the Ocean Park Corporation Annual Report 2004-2005.

Ocean Park Corporation Annual Report 2004-2005

MR PATRICK LAU: Madam President, Honourable Members, I table before the Legislative Council today the 2004-05 Annual Report of the Ocean Park Corporation.

Ocean Park had an extraordinary year in 2004-05. Not only did Ocean Park launch the master plan to redevelop the Park into the world's leading marine-based theme park, but it also achieved record-breaking attendance, revenues and surpluses.

Led by Chairman Allan ZEMAN, CEO Tom MEHRMANN and a committed team of employees, in June 2005, the Park achieved the highest-recorded attendance in the Park's history and welcomed the four millionth visitor for the 2004-05 fiscal year. Compared to the prior year, overall visitor attendance increased by 9% in 2004-05, topping 4.03 million. Gross revenues exceeded the year before by 12% at \$684 million giving the Park a surplus of \$119.5 million and making it the highest surplus achieved on record at the Park.

Ocean Park has continued to benefit from being a "must-see" attraction among mainland visitors to Hong Kong attracting more than 2 million mainland visitors in 2004-05. Both overseas visitors and locals alike have enjoyed the Park's seasonal events and promotions. For example, The Big Splash Summer event received more than 900 000 visitors in this year, an almost 40% increase compared to the same period of the prior year.

In 2004 Ocean Park launched the new education arm: the Ocean Park Academy (the Academy). In the first year under the Academy, more than 50 000 Hong Kong students participated in Ocean Park's in-park and outreach programmes. This builds on the already 380 000 students who have enjoyed learning at Ocean Park over the last 13 years.

Ocean Park is an internationally-accredited, animal-conservation organization that is committed to making a difference in the conservation of the natural environment. In 2004-05, through in-park donation boxes, raffles, merchandise sales and corporate sponsorship, Ocean Park was able to donate \$3.32 million in support of scientific research that has the mandate of conserving marine mammals and their habitats and ensuring the survival of the giant pandas.

In 2005, Ocean Park received the Hong Kong Caring Company award from the Hong Kong Council of Social Service to recognize the commitment to the local community. In the last year, Ocean Park provided more than 20 000 special welfare admission tickets priced at \$20 for volunteers and the underprivileged as well as 100 000 free admission tickets for seniors and 2 588 low-cost student passes. The Park also donated 20 000 complimentary tickets to the underprivileged and volunteers workers, via the Community Chest and the Agency for Volunteer Service, in celebration of reaching visitor numbers of 4 million in 2004-05. In November 2004, Ocean Park welcomed back many old friends as part of the International Disabled Day. For the past 13 years, Ocean Park has opened its gates to close to 4 000 members of our community with disabilities for a special complimentary day out with their families every year.

The redevelopment master plan, revealed to the public in March 2005, stays true to Ocean Park's core values of conservation, education and entertainment while firmly establishing Ocean Park as the best marine-based theme park in the world. Most importantly, from the economic analysis the Park has reviewed, the proposed new Ocean Park, if approved, will be financially sustainable and will enhance Hong Kong as a desirable tourist destination with an expected increase in visitors annually.

The redeveloped Ocean Park will act as a catalyst for urban regeneration of the Southern District and the development of the Aberdeen area as a tourism node. The redevelopment is expected to bring net quantifiable economic benefits of \$40 billion to \$48 billion over 40 years. On employment creation, the redevelopment project will directly and indirectly generate around 2 600 to 4 000 additional full-time equivalent jobs in the Hong Kong economy upon the opening of Phase I in 2008-09, rising to around 11 300 to 12 800 in 2021-22. It will complement Hong Kong Disneyland and greatly enhance Hong Kong's attraction as the premier family destination in the region.

I am confident of the exciting and promising future that lies ahead for Ocean Park. The Park is generating strong business results as evidenced by improving surpluses; it has positioned itself well in the face of increasing competition and is set to continue to contribute to Hong Kong in terms of education, conservation and increased tourism. Thank you, Madam President.

PRESIDENT (in Cantonese): Ms Miriam LAU will address the Council on the Report of the Subcommittee on Closed Area (Hong Kong Ministerial Conference of World Trade Organization) Order.

Report of the Subcommittee on Closed Area (Hong Kong Ministerial Conference of World Trade Organization) Order

MS MIRIAM LAU (in Cantonese): Madam President, in my capacity as Chairman of the Subcommittee on Closed Area (Hong Kong Ministerial Conference of World Trade Organization) Order (the Subcommittee), I would like to submit the report of the Subcommittee. As the deliberations of the Subcommittee have been set out in detail in the report, I would only speak on the key deliberations.

The Sixth Ministerial Conference (MC6) of the World Trade Organization (WTO) will be held in Hong Kong from 13 to 18 December 2005. According to the Closed Area (Hong Kong Ministerial Conference of World Trade Organization) Order (the Order) made under section 36 of the Public Order Ordinance (Cap. 245) (POO), certain areas in Wan Chai and Admiralty have been delineated as "Land Closure" and "Sea Closure" during the period from 6.00 pm on 12 December 2005 to 5.00 am on 19 December 2005. Entry into these closed areas will only be allowed with permission from the Commissioner of Police. The commencement date of the Order is 2 December 2005.

Some members have asked the Administration for the reasons for setting up the closed area under section 36 of the POO for the MC6. They have pointed out that the restricted access zones for a number of international or large-scale events held in Hong Kong in the past were not established under the POO, but under other legal provisions, such as the Police Force Ordinance (Cap. 232) and the Road Traffic (Traffic Control) Regulations (Cap. 374G).

The Administration has advised that no international or large-scale events previously held in Hong Kong have had the same characteristics as the MC6 in respect of the risk to public order, public safety and terrorist attack calling for a preventative response so far in advance of the event. According to the latest police intelligence, the public order and public safety risk for the MC6 has been assessed to be "high", and is on the high side of the spectrum within the "high"

rating, while the threat level of a terrorist attack was assessed to be "moderate". Furthermore, unlike previous international events held in Hong Kong, the duration of the MC6 is six days, the number of participants and support personnel is large (about 21 000), its themes are the most contentious; and the overall terrorist threat globally has also increased.

A member has asked whether the Administration could give an undertaking that it would apply the set of criteria as the MC6 to make a closed area order under section 36 of the POO, and take into account the judgement delivered by the Court of Final Appeal on the case of *LEUNG Kwok-hung & Others*.

The Administration has advised that it would not lightly invoke section 36 of the POO to make a closed area order. In deciding whether or not to do so, due consideration would be given to the characteristics of the event and the prevailing circumstances. The Administration also pointed out that reference had been made and would certainly continue to be made to past experience in invoking section 36 of the POO and to the judgements delivered by the Court of Final Appeal on the case of *LEUNG Kwok-hung & Others* prior to applying the POO to restrict the right of peaceful assembly.

Some members have asked whether consideration could be given to allowing small groups of protesters, say, five persons in each group, to enter the Conference venue to stage protests and/or present petitions to the delegates of the MC6, after passing a security check to make sure that they do not carry with them any dangerous devices.

The Administration considered this proposal not feasible because there is no guarantee that protesters will not act violently or obstructively against the participants of the MC6 once they are inside the Conference venue, albeit without any dangerous devices.

The Subcommittee has urged the Administration to ensure that the public will be well apprised of the special transport arrangements required during the MC6 period well in advance to avoid unnecessary chaos.

The Administration has advised that it will publicize the traffic and transport arrangements and acquaint the travelling public with them well in

advance of the MC6. During the MC6 period, every effort will be made to ensure effective co-ordination of traffic management measures, respond to unanticipated incidents, and disseminate information through the mass media and other suitable means. Furthermore, in order to help divert road traffic from the Causeway Bay and Wan Chai area and the Cross-Harbour Tunnel, the Administration has secured the agreement of the franchisees of Western Harbour Crossing and Eastern Harbour Crossing to provide 14% to 25% concessions on tolls for private cars, taxis and goods vehicles from 13 to 18 December 2005.

Some members also urged the Administration to prepare for all possible contingencies. They have pointed out that past WTO Ministerial Conferences and some large-scale international events in recent years had attracted vigorous demonstrations. Sometimes even peaceful and non-violent protests could result in blockades and disruption to the public.

The Administration has advised that the police would prepare for all possible contingencies. The police will formulate a comprehensive manpower deployment plan and refine it on a continuous basis to reflect the updated assessment of threats and information on other major commitments, such as crowd control events, closer to the time of the MC6. To ensure maximum availability of manpower, the Police has imposed a leave restriction on all front-line officers. Other government bureaux and departments concerned are also proceeding with the preparation for the MC6 on all fronts. For instance, departmental contingency plans are being updated and various drill exercises have been and would continue to be conducted in the run-up to the event. The Administration has stated that it will continue to proactively reach out to the businesses, building management companies, and so on, in the neighbourhood of the Hong Kong Convention and Exhibition Centre, brief them on the MC6 and discuss with them on what measures they may wish to adopt in the run-up to and during the MC6 period.

Madam President, I so submit.

ORAL ANSWERS TO QUESTIONS

PRESIDENT (in Cantonese): Questions. First question.

Implementation of Border-closing Measure in case of Outbreak of Human Infection of Avian Influenza

1. **MR TOMMY CHEUNG** (in Cantonese): *President, the Secretary mentioned in his main reply that the border-closing measure would only be considered in the worst-case scenario and*

PRESIDENT (in Cantonese): Mr Tommy CHEUNG, please ask the main question according to the text first.

MR TOMMY CHEUNG (in Cantonese): *I am sorry, President. I just wanted to save some time, President. (Laughter)*

President, the Secretary for Health, Welfare and Food has previously indicated that if there is an outbreak of human infection of avian influenza, the authorities will close the border in the worst-case scenario. Since the Secretary has not explained clearly the details of the above measure, his words have caused much anxiety among the catering, retail and food manufacturing industries. In this connection, will the Government inform this Council:

- (a) of the circumstances and considerations under which it will activate the border-closing measure, and whether it will make reference to the World Health Organization (WHO)'s relevant guidelines; whether it has considered replacing border-closure with alternative measures, such as quarantining people who come from infected areas and have probably been infected with avian influenza;*
- (b) whether it has already drawn up a list of food items which will be banned for import when the border is closed, and of the criteria adopted for drawing up such a list; and*
- (c) of the arrangements for those Hong Kong people, such as cross-boundary drivers, who may fail to come back to Hong Kong from an infected area in time before the border is closed?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, I also wish to enhance efficiency. Maybe I can follow up and address the main question direct. *(Laughter)* And yet, I do wish to let the other Honourable Members hear my main reply.

Recently, outbreaks of avian influenza in birds and poultry have been reported in many of our neighbouring regions. Cases were reported in three mainland provinces yesterday, and in some regions, human infection cases were also found sporadically. While Thailand, Indonesia and Vietnam had related media coverage over the past month, the Mainland also has two reported cases and one suspected case. In Hong Kong, human infections of avian influenza were first recorded in 1997, and some cases were found later in 1999 and 2003. Since 2004, Hong Kong has remained infection-free despite outbreaks in the Asian region. The WHO has also maintained that there is as yet no evidence of effective human-to-human transmission of avian influenza. That said, we cannot rule out the possibility of strain mutation. We therefore should remain vigilant, continue to get ourselves prepared, keep a close watch on the epidemic development, and take preventive and control measures as appropriate.

- (a) The International Health Regulations 2005 (the Regulations) were adopted by the World Health Assembly in May this year to prevent and control the international spread of disease. The Regulations stipulate that in the implementation of disease control measures, unnecessary interference with international traffic and trade should be avoided while fundamental human rights be respected.

The Regulations also stipulate that when a public health emergency of international concern takes place, the WHO may issue temporary recommendations to its State Parties for implementation. The targets of these recommendations can be either persons or articles, such as baggage, conveyances, animals and plants and postal parcels, and so on. According to Article 18 of the Regulations, the WHO may make a range of recommendations on the movement of persons and goods in the light of the seriousness of the epidemic and actual need. These recommendations may include inspections on goods or medical examinations, quarantine, and refusal of entry of goods and persons who have been infected or suspected to have been infected. These principles and provisions laid down by the WHO will be complied with when the time comes for us to decide what port health measures are to be taken.

The enormous flow of passengers and goods between the Hong Kong Special Administrative Region (SAR) and the Mainland necessitates us to step up public health surveillance and control at our immigration control points if and when the risk of an avian influenza outbreak becomes higher across the border. When deciding on actions to be taken, we will consider, among others, the prevailing condition of epidemic outbreak, mode of epidemic transmission, efficiency of its transmission, scale of spreading and incubation period, the prevailing situations in Hong Kong and our neighbouring regions, the latest scientific evidence as well as the WHO's recommendations, so as to determine the most appropriate disease prevention measures to be taken at control points with regard to the risk level. We will strike a proper balance between effective disease prevention and smooth flow of passengers and goods.

Depending on risk assessment, one of the most effective disease prevention measures to be taken at control points is to impose quarantine on persons who come from infected areas and have contracted avian influenza or have been in contact with persons with avian influenza.

The so-called border-closing measure will indeed only be considered in the worst-case scenario. The extent of border control measures to be adopted will be determined depending on seriousness of the outbreak. The Administration will have full regard to the prevailing situations before making a decision, and in doing so, will comply with the Regulations of the WHO and make reference to the WHO's opinions.

- (b) Other than the practice of stopping the import of live poultry and poultry meat from areas affected by highly pathogenic avian influenza in accordance with our current policies and the guidelines issued by the World Organization for Animal Health (OIE), we have not drawn up a list of food items which will be banned from import when the border is closed. In deciding whether to ban a particular food item from import into Hong Kong during an epidemic, our primary consideration will be risk assessment, and we must take into

account such factors as the mode of virus transmission, whether the food item is an effective medium of transmission, its mode of conveyance and its hygiene condition, and so on.

- (c) As I said earlier, border-closing measure will only be considered in the worst-case scenario and on the WHO's recommendation. When there is evidence showing effective human-to-human transmission of a new strain of influenza virus, we will first step up our health measures at the immigration control points such as requiring inbound travellers to declare their health status or placing those who may have been infected by the disease under quarantine.

The SAR Government, like governments of other places, has the obligation to take care of its people. Nevertheless, in order to stop the spread of a pandemic to Hong Kong and protect the health of our residents who return to Hong Kong, we may need to take quarantine measures such as requiring those returning to the territory during a pandemic outbreak to undergo medical examination, medical surveillance, medical treatment and quarantine, and so on.

MR TOMMY CHEUNG (in Cantonese): *President, the Secretary mentioned in his main reply that border-closing measure would only be considered in the worst-case scenario. He also mentioned in part (a) that the authorities would strike a balance when closing the border. There should be a proper balance between effective disease prevention and smooth flow of passengers and goods. May I ask the Secretary if the Government has drawn up any proposals on how to strike the required balance, or it will examine the ways to strike a proper balance until it actually faces the problem?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, consideration will first be given to public health and safety, which is the prime condition. If the movement of passengers will bring in a new virus or spread it to other places, we are obliged to ensure that people are healthy, but not carriers of disease or virus, before they are allowed to enter or leave the territory. In this connection, I think we will have to look at the circumstances before deciding on the measures to be adopted. Meanwhile, the

risk of Hong Kong is not so great. However, if there is a possible outbreak in our neighbouring regions, we will have to adopt temperature screening measures and issue travel advice to visitors. However, in case there is any reported case of human-to-human transmission in a certain place, I believe we must remain vigilant and tighten up inspections, health declarations and medical examinations at the control points. The decision on the actions to be taken will depend on the circumstance at the time, and consideration will be given to the scenario planning under different scenarios. The Government will conduct a drill for an outbreak of pandemic tomorrow, but since the details of the drill are unknown, our contingency capacity will also be tested.

MR WONG YUNG-KAN (in Cantonese): *President, in order to prevent importation of avian influenza, Japan has recently implemented temperature screening measures at the border by requiring visitors to take off their shoes at clearing customs. President, does the Government have any measure to arrest the spread of avian influenza by travellers?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, any measures adopted should have a scientific basis to ascertain what measures can distinguish patients who are possible carriers of the virus. However, some measures may be far from effective and therefore, it is necessary to examine which are the most effective. If a package of measures is to be introduced, and yet the majority is ineffective, the implementation of such will only bring more troubles and problems. For this reason, we consider the existing measures adequate in view of the risks currently faced by Hong Kong. Just as I have said, in case the risk increases, measures which visitors may find inconvenient will be introduced. However, they are necessary to help us inspect patients who are carriers of the virus. At present, I can only tell Members that a series of measures and a contingency plan to tackle the very serious scenario are in place. By then, we will brief the public on the reasons for the actions taken.

PRESIDENT (in Cantonese): Honourable Members, since there are now 10 Members waiting for their turns to raise supplementaries, so will Members who have the opportunity to ask questions please try to be as concise as possible.

MRS SELINA CHOW (in Cantonese): *President, insofar as border-closure is concerned, it gives us the impression that it only applies to Hong Kong and the Mainland. And yet, Secretary, the closing of the border does not only confine to these places, right? In this case, given that Hong Kong has to dovetail with the rest of the world, are the chances of closing the border extremely slim? Since we are all asking the same question, in order not to raise undue fears, I wish to hear the Secretary's views. Are the chances of closing the border extremely slim?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, first of all, I have to explain the Regulations which every State Party of the WHO has to comply with. The objective of the Regulations is to prevent infected persons from leaving their country. In other words, every country is responsible for controlling the epidemic within their country so as not to affect other places. In the event of an outbreak in Hong Kong, our general practice is to take care of the persons leaving the territory for other places; and if there is an outbreak in other places, communication with the country or region concerned will be required to gain knowledge of how they control the epidemic. For example, visitors will be required to undergo health checks as far as possible; and while visitors must be quarantined before entering Hong Kong, the same applies to Hong Kong people returning to the territory.

With regard to the risk mentioned earlier, it depends on the possibility of an outbreak of human-to-human transmission of influenza pandemic. According to the WHO's analysis, there will be an outbreak of influenza pandemic once every three or four decades, so the possibility of an outbreak is therefore becoming greater. But what kind of influenza pandemic will it be? Does it have a very high mortality rate? Does it belong to the H5 virus? There is no guessing it. Even the best expert is unable to answer this supplementary question. The important point, however, is that we have to take full precautionary measures. We must achieve early detection and to diagnose the case before it was too late, and to enhance our preparedness as well. I feel that the Government has already made the best effort in this regard and considerable resources have been injected into the preparation.

MR ANDREW CHENG (in Cantonese): *President, the Secretary mentioned in the fourth paragraph of part (a) of the main reply that quarantine would be imposed on infected persons of avian influenza where necessary. However,*

quarantine requires enormous resources, including human resources such as health care personnel. May I ask the Secretary whether the Government will adopt the Democratic Party's proposal to immediately set up an emergency fund of \$200 million to finance the quarantine and preparation work to address the avian influenza problem?

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, there are different ways to quarantine people. In the event of an outbreak of a new round of influenza pandemic where many people have only slight or no symptoms at all, the majority of them will be placed under home quarantine. And yet, the manner in which quarantine will be imposed depends on the development of the epidemic. If the pandemic bears high risks and mortality rates or may affect a number of human organs, all hospitals and facilities such as the intensive care units will definitely be deployed. With regard to the need of setting up a fund for ready disposal by the Bureau concerned, I of course welcome this suggestion — the Financial Secretary has just arrived — I do believe, however, that in case of unexpected incidents, the Government will expeditiously deploy resources to cater for our needs. Such a fund is therefore utterly uncalled for. The Government will be involved in the whole course, but it is not for me alone to decide.

MR JAMES TIEN (in Cantonese): *President, the Secretary referred to the Regulations in his main reply from time to time. In the last paragraph of the main reply, he mentioned the scenario of a possible outbreak of epidemic in our neighbouring regions. What guidelines are there for reference, according to the Regulations, in respect of co-operation with our neighbouring countries to assist Hong Kong people in returning to the territory from the country concerned? In other words, what guidelines can serve as reference in case the Hong Kong Government wants to assist Hong Kong people in returning to the territory from the neighbouring country concerned? If there is no such guideline, how will the Government co-ordinate with the neighbouring countries so that the Hong Kong people in question will be able to return?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, Article 31 of the Basic Law stipulates that Hong Kong

residents shall have freedom to return to Hong Kong. Therefore, in case any Hong Kong people want to return to the territory from a foreign country which has become an infected area, assistance will be offered to them as far as possible. However, the country or region concerned is also obliged to ensure that they are healthy before they are allowed to leave. We will communicate with the country or region concerned to see what can be done. I remember that during the outbreak of SARS, when a patient in Taiwan requested return to Hong Kong for medical treatment, what we did was to liaise with the local government to ensure that the entry of the person, though sick, would not infect other people, and the people whom he had made contact had to undergo quarantine procedures in hospital or at home upon arrival at Hong Kong. I believe that more detailed policies or procedures will be drawn up by then, and professionals will also be engaged to assist in the conduct of necessary actions.

MR JAMES TIEN (in Cantonese): *President, the Secretary has not answered my supplementary. Does the Secretary mean that since no guidelines are provided in the Regulations, the Government is thus free to discuss with the neighbouring country or region one by one? Is that what he means?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, the Regulations have specified the responsibilities that should be assumed by each country, but not how our relations with the other countries should be dealt with. Of course, we also consider that epidemic diseases know no national boundaries. Our ultimate goal is to enhance the co-operation among regions and to help out and care for one another, so as to arrest the spread of the epidemic.

PRESIDENT (in Cantonese): We have spent more than 18 minutes on this question. Last supplementary question now.

MS LI FUNG-YING (in Cantonese): *President, part (b) of the main question asks the Secretary whether he would draw up a list of food items which would be banned from import when the border was closed. The Secretary, however, just gave an account on the situation of live poultry and poultry meat, but did not*

mention how eggs would be dealt with. As there are many news reports on the possible risks posed by eggs, will the Secretary clarify whether or not eggs pose risks?

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, the WHO has yet to include eggs as a media of spreading avian influenza or carrier of such. The OIE, of course, intends to legislate on the international control of eggs, and yet no official proposal has been raised so far. We will make a decision subject to the international regulations, and will introduce legislation if this is really necessary. However, there is no scientific evidence to suggest that eggs have the H5N1 virus and will infect human beings. We will therefore keep a close watch on the scientific evidence on the one hand, and proceed in accordance with the adopted practices under the international regulations on the other.

PRESIDENT (in Cantonese): Second question.

Progress of Construction of North Lantau Hospital

2. **MR WONG KWOK-HING** (in Cantonese): *President, with the gradual increase in the population of Lantau and the opening of the Hong Kong Disneyland, the demand of both residents and tourists on medical services has increased. Regarding the progress of the construction of the North Lantau Hospital (NLH), will the Government inform this Council:*

- (a) of the anticipated number of people to be served by the NLH;*
- (b) whether it has formally consulted the relevant District Council (DC) and the Tung Chung Rural Committee (TCRC) on the proposed location of the NLH and decided on the location; if it has, of the location; if not, when a decision will be made; and*
- (c) of the expected dates of the commencement of the construction works and the commissioning of the NLH?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese):
Madam President,

- (a) According to our preliminary planning, the proposed NLH will be commissioned in phases. Phase 1 will come into service some time in 2011-12 the earliest to serve about 120 000 residents. When it is in full operation, the hospital is expected to serve about 260 000 residents.
- (b) We briefed the Islands District Council (IDC) in June this year on our plan to construct the NLH in Tung Chung Areas 13, 22 and 25. We also undertook to consult the DC and the TCRC on the proposed location of the hospital and the services to be provided, after completion of the feasibility study and preliminary planning of the project. The Technical Feasibility Statement for the project has been completed recently, which confirmed its technical feasibility. As a next step, we will proceed to conduct an Environmental Impact Assessment (EIA) study. Thereafter, we will carry out a formal consultation exercise at the district level on the detailed arrangements of the proposed hospital, including its proposed location and services to be provided. The site for the proposed hospital is located in Tung Chung Areas 13, 22 and 25, with a gross area of about 48 720 sq m. The current planned use of Area 13 is "Government, Institution or Community" while that of Areas 22 and 25 is "Residential (Group A)". We will submit an application to the Town Planning Board (TPB) at a later stage for a change of the land use for the purpose of constructing a hospital at the above site.
- (c) We need to conduct an EIA study, consult the IDC and the TCRC on the proposed location and the services to be provided, as well as to make an application to the TPB for a change of the land use, and to seek funds from the Public Works Subcommittee and the Finance Committee of this Council. Furthermore, we also need to take into account, among others, the prospective increase in the population of Lantau Island and the local residents' demand for emergency medical services. As such, according to the current plan, it is expected that construction works for the hospital will start in 2008-09 at the earliest and the hospital, which will be commissioned in phases, will commence operation some time in 2011-12.

MR WONG KWOK-HING (in Cantonese): *President, part (b) of the main reply mentions the services to be provided by the hospital in future. Can the Secretary tell us what services will be included, for example, whether accident and emergency services or specialist services will be provided? In addition, the interim between now and the commissioning of the hospital is as long as seven years. May I know what arrangements will be put in place for these seven years?*

PRESIDENT (in Cantonese): Secretary, Mr WONG has in fact put two supplementaries. You can decide how you answer them.

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, I believe Mr WONG is more interested in knowing what services will be provided by the hospital in the first phase of its operation. I believe that an accident and emergency department is of course one of the most important items. At present, since Lantau Island is rather distant from hospitals offering accident and emergency services, even though the number of acute cases in the area is not that many, it takes ambulances quite some time to reach an acute hospital, so an accident and emergency department will be our prime consideration. I believe an accident and emergency department and specialist services related to it are the services that should be provided.

Concerning the second supplementary raised by Mr WONG, since the hospital has yet to be built, we can only make the maximal use of existing services to meet the present needs of residents in the area.

PRESIDENT (in Cantonese): A total of 10 Members are waiting to put supplementaries.

MR CHEUNG HOK-MING (in Cantonese): *President, the Secretary said in part (b) of the main reply that Tung Chung Areas 13, 22 and 25 would be chosen as the site of the NLH, however, it is also pointed out in the main reply that the planned uses of these three lots are different: the planned land use of Area 13 is "Government, Institution or Community" while that of Areas 22 and 25 is*

"Residential (Group A)". Since the authorities have made the undertaking that the hospital will be commissioned in 2011 but the land uses of these two lots are different, may I ask the Secretary when the authorities expect the TPB to approve the land use application and how they can ensure that the hospital will be commissioned in 2011-12?

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, I do not have the timetable according to which the TPB will examine the application with me now but we will submit an application to the TPB as soon as possible.

MR TAM YIU-CHUNG (in Cantonese): *President, Tung Chung is a remote area and if anything happens, the trip to the nearest hospital will take 30 minutes, so residents in the area are longing for the early completion of the hospital so that they can have peace of mind. In this interim of six to seven years, can the Government improve existing services as far as possible by, among other measures, increasing the number of doctors in day-time clinics and giving serious consideration to the provision of 24-hour out-patient services? Although the Government has recently begun to provide special evening out-patient services, it seems this has not been very successful, the reason being that it is not practical to provide service only on Mondays, Wednesdays and Fridays. May I ask if it is possible to provide 24-hour out-patient services as soon as possible and to increase the manpower in day-time clinics?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, as far as I know, the clinic in Tung Chung is presently providing day-time and evening clinic services daily and the utilization rate is about 90%, so full capacity has not yet been reached. In view of this, for the time being, whether it is necessary to increase resources is open to discussion. As regards 24-hour out-patient services, we found that the utilization rate after the extension of service hours was rather low. On average, the Government has to spend nearly \$3,000 on each patient. Having considered this matter from the angle of balancing various needs, the Hospital Authority (HA) considered that there was no need to increase the resources in this regard for the time being. However, if the population in the area increases and the demand also increases as a result, in particular, if there are more and more impoverished families in the

area, we will further review if it is necessary to provide additional services in this area.

MR DANIEL LAM (in Cantonese): *President, the Heung Yee Kuk and the IDC both welcome the timetable mentioned by the Secretary. Since the services of the hospital will also be provided to visitors and Lantau Island is one of the focuses in the development of tourism, can the Government tell this Council if this project will be upgraded so that it can tie in with the policy of benefiting the public?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, it is expected that the hospital in Tung Chung will cater to the entire Lantau Island and not just Tung Chung. At present, the population on Lantau Island is about 100 000 people and the service needs are met by the clinics in Mui Wo and Tai O. In view of this, we hope that the hospital will be able to meet the service needs in a cluster. As regards villages and towns, I believe that the service needs of residents have not been fully catered to now. Therefore, we hope that after introducing some specialist services, the standard of medical services on Lantau Island as a whole can be raised.

DR JOSEPH LEE (in Cantonese): *President, may I ask the Secretary if he has made projections on the demographic profile of the 260 000 people on Lantau Island in 2011? This is because doing so can shed light on the importance of various services and avoid duplication of resources in a cluster.*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, at present, the Planning Department is still not sure that there will be as many as 260 000 people living in that area in 2011. According to our estimation, the population by then will probably stand at 110 000 or 120 000 people. Therefore, in deciding whether to build the hospital, we do not decide purely according to the urban planning standards. As I said just now, due to the distance from various accident and emergency departments, it is necessary for us to give special consideration to residents on Lantau Island. Therefore, even though the population in that area has not yet reached 200 000 people, we will still build the hospital in phases to provide accident and emergency services.

MR LEE WING-TAT (in Cantonese): *President, a problem facing residents of the Tung Chung New Town is that they may need accident and emergency services in the middle of the night. Residents living in the urban area need only spend about \$20 to take a taxi or call an ambulance to go to an accident and emergency department. Although residents in Tung Chung can also call an ambulance, it may already be three or four o'clock in the early morning when the observation under which they are placed ends. If they do not have to be hospitalized, there is no public transport that they can take to go back to Tung Chung. I have in fact relayed this problem a number of times. May I ask the Secretary how he will address this issue? The Secretary cannot possibly ask them to take a taxi and spend \$250 each time to travel from Princess Margaret Hospital back to Tung Chung, however, are they supposed to remain in the hospital until 6 am or 7 am before taking a minibus or bus back home?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): *Madam President, I believe the HA will not be so inhumane as to ask patients to leave the hospital in the middle of the night. According to my experience, concerning this type of patients seeking treatment in the early morning and on whom it is decided that there is no need to admit them for observation, doctors will only tell them that they can leave but they can do so only when public transport is in service or when their family members come to pick them up. We will deal with such matters with flexibility and I will also refer this issue raised by Mr LEE to the HA for further follow-up.*

MISS CHAN YUEN-HAN (in Cantonese): *President, residents on Lantau Island dearly wish that the NLH will come into being and the Secretary said in the main reply that it was expected that this plan would go ahead, however, I hope the Government can also provide other complementary facilities at the same time. At present, residents on Lantau Island who have their own cars can only drive on the south side, that is, between Mui Wo and Tai O but they cannot drive northwards to Tung Chung. Moreover, at present, the use of the road concerned is restricted to between 6 pm and 8 pm. If the present problem still exists after the commissioning of the hospital in future, can the Government consider this matter in the context of the overall complementary facilities? Because this matter is not within the ambit of the HA but that of the Transport Department. On these problems that have been a long-standing complaint by local residents, will the Government consider making improvements to the problem of road use after the commissioning of the hospital in future?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, we will carefully consider the issue raised by Miss CHAN in her supplementary, since at the moment we have not given any thought to the prospect that residents in other parts of Lantau other than those in Tung Chung will use this hospital. At present, they will use the general out-patient service in local area and when there is any acute case, they will even summon helicopters to ferry them to or go by themselves to the urban area to seek treatment. We believe that we have sufficient time to examine this sort of problems in planning for future services.

DR FERNANDO CHEUNG (in Cantonese): *President, actually, the present population on Lantau Island is by no means small. That of Tung Chung alone stands at close to 70 000, moreover, the Disneyland, the airport and Discovery Bay are located nearby. The gravest concern of residents in the area is the lack of 24-hour accident and emergency services. It will be six or seven years before the hospital is commissioned. May I ask the Secretary if accident and emergency services can be provided in this interim? Although we know that the cost of such services will be very high, I believe that such a request is related to basic human rights. Although the cost may be high, life is precious. It is a matter of urgency that 24-hour accident and emergency services be provided.*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, as I have said, we had extended the service hours of out-patient services before but found that the cost-effectiveness of such a measure was low. This is one issue. Another issue is that the number of cases that can really be classified as acute is small. In the past year, that is, in 2004, the number of people involved in life-threatening or acute cases was only about 130 persons. Therefore, the number is not great and people requiring accident and emergency services in the middle of the night are not that many. I believe that excellent facilities must be put in place before emergency services can be provided. At present, if the facilities in an area are inadequate but accident and emergency services are provided nonetheless, even though a 24-hour service is provided, it can only play the role of a transfer service and it will be useless to patients.

MR HOWARD YOUNG (in Cantonese): *President, the main question has mentioned the Disneyland and Dr Fernando CHEUNG also mentioned the airport in his supplementary. They are both located on Lantau Island but we are not talking about local residents here. Since soon after the opening of the airport and the Disneyland, incidents requiring emergency services happened — a major incident happened at the airport and there were also sporadic minor incidents in the Disneyland — I wish to ask the Secretary if the Government has assessed the outcomes of the two incidents? Has any instance of delay or inability to provide appropriate emergency services occurred due to the lack of a hospital in Tung Chung or on northern Lantau?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, for the time being, in particular, with regard to Disneyland, we do not think that there is any need for accident and emergency services. Occasionally, there were instances in which some visitors felt unwell and a ambulance had to be called, however, no incident of a truly urgent nature has ever occurred. Regarding the airport, of course, medical officers are stationed at the airport and we will dispatch medical teams to deal with emergencies when necessary. According to past experience, there was no particularly serious problem that could not be overcome.

MR LEE CHEUK-YAN (in Cantonese): *President, insofar as residents in Tung Chung and Lantau Island are concerned, I believe it can be said that they have waited for many years. Although there is a now timetable, can this timetable be further compressed? That is, is it possible not to proceed slowly after making a decision? In fact, the time that it takes now is nearly "3+3", that is, three years for the preliminary phase of consultation and planning, then three years for construction. May I ask if the preliminary phase can be further compressed, so that construction can commence as soon as possible, such that residents do not have to wait until 2011 and hospital services will be provided in that area by 2010?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, the present timetable is already a highly compressed one. In terms of the planning on hospitals in general, it is already comparatively speaking a fast one. Therefore, I have said in the main reply that that was the fastest timetable possible.

PRESIDENT (in Cantonese): We have spent over 17 minutes on this supplementary. Last supplementary.

MISS TAM HEUNG-MAN (in Cantonese): *Madam President, with the increases in the population on northern Lantau Island and visitors, have the authorities ever estimated if these increases will exert pressure on hospital services in neighbouring areas such as the Kwai Tsing and Tsuen Wan Districts? If so, will the authorities take measures to follow this up?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, the district planning being considered for the Tung Chung area will only go as far as 2012, that is, the time when the hospital will come into operation. As I have said just now, by then, the population will have increased by about 40 000 to 50 000 people and this is not a large number, so I do not think this will affect the service in the Kwai Tsing District or the Tuen Mun District.

PRESIDENT (in Cantonese): Third question.

Monitoring Sale of Hairy Crabs

3. **MR WONG YUNG-KAN** (in Cantonese): *President, it has been reported that some members of the public have complained that currently retailers are not required to obtain licences or permits to sell hairy crabs; nor are the sale and storage of such crabs regulated by the Government. Hence, there is inadequate protection of consumer interests and food safety. In this connection, will the Government inform this Council:*

- (a) *given that retailers of live and fresh produce such as live chickens and fresh pork are currently required to obtain licences or permits, of the reasons for not imposing similar requirement on hairy crab retailers, and which other retailers of live and fresh produce are not required to obtain licences or permits;*
- (b) *whether it has assessed the risks of improperly stored hairy crabs on public health; and*

- (c) *of the mechanism in place to monitor retailers to ensure that hairy crabs sold by them are properly stored and safe for consumption?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese):
Madam President,

- (a) According to our records, the former Municipal Councils had not required vendors of hairy crabs to obtain licences or permits since the '70s. This is because hairy crabs, unlike live chickens or fresh pork, are seasonal food stored and sold either live in boxes or frozen in refrigerators without any prior preparation, such as washing, processing or cooking. Therefore, they do not pose any hygiene problems in both sale and storage generally. As these considerations remain valid today, the Food and Environmental Hygiene Department (FEHD) follows the same policy.

But the Government strives to ensure that hairy crabs are safe for public consumption. As with other foods, the FEHD would take samples at import level and different retail outlets regularly under its Food Surveillance Programme for testing and take follow-up actions, when necessary. For hairy crabs, the FEHD would take samples, when in season, for chemical and microbiological tests. Test results from the 64 samples taken in September 2005 all proved satisfactory.

Moreover, we are identifying ways to implement source control, maintain closer liaison with mainland authorities and to arrange regular inspections for mainland registered farms that supply hairy crabs to Hong Kong. Hairy crabs would also be regulated under the same framework.

Vendors for other fresh foods, such as vegetables and fruits, are not required to obtain licences or permits from the FEHD either.

- (b) Improper storage of hairy crabs would undermine their health and even lead to their deaths. As hairy crabs are rich in protein that rapidly degrades upon their deaths, they are prone to deterioration and affect the health of consumers. Therefore, we hope the public will not purchase dead hairy crabs for consumption.

- (c) On regulation for retailers, the FEHD would ensure that crabs sold by retailers are fit for human consumption under its regular food surveillance mechanism. Moreover, the FEHD also constantly reminds the shops to store hairy crabs in refrigerators, maintain humidity inside the refrigerators and keep regular checks on the health of hairy crabs. Dead hairy crabs should not be sold. The FEHD also advises the public through various channels, such as the FEHD's website and publications, to purchase hairy crabs that are active, smell fresh and have whole shells from reputable vendors as well as to wash and cook them thoroughly before consumption to ensure food safety and hygiene.

MR WONG YUNG-KAN (in Cantonese): *President, back in the '70s, production of hairy crabs was very small. Even though the production keeps growing nowadays, I have not seen the Government taking adequate measures to ensure food safety. Regarding the Government's claim that legislative amendments will be made, may I ask the Government when the relevant legislation will be amended? Is it the case that this issue will not be considered until the Food Safety, Inspection and Quarantine Department has been set up?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, we must wait until the new food safety framework has been set up before giving holistic consideration to more substantial changes to food safety legislation, particularly in relation to aquatic products. Since the outbreak of a series of malachite green incidents, we have formed the view that it is necessary to strengthen our monitoring mechanism and handling methods. We hope to consider the matter from a holistic angle, instead of amending legislation for a certain kind of aquatic product only. This task is even more time-consuming, for we have to find out the problems and consult the industry. Our hope for still quite some time to come is to expedite the restructuring of the food safety framework. Therefore, we hope to deal with these issues after the restructuring.

MR FRED LI (in Cantonese): *President, the Secretary said in his main reply that test results from the 64 samples taken in September 2005 had all proved*

satisfactory. However, hairy crabs are in season only during the period from October to December — I think Financial Secretary Henry TANG knows it very well too. Therefore, samples should again be taken for tests during this period. My supplementary question is: Are all the hairy crabs consumed by Hong Kong people supplied by farms approved and designated by the State General Administration of Quality Supervision, Inspection and Quarantine, or are all kinds of hairy crab supplied by a variety of farms, as with the previous situation of fresh water fish?

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, there are two supplementary questions here. One of them concerns why the sample tests were conducted in September.

PRESIDENT (in Cantonese): Secretary, you may decide whether or not to respond.

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): First of all, as all Members expressed the hope that source control could be implemented to examine the situation before hairy crabs were put on the market, the FEHD inspected and examined a mainland hairy crab farm in September. The inspection was conducted because we hoped to ascertain the safety of hairy crabs for public consumption before the hairy crab season. Certainly, regular sample inspections will continue to be conducted. The work in this respect will surely continue. As for I have forgotten what the second supplementary question is about. *(Laughter)*

MR FRED LI (in Cantonese): *President, my second supplementary question is: Are all the hairy crabs consumed by Hong Kong people from designated registered farms or from a variety of places, as with the previous situation of fresh water fish?*

PRESIDENT (in Cantonese): Secretary, have you caught the supplementary question raised by Mr Fred LI? Please reply.

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, I have. As far as I understand it, most of the hairy crabs are currently supplied by registered farms on the Mainland. Certainly, we do not rule out the possibility of parallel imports of hairy crabs. This is a matter of perpetual concern to us indeed. As all the hairy crabs from registered farms carry a health certificate, I hope the public can pay attention to the presence of health certificates before buying hairy crabs from any shops.

MR LAU KONG-WAH (in Cantonese): *President, in his reply to the supplementary question, the Secretary remarked that, in addition to the tests conducted in September, regular tests would be carried out as well. Can the Secretary inform this Council whether the authorities are satisfied with the result of the regular tests or there are still some unsatisfactory areas? Furthermore, Yangcheng Lake produces the best hairy crabs. Have the authorities conducted tests on the authenticity of hairy crabs claimed to be from Yangcheng Lake? I am worried I might have bought some faked hairy crabs which are actually not from Yangcheng Lake. Have any tests been conducted in this respect?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, it is very difficult to test whether a hairy crab is from Yangcheng Lake because it does not carry a passport. Members should be aware that it is impossible for Yangcheng Lake, which is very small, to produce so many hairy crabs. *(Laughter)* As far as I know, the hairy crabs available in Hong Kong should be imported from a variety of places. However, their breeding places should be the lakes in places like Jiangsu, Zhejiang, Anhui, and so on. Of course, the species of the hairy crabs may be from Yangcheng Lake. This is one point I cannot confirm. Yet, I believe genuine hairy crabs from Yangcheng Lake will be sold out within a couple of days.

MR LAU KONG-WAH (in Cantonese): *President, the Secretary has not replied whether the authorities are satisfied with the results of the regular tests.*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Sorry, Madam President, I do not know that a Member is allowed to raise two supplementary questions. *(Laughter)*

PRESIDENT (in Cantonese): The Member's question is about whether different criteria can be adopted in the regular tests. In this connection, is the one used for testing the hairy crabs from Yangcheng Lake one of those criteria? Based on this consideration, I have allowed the Member to raise his question.

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): The public will be informed expeditiously if we find anything unusual. In particular, many people will consume hairy crabs because hairy crabs are now in season. We will definitely inform the public if there is any problem. As far as I am aware, the FEHD has so far not detected any unusual substances in hairy crabs.

MR TOMMY CHEUNG (in Cantonese): *President, the Secretary indicated in the main reply that the results of the chemical and microbiological tests on the 64 samples all proved satisfactory. President, may I ask the Secretary whether he has talked to the trade about the standards of these chemical and microbiological tests? What chemical and microbiological counts should be reached before a hairy crab is considered to be substandard and unsuitable for sale, or what counts are considered meeting the standard? What are the criteria? I know that standards in this area may differ. For instance, the E. coli count in sea water will be considered substandard once a certain level is exceeded. Otherwise, no prosecution will be instituted. Can the Secretary give us the relevant information?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, as far as I understand it, the FEHD has collected samples of hairy crabs for chemical and microbiological tests. While the chemical tests include tests for antibiotics, synthetic hormones and heavy metals, the microbiological tests mainly examine the presence of parasites. Regarding the details of these tests, I think it is more appropriate for the trade to directly communicate with the FEHD to find out the standards adopted for these tests.

MR TOMMY CHEUNG (in Cantonese): *President, I hope the Secretary can later inform me of the relevant data in writing so that we can convey the information to the trade.*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Fine. (Appendix I)

MR TAM YIU-CHUNG (in Cantonese): *President, the Secretary earlier instructed us not to buy dead hairy crabs. I think we certainly know how to tell whether or not a hairy crab is dead. However, can the Secretary advise us how to ensure the authenticity of hairy crabs to prevent us from buying faked ones? Furthermore, how many hairy crabs can a person consume at the most before his or her health will be affected? (Laughter)*

PRESIDENT (in Cantonese): Mr TAM, your first supplementary question is about the authenticity of hairy crabs, while the second one is about how many hairy crabs a person can consume at the most before his or health will be affected. Which question do you want the Secretary to answer?

MR TAM YIU-CHUNG (in Cantonese): *Because the authenticity of hairy crabs and the number of hairy crabs consumed will similarly affect our health differently. (Laughter)*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, I am afraid I am not the suitable person to answer this supplementary question. As I said earlier, apart from the health certificates which certify the health of hairy crabs, no labelling specifying the place of origin is prescribed. The trade certainly is obliged to find out the place from which they buy the hairy crabs and inform their customers accordingly. I believe the trade has a responsibly to do so. As for how many hairy crabs a person can consume before he or she will fall sick, this will depend on whether or not the person has any illnesses. For instance, as I have not consumed any hairy crabs this year, I presume that I am very healthy. *(Laughter)* However, the public is generally advised not to consume high cholesterol food, such as shrimps and crabs.

MR ALBERT CHENG (in Cantonese): *President, the Secretary stated in part (c) of the main reply that regular checks on the health of hairy crabs would be conducted and retailers were advised not to sell dead hairy crabs. Does it mean that there is no government supervision and the consumers can only come to terms with their fate?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, as I said in the main reply earlier, first, we will advise the vendors to properly store hairy crabs and not to sell the dead ones. Second, insofar as all policies relating to food are concerned, we always hope to educate the public how to choose healthy food. As I mentioned in the main reply earlier on, the public is advised to buy hairy crabs that are active, smell fresh and have whole shells. I believe the Government's responsibility should end here.

MR ALBERT CHENG (in Cantonese): *President, the Secretary has not answered my supplementary question. I said that the consumers could only come to terms with their fate when raising the question about the sale of dead hairy crabs, I meant that the sale of dead hairy crabs by the shops was not monitored.*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, the sale of dead hairy crabs by hawkers or shops is currently not being monitored, though we will advise them not to sell dead hairy crabs. However, the public should know how to choose the food they believe to be healthy.

PRESIDENT (in Cantonese): Fourth question.

Stockpile and Distribution of Tamiflu

4. **MR ALBERT CHENG** (in Cantonese): *President, to prepare for a possible outbreak of avian flu pandemic in human beings, the Government is increasing the stockpile levels of various antiviral drugs, with that of Tamiflu to be increased to 20.56 million capsules. The authorities have also reached an*

agreement with the drug supplier to deliver the Tamiflu capsules in batches. In this connection, will the Government inform this Council whether:

- (a) it has formulated any policy on the distribution of Tamiflu in the event of an outbreak of the pandemic; if so, of the details, particularly on the prioritization of different categories of people in the distribution of drugs, and whether priority will be given to front-line health care workers and high-risk groups;*
- (b) it has conducted any surveys on the current stocks of Tamiflu kept by retail drug stores, private medical practitioners and private hospitals; if so, of the respective stocks; and*
- (c) it has assessed if the supplier of Tamiflu can deliver the drug to Hong Kong according to the agreement in the event of a worldwide outbreak of the pandemic, and how it can ensure that there will be a sufficient stock of Tamiflu in Hong Kong to deal with the pandemic?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, the World Health Organization (WHO) recommends health authorities to stockpile antiviral drugs against influenza, including Tamiflu and Relenza, as one of the preparedness measures against pandemic influenza. The Department of Health (DH) has worked out the target level of antiviral drugs stockpiling with reference to the infection rates of past influenza outbreaks in Hong Kong.

Stockpiling of antiviral drugs constitutes part of our contingency efforts to tackle influenza pandemic. In the event of a pandemic, the Government will take other effective public health measures, such as heightened surveillance and implementation of port health measures, to control the outbreak. Meanwhile, the public should always seek to achieve better personal hygiene, ensure a clean living environment and lead a healthy lifestyle so as to boost their body immunity.

- (a) In order to maximize our efforts in containing the pandemic and protecting the general health of the public, and according to the recommendations of the Scientific Committee on Emerging and Zoonotic Diseases (SCEZD) under the Centre for Health Protection,

the major considerations in the distribution of antiviral drugs to people during an influenza pandemic will be the potential level of infection risk they face and their need to take the drugs.

While the actual priority for the distribution of antiviral drugs should be set in the light of the actual situation in the event of an influenza pandemic, the following situations will be given priority in the use of antiviral drugs on the recommendation of the SCEZD:

- to give medical treatment to patients;
- to provide medication to health care workers as well as other essential service providers as prophylaxes;
- to provide medication to workers engaged in the live poultry culling operation as prophylaxes; and
- to provide preventive medication to those who have come into contact with the virus as prophylaxes.

The priority as set out above has taken into account the need of the front-line health care workers and high-risk groups.

- (b) Early this year, the Government urged the health care sector including private medical practitioners and private hospitals to stockpile antiviral drugs against a possible influenza pandemic. We understand that since the beginning of 2005, the amount of Tamiflu supplied to the health care sector is five times of the total amount supplied in 2004. However, we do not have the figure showing the total stock of antiviral drugs kept by the health care sector at the moment.
- (c) The Government has formulated a preparedness plan to tackle influenza pandemic. Under the plan, we propose to increase our stock of antiviral drugs to over 20 million capsules. At present, the Government has a stock of about 3.5 million capsules. We have signed an agreement with the pharmaceutical company to ensure that our additional order of antiviral agents will be delivered to us in batches. It is expected that another shipment of 4 million capsules will reach Hong Kong early next year.

We will monitor the epidemic closely and keep track of the latest developments in the use of antiviral drugs and the WHO's recommendations, so as to refine our strategy for stockpiling antiviral drugs accordingly.

MR ALBERT CHENG (in Cantonese): *President, the Secretary has not answered part (c) of the main question. In fact, we have recently learnt from the press that, as pharmaceutical companies said, Hong Kong was now facing a shortage of vaccines. The Government said that it had ordered 20 million capsules of antiviral drugs and the drugs would be delivered in batches, may I ask the Government how it can ensure that the drugs it has ordered for delivery in batches will surely be delivered on time? If the manufacturer concerned fails to deliver the drugs on schedule, what will the Government do? How can the Government ensure that the 20 million capsules of antiviral drugs will be shipped to Hong Kong on schedule? The Secretary has not answered this part.*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, I may add a few words. We have discussed with the manufacturer of Tamiflu, Roche, and requested it to increase its global output of the drug, hoping this would help to cope with the demand of other countries and ensure an adequate supply of the drug to Hong Kong and other countries in the event of a global outbreak. Moreover, as far as I know, Roche will co-operate with some drug manufacturers in the Mainland to produce Tamiflu in the Mainland. Therefore, I believe the output of the drug will be increased continuously in future. By the time the drug is really needed, the impact caused by failure of timely delivery could have been minimized. I certainly understand Mr Albert CHENG's concern that in the event of a sudden global outbreak, the situation will be chaotic and every country will be competing for Tamiflu. We hope that counting on the present agreement and the relation we have established with the pharmaceutical company, we may obtain an adequate supply of drugs.

MR ALBERT CHENG (in Cantonese): *President, the Secretary has not yet answered my supplementary question. Does the Secretary mean that there is utterly no way to ensure an adequate supply of drugs? May I ask the Secretary*

whether his reply is close to saying that we have to "wait for luck" — waiting for the delivery of the drug and see whether our luck holds?

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, at present, there is no information indicating that the drugs we have ordered will not be delivered on schedule. I think this answer is a very good assurance in itself.

MS EMILY LAU (in Cantonese): *President, the Secretary said earlier that in order to increase the output of Tamiflu, Roche would on the one hand increase its output and might authorize manufacturers of the Mainland or other places to manufacture Tamiflu on the other. Will the Secretary provide more information to us in this respect? As far as he understands it, what is the existing state of affairs? If manufacturers of a number of places may also produce Tamiflu, will the shortfall in supply be made up to a certain extent?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, perhaps I have not explained it clearly earlier. In addition to its existing factory responsible for the manufacturing of Tamiflu, Roche is prepared to increase the output of its factories in other places. Roche has its own factory in the Mainland, and it hopes that its factory in the Mainland will also continue to manufacture Tamiflu. Furthermore, I know that another company, Gilead Science, which holds the patent of Tamiflu, has had discussion with Roche recently, and the two will co-operate to increase the output of the drug. I believe this will bring about a continual increase of the output of Tamiflu worldwide.

MISS CHAN YUEN-HAN (in Cantonese): *President, I notice from part (c) of the main reply that the stockpile of 20 million capsules is inadequate. Even if 4 million capsules are delivered to us by the pharmaceutical company by early next year, we will only have 7.5 million capsules including the current stock, which is indeed less than half of the total number of capsules we intended to stockpile. The Government then asks us to trust it that there would not be any problem. However, I am really worried. If, unfortunately, by that time —*

January and February are just around the corner — a large-scale pandemic really occurs in spring, what should we do? Particularly when the Secretary said earlier that front-line health care workers would be given priority in the allocation of drug, what is the entire arrangement in this respect? I worry if police have to be deployed to stand guard at places supplying the drug. The Secretary should understand what I mean. In the event of drug shortage, people may do whatever they can, just like the news report I saw this morning which pictured the people in a certain place competing to buy potable water.....

PRESIDENT (in Cantonese): Miss CHAN, what is your supplementary question?

MISS CHAN YUEN-HAN (in Cantonese): *My supplementary question is: What is the overall preparation of the Government? The fact before our eyes now is a shortage of drugs. Touch wood — if a large-scale influenza pandemic does strike, what measures will the Government as a whole adopt to arrange for citizens to take the drug? I worry very much that there will be serious chaos and panic by that time. I hope the Government can tell me what measures it will take, for the fact before our eyes is that there is a shortage of drugs.*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, first of all, I hope that Miss CHAN Yuen-han will not regard Tamiflu as a "magic pill" that can solve all the problems in the event of an influenza pandemic.

(Miss CHAN Yuen-han intended to ask the Secretary again)

PRESIDENT (in Cantonese): Please do not speak while the Secretary is giving his reply.

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Therefore, the effect of Tamiflu is limited to its antiviral properties. In the event of an influenza pandemic, we have to examine the development of the

pandemic, and determine whether the drug is really working on the virus and whether the problem of drug-resistance does occur. Thus, we cannot tell Members clearly now who will get Tamiflu and who will not. We have to decide the priority of the allocation of drug according to the prevailing development of the pandemic.

I have already listed four types of persons earlier. First, we must treat our patients; this is definitely what we have to do. Second, we have to prevent the spread of the pandemic, that is, prophylaxes will be provided to those who have had contact with patients, where necessary. Third, for those people who have had contact with patients or their families, or those they have had contact with, that is, health care workers or other people who have to contact these people, including customs officers or police officers, we must provide them with adequate prophylaxes. As for other people, decisions have to be made according to the development of the pandemic. If the situation is severe, we surely need to have more drugs, but if the situation is not severe, we may not need so many drugs. We must take into account the development of the pandemic when we make the decision. For the time being, we are very confident that even if a pandemic set off by human-to-human transmission does strike Hong Kong, we will have sufficient time to plan and carry out anti-pandemic work.

MISS CHAN YUEN-HAN (in Cantonese): *President, the Secretary has not answered my question. My question is: Given the shortage of drug supply and the huge demand, what measures has the Government put in place to ensure that persons in need will get the drug? I am really worried that a public panic may be sparked at that time. The Secretary has not answered what measures the Government has. This is also a precaution in crisis management.*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, as I have just said, the objective of our measures is not to let every citizen take the medication; the drug must be provided to those most in need. I said earlier that we were not going to distribute the drug to every citizen in the territory; for more often than not, this will only rapidly exacerbate the problem of drug-resistance virus, and worse still, encourage the spread of the virus. Therefore, we must act cautiously.

MR ANDREW CHENG (in Cantonese): *Madam President, at the relevant panel, we have suggested the Government to consider the adoption of certain measures. Under the WTO and the relevant domestic legislation on intellectual property rights, certain exemption mechanisms have been put in place for public health emergencies and crises, such as the situation which Miss CHAN Yuen-han has just expressed her concern. Will the Government consider applying these exemption mechanisms provided under the WTO or the relevant domestic legislation on intellectual property rights? The Government should now discuss with Roche the consideration of making public the formula of its drug to let more pharmaceutical companies manufacture the drug. This should certainly be the last resort at the very last moment, but at least, this can be one of the options. Will the Government conduct immediate studies in this respect instead of going through all documentation work or identifying pharmaceutical companies for the manufacturing of the drug in emergency?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): *Madam President, I already wrote a letter to Roche on 19 October requesting it to address this issue and I have received its reply. As far as I know, in early November, the WHO together with a number of countries had exerted pressure on Roche, so it has now decided to increase its output. As to whether an exemption on the patent right of the drug will be granted to allow other companies or manufacturers to manufacture Tamiflu, quite a number of people are contacting Roche in this connection. Since Hong Kong does not have any drug manufacturers, we do not have the capacity to manufacture the drug ourselves. We can only help the Mainland or other places to exert pressure on Roche, hoping that it will take into account the total demand for the drug globally and increase its output.*

MR LAU KONG-WAH (in Cantonese): *President, the Secretary has not said how many patients the authorities intend to treat with the stockpile of 2 000 capsules antiviral drugs, for he said that drugs would be allocated to patients first. Will the Secretary inform us how he came up with this figure? What is the number of patients we expect to treat that obliges us to stockpile 2 000 capsules — sorry, it should be 20 million capsules of antiviral drugs? (Laughter)*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, according to the advice given to me by the Centre for Health Protection, the WHO considers that a place can calculate its stockpile level according to the existing local consumption level of Tamiflu in general. For instance, if each patient has to take two capsules every day for a five-day course, a total of 10 capsules are needed. Basing on this, we derive that some 20 million capsules should be able to treat 2 million-odd patients, which equals to about 15% to 20% of the population of a place. This is the guideline given by the WHO.

MISS TAM HEUNG-MAN (in Cantonese): *President, since suppliers of antiviral drugs have already decided to accept orders only from governments of different countries temporarily, if private medical practitioners, pharmacies dealing with retail sales and private hospitals are out of stock of antiviral drugs, will the authorities consider providing their existing stock to these parties? If so, at what price will the drugs be provided?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, first of all, I have to make it clear that Roche is still supplying drugs to private medical practitioners and private hospitals at present; however, owing to the relatively tight supply, drugs ordered cannot be supplied promptly. Nevertheless, the Hospital Authority has reached an agreement with private medical practitioners and private hospitals that they will be able to obtain the drug if their patients need the drug. But I do not know how much the drug is charged. However, if an influenza pandemic really strikes, money should not be our concern; the treatment of patients should come first.

MR TAM YIU-CHUNG (in Cantonese): *President, the pharmaceutical company manufacturing Tamiflu says that there is a shortage of stock. This is a fact, and we feel anxious about this. Will the Government discuss or exchange views with the Mainland to see what kinds of proprietary Chinese medicine may be helpful in this respect? We know there is a capsule called Lianhua Qingwan Capsule which is said to be very effective and its efficacy was displayed during the SARS outbreak. Can we find out if there are any kinds of Chinese medicine*

tonic that can help strengthen our immune system and boost our resistance to influenza? Has the Government conducted exchanges in this respect?

PRESIDENT (in Cantonese): Mr TAM Yiu-chung, this oral question is on the stockpile level of Tamiflu. Will you explain how your supplementary question is related to this subject?

MR TAM YIU-CHUNG (in Cantonese): *Alright. Owing to the shortage of supply of Tamiflu, a number of Members have asked the Government earlier of the strategy it has in dealing with the shortage problem. Waiting alone is not a solution. So what strategy does the Government have? My supplementary question is: Does the Government have any strategy like developing Chinese-formula Tamiflu, so to speak? (Laughter)*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, first, I would like to correct a viewpoint of Mr TAM Yiu-chung, that is, we cannot regard all antiviral drugs as Tamiflu. In fact, we are now studying whether there are other drugs, in addition to Tamiflu, with antiviral properties. If there are, we may also need to stockpile these drugs, which include both Western medicine and Chinese medicine.

In respect of Chinese medicine, before we make any bulk purchase of a certain type of Chinese medicine, we certainly hope that adequate scientific proof and clinical evidence on the effectiveness of that Chinese medicine has been established. Regarding the drug mentioned by Mr TAM Yiu-chung earlier, which is said to be an effective drug in the Mainland at present, personnel and professionals of the DH will contact the authorities concerned to understand the situation. If the drug is really effective, I believe we may also start purchasing or stockpiling the drug. I believe we will not regard Tamiflu as the "magic pill", a panacea, to all the problems. At present, we consider that several kinds of drugs proved to have antiviral effect in the past should also be stockpiled, for it is only our estimation that the virus will be of the H5N1 strain, but whether Tamiflu is effective in combating this virus by that time, we can hardly tell now. Given that, we wish to stockpile other antiviral drugs of a similar nature.

PRESIDENT (in Cantonese): We have spent more than 20 minutes on this question. Last supplementary question now.

MISS CHAN YUEN-HAN (in Cantonese): *President, I actually wish to raise a supplementary question on the next oral question. I thought Miss TAM Heung-man had asked her oral question already and I thus pressed the button. I am sorry.*

PRESIDENT (in Cantonese): I see. You wish to raise questions on the fifth oral question. Since the display panel has refreshed too quickly, so we think you wish to raise another supplementary question on this oral question. If so, this oral question ends here. We will now proceed to the fifth question.

Admission of Professionals

5. **MISS TAM HEUNG-MAN** (in Cantonese): *Madam President, some accountants have relayed to me that there is a serious shortage of professionals in the accounting profession. Regarding the admission of professionals in various professions, will the Government inform this Council:*

- (a) *of the numbers of professionals admitted to work in Hong Kong through various channels, which include the Admission Scheme for Mainland Talents and Professionals (ASMTP), in the past two years, and details of their places of origin and the professions they worked in;*
- (b) *whether it has reviewed the effectiveness of the existing policy for the admission of professionals; if it has, of the review results; if not, when such a review will be conducted; and*
- (c) *whether it will consider formulating new measures for admission of talents, or reviewing the existing policy in this regard; if it will, of the details; if not, the reasons for that?*

SECRETARY FOR SECURITY (in Cantonese): Madam President,

- (a) At present, persons from overseas may apply for entry into Hong Kong for employment under the General Employment Policy (GEP).

As for mainland residents, they may apply for entry into Hong Kong for employment under the ASMTP which has been implemented since July 2003. In addition, the existing policy allows mainland students who have graduated from locally accredited full-time programmes at degree and above levels in or after 1990 to apply to work in Hong Kong. Chinese citizens who have resided overseas for one year or more may apply from overseas to enter Hong Kong for employment.

In the past two years (November 2003 to October 2005), the number of persons from overseas and the Mainland who were approved to enter Hong Kong for employment was 47 972, of which 39 458 were under the GEP, 7 665 were under the ASMTP, 365 were mainland students who have graduated from locally accredited full-time programmes at degree and above levels and 484 were Chinese citizens who had resided overseas for one year or more.

The nationality and sectors/professions of the above persons are set out at the Annex of the text of my main reply which has been provided to Members.

- (b) The GEP has been implemented for years and has received positive responses. In recent years, the annual number of applications received ranged from 15 000 to 20 000. As for the ASMTP, a total of 10 055 applications were received from its implementation on 15 July 2003 up to the end of October this year, representing an annual average of 3 000 to 4 000 applications. According to the available statistics, the ASMTP is better suited to the needs of the Hong Kong economy, as compared to similar schemes it has replaced (the Admission of Talents Scheme and the Admission of Mainland Professionals Scheme). We are conducting a review of the effectiveness of the ASMTP. Preliminary findings indicate that

every admitted professional will help create an additional 1.8 posts for his/her company. At the same time, the companies concerned consider that the admitted professionals will increase efficiency and productivity of the company, broaden its business profile and foster collaboration between Hong Kong and the Mainland, and so on.

- (c) In October, the Chief Executive announced in the policy address that we are considering introducing a new admission scheme next year. Under the scheme, a certain number of talented people from the Mainland and overseas who meet specified eligibility criteria will be allowed to stay in Hong Kong for a certain period of time, without the requirement of securing an offer of local employment beforehand. During their stay, they can decide whether they want to develop their career in Hong Kong on a long-term basis. The Security Bureau and the Immigration Department (ImmD) are formulating details of the scheme which we hope to introduce in the first half of 2006 with a view to attracting more talent to come to Hong Kong.

Annex

I. Breakdown by nationality

1. The GEP (November 2003 to October 2005)

<i>Country</i>	<i>Number</i>
The United States	5 364
The United Kingdom	5 187
Japan	4 426
Australia	3 322
India	2 068
The Philippines	1 941
Canada	1 568
France	1 170
Germany	1 081
Others	13 331
Total	39 458

II. Breakdown by sector/profession

As the various schemes commenced at different points in time, the statistical breakdown compiled by the ImmD varies.

1. The GEP (November 2003 to October 2005)

<i>Profession</i>	<i>Number</i>
Executives and managers	14 617
Sportsmen and entertainers	9 372
Other professionals and technicians	7 613
Teachers/professors	4 160
Lawyers	565
Investors	507
Chefs and professionals in food and beverages	243
Medical and dental professionals	136
Others	2 245
Total	39 458

2. The ASMTP (November 2003 to October 2005)

<i>Sector</i>	<i>Number</i>
Academic research and education	4 862
Financial services/commerce and trade	1 062
Arts and culture/recreation and sports	671
Telecommunications/information technology	267
Engineering and construction/architecture/surveying	206
Catering industry	160
Medical and health services	141
Legal services	98
Others	198
Total	7 665

3. Entry for employment by mainland students who have graduated from locally accredited full-time programmes at degree and above levels (November 2003 to October 2005)

<i>Sector</i>	<i>Number</i>
Financial services	125
Academic and research	65
Executive management	60
Marketing/sales	50
Engineering	29
Media	19
Information technology	17
Total	365

4. Entry for employment by Chinese citizens who have resided overseas for one year or more
- Between November 2003 and October 2005, a total of 484 Chinese citizens who have resided overseas for one year or more have been approved to enter Hong Kong for employment. The ImmD does not have the detailed breakdown by sector/profession.

MISS TAM HEUNG-MAN (in Cantonese): *Madam President, the Secretary stated in part (b) of the main reply that a review of the effectiveness of the ASMTP is being conducted. When will the result of this review be announced? The Secretary also stated that only an additional 1.8 posts on average would be created by every admitted professional. Does the Secretary have any measures to further increase the creation of posts, say from 1.8 posts to two or three posts?*

SECRETARY FOR SECURITY (in Cantonese): *Madam President, the review is now being conducted in parallel with the formulation of a new admission scheme. We wish to announce the result of the review together with the new admission scheme.*

According to the current evaluation, companies employing admitted professionals indicate that every admitted mainland professional will create on average an additional 1.8 posts. As to whether more than 1.8 posts will be created in future, I believe this is a business decision of the companies not to be dictated by the Government. Therefore, with regard to this point, I am afraid there is not much we can do about it.

MR KWONG CHI-KIN (in Cantonese): *President, at present, with the exception of applications made under the Supplementary Labour Scheme (SLS), the vetting and approval of all importation of labour are under the charge of the Security Bureau. May I ask the Government, as the admission of professionals should be more related to manpower resources, why it is under the charge of the Security Bureau? As the Economic Development and Labour Bureau is more related to manpower policy, will the Government consider transferring all these applications to this Bureau for vetting and approval?*

SECRETARY FOR SECURITY (in Cantonese): Madam President, the authority of vetting and approving applications by non-Hong Kong citizens to enter Hong Kong for employment rests with the Director of Immigration, not the Security Bureau. However, with regard to the ASMTP introduced two years ago, there is a special committee responsible for advising the Director of Immigration before the latter makes a decision on the applications. Yet, the committee does not take over the authority of vetting and approving applications made under the ASMTP or the authority of approving the issuance of entry visas. This committee is not under the Security Bureau. It is chaired by the Financial Secretary and comprises representatives from other government departments and non-government bodies such as the labour, business and industrial sectors, as well as colleagues from the Economic Development and Labour Bureau. We wish to introduce a new policy in this respect when we review the existing ASMTP in future. Our initial thinking is to have a committee to advise the Director of Immigration in the vetting and approval of applications, but this authority still rests with the Director of Immigration.

MISS CHAN YUEN-HAN (in Cantonese): *President, as a matter of fact, affairs related to the importation of labour into Hong Kong are now under the charge of*

different government departments. For the SLS mentioned just now, it is vetted and approved by members of the Labour Advisory Board (LAB) under the Labour Department; while other similar schemes, including the Admission of Mainland Professionals Scheme and schemes that are being implemented now, are in fact under the charge of the ImmD under the Security Bureau. When we discussed this problem at that time, we requested the Government to include representatives from the labour sector in the vetting and approval process. The Government, however, has been resistant to this proposal.

With regard to the Secretary's reply to Miss TAM Heung-man's main question, we have serious doubts about some of the statistics. Recently, the Disneyland came under fire for not recruiting its performers from the Hong Kong Academy for Performing Arts. We found that under this policy, performers permitted to enter Hong Kong for employment have accounted for a major proportion. In other words, under the GEP, 9 372 sportsmen and entertainers were permitted to enter Hong Kong for employment. Although there are not sufficient sportsmen in Hong Kong and the standard may not be high enough, must there be no entertainers in Hong Kong? Some have raised doubts about this now. Why are some of the employees playing musical instruments in the Disneyland also expatriate workers? We all along have doubts as to why there have been no representatives from the labour sector when the ImmD examined these policies. In reply to Mr KWONG Chi-kin's supplementary question just now, the Secretary has not answered the thrust of the question. The Secretary only said the committee is chaired by the Financial Secretary, but in fact the labour sector is not represented in the committee. This differs greatly from the general admission of overseas labour, for the latter is vetted and approved by the LAB. Therefore, I hold that manpower-related affairs should be under the charge of Mr Stephen IP, the Secretary for Economic Development and Labour. We are concerned that the current practice, which is dominated by the business sector, will lead to a situation similar to the Disneyland, in which people find it doubtful as to why it admitted so many.....

PRESIDENT (in Cantonese): Miss CHAN Yuen-han, the question time is for Members to put questions. I have, anyhow, allowed you to speak a lot and express your view so that Members will be able to follow your question. Thus, please ask the Secretary what can be done, instead of what you want the Secretary to do.

MISS CHAN YUEN-HAN (in Cantonese): *Secretary, as you are not specialized in this area and there are no labour advisors around you, how can your vetting and approval of applications not become a matter of concern to the labour sector?*

SECRETARY FOR SECURITY (in Cantonese): I fully agree with Miss CHAN Yuen-han's view, that I am not an expert from the labour sector. However, the scheme for admission of professionals is not to admit professionals whom we already have in Hong Kong, or that it will bring competition to local labour. We will not approve of admitting these professionals. If there is a genuine need to admit labour to perform jobs that local labour can perform, such as those jobs mentioned by Miss CHAN Yuen-han, we will certainly seek to reach an agreement with the labour sector beforehand. For example, the recent "1+ 1" scheme is our attempt to draw industries back to Hong Kong.

The current scheme for admission of professionals only seeks to admit professionals who will not compete with local employees, that is, professionals in short supply or professionals who are conducive to the long-term economic development of Hong Kong, such as by admitting one professional, it can help us create job opportunities. The ImmD has conducted work in this area for many years and accumulated considerable experience. With respect to the current scheme for admission of professionals, the committee chaired by the Financial Secretary is to gather a group of non-government individuals who know what kinds of professionals are in short supply and what kinds of professionals should be admitted to facilitate our long-term development. Together with the representatives from various government departments, including colleagues from the Economic Development and Labour Bureau, they tender advice to the Financial Secretary. The Financial Secretary will then relate these opinions to the Director of Immigration who will decide whether the applicants belong to the types of professionals that are in short supply and whether they are conducive to the long-term development of Hong Kong and to our economic development. This is completely irrelevant to labour admitted on general purposes or labour that is available in our local labour market.

MS EMILY LAU (in Cantonese): *President, the Secretary stated just now that the admission of professionals can help create job opportunities in Hong Kong.*

He mentioned in part (b) of the main reply that preliminary findings now indicate that every admitted professional will help create on average an additional 1.8 posts. While I find this most welcome, I hope the Secretary can make more effort in this area and look into the kinds of job opportunities created when studies are being made. In view of the high unemployment rate of those with a relatively low educational level in Hong Kong, will the Secretary conduct a survey in this respect to ascertain the kinds of job opportunities created? If the survey finds that this is feasible, will we expand the scheme to let more relevant professionals enter Hong Kong for employment, so as to create more local job opportunities?

SECRETARY FOR SECURITY (in Cantonese): Madam President, with regard to the government policy on admission of professionals, we are, to make a long story short, only admitting professionals that are in short supply in Hong Kong. Moreover, they are conducive to the overall development of the Hong Kong economy and the continued prosperity of Hong Kong. We found in the review being conducted now that after the implementation of this policy, we not only have admitted professionals that are conducive to the economic development of Hong Kong, but also brought about a side effect, that is, it has created job opportunities for the companies which have employed admitted professionals. This is not the original intention of the policy, for it does not require that three posts have to be created before one professional can be admitted. This is not the target of the policy. Yet, we discovered that the policy had achieved such an effect. Perhaps when we review this policy in future, we will look into the types of profession to which these new posts belong and try to make a detailed categorization.

PRESIDENT (in Cantonese): Last oral question.

Allowing Prisoners to take Chinese and Western Medicines Simultaneously

6. **MR LEUNG YIU-CHUNG** (in Cantonese): *President, I have learnt that a prisoner who requested to take Chinese medicines while being treated by a practitioner in Western medicine was required by the Correctional Services Department (CSD) to provide proof that the Chinese and Western medicines concerned will not produce adverse interactions. In this connection, will the Government inform this Council:*

- (a) *why the CSD made the above requirement and whether this requirement constitutes deprivation of prisoners' right to proper medical treatment;*
- (b) *whether the CSD will take the initiative to commission medical professionals or organizations to conduct tests to ascertain which Chinese and Western medicines are suitable for administration at the same time and which are not, so as to ensure that prisoners who have a need to take both Chinese and Western medicines can do so safely for quick relief of illness and speedy recovery; if not, of the reasons for that; and*
- (c) *whether it will allow prisoners to choose either Chinese or Western medical treatments; if not, the reasons for that?*

SECRETARY FOR SECURITY (in Cantonese): Madam President, the CSD respects prisoners' right to medical treatment, and ensures that sufficient and proper medical services are provided to all prisoners in accordance with the Prison Rules (Cap. 234A). Every penal institution has a hospital or sick bay where medical services are provided by qualified doctors and nursing staff. Prisoners in need of intensive care or surgery are transferred to public hospitals for treatment. Moreover, medical specialists from the Hospital Authority (HA) and Department of Health (DH) visit the institutions on a regular basis to provide consultation and treatment to prisoners. Prisoners with mental problems are referred to the Siu Lam Psychiatric Centre.

Under the Prison Rules, Medical Officers are in charge of medical matters in penal institutions. The Medical Officers now posted to the penal institutions and specialists who visit the institutions on a regular basis are all registered medical practitioners from the HA or the DH. At present, we do not provide Chinese medical treatment to prisoners.

My reply to the questions raised is as follows:

- (a) We consider the medical services currently provided to prisoners comprehensive and in compliance with the international standards for correctional services. If any prisoner requests medical treatment (for instance, Chinese medical treatment) other than those

we provide, the CSD will consider such requests on a case-by-case basis, based on the Medical Officers' professional advice.

The CSD has a statutory obligation to protect the health and safety of prisoners. Besides, the Medical Officers in the penal institutions also have the responsibility to understand the treatment requested by prisoners. If the requested treatment may have adverse interactions with the treatment being administered and, thus, may affect the prisoner's health, the request may not be acceded to. This is to protect prisoners' health, and does not constitute deprivation of their right to proper medical treatment.

- (b) As Chinese medical treatment does not fall within the scope of medical services we currently provide to prisoners, it should be up to the prisoners who request such treatment to prove whether it will have any adverse interactions with the treatment being administered by the Medical Officers in the penal institutions.
- (c) The medical services we provide to all prisoners are comprehensive, in compliance with the international standards for correctional services and considered appropriate by the Medical Officers. Prisoners are not allowed to choose the form of treatment they prefer.

MR LEUNG YIU-CHUNG (in Cantonese): *President, first of all, I feel most sorry that the Government has not included Chinese medical treatment as one of the medical services for prisoners.*

As we all know, Chinese medical practitioners have been included in the formal medical system and subject to the regulation of relevant legislation. If Chinese medical treatment is still excluded from the medical services for prisoners, is this in breach of the system in which Chinese medicine is respected?

President, in the second paragraph of part (a) of the main reply, it is pointed out that "if the requested treatment may have adverse interactions with the treatment being administered.....the request may not be acceded to". May I ask the Secretary how the assessment on whether or not there are adverse interactions will be made?

I have received a complaint in which the prisoner has received treatment by two Chinese medical practitioners at TWGHs Kwong Wah Hospital and The Chinese University of Hong Kong Chinese Medicine Clinical Research and Services Centre. He was given a report certifying that the simultaneous administration of Chinese and Western medicines will not give rise to any adverse interactions as the two treatments are compatible with each other. But in the CSD's reply, three conditions have to be fulfilled: first, objective and scientific evidence be provided by the Chinese medical practitioners; second, the medicine proved to be safe by toxicologists; and third, a statement clearly stating that the Chinese and Western medicines concerned will not give rise to adverse interactions.

If the CSD is not required to find out any possible adverse interactions mentioned by the Secretary, and the Medical Officer who has given treatment to the prisoners will be responsible for confirming that the Chinese medicine will not lead to any adverse effect, this is contradictory to what the Secretary has just said. So, may I specifically ask the Secretary who will take the initiative to find out the possibility of adverse interactions and who will take a passive position?

SECRETARY FOR SECURITY (in Cantonese): Madam President, according to the Prison Rules, all medical and nursing matters in the penal institutions are responsible by the Medical Officer on duty. If the Medical Officer on duty has been giving treatment to the prisoner, he will be responsible for his health. Even though the prisoner has requested treatment in Chinese medicine, the Medical Officer is not confident in allowing him to do so for he opines that he is only responsible for Western medicine. Moreover, if the prisoner is not feeling well after taking medicine other than Western medicine, the Medical Officer in charge will also be held responsible.

As the Medical Officer in charge is supposed to be responsible under the law, he should also be given the powers. When medication other than that prescribed by the Medical Officer is administered to the prisoner, the one who has prescribed it, no matter he is a practitioner in Chinese medicine or other disciplines of medicine, will be required by the former to produce evidence on the scientific base and toxicity of the medicine. The Medical Officer in charge is required by law to ascertain these points and colleagues in the CSD have to respect the professional advice of the Medical Officer.

MR LEUNG YIU-CHUNG (in Cantonese): *President, the Secretary has not answered who will take the initiative and who will be in a passive position. In fact, in the case I just mentioned, the Medical Officer in charge expressed that he himself could not cure the prisoner and advised the latter to seek other treatment if he hoped to recover. The Medical Officer then referred the case to a Chinese medical practitioner who, after diagnosis, produced a medical report saying that no adverse interactions between Chinese and Western medicines would occur.*

However, in the main reply, the Secretary pointed out that "if the requested treatment may have.....". In such a case, who is supposed to find out the possibility? Is it the CSD or the medical staff responsible for the treatment of prisoners? In fact, the Chinese medical practitioner concerned has already confirmed that Chinese medical treatment will not have any problem. But the CSD is not going to prove that "there may have adverse interactions", rather, it requests the production of the information just mentioned by me. Is such a request not unreasonable?

PRESIDENT (in Cantonese): You have just repeated your previous supplementary question. I understand.

SECRETARY FOR SECURITY (in Cantonese): Madam President, let me reiterate that the CSD respects the advice of the Medical Officer in charge. The CSD cannot afford to ignore the advice of the Medical Officer who has been empowered to perform the duties by law.

DR FERNANDO CHEUNG (in Cantonese): *President, I would like to follow up Mr LEUNG Yiu-chung's supplementary question. In the case just mentioned, obviously the Medical Officer in charge does not have any strong views. Nor does he oppose the seeking of alternative treatment by the prisoner.*

However, in part (b) of the main reply, the Secretary mentioned that "it should be up to the prisoners who request such treatment to prove whether it will have any adverse interactions with the treatment being administered by the Medical Officers in the penal institutions." May I ask the Secretary how the prisoner, as an inmate, can prove that the Chinese medicine will not have any

adverse interactions with the treatment being administered by the Medical Officer in charge? Regarding the case in question, even though the prisoner has obtained the certification by a Chinese medical practitioner, it is not accepted. What evidence will really be accepted? What evidence is specifically required by the Secretary in order to establish that there are no adverse interactions between Chinese and Western treatments?

SECRETARY FOR SECURITY (in Cantonese): Madam President, I think I will not comment on individual cases here. If a prisoner does not accept the treatment of the Medical Officer in charge or Medical Officer on duty in the penal institutions, or considers such treatment not proper, he can request treatment by a Chinese medical practitioner or other doctors outside the penal institutions. But the medicines prescribed to them must be checked by the doctors of the penal institutions and can be taken only after consent of the latter has been given. I do not agree with Dr Fernando CHEUNG that the CSD disallowed the prisoner to take the medicine despite the Medical Officer's consent to it. It is not the case.

DR FERNANDO CHEUNG (in Cantonese): *The Secretary has not answered what evidence is required so that the CSD will accept that the Chinese medical treatment or other forms of treatment does not have adverse interactions with the medicines being administered by the Medical Officer in charge.*

SECRETARY FOR SECURITY (in Cantonese): Madam President, I cannot answer this supplementary question on behalf of the Medical Officer in charge for I do not have such knowledge in medicine. This question is concerned about the doctors' professional advice. As they have been giving treatment to prisoners, they will know what forms of treatment or medicines will be the most suitable as treatment or for recovery of the prisoners.

If a doctor outside the penal institution, no matter he is a Chinese medical practitioner or practitioner of other medical discipline, has prescribed medicine for a prisoner, the Medical Officer in charge will allow the prisoner to take the medicine if he has relevant professional knowledge enabling him to judge the efficacy of the medicine and therefore has confidence in its administration.

However, if the Medical Officer does not have confidence in the medicine, no matter it is traditional Chinese medicine or pills, or whether he considers the diagnosis inconsistent with his professional opinion, he will request scientific evidence. This is exactly the situation of the case just mentioned by Dr Fernando CHEUNG and Mr LEUNG Yiu-chung. The Medical Officer in charge will, through the CSD, request information concerning the efficacy, scientific evidence and toxicity from the counterpart. This is precisely the situation. I would not have gone into the details of an individual case if not because of Dr Fernando CHEUNG's concern.

MR WONG KWOK-HING (in Cantonese): *President, in the main reply of the Secretary, it is pointed out that under the Prison Rules, Medical Officers are in charge of medical matters in penal institutions. That being the case, may I ask the Secretary why doctors in penal institutions are all practitioners in Western medicine and there is no Chinese medical practitioner? The HA also provides Chinese medical treatment service which is now expanding. Secretary Dr York CHOW is also attending the meeting today. So, through the Chair, may I ask the Secretary for Security whether Chinese medical practitioners are being discriminated against under the existing Prison Rules? Will the Secretary review whether the Rules are outdated and publish the review results as soon as possible so that Chinese medical service can be provided in prisons?*

SECRETARY FOR SECURITY (in Cantonese): Madam President, I must stress that a comprehensive range of medical services have already been provided in prisons. In compliance with international standards, services provided in the penal institutions have enabled us to fulfill our legal obligation in respect of maintaining the health of prisoners. When I am saying this, I do not mean to belittle the value and status of Chinese medical practitioners. At present, our public medical system has not yet evolved to be a dual system, that is, the ratio between practitioners of the two medical disciplines is 1:1. We have not yet reached such a dual system.

Even civil servants, I can tell Members, mainly consult practitioners in Western medicine and cannot say they prefer to consult Chinese medical practitioners. Dr Joseph LEE has been nodding his head. When neither our policy nor resource allocation have reached such a stage, should we insist on

providing both Chinese and Western medical services to the prisoners? This is a major consideration in our policy and resource allocation.

So at the current stage, the Government does not have any plan to introduce Chinese medical service in the penal institutions. Of course, as I just said, should such a dual system be introduced, there are difficulties in implementation and full assessment is warranted. However, we will conduct regular reviews of the existing mechanism to see whether it is necessary to introduce Chinese medical service in penal institutions.

MR WONG KWOK-HING (in Cantonese): *President, the Secretary has obviously not answered whether the Prison Rules are outdated or not. The HA has already provided Chinese medical service. This is very clear. The Secretary said that a full range of medical services had been provided.....*

PRESIDENT (in Cantonese): Mr WONG Kwok-hing, I understand your question. You are asking whether or not the Government has considered revising the Rules and the policy. Am I right?

SECRETARY FOR SECURITY (in Cantonese): Madam President, the Prison Rules stipulating that Medical Officers are in charge of medical matters in penal institutions are not outdated as both practitioners in Chinese and Western medicine are doctors. In other words, no amendment to the Rules is necessary even if a dual system under which both Chinese and Western medical services are provided is implemented and Chinese medical service is introduced in penal institutions in future. The Rules have only stipulated that medical matters are responsible by Medical Officers, who may not necessarily be practitioners in Western medicine. However, as I just said, this involves both policy and resource allocation which should come under a much larger purview.

MR LEE CHEUK-YAN (in Cantonese): *President, may I ask the Secretary whether he has sought Chinese medical treatment? Besides, will the Secretary, after having received the medicine, consult a toxicologist whether the Chinese medicine will have adverse interactions with the Western medicine that the Secretary are used to taking? If the Secretary has not done so, I think he is very*

great, even greater than Jesus Christ who preached that people should love their neighbour as themselves because the Secretary loves the prisoners more than himself for he himself does not seek to

PRESIDENT (in Cantonese): Mr LEE Cheuk-yan, please ask your supplementary question.

MR LEE CHEUK-YAN (in Cantonese): *President, I have already asked my supplementary question: Whether or not the Secretary has sought Chinese medical treatment?*

PRESIDENT (in Cantonese): Is this your supplementary question?

MR LEE CHEUK-YAN (in Cantonese): *Yes. If the Secretary himself has not sought toxicologist's advice on the Chinese medicine taken by him, does he not consider the existing requirement absurd?*

SECRETARY FOR SECURITY (in Cantonese): As for Mr LEE Cheuk-yan's supplementary question, I did Chinese medical treatment before. But it was many years ago. I have taken Chinese medicine too, but I have not asked a toxicologist to conduct a test because I trust the Chinese medical practitioner. Otherwise, I would not have consulted the practitioner. Now I will consult a practitioner in Western medicine whom I trust and take the medicine prescribed by him. I will not do a test on the medicine before taking it. However, does this mean that we discriminate against the prisoners in the penal institutions? We have adopted our current approach mainly because the penal institutions are responsible for all those who are under our custody, instead of because we believe in the religious philosophy that we should love them more than ourselves as Mr LEE Cheuk-yan said. This is not the case.

Under the legislation, the penal institutions and the resident doctors are responsible for the health of the prisoners. A Medical Officer in charge will be held responsible if a prisoner, who has been under his care, is allowed to take unknown medicine not prescribed by him, thus leading to unexpected

consequences. This is totally different from a situation where I take medicine of my own accord. If I consult a Chinese medical practitioner and suffer any undesirable consequences after taking the medicine, I will not complain because I trust the doctor. And no one, including the registered medical practitioner consulted by me, will be held responsible. However, under the relevant legislation, the Medical Officers in charge are responsible for the prisoners of the penal institutions. Mr LEE Cheuk-yan, this is the difference.

PRESIDENT (in Cantonese): We have spent more than 19 minutes on this question. Last supplementary question.

MR LAU KONG-WAH (in Cantonese): *President, I can also see the difficulty in the problem. Since the Medical Officer in charge is a practitioner in Western medicine, he cannot make a judgement on the Chinese medical treatment. But if the Government has really implemented people-based governance and recognized the status of Chinese medical practitioners, it cannot just sit back doing nothing and place the responsibility on the shoulders of the prisoners because the crux of the problem is that they cannot go out to seek alternative medical treatment.*

So, as resident Medical Officers are practitioners in Western medicine, may I ask the two Directors of Bureaux whether they will consider consulting the Government's Chinese medical practitioners. In doing so, they will get the answer. If the Chinese medical practitioners at public out-patient clinics also consider that the prisoner concerned can receive Chinese medical treatment, approval can certainly be granted. Will the Government implement such an additional procedure so that the prisoners can make use of Chinese medical service as soon as possible?

SECRETARY FOR SECURITY (in Cantonese): Madam President, as I just said, the dual medical system has not been implemented. In Hong Kong, there is no formal — Secretary Dr York CHOW, please supplement should I make any mistake — Chinese medical out-patient service. At present, there are only a few pilot clinics providing such a service. So, the Government does not have any policy in this aspect. As regards whether such a mechanism can be introduced in the future, it depends on the review results.

PRESIDENT (in Cantonese): Oral questions end here.

WRITTEN ANSWERS TO QUESTIONS

District Councils Promoting Poverty Alleviation Work at District Level

7. **MR LAU WONG-FAT** (in Chinese): *President, as District Councils (DCs) have a good grasp of their communities, and the policy address delivered in October this year has also indicated that the role of DCs will be expanded to enhance work in districts, will the Government inform this Council whether the Commission on Poverty (CoP) will consider promoting poverty alleviation work at the district level with various DCs through a particular form or mechanism of co-operation, for example, by assigning DCs to be co-ordinators of such work, so as to pull together people from different strata of local communities to take part in poverty alleviation?*

FINANCIAL SECRETARY (in Chinese): President, since its establishment early this year, the CoP has adopted the district-based approach in preventing and alleviating poverty with a view to encouraging cross-sectoral collaboration at the district level to formulate poverty alleviation measures that can cater for district needs.

We understand that DCs maintain close contacts with the local community and have good knowledge of the district needs and concerns; hence DCs play an important role in district administration. In implementing the district-based approach, DCs have been involved through various means and channels. For instance, the CoP had sharing and discussion with respective DC members during previous district visits to seek their comments on district poverty alleviation work. In addition, the District Working Task Forces chaired by District Officers in the three pilot districts, namely Kwun Tong, Sham Shui Po and Tin Shui Wai have included members from DCs, among representatives from other relevant sectors in district. The Task Forces have been working in various ways with DCs in discussing and drawing up the district action plans in relation to poverty prevention and alleviation. Apart from the three pilot districts, other District Offices also maintain close liaison with their respective DCs in carrying out appropriate measures to address their district needs.

For district poverty alleviation work to be effective and sustainable, the active participation and collaboration of various sectors (including local social welfare agencies, non-governmental organizations, poverty concern groups, schools and the business community) is very crucial, besides the facilitation of the Government and active involvement of DCs. The CoP also recognizes the importance of providing a platform for district co-ordination. Nonetheless, there is a preliminary consensus among the CoP members that more flexibility should be allowed in setting up district co-ordination mechanism taking into account their different situations and concerns, as well as their different formal and informal networks. Districts should be in the best position to consider how to further strengthen the local networks and motivate cross-sectoral participation in poverty alleviation.

To echo the policy address in enhancing work in districts, the CoP will convene a meeting on 25 November to discuss how to reinforce the district-based approach in poverty alleviation, including how to mobilize districts to formulate projects which can alleviate poverty in a sustainable manner by providing additional resources to them, as well as conducting a study on the support structures to facilitate district poverty alleviation work. The CoP will then make recommendations on the long-term strategy to implement the district-based approach taking into account the results of the study, the experience of the three pilot districts and other relevant projects/programmes.

Besides adopting the district-based approach, the CoP and relevant bureaux would continue with other poverty alleviation work to complement district work, including reviewing policies and measures to reduce inter-generational poverty and to encourage people to move "from welfare to self-reliance".

Compensation for Victims of Fallen Objects

8. **DR RAYMOND HO** (in Chinese): *President, accidents involving fallen aluminium windows or air conditioners had occurred frequently in Hong Kong recently, and some even resulted in deaths and injuries. In this connection, will the Government inform this Council:*

- (a) *whether there are provisions in the existing legislation stipulating that property owners are liable criminally and in damages for the deaths and injuries caused by the installations of their properties;*
- (b) *if there are such provisions, whether the victims concerned may in the end receive no compensation if the property owners are unable to make the compensation payment and have not taken out any relevant accident insurance; and*
- (c) *whether the authorities will consider setting up a fund to compensate those victims who cannot receive any compensation payment in the above circumstances?*

SECRETARY FOR HOME AFFAIRS (in Chinese): President, my reply to the three-part question is as follows:

- (a) Allowing the drop of objects from buildings is a criminal offence under the Summary Offences Ordinance (Cap. 228). Section 4B(1) of the Ordinance provides that if anything is dropped or allowed to fall from any building to the danger or injury of any person in or near a public place, the person who drops that thing or allows it to fall commits an offence and is liable to a fine of \$10,000 and imprisonment for six months.

Section 40(2B) of the Buildings Ordinance (Cap. 123) further provides that any person directly concerned with any form of building works who causes injury to any person or damage to any property shall be guilty of an offence and shall be liable on conviction to a fine of \$1 million and to imprisonment for three years.

Those who have suffered loss and damage caused by the drop of objects from a building may claim compensation for property damage, bodily injury or death. This is a question of civil liability to be determined by the Court taking into account various factors, including but not limited to whether the common parts of a building

or a unit of which an owner has exclusive possession is involved, whether the drop of objects is caused by an individual owner, an owners' corporation (OC) or a contractor, whether the person claiming the compensation and any other person (other than the owners) has contributed to the accident, and any other factors which the Court considers relevant.

- (b) The Government strongly encourages property owners and OCs to procure third party risks insurance. The Building Management (Amendment) Ordinance 2000 introduced a new section in the Building Management Ordinance (BMO) (section 28) which provides that all OCs shall procure and keep in force in relation to the common parts of the building a policy of third party risks insurance. This section of the BMO has yet to come into operation. A draft Building Management (Third Party Risks Insurance) Regulation 2005 which sets out the implementation details has been drawn up and submitted to the Legislative Council together with the Building Management (Amendment) Bill 2005. Once the Building Management (Amendment) Bill 2005 is enacted, we will refer the draft Building Management (Third Party Risks Insurance) Regulation 2005 back to the Chief Executive in Council for approval of its enactment.

In the case where the Court has ruled that a property owner is liable for the compensation, then the owner will have to pay the amount on his own. Where the Court has ruled that the OC is or all the owners are liable, then the owners will have to contribute to the amount in accordance with the provisions in the deed of mutual covenant (DMC) of the building. If there is no DMC, or if the relevant DMC contains no provision determining an owner's shares, then an owner's share of contribution shall be determined in the proportion which his undivided share in the building bears to the total manner of shares into which the building is divided. Whether the compensation amount will be covered by the insurance policy (if any) will depend on the terms and coverage of the insurance policy.

Where the individual owner or the OC is not covered by any third party risks insurance policy or that the policy amount is not

sufficient to cover the judgement debt, the owner(s) will have to be wholly responsible for settling the judgement debt or to contribute to the shortfall, as the case may be.

- (c) Management and maintenance of buildings is the responsibility of property owners. It is also squarely their responsibilities if the Court rules that any owners are liable for any damages/compensation to be awarded to third parties. We do not consider it appropriate to use public funds to assist the private property owners in settling such judgement debts. Neither do we consider it fair if a fund were to be set up with contribution from all property owners in Hong Kong so as to provide a buffer for those property owners who have not properly managed and maintained their buildings, thus causing accidents resulting in bodily injuries or deaths of third parties.

CSSA Cases in Low Earnings Category

9. **MR LAU CHIN-SHEK** (in Chinese): *President, regarding the cases in the "low earnings" category under the Comprehensive Social Security Assistance (CSSA) Scheme, will the Government inform this Council of:*

- (a) *the total number of household members (excluding the applicants) in such cases, together with a breakdown by gender and age profile (in groups each covering five years);*
- (b) *a breakdown of such cases by the applicants' gender, age profile (in groups each covering five years), educational levels and employment earnings (in groups each covering \$500), as well as the trades they are engaged in, their positions, the amounts of CSSA payments they receive each month and the numbers of months they have been receiving CSSA payments consecutively; and*
- (c) *the current number of CSSA cases in the "low earnings" category which were transferred from other categories?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Chinese):
President, information regarding "low earnings" cases under the CSSA Scheme as collated from records of the Social Welfare Department (SWD) is set out below:

- (a) As at the end of October 2005, there were 64 419 recipients under the "low earnings" category. 15 037 were low earning recipients, and the remaining 49 382 were their family members. A breakdown of the gender and age profiles of the family members (in groups each covering five years) is shown in Annex I. Since the low earning applicants could be members of the CSSA households, we consider that the analysis should not be premised on the statistics in relation to the applicants. Also, under the current system, employable adults with monthly earnings less than \$1,430 are classified as unemployed recipients whereas those earning \$1,430 or over are classified as low earning recipients.
- (b) As regards the 15 037 low earning recipients under the "low earnings" category, a breakdown of their gender and age profiles (in groups each covering five years), education levels, employment earnings (in groups each covering \$500), occupations, average monthly CSSA assistance payable and the number of months that they have been receiving CSSA payments on a continuous basis is shown in Annex II. The analysis shows that 45% of the low earning recipients under the "low earnings" category were aged between 40 and 49 and 56% of them had received education at primary school level or below. 32% of the "low earnings" cases had been receiving CSSA payments for more than five years.
- (c) As at end 2004, 4 230 low earnings cases were transferred from cases categorized as "unemployment", "single parent" and "other CSSA case categories" as at end 2003. A breakdown of the change of nature of these cases is shown in Annex III.

Annex I

Breakdown of the gender and age profiles of the family members in "low earnings" cases:

<i>Age group</i>	<i>Percentage</i>		<i>Total</i>
	<i>Female</i>	<i>Male</i>	
< 5	3%	3%	6%
5 - 9	7%	7%	15%
10 - 14	11%	11%	22%
15 - 19	9%	7%	16%
20 - 24	1%	1%	2%
25 - 29	1%	*	1%
30 - 34	3%	*	3%
35 - 39	5%	1%	5%
40 - 44	5%	1%	6%
45 - 49	3%	2%	6%
50 - 54	2%	2%	4%
55 - 59	1%	2%	2%
60 - 64	1%	3%	3%
65 - 69	1%	2%	3%
70 or above	2%	3%	5%
Total	55% (27 038 recipients)	45% (22 344 recipients)	100% (49 382 recipients)

Notes: Figures may not add up to total due to rounding.

*Less than 0.5%.

Annex II

Table I: Breakdown of the gender and age profiles of the low earning recipients in "low earnings" cases:

<i>Age Group</i>	<i>Percentage</i>		<i>Total</i>
	<i>Female</i>	<i>Male</i>	
15 - 19	1%	2%	3%
20 - 24	5%	5%	10%
25 - 29	2%	3%	4%
30 - 34	2%	4%	7%
35 - 39	6%	7%	13%
40 - 44	10%	12%	22%
45 - 49	9%	15%	23%
50 - 54	5%	8%	12%
55 - 59	2%	4%	6%
Total	41% (6 143 recipients)	59% (8 894 recipients)	100% (15 037 recipients)

Note: Figures may not add up to total due to rounding.

Table II: Breakdown of education levels as reported by the low earning recipients in "low earnings" cases:

<i>Education level</i>	<i>Percentage</i>
Primary school or below	56% (8 490 recipients)
Lower Secondary (Secretary One to Secretary Three)	24% (3 653 recipients)
Upper Secondary or above (including technical institute/commercial institute)	19% (2 894 recipients)
Total	100% (15 037 recipients)

Note: Figures may not add up to total due to rounding.

Table III: Breakdown of employment earnings as reported by the low earning recipients in "low earnings" cases:

<i>Monthly employment earnings</i>	<i>Percentage</i>
\$1,430 - < \$2,000	3%
\$2,000 - < \$2,500	4%
\$2,500 - < \$3,000	5%
\$3,000 - < \$3,500	8%
\$3,500 - < \$4,000	7%
\$4,000 - < \$4,500	11%
\$4,500 - < \$5,000	12%
\$5,000 - < \$5,500	13%
\$5,500 - < \$6,000	9%
\$6,000 - < \$6,500	9%
\$6,500 - < \$7,000	6%
\$7,000 - < \$7,500	4%
\$7,500 - < \$8,000	3%
\$8,000 or above	6%
Total	100%

Table IV: Breakdown of occupations as reported by the low earning recipients in "low earnings" cases:

<i>Occupation</i>	<i>Percentage</i>
Cleaner	14% (2 174 recipients)
Construction worker	5% (794 recipients)
Delivery worker	6% (842 recipients)

<i>Occupation</i>	<i>Percentage</i>
Driver	6% (868 recipients)
General worker/labourer (other than construction worker)	20% (2 981 recipients)
Salesperson	7% (1 036 recipients)
Waiter/Waitress	5% (746 recipients)
Watchman/guard	12% (1 738 recipients)
Others	26% (3 858 recipients)
Total	100% (15 037 recipients)

Note: Figures may not add up to total due to rounding.

Table V: Average monthly CSSA assistance payable during November 2004 to October 2005 of "low earnings" cases:

<i>Number of eligible members</i>	<i>Average monthly CSSA assistance payable[#]</i>
1	\$1,806
2	\$3,731
3	\$4,950
4	\$5,985
5	\$7,539
6 or above	\$9,801

Note: [#] It refers to the actual amount that CSSA cases received after deducting assessable income.

Table VI: Breakdown of the number of months of "low earnings" cases have been receiving CSSA payments on a continuous basis:

<i>Continuous duration of stay on CSSA (month)</i>	<i>Percentage of total CSSA "low earnings" cases with eligible member</i>
< 12	11%
12 - < 24	14%
24 - < 36	20%
36 - < 48	16%
48 - < 60	8%
60 or above	32%
Total	100%

Note: Figures do not add up to 100% due to rounding.

Annex III

Breakdown of the number of CSSA cases in the "low earnings" category transferred from those of other categories (Comparison between 2003 and 2004):

<i>Change of nature of cases</i>	<i>Number of cases</i>
From "unemployment" to "low earnings"	2 951
From "single parent" to "low earnings"	468
From other categories to "low earnings"	811
Total	4 230

Cruise Terminal Development

10. **MR CHEUNG HOK-MING** (in Chinese): *President, it has always been the intention of the Government to develop cruise terminal facilities in South East Kowloon (that is, the Kai Tak area), but the plan cannot be implemented in the near future as the Kai Tak Planning Review is underway. In view of this, the Tourism Commission announced on the third of this month that interested parties are invited to submit Expressions of Interest for the development of a new cruise terminal, in order to ascertain whether there were suitable locations other than Kai Tak that might enable an earlier development of a cruise terminal. In this connection, will the Government inform this Council:*

- (a) *as it is stipulated in the Invitation Document that no residential development may be included in the Cruise Terminal Development, whether it has assessed if such a stipulation will discourage the commercial sector from investing in the development of the cruise terminal; and*
- (b) *whether commercial developments may be included in the Cruise Terminal Development; if so, of the floor area that may be developed; if not, the reasons for that?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Chinese): *President,*

(a) and (b)

It has been the Government's view that the site at the end of the runway of the former Kai Tak Airport at South East Kowloon (Kai Tak) is most suitable for the development of new cruise terminal facilities. Before making the final decision on the location, we must ensure that the selected site is the best site available and it is acceptable from the town planning point of view. We launched an open invitation for Expressions of Interest on the third of this month, the purpose of which is to ascertain whether there are suitable and feasible sites other than Kai Tak for the development of a new cruise terminal before 2011. If we cannot identify a site that can meet all our requirements through this invitation for Expressions of Interest, the Government will not consider any sites other than Kai Tak and will focus on developing a new cruise terminal at Kai Tak. If there are suggestions that meet our requirements, the Government will follow the current planning procedures by conducting an in-depth study on the overall suitability of the proposed sites for development of a new cruise terminal, and put the site to competitive bidding after public consultation.

The Government's Invitation Document has specified a number of requirements. The Government will not consider any suggestion in the Expressions of Interest that fails to comply with such requirements. Based on town planning considerations, one of the requirements is that the suggested site for cruise terminal development must be compatible with other land uses in the vicinity. According to the study of our cruise consultant, the terminal will be busy with ground handling activities, for example, embarkation and disembarkation of passengers, luggage handling, provisioning of supplies, minor repairs, and so on, and will need to operate 24 hours a day. The consultant considered that the cruise terminal would be incompatible with residential development. We have specified in the Invitation Document that any suggestion on enhancement facilities for the new cruise terminal must not include residential development. It can, however, incorporate other tourism-related facilities to enhance the attractiveness of the cruise terminal to visitors and also its financial viability, making the project more attractive to investors. Such an arrangement is in line with the

development concepts proposed in the current Outline Concept Plans of the Kai Tak Planning Review.

As the location of the cruise terminal has yet to be confirmed, the land use and planning details such as commercial floor area are not available at the moment. We will work out such details in accordance with the established planning procedures. Once these details are confirmed, the new cruise terminal and the related tourist facilities will be put to competitive bidding.

Reorganization Plan for Food Safety Regulatory Framework

11. **DR KWOK KA-KI** (in Chinese): *President, regarding the Reorganization Plan for the Food Safety Regulatory Framework, will the Government inform this Council:*

- (a) *as there are currently about 1 000 staff of the Agriculture, Fisheries and Conservation Department (AFCD) and the Food and Environmental Hygiene Department (FEHD) who are jointly engaged in the work on agriculture, fisheries and food safety, of the details concerning the division of responsibilities among them; the establishment and strength of their grades and ranks; and the results of the assessment on whether there are overlapping of structure and unclear delineation of responsibilities or work between the two government departments;*
- (b) *how the primary duties of the staff, their establishment and strength, and the relevant staffing in the corresponding Policy Bureaux and executive departments after the reorganization of food safety regulatory framework compare to those before that, including the number of additional staff at management, junior and professional levels and the amount of expenditure involved; the reduced grades, the number of staff affected and the cost savings; as well as how to achieve the objectives of streamlining the structure and saving resources;*
- (c) *of the amount of resources to be injected to perfect the work on food safety regulation; and how the notification mechanism will improve*

to ensure the disclosure of information, enhanced transparency, prompt notification to the public and proper handling of contingency situations; and

- (d) *whether the authorities will comprehensively review the relevant legislation, revise food safety standards and formulate related policies, as well as provide scientific research funds and adequate staff training on food safety issues?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Chinese):

President, the FEHD has about 480 officers (including about 30 professionals such as Medical Doctors, Chemists, Veterinary Officers, Scientific Officers and Research Officers and over 160 Health Inspector grade officers) responsible for food safety control including food surveillance and the import control of mainland food animals, imported meat products, seafood and food products. As regards the AFCD, it has about 370 professional, front-line and supporting staff (including about 20 professionals such as Agricultural Officers, Fisheries Officers and Veterinary Officers) and is responsible for the licensing for local poultry farms and mariculture farms; regulating the import of non-food animals, birds and plants; providing veterinary laboratory testing services; and animal management. As both departments are responsible for executing part of the veterinary public health and food safety functions, the set-up not only causes confusion in the course of liaison with regulatory authorities of other countries/areas and international authorities, but also to the local community. Moreover, the allocation of scarce professional and expert resources cannot be optimized under the existing organization.

In view of increasing public concern for food safety, we have reviewed the current food safety regulatory framework and considered that the food safety, veterinary public health and other related inspection and quarantine functions of the FEHD and AFCD should be reorganized to form the Department of Food Safety, Inspection, Quarantine (DFSIQ). It is expected that the new DFSIQ would have a total of some 1 200 staff (including a Director at D6 level, a Controller, Centre for Food Safety (CFS) at D4 level, five Assistant Directors/Consultant/AOSGC at D2 level and two D1 officers). Some 1 000-odd staff currently perform food safety, veterinary public health, inspection and quarantine and administrative functions in the FEHD and AFCD will be transferred to the new DFSIQ. A total of about 220 additional

non-directorate posts will be created in the DFSIQ, Government Laboratory (GL) and Health, Welfare and Food Bureau (the Bureau) to support the work of the reorganized food regulatory framework and perform the various enhanced food safety and administrative functions. The reorganization plan will include a net increase of four directorate posts, namely one Permanent Secretary (D8) in the Bureau; one Assistant Director (AOSGC at D2) in the DFSIQ; and two Principal Medical Officers (D1) in the DFSIQ. The Controller, CFS post would be created by upgrading the existing Deputy Director (Food and Public Health) (D3) post in the FEHD to D4 level to oversee the daily operation and management of the CFS, identify objectives and formulate strategies on food safety.

To strengthen support at the top policymaking level, we propose to create an additional post of Permanent Secretary at D8 level responsible for the work on food safety and environmental hygiene, and also management of the newly established DFSIQ and Department of Agriculture and Environmental Hygiene (DAEH) as well as the GL. Three additional non-directorate posts will also be created in the Bureau to support the work of the new Permanent Secretary.

The total additional recurrent expenditure required for the reorganization will be about \$150 million per annum. The details on the number and establishment of posts in the DFSIQ, GL and the Bureau are being worked out in consultation with the relevant bureaux/departments.

As the Mainland is our major supplier of poultry, livestock, aquaculture produce and other foodstuffs, we also place great emphasis on enhancing the communication and co-ordination with the Mainland on food safety. We have recently signed a new co-operation arrangement with the General Administration of Quality Supervision, Inspection and Quarantine. Under the new co-operation arrangement, we would strengthen source management for inspection and quarantine work, hold discussions on the adoption of uniform procedures, methods and standards for inspection and quarantine across the border and step up enforcement actions against illegal imports and exports. We are in the process of setting up a notification mechanism on food safety with the Guangdong Provincial Government and the Shenzhen Municipal Government to enhance communication on major food incidents, contingency measures as well as other food safety matters that may have across-border implications.

The new DFSIQ will step up the regulation and inspection of local livestock and poultry farms, vegetable farms and mariculture farms. In order to

exercise control at source, we would also set up several special teams with interdisciplinary expertise to step up inspection of registered farms, processing plants and fish ponds in the Mainland and facilitate the same efforts in other countries supplying food to Hong Kong. We would also provide additional resources to enhance the capacity of risk assessment and the setting up of food standards. The DFSIQ would also enhance their food surveillance efforts at import, wholesale and retail levels to ensure that food products supplied by the Mainland and overseas countries are safe to consume.

Commissioning of External Organizations by CPU to Conduct Opinion Surveys

12. **MR LEE WING-TAT** (in Chinese): *President, it has been reported that The Hong Kong Polytechnic University (PolyU) was commissioned by the Central Policy Unit (CPU) to conduct an opinion survey from 27 to 30 September 2005 on the methods for selecting the Chief Executive in 2007 and for forming the Legislative Council in 2008. Regarding the commissioning of external organizations by the CPU to conduct opinion surveys, will the Government inform this Council:*

- (a) *whether public tenders had been invited to determine the organization to be commissioned to conduct the survey in September this year; if so, of the number of bidders in the tendering exercise; if not, the reasons for that;*
- (b) *of the number of surveys conducted in the past five years in which the contents of the questionnaires had been set by the CPU before external organizations were commissioned to conduct the surveys and analyse the data obtained, together with a list detailing the subject matters of such surveys, the dates at which the surveys were conducted and the organizations commissioned; and*
- (c) *whether it has assessed if the objectivity and independence of opinion surveys on the Government's proposals will be affected if the contents of the questionnaires for such surveys are formulated by the CPU?*

SECRETARY FOR CONSTITUTIONAL AFFAIRS (in Chinese): President, on the first part of the question raised by the Honourable LEE Wing-tat, the Constitutional Development Task Force (the Task Force), commissioned through the CPU the latter's term contractor *viz* the Poly U Technology & Consultancy Company Limited of PolyU, to conduct the relevant opinion poll.

The CPU on a regular basis carries out public tender exercises to hire term contractors for conducting opinion polls. Academic and commercial research institutes which are on the "List of Contractors for Conducting Statistical Surveys" maintained by the Census and Statistics Department (C&SD) are invited to submit bids. A selection board comprising members of the CPU and the C&SD is responsible for considering the tenders received in accordance with the established selection procedures and criteria.

The CPU carried out a tendering exercise in July this year, and appointed PolyU as its term contractor in accordance with the required selection procedures. The opinion poll in question is one of the various polls commissioned by the CPU and carried out by the term contractor responsible for conducting opinion polls. Our established practice is not to disclose the number of bidders in the tendering exercise.

On the second part of the question, the CPU regularly commissions several academic and commercial research institutes to conduct opinion polls on different public policy issues, such as political, economic, social, quality of life issues, and so on. The findings are for the Government's internal reference. In the main, it is the CPU and the relevant government departments that are responsible for designing the questionnaires. Our established practice is that we will not make public information relating to polls that are conducted for internal reference.

On the third part of the question, any opinion polls must meet the requirements for scientific research. As for the design of the questionnaire, it must meet the four standards — logicity, objectivity, accuracy and clarity. The CPU has the expertise in this area, and in designing the questionnaire, the Task Force and the CPU have strived to meet these objective standards. As long as such standards were met, the objectivity and independence of the poll would not be affected by the fact that the questionnaire was designed by the Task Force and the CPU.

Outsourced Service Contracts Awarded by Housing Authority

13. **MR LEUNG KWOK-HUNG** (in Chinese): *President, will the Government inform this Council of the details of each of the existing outsourced service contracts awarded by the Housing Authority (HA) in the form of the following table?*

<i>Location where the outsourced service is provided and name of contractor</i>	<i>Estimated cost of service as set out in the tender document</i>	<i>HA's approved price of outsourced service contract (Please indicate whether this is the lowest bidding price)</i>	<i>Number of staff required and terms of remuneration for cleaning workers and security staff as set out in the tender document</i>	<i>Number of staff employed by contractor and their remuneration</i>

SECRETARY FOR HOUSING, PLANNING AND LANDS (in Chinese): President, four types of outsourced service contracts awarded by the HA involve the employment of cleansing workers and security guards, namely, property management contracts, cleansing contracts, security service contracts and carpark management contracts. During tender assessment, the HA takes into account a host of factors, including the service proposals submitted by contractors, proposed remuneration packages for workers, past performance, tender bids, and so on. The Housing Department monitors its service contractors through regular inspections and performance appraisals to ensure that their service meet the stipulated requirements and pledges.

Details of the outsourced service contracts are set out at the Annex. Under normal contract terms, contractors are usually allowed to employ temporary or part-time workers according to actual circumstances and operational needs. As we do not keep detailed records on contractors' employees and their remuneration, such information is not readily available. Nevertheless, the periodic checks and inspections conducted by the Housing Department on contractors' staffing and payment records confirm that most of the contractors discharge their contractual obligations and undertakings conscientiously. If exploitation of workers is found, actions against the contractors, such as issuing warnings, terminating contracts, or even banning them from future tendering exercises, will be taken.

Existing Service Contracts Outsourced by the HA

(a) Property Service Contract

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Number of workers and their wages according to contract</i>			
						<i>Cleansing Worker</i>		<i>Security Guard</i>	
						<i>No.</i>	<i>Wage (note 1)</i>	<i>No.</i>	<i>Wage (note 1)</i>
1	Yau Tong Estate	EastPoint Properties Limited	6 (note 2)	8	Yes (note 3)	20	\$4,898	28	\$5,140
2	Fu Tai Estate	EastPoint Properties Limited	13 (note 2)	14	Yes (note 3)	51	\$5,126	51	\$5,100
3	Lei Muk Shue Estate Phases 1 & 2	EastPoint Properties Limited	9 (note 2)	9	No (note 3)	17	\$5,126	30	\$5,205
4	Yat Tung (I) Estate	Guardian Property Management Limited	18 (note 2)	19	No (note 3)	67	\$5,126	77	\$5,249
5	Hong Tung Estate Wan Tsui Estate (Yat Tsui House) Wah Kwai Estate (Wah Oi House)	Urban Property Management Limited	6 (note 2)	6	Yes (note 3)	5	\$5,126	14	\$5,419
6	Pak Tin Estate Phases 4 and 5	Funing Property Management Limited	7 (note 2)	7	No (note 3)	17	\$5,126	20	\$5,419
7	Po Tin Estate	EastPoint Properties Limited	17 (note 2)	19	No (note 3)	63	\$5,126	57	\$5,419

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Number of workers and their wages according to contract</i>			
						<i>Cleansing Worker</i>		<i>Security Guard</i>	
						<i>No.</i>	<i>Wage (note 1)</i>	<i>No.</i>	<i>Wage (note 1)</i>
8	Un Chau Estate	Urban Property Management Limited	11 (note 2)	12	No (note 3)	26	\$5,126	48	\$5,419
9	Fortune Estate	Guardian Property Management Limited	8 (note 2)	8	No (note 3)	18	\$5,051	33	\$5,419
10	Hing Wah Estate Phase 1 Tsui Lok Estate	Guardian Property Management Limited	10 (note 2)	10	Yes (note 3)	30	\$5,051	28	\$5,419
11	Shek Yam Estate	EastPoint Properties Limited	10 (note 2)	8	No (note 3)	18	\$5,002	30	\$5,576
12	Lei Cheng Uk Estate Tai Hang Tung Estate	Hong Kong Housing Society	75	89	No	Not specified	\$5,126	Not specified	\$5,210
13	Tsui Ping North Estate Tsui Ping South Estate	Good Excel Consultants Limited	125	129	No	Not specified	\$5,126	Not specified	\$5,210
14	Tai Ping Estate Shun On Estate	Hong Kong Housing Society	110	98	Yes	Not specified	\$5,126	Not specified	\$5,210
15	Tung Tau (II) Estate Ma Tau Wai Estate	Hong Kong Housing Society	100	104	No	Not specified	\$5,126	Not specified	\$5,210
16	Lei Tung Estate	Vigers Property Management Services (Hong Kong) Limited	86	78	Yes	52	\$4,500	56	\$5,500
17	Shan King Estate Shui Pin Wai Estate	Top One Limited	129	116	Yes	68	\$5,300	95	\$5,700

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Number of workers and their wages according to contract</i>			
						<i>Cleansing Worker</i>		<i>Security Guard</i>	
						<i>No.</i>	<i>Wage (note 1)</i>	<i>No.</i>	<i>Wage (note 1)</i>
18	Po Lam Estate Hau Tak Estate	New City Property Management Company Limited	134	113	Yes	86	\$3,500	103	\$4,100
19	Fu Shin Estate Choi Yuen Estate	Infinity Services Limited	129	122	No	66	\$3,700	86	\$4,800
20	Long Ping Estate	Crown Management Limited	92	89	No	45	\$5,200	76	\$5,600
21	Tsz Man Estate Tsz Hong Estate Fu Shan Estate	Pioneer Management Limited	75	72	Yes	36	\$5,600	73	\$5,600
22	Tsz Lok Estate Tsz On Estate	Mandarin Property Services Company Limited	82	75	No	55	\$5,000	62	\$5,650
23	Kin Ming Estate Choi Ming Shopping Centre	KMW Property Services Company Limited	81	81	No	58	\$4,300	78	\$5,100
24	Kwong Fuk Estate	Modern Living Property Management Limited	85	78	Yes	47	\$5,000	81	\$5,500
25	Mei Lam Estate	Sunbase International Properties Management Limited	68	64	No	37	\$4,800	54	\$5,200

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Number of workers and their wages according to contract</i>			
						<i>Cleansing Worker</i>		<i>Security Guard</i>	
						<i>No.</i>	<i>Wage (note 1)</i>	<i>No.</i>	<i>Wage (note 1)</i>
26	Lung Tin Estate Kam Peng Estate Ngan Wan Estate Yat Tung (2) Estate	Synergis Management Services Limited	72	66	Yes	51	\$4,000	79	\$6,800
27	Siu Sai Wan Estate Ma Hang Estate Sai Wan Estate	Synergis Management Services Limited	119	104	Yes	64	\$4,000	120	\$6,800
28	Wang Tau Hom Estate Choi Fai Estate	Synergis Management Services Limited	98	87	Yes	54	\$4,000	97	\$6,800
29	Tin Yiu (I) Estate Tin Yiu (II) Estate	Synergis Management Services Limited	118	104	No	81	\$4,000	95	\$6,800
30	Kwai Fong Estate	Fullsky Management Limited	87	86	No	59	\$4,500	91	\$5,600
31	Lower Wong Tai Sin (II) Estate	Tak Po Property Services Company Limited	87	81	No	58	\$6,010	77	\$7,310
32	Shek Lei (I) Estate Lai Yiu Estate	Champion International Management Development Limited	121	122	No	75	\$4,300	101	\$8,000
33	Sau Mau Ping Estate	Creative Property Services Consultants Limited	120	95	No	101	\$4,350	94	\$5,450

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Number of workers and their wages according to contract</i>			
						<i>Cleansing Worker</i>		<i>Security Guard</i>	
						<i>No.</i>	<i>Wage (note 1)</i>	<i>No.</i>	<i>Wage (note 1)</i>
34	Po Tat Estate Oi Tung Estate Tak Tin Estate Hing Tin Shopping Centre	Urban Property Management Limited	122	100	Yes	89	\$4,500	114	\$5,500
35	Tin Chak Estate Lei Muk Shue Estate Tsing Yi Shopping Centre King Lam Shopping Centre	Urban Property Management Limited	108	87	Yes	90	\$4,500	114	\$5,500
36	Chung On Estate	Sunbase International Properties Management Limited	57	41	No	31	\$5,030	39	\$4,936
37	Cheung Wang Estate Cheung Kwai Estate Nga Ning Court	Sunbase International Properties Management Limited	62	48	Yes	37	\$5,030	62	\$4,936
38	Shek Lei (II) Estate	Creative Property Services Consultants Limited	79	59	No	59	\$5,030	69	\$4,936
39	Kwai Shing East Estate	Good Yield Property Management Limited	86	55	Yes	59	\$5,030	69	\$4,936
40	Tin Yat Estate	Infinity Services Limited	37	28	Yes	18	\$5,030	43	\$4,936
41	Tai Yuen Estate	Modern Living Property Management Limited	74	53	Yes	47	\$4,898	88	\$4,989

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Number of workers and their wages according to contract</i>			
						<i>Cleansing Worker</i>		<i>Security Guard</i>	
						<i>No.</i>	<i>Wage (note 1)</i>	<i>No.</i>	<i>Wage (note 1)</i>
42	Cheung Shan Estate	Easy Living Property Management Limited	19	14	No	19	\$4,898	25	\$4,989
43	Cheung Hang Estate Cheung Ching Estate	Easy Living Property Management Limited	114	80	Yes	87	\$4,898	101	\$4,989
44	Cheung Wah Estate Ka Fuk Estate Wah Sum Estate	Shui On Properties Management Limited	115	86	No	77	\$4,990	120	\$5,000
45	Chuk Yuen South Estate Choi Wan (II) Estate	Easy Living Property Management Limited	113	79	Yes	80	\$4,898	114	\$4,989
46	Ping Tin Estate Kai Tin Estate Wan Hon Estate On Tin Estate	KMW Property Services Company Limited	87	80	No	71	\$5,051	92	\$5,420
47	Ko Cheung Court Yau Mei Court	Top One Limited	46	40	No	30	\$5,051	60	\$5,419
48	Tin Wan Estate Hing Tung Estate	Creative Property Services Consultants Limited	43	40	No	36	\$5,051	53	\$5,419
49	Ming Tak Estate	Creative Property Services Consultants Limited	16	14	Yes	12	\$5,051	17	\$5,419
50	Fu Tung Estate	Creative Property Services Consultants Limited	16	14	Yes	13	\$5,051	18	\$5,419

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Number of workers and their wages according to contract</i>			
						<i>Cleansing Worker</i>		<i>Security Guard</i>	
						<i>No.</i>	<i>Wage (note 1)</i>	<i>No.</i>	<i>Wage (note 1)</i>
51	Kwong Tin Estate Upper Wong Tai Sin Estate Tsui Ping South Estate	Sunbase International Properties Management Limited	106	88	Yes	78	\$5,010	134	\$5,580
52	Cheung Fat Estate Nam Cheong Estate Homantin Estate Hung Hom Estate Sheung Lok Estate	Kai Fu Property Services Company Limited	110	98	Yes	70	\$5,002	117	\$5,576
53	Mei Tin Estate Fu Shin Estate Choi Yuen Estate	Synergis Management Services Limited	112	95	Yes	96	\$5,103	294	\$5,677
54	Tsui Lam Estate	Sheung Tak Estate Guardian Property Management Limited	86	76	No	64	\$5,100	93	\$5,700
55	Tin Wah Estate Tin Tsz Estate Long Ping Estate	Kai Fu Property Services Company Limited	96	96	No	45	\$5,002	62	\$5,576
56	Pak Tin Estate	Creative Property Services Consultants Limited	21	19	No	13	\$5,150	21	\$5,900
57	Kin Ming Estate	Infinity Services Limited	60	55	No	41	\$5,060	70	\$5,880

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Number of workers and their wages according to contract</i>			
						<i>Cleansing Worker</i>		<i>Security Guard</i>	
						<i>No.</i>	<i>Wage (note 1)</i>	<i>No.</i>	<i>Wage (note 1)</i>
58	Kwong Fuk Estate Mei Lam Estate	Modern Living Property Management Limited	93	86	No	61	\$5,273	125	\$6,136
59	Tsz Lok Estate Tsz Man Estate Tsz Hong Estate Fu Shan Estate	China Overseas Property Services Limited	110	104	No	89	\$4,953	152	\$5,818
60	Hing Wah (I) Estate Tsui Lok Estate	Creative Property Services Consultants Limited	24	24	No	16	\$5,150	26	\$5,900
61	Nam Shan Shopping Centre	China Overseas Property Services Limited	1.5	1.7	No	6	\$5,051	9	\$5,419
62	Shek Kip Mei Shopping Centre	China Overseas Property Services Limited	2.9	2.6	No	9	\$5,051	12	\$5,419
63	Pak Tin Shopping Centre	Synergis Management Services Limited	4	4.8	Yes	7	\$4,380	6	\$5,140
64	Wah Fu (2) Shopping Centre	Synergis Management Services Limited	5.8	5.2	No	9	\$4,380	12	\$5,140
65	Lung Cheung Office Block	Synergis Management Services Limited	4.6	5.5	Yes	10	\$4,380	8	\$5,140
66	Hoi Tai and Sui Fai Factory Estates	Urban Property Management Limited	13.3	14.8	Yes	12	\$4,380	26	\$5,140

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Number of workers and their wages according to contract</i>			
						<i>Cleansing Worker</i>		<i>Security Guard</i>	
						<i>No.</i>	<i>Wage (note 1)</i>	<i>No.</i>	<i>Wage (note 1)</i>
67	Chun Shing, Kwai On and Tai Wo Hau Factory Estates	Funing Property Management Limited	13.9	17.9	Yes	17	\$4,380	39	\$5,140
68	Hiu Lai Court Shopping Centre	Kai Shing management Services Limited	0.9 (note 2)	1.6	No (note 3)	Not specified	Not specified	6	\$5,576
69	Hoi Fu Court Shopping Centre	China Overseas Property Services Limited	4 (note 2)	11.7	No (note 3)	8	\$5,002	11	\$5,576
70	Yu Chui Court Shopping Centre	Hong Yip Service Company Limited	4.8 (note 2)	6.8	No (note 3)	9	\$5,002	8	\$5,576
71	Yin Lai Court Shopping Centre	Urban Property Management Limited	0.6 (note 2)	3	No (note 3)	1	\$4,953	3	\$5,764
72	Lung Poon Court Shopping Centre	Hong Yip Service Company Limited	2.3 (note 2)	2.2	No (note 3)	Not specified	Not specified	4	Not specified
73	Tin Ma Court Shopping Centre	EastPoint Properties Limited	3.4 (note 2)	3	No (note 3)	2	Not specified	5	Not specified
74	Tin Shing Court Shopping Centre	Kai Shing management Services Limited	13.8 (note 2)	16.3	No (note 3)	8	Not specified	4	Not specified
75	Siu Lun Court Shopping Centre	Kai Shing management Services Limited	2 (note 2)	1.7	No (note 3)	9	Not specified	7	Not specified

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Number of workers and their wages according to contract</i>			
						<i>Cleansing Worker</i>		<i>Security Guard</i>	
						<i>No.</i>	<i>Wage (note 1)</i>	<i>No.</i>	<i>Wage (note 1)</i>
76	Sui Wo Court Shopping Centre	Kai Shing management Services Limited	5.1 (note 2)	3.6	No (note 3)	Not specified	Not specified	4	Not specified
77	Yung Shing Court Shopping Centre	China Overseas Property Services Limited	3.6 (note 2)	4.2	No (note 3)	5	Not specified	8	Not specified
78	Ching Lai Court Shopping Centre	Hong Yip Service Company Limited	0.5 (note 2)	0.5	Not Applicable (note 4)	2	Not specified	8	Not specified
79	Po Hei Court Shopping Centre	Hong Yip Service Company Limited	0.4 (note 2)	0.4	No (note 3)	2	Not specified	2	Not specified
80	Siu Hong Court Shopping Centre	EastPoint Properties Limited	4.8 (note 2)	5.3	No (note 3)	5	\$5,030	9	\$4,936
81	Kam Tai Court Shopping Centre	Urban Property Management Limited	7.1 (note 2)	6.9	No (note 3)	5	\$5,030	6	\$4,936
82	Siu Hei Court Shopping Centre	Synergis Management Services Limited	2.3 (note 2)	2.8	No (note 3)	3	\$5,030	4	\$4,936
83	Yu Tin Court Shopping Centre	Guardian Property Management Limited	0.4 (note 2)	1.4	Not Applicable (note 4)	1	Not specified	3	Not specified
84	Kam Ying Court Shopping Centre	EastPoint Properties Limited	3.1 (note 2)	3	No (note 3)	4	\$4,898	2	\$4,936
85	On Kay Court Shopping Centre	Funing Property Management Limited	7 (note 2)	7.2	No (note 3)	3	\$4,898	6	\$5,284

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Number of workers and their wages according to contract</i>			
						<i>Cleansing Worker</i>		<i>Security Guard</i>	
						<i>No.</i>	<i>Wage (note 1)</i>	<i>No.</i>	<i>Wage (note 1)</i>
86	Lok Fu Shopping Centre	China Overseas Property Services Limited	-	42.6	No	62	\$5,002	63	\$5,576
87	Tai Wo Hau Shopping Centre	China Overseas Property Services Limited	-	7.3	Yes	8	\$4,030	16	\$5,135
88	Butterfly Shopping Centre	China Overseas Property Services Limited	-	12.6	No	16	\$4,030	28	\$5,135
89	Lai Kok Shopping Centre	China Overseas Property Services Limited	-	9.4	No	10	\$5,030	13	\$4,936
90	Shek Wai Kok Shopping Centre	China Overseas Property Services Limited	-	5.7	No	19	\$5,030	27	\$4,936
91	Hing Man Shopping Centre	China Overseas Property Services Limited	-	3.4	No	4	\$5,051	6	\$5,764
92	Wah Kwai Shopping Centre	China Overseas Property Services Limited	-	6.1	No	5	\$5,051	13	\$5,764
93	Wah Ming Shopping Centre	China Overseas Property Services Limited	-	4.8	Yes	8	\$5,051	12	\$5,764
94	Chung Fu Shopping Centre	China Overseas Property Services Limited	-	24.8	No	47	\$4,953	63	\$5,764
95	Oi Man Shopping Centre	China Overseas Property Services Limited	-	7.2	No	19	\$4,400	10	\$5,500
96	Lok Wah (North) Shopping Centre	China Overseas Property Services Limited	-	7.6	No	13	\$4,100	20	\$5,500

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Number of workers and their wages according to contract</i>			
						<i>Cleansing Worker</i>		<i>Security Guard</i>	
						<i>No.</i>	<i>Wage (note 1)</i>	<i>No.</i>	<i>Wage (note 1)</i>
97	Sun Chui Shopping Centre	China Overseas Property Services Limited	-	2.1	No	8	\$5,002	15	\$5,764
98	Sam Shing Shopping Centre	EastPoint Properties Limited	-	4.3	No	11	\$5,002	8	\$5,576
99	Kin Sang Shopping Centre	EastPoint Properties Limited	-	5	No	11	\$5,003	6	\$5,576
100	Choi Wan Shopping Centre	EastPoint Properties Limited	-	11.8	No	23	\$5,030	18	\$5,576
101	Fung Tak Shopping Centre	EastPoint Properties Limited	-	6.8	No	14	\$5,030	9	\$5,576
102	Sun Tin Wai Shopping Centre	EastPoint Properties Limited	-	4.4	No	7	\$5,051	5	\$5,764
103	Lei Yue Mun Plaza	EastPoint Properties Limited	-	20	No	23	\$5,051	25	\$5,764
104	On Yam Shopping Centre	Goodtech Management Limited	-	4.7	No	16	\$5,040	12	\$5,800
105	Cheung Hong Shopping Centre	Goodtech Management Limited	-	11.5	No	32	\$4,107	34	\$5,800
106	Chun Shek Shopping Centre	Goodtech Management Limited	-	5.8	No	16	\$4,953	6	\$5,764
107	Wo Che Shopping Centre	Goodtech Management Limited	-	13.6	No	28	\$4,953	30	\$5,764
108	Hin Keng Shopping Centre	Goodtech Management Limited	-	2.4	No	14	\$4,953	15	\$5,764

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Number of workers and their wages according to contract</i>			
						<i>Cleansing Worker</i>		<i>Security Guard</i>	
						<i>No.</i>	<i>Wage (note 1)</i>	<i>No.</i>	<i>Wage (note 1)</i>
109	Cheung Fat Shopping Centre	HKFTU Preferential Services Centre Limited	-	19.2	Yes	32	\$5,003	33	\$5,576
110	Oi Ting Shopping Centre	HKFTU Preferential Services Centre Limited	-	13.6	No	34	\$4,953	28	\$5,764
111	Yau Oi Shopping Centre	HKFTU Preferential Services Centre Limited	-	10	No	17	\$4,953	17	\$5,764
112	Shun Lee Shopping Centre	HKFTU Preferential Services Centre Limited	-	7.5	No	18	\$5,051	23	\$5,764
113	Kai Yip Shopping Centre	New City Property Management Company Limited	-	4.7	No	8	\$4,400	9	\$4,300
114	Tak Tin Shopping Centre	New City Property Management Company Limited	-	9.1	No	22	\$4,400	21	\$4,300
115	Tin Ping Shopping Centre	New City Property Management Company Limited	-	3.8	Yes	4	\$4,400	6	\$4,300
116	Sha Kok Shopping Centre	Parkland Property Management Limited	-	11.4	Yes	19	\$5,030	27	\$5,576
117	Heng On Shopping Centre	Parkland Property Management Limited	-	13	Yes	24	\$5,030	31	\$5,576

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Number of workers and their wages according to contract</i>			
						<i>Cleansing Worker</i>		<i>Security Guard</i>	
						<i>No.</i>	<i>Wage (note 1)</i>	<i>No.</i>	<i>Wage (note 1)</i>
118	Tai Wo Shopping Centre	Parkland Property Management Limited	-	19.3	No	21	\$4,953	36	\$5,764
119	Fu Heng Shopping Centre	Parkland Property Management Limited	-	3.1	Yes	8	\$4,953	6	\$5,764
120	Yiu On Shopping Centre	Parkland Property Management Limited	-	3.4	Yes	7	\$4,953	9	\$5,764
121	Lee On Shopping Centre	Shui On Properties Management Limited	-	6.3	No	14	\$3,733	9	\$4,900
122	Tsz Wan Shan Shopping Centre and Tsz Ching Shopping Centre	Sino Estates Management Limited	-	32.9	Yes	48	\$5,030	33	\$5,576
123	Wan Tau Tong Shopping Centre	Sino Estates Management Limited	-	4.6	No	6	\$4,678	8	\$4,168
124	Tin Shui Shopping Centre	Sino Estates Management Limited	-	6.2	No	6	\$3,430	15	\$4,047
125	Wong Tai Sin Shopping Centre and Lung Cheung Mall	Sino Estates Management Limited	-	40.4	Yes	50	\$5,030	65	\$5,576
126	Homantin Plaza	Sino Estates Management Limited	-	17.3	No	21	\$4,953	21	\$5,764

	Location of Service	Contractor	Estimated Tender Cost (\$ million)	Awarded Contract Price (\$ million)	Lowest Bid? (Yes/No)	Number of workers and their wages according to contract			
						Cleansing Worker		Security Guard	
						No.	Wage (note 1)	No.	Wage (note 1)
127	Lek Yuen Shopping Centre	Sunbase Properties International Management Limited	-	8.3	Yes	13	\$5,003	27	\$5,576
128	Shek Yam Shopping Centre	Sunbase Properties International Management Limited	-	5.6	No	10	\$5,030	9	\$5,576
129	Wan Tsui Shopping Centre	Sunbase Properties International Management Limited	-	5.3	Yes	8	\$5,030	9	\$4,936
130	Tai Hing Shopping Centre	Sunbase Properties International Management Limited	-	6.5	Yes	4	\$5,030	15	\$4,936
131	Lung Hang Shopping Centre	Synergis Management Services Limited	-	6.7	No	7	\$5,030	6	\$4,936
132	Yiu Tung Shopping Centre	Synergis Management Services Limited	-	3.7	No	6	\$4,953	5	\$5,764
133	Stanley Plaza	Urban Property Management Limited	-	23.7	No	38	\$4,953	52	\$5,764
134	Housing Authority Headquarters Building Blocks 3 and 4	Synergis Management Services Limited	9.1	7.83	Yes	18	\$4,898	23	\$4,990

(b) Cleansing Services Contract

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Contract Requirement</i>	
						<i>Number of Cleansing Worker</i>	<i>Wage (note 1)</i>
1	Tung Tau (I) Estate	Sunny Cleansing Company	1.58	1.50	No	4	\$4,953
2	Lei Muk Shue (II) Estate	Hong Kong Commercial Cleaning Services Limited	5.15	4.90	No	22	\$4,953
3	Model Housing Estate	Sun Lee Cleansing Company Limited	0.63	0.60	Yes	10	\$5,126
4	Hing Man Estate	Yick Kee Cleaning Service Company	1.05	1.00	Yes	9	\$5,002
5	Fu Cheong Estate	Yick Kee Cleaning Service Company	3.78	3.60	No	47	\$4,898
6	Kwong Yuen Shopping Centre	Hong Shing HK Clean Company	1.79	1.70	Yes	21	\$4,898
7	Leung King Shopping Centre	Hong Kong Commercial Cleaning Services Limited	2.21	2.10	Yes	27	\$4,898
8	Tin Yuet Estate	Chun Wui Kee Company Limited	2.21	2.10	No	21	\$4,898

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Contract Requirement</i>	
						<i>Number of Cleansing Worker</i>	<i>Wage (note 1)</i>
9	Wah Lai Estate	Li Hing Cleaning Services Company Limited	0.95	0.90	No	11	\$4,898
10	Tin Heng Estate	Hong Shing HK Clean Company	2.84	2.70	Yes	28	\$5,126
11	Tin Yan Estate	Hong Kong Commercial Cleaning Services Limited	2.94	2.80	Yes	30	\$5,126
12	Yue Wan Estate	Li Hing Cleaning Services Company Limited	6.50	5.70	No	25	\$5,030
13	Sun Chui Estate	Success Cleaning Company	11.10	10.20	No	37	\$5,030
14	Long Bin Interim Housing	Ying Wah Cleaning Service Limited	1.60	1.30	Yes	5	\$5,030
15	Lai Kok Estate	Asia Cleaning Service Company	6.90	6.00	No	27	\$5,030
16	Oi Man Estate	Hong Kong Commercial Cleaning Services Limited	16.60	13.00	Yes	53	\$5,030

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Contract Requirement</i>	
						<i>Number of Cleansing Worker</i>	<i>Wage (note 1)</i>
17	Tin Shui (II) Estate	Li Hing Cleaning Services Company Limited	6.30	5.70	No	23	\$5,030
18	Lower Ngau Tau Kok (II) Estate	Luen Fat Cleaning Company	11.70	10.50	No	40	\$5,030
19	Ap Lei Chau Estate	Li Hing Cleaning Services Company Limited	13.40	11.90	No	49	\$5,030
20	Shek Wai Kok Estate	Ying Wah Cleaning Service Limited	11.80	10.10	No	46	\$5,030
21	So Uk Estate	Success Cleaning Company	11.80	10.60	Yes	34	\$5,030
22	Chak On Estate	Man Shun Hong Kong and Kowloon Cleaning Company Limited	5.20	3.80	Yes	15	\$5,030
23	Nam Shan Estate	Man Shun Hong Kong and Kowloon Cleaning Company Limited	6.40	5.80	No	24	\$5,030
24	Choi Hung Estate	Ying Wah Cleaning Service Limited	12.90	11.30	No	45	\$5,030

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Contract Requirement</i>	
						<i>Number of Cleansing Worker</i>	<i>Wage (note 1)</i>
25	Tsz Ching Estate	Ying Wah Cleaning Service Limited	19.40	16.40	No	75	\$5,030
26	On Yam Estate	Hong Kong Commercial Cleaning Services Limited	14.40	10.80	No	40	\$5,030
27	Hoi Lai Estate	Hong Kong Commercial Cleaning Services Limited	15.00	10.30	Yes	44	\$5,030
28	Sai Kung Interim Housing	Yee Tai Cleaning Company	0.50	0.40	Yes	3	\$5,030
29	Lok Fu Estate	Ying Wah Cleaning Service Limited	7.90	6.90	No	31	\$5,030
30	Hing Wah (II) Estate	Li Hing Cleaning Services Company Limited	9.50	8.40	No	34	\$5,030
31	Shek Kip Mei Estate	Success Cleaning Company	13.90	11.80	No	49	\$5,030
32	Tin Shui (I) Estate	Li Hing Cleaning Services Company Limited	8.70	8.10	No	30	\$5,030
33	Yau Lai Estate	Li Hing Cleaning Services Company Limited	3.90	3.50	No	14	\$4,898

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Contract Requirement</i>	
						<i>Number of Cleansing Worker</i>	<i>Wage (note 1)</i>
34	Wo Che Estate	Ying Wah Cleaning Service Limited	13.10	10.20	Yes	47	\$4,898
35	Lok Wah (North) Estate and Choi Ha Estate	Man Shun Hong Kong and Kowloon Cleaning Company Limited	9.70	8.00	No	33	\$4,898
36	Tai Hing Estate	Sun Lee Cleansing Company Limited	13.90	13.40	No	57	\$4,898
37	Lok Wah (South) Estate	Hong Kong Commercial Cleaning Services Limited	13.60	11.60	No	47	\$4,898
38	Wah Fu (I) Estate	Li Hing Cleaning Services Company Limited	15.70	14.80	No	64	\$4,898
39	On Ting Estate	Yick Kee Cleaning Service Company	8.70	6.60	Yes	26	\$4,898
40	Kwai Shing (West) Estate	Ying Wah Cleaning Service Limited	9.50	8.70	No	38	\$4,898
41	Sha Kok Estate	Yee Hop Cleaning Company	9.00	8.70	No	40	\$4,898

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Contract Requirement</i>	
						<i>Number of Cleansing Worker</i>	<i>Wage (note 1)</i>
42	Lai King Estate	Luen Fat Cleaning Company	9.20	8.90	No	37	\$4,898
43	Tai Wo Hau Estate	Lee Kwan Cleaning Service Company Limited	12.00	11.20	No	55	\$4,898
44	Kwai Chung Estate	Yee Hop Cleaning Company	16.80	12.90	Yes	54	\$4,898
45	Fu Heng Estate, Tai Wo Estate, Wang Tau Tong Estate	Li Hing Cleaning Services Company Limited	5.00	4.50	No	21	\$4,898
46	Choi Wan (I) Estate	Sunny Cleansing Company	11.70	9.10	Yes	37	\$4,898
47	Cheung Hong Estate	Kai Fat Cleaning Company	13.30	13.10	No	30	\$4,898
48	Yau Oi Estate	Li Hing Cleaning Services Company Limited	13.70	13.30	No	49	\$4,898
49	Chun Shek Estate	Yee Tai Cleaning Company	4.90	4.60	No	20	\$4,898
50	Sam Shing Estate	Yick Kee Cleaning Service Company	3.60	2.70	Yes	10	\$4,898

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Contract Requirement</i>	
						<i>Number of Cleansing Worker</i>	<i>Wage (note 1)</i>
51	Lee On Estate and Heng On Estate	Li Hing Cleaning Services Company Limited	8.50	7.90	No	33	\$4,898
52	Lek Yuen Estate	Yick Kee Cleaning Service Company	9.00	6.40	Yes	28	\$4,898
53	Mei Tung Estate	Luen Fat Cleaning Company	1.20	1.20	No	5	\$4,898
54	Shun Lee Estate	Success Cleaning Company	9.80	9.20	No	41	\$4,898
55	Shun Tin Estate	Lee Kwan Cleaning Service Company Limited	16.10	14.60	No	75	\$4,898
56	Wah Fu (II) Estate	Li Hing Cleaning Services Company Limited	7.20	7.10	No	25	\$4,898
57	Yiu Tung Estate	Hong Shing HK Clean Company	13.80	10.80	Yes	46	\$4,898
58	Fuk Loi Estate	Ying Wah Cleaning Service Limited	6.30	5.90	No	29	\$4,898
59	Sun Tin Wai Estate	Yee Hop Cleaning Company	6.50	6.20	No	28	\$5,126

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Contract Requirement</i>	
60	Ko Yee Estate	Luen Fat Cleaning Company	9.80	8.90	No	37	\$5,126
61	Lai On Estate	Sun Lee Cleansing Company Limited	4.40	4.20	No	17	\$5,126
62	Wan Tsui Estate	Sunny Cleansing Company	8.00	7.70	No	33	\$5,126
63	Wu King Estate	Chung Shun Cleaning Company	6.80	6.40	Yes	27	\$5,126
64	Kai Yip Estate	Chun Wui Kee Company Limited	8.30	6.30	Yes	25	\$5,126
65	Lung Hang Estate and Hin Yiu Estate	Yee Hop Cleaning Company	8.10	8.20	No	29	\$5,126
66	Butterfly Estate	Luen Fat Cleaning Company	9.90	9.40	No	35	\$5,126
67	Wo Lok Estate	Luen Fat Cleaning Company	4.70	4.40	No	20	\$5,126
68	Ping Shek Estate	Yee Hop Cleaning Company	9.80	9.10	No	37	\$5,126

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Contract Requirement</i>	
69	Pak Tin Estate	Chun Wui Kee Company Limited	10.10	10.10	No	42	\$5,126
70	Shek Yam (East) Estate	Hong Yee Cleaning Company	4.30	4.40	Yes	16	\$5,126
71	Wong Chuk Hang Estate	Chun Wui Kee Company Limited	10.20	9.60	Yes	42	\$5,051
72	Shek Pai Wan Estate	Hong Kong Commercial Cleaning Services Limited	12.80	11.70	No	50	\$5,051
73	Lei Yue Mun Estate	Kai Fat Cleaning Company	4.70	4.50	No	17	\$5,002
74	Lee On Estate	Luen Fat Cleaning Company	5.10	4.90	No	20	\$5,002
75	Upper Ngau Tau Kok Estate	Kai Fat Cleaning Company	4.40	4.20	No	16	\$5,002
76	Housing Authority Headquarters Building Blocks 1 and 2	Li Hing Cleaning Services Company Limited	5.10	5.35	No	35	\$4,898

(c) Security Services Contract

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Contract Requirement</i>	
						<i>Number of Cleansing Worker</i>	<i>Wage (note 1)</i>
1	On Ting Estate	Hong Kong Guards Limited	4.65	4.60	Yes	43	\$5,764
2	Tai Wo Hau Estate	Hong Kong Guards Limited	8.40	8.30	Yes	72	\$5,764
3	Sha Kok Estate	Guard City Limited	6.30	6.00	No	58	\$5,419
4	Lee On Estate	Guard City Limited	3.20	3.00	No	26	\$5,419
5	Lung Hang Estate	Guard City Limited	6.00	5.90	No	48	\$5,419
6	Wo Che Estate	Guard City Limited	7.30	7.10	No	61	\$5,419
7	Sai Kung Interim Housing	Onward Security Company Limited	0.58	0.56	No	3	\$5,419
8	Chun Shek Estate	Guard City Limited	2.80	2.60	No	23	\$5,419
9	Shun Tin Estate	Hong Kong Guards Limited	6.30	6.00	No	55	\$5,419
10	Ping Shek Estate	Fidelity Property Management Limited	3.30	3.00	No	27	\$5,419
11	Kai Yip Estate	Fidelity Property Management Limited	3.70	3.60	No	31	\$5,419
12	Shun Lee Estate	Hong Kong Guards Limited	4.80	4.60	No	42	\$5,419
13	Lower Ngau Tau Kok (2) Estate	Guard City Limited	9.20	9.00	No	32	\$5,419

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Contract Requirement</i>	
						<i>Number of Cleansing Worker</i>	<i>Wage (note 1)</i>
14	Oi Man Estate	Fidelity Property Management Limited	5.10	4.90	No	49	\$5,419
15	Tsz Ching Estate	Fidelity Property Management Limited	5.60	5.50	No	55	\$5,419
16	Ko Yee Estate	Guard City Limited	5.50	5.30	No	45	\$5,419
17	Wo Lok Estate	Universal Security Company Limited	4.60	4.50	No	44	\$5,419
18	Choi Hung Estate	Fidelity Property Management Limited	8.20	8.00	No	53	\$5,419
19	Lok Wah (N) Estate	Universal Security Company Limited	4.30	4.10	No	40	\$5,419
20	Lok Wah (S) Estate	Universal Security Company Limited	3.50	3.40	No	32	\$5,419
21	Yue Wan Estate	Universal Security Company Limited	3.40	3.20	No	29	\$5,576
22	Tin Shui (II) Estate	Fidelity Property Management Limited	3.60	3.40	No	32	\$5,576

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Contract Requirement</i>	
						<i>Number of Cleansing Worker</i>	<i>Wage (note 1)</i>
23	Tin Shui (I) Estate	Fidelity Property Management Limited	3.80	3.40	No	31	\$5,576
24	Lai On Estate	HK Wah Kiu (Overseas) Services Limited	2.50	2.40	No	20	\$5,576
25	Lai Kok Estate	HK Wah Kiu (Overseas) Services Limited	3.60	3.50	No	32	\$5,576
26	Sun Tin Wai Estate	Hong Kong Guards Limited	3.70	3.40	No	31	\$5,503
27	Lek Yuen Estate	HK Wah Kiu (Overseas) Services Limited	5.50	5.30	No	50	\$5,419
28	Sun Chui Estate	Dragon Guard Security Limited	6.50	6.30	No	65	\$5,419
29	Lei Muk Shue Estate	Guard City Limited	5.50	5.20	No	45	\$5,764
30	Kwong Yuen Shopping Centre	Guard City Limited	2.00	1.80	No	20	\$5,764
31	Leung King Shopping Centre	Universal Security Company Limited	3.20	3.00	Yes	31	\$5,014
32	Fu Cheong Estate	Guard City Limited	6.60	6.30	No	58	\$5,142

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Contract Requirement</i>	
						<i>Number of Cleansing Worker</i>	<i>Wage (note 1)</i>
33	Wah Lai Estate	Guard City Limited	1.80	1.60	No	11	\$5,142
34	Tin Yuet Estate	Guard City Limited	3.3.0	3.20	No	30	\$5,426
35	Tin Yan Estate	Hong Kong Guards Limited	6.00	5.70	No	47	\$5,236
36	Tin Heng Estate	Adams Secuforce (International) Limited	6.80	6.50	No	53	\$5,414
37	Hoi Lai Estate	Guard City Limited	23.00	22.90	No	74	\$5,764
38	Yau Lai Estate	Hong Kong Guards Limited	11.90	9.80	No	33	\$4,992
39	Wan Tsui Estate	Hong Kong Guards Limited	11.30	10.60	No	34	\$4,992
40	Hing Wah (II) Estate	Kingsway Security Limited	8.90	8.50	No	16	\$5,000
41	Hing Man Estate	Tonwell Security Limited	6.00	5.40	Yes	15	\$4,989
42	Wong Chuk Hang Estate	Onward Security Company Limited	11.80	11.20	No	46	\$5,000
43	Yiu Tung Estate	Tonwell Security Limited	14.80	13.50	Yes	47	\$4,989
44	Model Housing	Hong Kong Guards Limited	3.50	3.20	Yes	7	\$4,992
45	Shek Pai Wan Estate	Hong Kong Guards Limited	10.90	10.60	No	43	\$5,002

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Contract Requirement</i>	
						<i>Number of Cleansing Worker</i>	<i>Wage (note 1)</i>
46	Wah Fu (II) Estate	Onward Security Company Limited	8.40	9.00	No	24	\$5,512
47	Wah Fu (I) Estate	Onward Security Company Limited	12.60	12.60	No	38	\$5,512
48	Ap Lei Chau Estate	Onward Security Company Limited	14.30	13.80	No	40	\$5,512
49	Shek Kip Mei Estate	Onward Security Company Limited	27.60	27.60	No	89	\$5,616
50	Lei Yue Mun Estate	Hong Nin Security Company Limited	8.20	7.90	No	22	\$5,650
51	Shun On Estate	Hong Nin Security Company Limited	9.40	9.00	No	26	\$5,650
52	Upper Ngau Tau Kok Estate	Onward Security Company Limited	6.80	6.60	No	17	\$5,616
53	Long Bin Interim Housing	Onward Security Company Limited	4.30	4.30	No	13	\$5,576

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Contract Requirement</i>	
						<i>Number of Cleansing Worker</i>	<i>Wage (note 1)</i>
54	Yau Oi Estate	Onward Security Company Limited	22.80	22.00	No	69	\$5,616
55	Yau Mei Court	Hong Nin Security Company Limited	2.56	2.50	No	6	\$5,650
56	Factory (Chai Wan, Yip On, Kwun Tong, Kowloon Bay, Wang Cheong, Cheung Sha Wan, San Po Kong, Shek Kip Mei)	Onward Security Company Limited	33.90	33.90	No	100	\$5,616
57	Kwai Chung Estate	Universal Security Company Limited	28.30	26.80	Yes	89	\$5,642
58	Choi Wan (I) Estate	Guard City Limited	2.20	2.00	Yes	55	\$5,764
59	Lok Fu Estate	Dragon Guard Security Limited	1.80	1.70	Yes	47	\$5,764
60	Sam Shing Estate	Centurion Facility Company Limited	0.48	0.46	Yes	16	\$5,764

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Contract Requirement</i>	
						<i>Number of Cleansing Worker</i>	<i>Wage (note 1)</i>
61	Butterfly Estate	Onward Security Company Limited	1.20	1.10	Yes	36	\$5,772
62	Tai Hing Estate	Onward Security Company Limited	1.80	1.60	Yes	58	\$5,772
63	Wu King Estate	Onward Security Company Limited	0.85	0.80	Yes	27	\$5,772
64	Shek Yam (E) Estate	Hong Kong Guards Limited	0.63	0.60	Yes	20	\$5,764
65	On Yam Estate	Hong Kong Guards Limited	0.93	0.90	Yes	32	\$5,764
66	Cheung Hong Estate	Dragon Guard Security Limited	1.44	1.40	Yes	53	\$5,764
67	Lai King Estate	Guard City Limited	1.08	1.00	Yes	38	\$5,764
68	Shek Wai Kok Estate	Dragon Guard Security Limited	1.54	1.40	Yes	57	\$5,764
69	Fuk Loi Estate	Dragon Guard Security Limited	0.98	0.90	Yes	33	\$5,764
70	Tung Tau (I) Estate	Onward Security Company Limited	2.70	2.60	No	6	\$5,616

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Contract Requirement</i>	
						<i>Number of Cleansing Worker</i>	<i>Wage (note 1)</i>
71	Chak On Estate	HK Wah Kiu (Overseas) Services Limited	6.20	6.10	No	19	\$5,603
72	Mei Tung Estate	Onward Security Company Limited	4.50	4.30	No	9	\$5,616
73	Kwai Shing (W) Estate	HK Wah Kiu (Overseas) Services Limited	14.50	14.00	No	42	\$5,603
74	Pak Tin Estate	HK Wah Kiu (Overseas) Services Limited	19.70	18.90	No	66	\$5,603
75	So Uk Estate	HK Wah Kiu (Overseas) Services Limited	18.00	17.30	No	56	\$5,603
76	Nam Shan Estate	HK Wah Kiu (Overseas) Services Limited	10.80	10.00	No	31	\$5,603
77	Housing Authority Headquarters Building Blocks 1 and 2	Fidelity Property Management Limited	7.30	7.36	No	41	\$5,160

(d) Carpark Management Contract

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Number of workers and their wages according to contract</i>			
						<i>Cleansing Worker</i>		<i>Security Guard</i>	
						<i>No.</i>	<i>Wage</i>	<i>No.</i>	<i>Wage</i>
1	Hoi Lai Estate	Wilson Parking (HK) Limited	-	3.10	Yes	Not specified	Not specified	9	\$5,000 (note 1)
2	Hin Yiu Estate	International Property Management Limited	-	0.90	No	Not specified	Not specified	3	\$5,764 (note 1)
3	Shek Yam Estate Phase 5	International Property Management Limited	-	0.50	No	Not specified	Not specified	3	\$5,576 (note 1)
4	Shek Pai Wan Estate	Mack & Company Carpark Management Limited	-	1.20	Yes	Not specified	Not specified	21	\$5,764 (note 1)

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Number of workers and their wages according to contract</i>			
						<i>Cleansing Worker</i>		<i>Security Guard</i>	
						<i>No.</i>	<i>Wage</i>	<i>No.</i>	<i>Wage</i>
5	Chak On Estate, Homantin (I) Estate, Ma Tau Wai Estate, Shek Kip Mei Estate	Vinci Park Services Hong Kong Limited	-	2.60	Yes	Not specified	Not specified	19	\$5,764 (note 1)
6	Kowloon Central	Vinci Park Services Hong Kong Limited	-	48.3	Yes	Not specified	\$23.82 (note 5)	72	\$7,161 (note 6)
7	Kowloon East	Mack & Company Carpark Management Limited	-	58.0	Yes	Not specified	\$23.82 (note 5)	58	\$7,161 (note 6)
8	Tuen Mun East and Tin Shui Wai	Mack & Company Carpark Management Limited	-	44.8	Yes	Not specified	\$23.82 (note 5)	59	\$7,161 (note 6)

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Number of workers and their wages according to contract</i>			
						<i>Cleansing Worker</i>		<i>Security Guard</i>	
						<i>No.</i>	<i>Wage</i>	<i>No.</i>	<i>Wage</i>
9	Tuen Mun and Tin Shui Wai	Mack & Company Carpark Management Limited	-	15.6	Yes	Not specified	\$23.82 (note 5)	80	\$7,161 (note 6)
10	Sha Tin North	Imperial Parking (HK) Limited	-	48.6	Yes	Not specified	\$23.82 (note 5)	67	\$7,161 (note 6)
11	Sha Tin South	International Property Management Limited	-	77.9	No	Not specified	\$23.82 (note 5)	81	\$7,161 (note 6)
12	Hong Kong Island	Kwik Park Limited	-	68.4	Yes	Not specified	\$23.82 (note 5)	76	\$7,161 (note 6)
13	Hong Kong East	Vinci Park Services Hong Kong Limited	-	56.9	Yes	Not specified	\$24.05 (note 5)	101	\$7,163 (note 6)
14	Wong Tin Sin	Vinci Park Services Hong Kong Limited	-	42.6	Yes	Not specified	\$24.05 (note 5)	67	\$7,163 (note 6)

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Number of workers and their wages according to contract</i>			
						<i>Cleansing Worker</i>		<i>Security Guard</i>	
						<i>No.</i>	<i>Wage</i>	<i>No.</i>	<i>Wage</i>
15	Tseung Kwan O	Kwik Park Limited	-	80.4	No	Not specified	\$24.05 (note 5)	84	\$7,163 (note 6)
16	Chuk Yuen, Kowloon Central and Kowloon South	International Property Management Limited	-	44.1	Yes	Not specified	\$23.82 (note 5)	76	\$7,161 (note 6)
17	Sham Shui Po	Mack & Company Carpark Management Limited	-	44.9	Yes	Not specified	\$23.82 (note 5)	99	\$7,161 (note 6)
18	Tsz Wan Shan	International Property Management Limited	-	67.7	Yes	Not specified	\$23.82 (note 5)	92	\$7,161 (note 6)
19	Hong Kong, Kowloon Central and Sham Shui Po	Yue Xiu APT Parking Limited	-	93.8	Yes	Not specified	\$24.05 (note 5)	138	\$7,163 (note 6)
20	Ma On Shan	Wilson Parking (HK) Limited	-	27.3	Yes	Not specified	\$23.82 (note 5)	46	\$7,161 (note 6)

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Number of workers and their wages according to contract</i>			
						<i>Cleansing Worker</i>		<i>Security Guard</i>	
						<i>No.</i>	<i>Wage</i>	<i>No.</i>	<i>Wage</i>
21	Tai Po	Vinci Park Services Hong Kong Limited	-	29.0	Yes	Not specified	\$23.82 (note 5)	45	\$7,161 (note 6)
22	Tai Po and Fan Ling	Vinci Park Services Hong Kong Limited	-	24.0	Yes	Not specified	\$23.82 (note 5)	46	\$7,161 (note 6)
23	Yuen Long and Tuen Mun	Lica Parking Company Limited	-	24.0	Yes	Not specified	\$23.82 (note 5)	48	\$7,161 (note 6)
24	Yuen Long and Tin Shui Wai	Mack & Company Carpark Management Limited	-	43.5	Yes	Not specified	\$23.82 (note 5)	52	\$7,161 (note 6)
25	Hong Kong, Sau Mau Ping, Chuk Yuen and Sha Tin	Vinci Park Services Hong Kong Limited	-	4.5	Yes	Not specified	\$23.82 (note 5)	73	\$7,161 (note 6)
26	Lei Yue Mun	Vinci Park Services Hong Kong Limited	-	30.9	Yes	Not specified	\$23.82 (note 5)	70	\$7,161 (note 6)

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Number of workers and their wages according to contract</i>			
						<i>Cleansing Worker</i>		<i>Security Guard</i>	
						<i>No.</i>	<i>Wage</i>	<i>No.</i>	<i>Wage</i>
27	Tsuen Wan, Kwai Chung and Tsing Yi	International Property Management Limited	-	36.4	No	Not specified	\$23.82 (note 5)	57	\$7,161 (note 6)
28	Hong Kong	Vinci Park Services Hong Kong Limited	-	34.2	Yes	Not specified	\$23.82 (note 5)	56	\$7,161 (note 6)
29	Sha Tin, Ma On Shan and Yuen Long	Imperial Parking (HK) Limited	-	33.3	No	Not specified	\$23.82 (note 5)	53	\$7,161 (note 6)
30	Fan Ling, Sau Mau Ping and Ma On Shan	International Property Management Limited	-	25.8	Yes	Not specified	\$23.82 (note 5)	56	\$7,161 (note 6)
31	Tin Shui Wai and Tuen Mun	Mack & Company Carpark Management Limited	-	40.78	Yes	Not specified	\$23.82 (note 5)	81	\$7,161 (note 6)
32	Kowloon and Tseung Kwan O	Wilson Parking (HK) Limited	-	50.1	Yes	Not specified	Not specified	59	Not specified

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Number of workers and their wages according to contract</i>			
						<i>Cleansing Worker</i>		<i>Security Guard</i>	
						<i>No.</i>	<i>Wage</i>	<i>No.</i>	<i>Wage</i>
33	Kowloon, New Territories and Tseung Kwan O	Wilson Parking (HK) Limited	-	43.4	No	Not specified	Not specified	83	Not specified
34	Tung Chung	Wilson Parking (HK) Limited	-	17.0	No	Not specified	Not specified	30	Not specified
35	New Territories West	Mack & Company Carpark Management Limited	-	22.7	No	Not specified	Not specified	24	Not specified
36	Ngau Chi Wan and Tsz Wan Shan	Wilson Parking (HK) Limited	-	33.5	Yes	Not specified	Not specified	38	Not specified
37	Tseun Wan and Kwai Chung	Kwik Park Limited	-	42.7	No	Not specified	Not specified	72	Not specified
38	Tsing Yi Island	Urban Parking Limited	-	22.8	No	Not specified	Not specified	101	\$5,150 (note 1)
39	Kowloon, Ma On Shan and Tseung Kwan O	Mack & Company Carpark Management Limited	-	21.9	No	Not specified	Not specified	82	\$5,350 (note 1)

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Number of workers and their wages according to contract</i>			
						<i>Cleansing Worker</i>		<i>Security Guard</i>	
						<i>No.</i>	<i>Wage</i>	<i>No.</i>	<i>Wage</i>
40	Oi Man Estate	Mack & Company Carpark Management Limited	-	1.95	Yes	Not specified	Not specified	20	\$5,764 (note 1)
41	Kowloon, Kwai Chung and Tsing Yi	Wilson Parking (HK) Limited	-	27.3	No	Not specified	Not specified	66	\$5,350 (note 1)
42	Kowloon East	Kwik Park Limited	-	18.1	No	Not specified	Not specified	90	\$5,000 (note 1)
43	Kowloon East and Tung Chung	Lica Parking Company Limited	-	22.3	Yes	Not specified	Not specified	94	\$5,300 (note 1)
44	Kwai Chung and Tin Shui Wai	Yue Xiu APT Parking Limited	-	18.2	Yes	Not specified	Not specified	100	\$5,150 (note 1)
45	Kwai Chung, Tsuen Wan and Tin Shui Wai	Yue Xiu APT Parking Limited	-	10.1	Yes	Not specified	\$24.05 (note 5)	88	\$7,163 (note 6)
46	Kowloon South, Sai Kung and Ha Kwai Chung	Lica Parking Company Limited	-	29.9	No	Not specified	Not specified	79	\$5,300 (note 1)

	<i>Location of Service</i>	<i>Contractor</i>	<i>Estimated Tender Cost (\$ million)</i>	<i>Awarded Contract Price (\$ million)</i>	<i>Lowest Bid? (Yes/No)</i>	<i>Number of workers and their wages according to contract</i>			
						<i>Cleansing Worker</i>		<i>Security Guard</i>	
						<i>No.</i>	<i>Wage</i>	<i>No.</i>	<i>Wage</i>
47	Tai Po, Fan Ling and Sheung Shui	Vinci Park Services Hong Kong Limited	-	52.12	No	Not specified	Not specified	138	\$5,310 (note 1)
48	North Point, Central Point	Lica Parking Company Limited	-	2.865	Yes	Not specified	Not specified	9	\$5,000 (note 1)
49	North Point, Eastern Lot	Lica Parking Company Limited	-	3.647	No	Not specified	Not specified	7	\$5,500 (note 1)
50	Ko Cheung Court	Wilson Parking (HK) Limited	-	0.55	Yes	Not specified	\$24.05 (note 5)	7	\$7,163 (note 6)
51	Yau Tong Phase 5	Vinci Park Services Hong Kong Limited	-	0.95	Yes	Not specified	\$24.05 (note 5)	11	\$7,163 (note 6)

Note 1: The average wage is calculated on the basis of eight working hours per day and 26 working days per month.

Note 2: It refers to the price of the last contract, which was renewed afterwards.

Note 3: It refers to the first tender.

Note 4: The contract was awarded to the property management company employed by the Incorporated Owners of the Home Ownership Scheme estate by negotiation.

Note 5: These carpark service contracts stipulate the wage and the minimum number of guards as well as the hourly wage for cleansing workers so required on the basis of eight working hours per day and 26 working days per month.

Note 6: The average monthly salary for guards is calculated on the basis of 11 working hours per day and 26 working days per month

Failure to Access RTHK Website on the Mainland

14. **MR ANDREW CHENG** (in Chinese): *President, it is learnt that since February last year, Internet surfers in the Mainland have been unable to access the website of Radio Television Hong Kong (RTHK). Hong Kong residents in the Mainland are therefore denied access to the information on the website. In this connection, will the Government inform this Council:*

- (a) *whether it knows the reasons for Internet surfers in the Mainland being unable to access RTHK's website;*
- (b) *whether RTHK, the Commerce, Industry and Technology Bureau and the Office of the Government of the Hong Kong Special Administrative Region (SAR) in Beijing have reflected the problem to the relevant mainland authorities; if so, which of the above has/have done so, and of the mainland authorities to which the problem has been reflected, the views conveyed and the responses received; and*
- (c) *whether it will discuss with the relevant mainland authorities ways to resolve the problem; if so, when the problem is expected to be resolved; if not, of the reasons for that?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in the absence of Secretary for Commerce, Industry and Technology) (in Chinese): *President, we understand that Internet surfers in the Mainland are unable to access the website of RTHK. RTHK and the Office of the SAR Government in Beijing have approached the Hong Kong and Macao Affairs Office of the State Council and the Information Office of the State Council for information about the situation. We are awaiting the authorities' reply. We will continue to reflect the problem to them and seek information about the situation.*

Statistics on Services of Hospital Authority

15. **MR LEE CHEUK-YAN** (in Chinese): *President, will the Government inform this Council whether it knows the following in the past three years:*

- (a) *the lower quartile, median and upper quartile of the waiting time, the longest waiting time as well as the average unit cost for first consultation appointments at specialist out-patient clinics (SOPCs) under the Hospital Authority (HA) as a whole and in each hospital cluster, broken down by various specialties; and*
- (b) *the respective occupancy rates and lengths of stay of the patients concerned for general beds and for beds of various specialties under the HA as a whole and in each hospital cluster, broken down by various specialties?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Chinese):
President,

- (a) The lower quartile, median, upper quartile and the longest waiting time (in weeks) for first appointment at SOPCs of the HA, with a breakdown by specialty in each hospital cluster, and the overall average cost per attendance in 2002-03, 2003-04 and 2004-05 are given in the tables below.

Year 2002-03

<i>Specialty</i>		<i>HKE</i>	<i>HKW</i>	<i>KE</i>	<i>KC</i>	<i>KW</i>	<i>NTE</i>	<i>NTE</i>	<i>All clusters</i>	<i>Average Cost/attendance (\$)</i>
Medicine	Lower quartile	2	1	3	2	4	4	5	3	1,190
	Median	6	5	7	31	13	20	21	13	
	Upper quartile	17	8	47	36	25	30	22	25	
	Longest	102	71	104	115	88	113	36	115	
Surgery	Lower quartile	3	< 1	2	2	2	5	5	2	810
	Median	8	5	4	5	9	11	14	9	
	Upper quartile	21	16	8	34	18	20	15	17	
	Longest	92	89	64	76	95	104	101	104	
Obstetrics	Lower quartile	< 1	< 1	< 1	2	< 1	1	1	< 1	590*
	Median	1	< 1	< 1	3	1	3	1	1	
	Upper quartile	2	1	1	4	2	5	2	2	
	Longest	8	12	5	11	12	14	6	14	
Gynaecology	Lower quartile	1	2	2	3	1	1	1	1	590*
	Median	3	6	8	5	5	4	4	5	
	Upper quartile	8	9	11	10	10	11	9	9	
	Longest	35	40	29	50	50	58	28	58	

<i>Specialty</i>		<i>HKE</i>	<i>HKW</i>	<i>KE</i>	<i>KC</i>	<i>KW</i>	<i>NTE</i>	<i>NTE</i>	<i>All clusters</i>	<i>Average Cost/attendance (\$)</i>
Paediatrics and Adolescent Medicine	Lower quartile	< 1	< 1	1	< 1	< 1	2	7	< 1	870
	Median	< 1	1	4	< 1	1	7	18	2	
	Upper quartile	1	5	7	1	4	12	20	7	
	Longest	52	55	36	80	103	43	43	103	
Orthopaedics and Traumatology	Lower quartile	2	< 1	1	5	1	< 1	10	1	580
	Median	7	8	11	8	8	13	14	11	
	Upper quartile	22	23	15	12	26	16	16	17	
	Longest	55	57	40	52	105	76	40	105	
Psychiatry	Lower quartile	< 1	< 1	< 1	< 1	< 1	< 1	< 1	< 1	720
	Median	2	3	4	3	5	5	2	4	
	Upper quartile	8	8	11	6	11	16	9	10	
	Longest	33	63	63	34	53	109	29	109	
Clinical Oncology	Lower quartile	< 1	< 1	NA	< 1	NA	< 1	< 1	< 1	1,040
	Median	< 1	< 1	NA	1	NA	< 1	< 1	< 1	
	Upper quartile	< 1	1	NA	1	NA	1	1	1	
	Longest	2	12	NA	20	NA	4	7	20	
All specialties	Lower quartile	1	< 1	1	< 1	1	1	1	1	680
	Median	4	3	5	4	5	9	6	5	
	Upper quartile	11	9	13	23	15	18	15	15	
	Longest	102	89	104	115	105	113	101	115	

* Average cost of Obstetrics and Gynaecology (O&G) service

Year 2003-04

<i>Specialty</i>		<i>HKE</i>	<i>HKW</i>	<i>KE</i>	<i>KC</i>	<i>KW</i>	<i>NTE</i>	<i>NTE</i>	<i>All clusters</i>	<i>Average Cost/attendance (\$)</i>
Medicine	Lower quartile	2	1	3	2	5	5	5	3	1,330
	Median	8	4	7	24	22	24	13	13	
	Upper quartile	26	8	53	36	30	33	18	30	
	Longest	86	94	110	79	69	83	50	110	
Surgery	Lower quartile	2	< 1	3	1	2	8	5	2	1,000
	Median	8	4	10	4	10	19	11	11	
	Upper quartile	45	16	22	36	25	27	17	24	
	Longest	99	74	94	63	102	89	83	102	

<i>Specialty</i>		<i>HKE</i>	<i>HKW</i>	<i>KE</i>	<i>KC</i>	<i>KW</i>	<i>NTE</i>	<i>NTE</i>	<i>All clusters</i>	<i>Average Cost/attendance (\$)</i>
Obstetrics	Lower quartile	< 1	< 1	< 1	1	< 1	< 1	< 1	< 1	760*
	Median	1	< 1	< 1	3	1	1	< 1	1	
	Upper quartile	1	1	1	4	3	2	1	2	
	Longest	9	10	8	11	12	11	14	14	
Gynaecology	Lower quartile	2	< 1	3	2	3	2	2	2	
	Median	10	2	10	5	9	6	9	6	
	Upper quartile	18	4	17	9	14	11	17	13	
	Longest	49	50	52	43	46	46	27	52	
Paediatrics and Adolescent Medicine	Lower quartile	< 1	< 1	1	< 1	< 1	2	11	< 1	1,080
	Median	< 1	1	3	1	1	8	13	2	
	Upper quartile	1	3	8	2	5	10	14	8	
	Longest	29	52	50	20	95	43	29	95	
Orthopaedics and Traumatology	Lower quartile	2	1	1	2	1	1	5	2	700
	Median	6	12	7	13	9	9	17	9	
	Upper quartile	20	22	20	31	22	13	20	20	
	Longest	98	97	44	135	163	66	55	163	
Psychiatry	Lower quartile	< 1	1	1	< 1	< 1	1	1	< 1	810
	Median	4	3	6	2	5	5	5	4	
	Upper quartile	12	10	13	6	10	13	12	11	
	Longest	40	62	89	28	38	124	141	141	
Clinical Oncology	Lower quartile	< 1	< 1	NA	< 1	NA	< 1	< 1	< 1	1,080
	Median	< 1	< 1	NA	< 1	NA	< 1	< 1	< 1	
	Upper quartile	< 1	1	NA	1	NA	1	< 1	1	
	Longest	1	6	NA	9	NA	13	52	52	
All specialties	Lower quartile	< 1	< 1	1	< 1	1	2	1	1	800
	Median	5	2	7	3	6	9	6	5	
	Upper quartile	16	10	22	22	20	24	16	18	
	Longest	99	97	110	135	163	141	141	163	

* Average cost of O&G service

Year 2004-05

<i>Specialty</i>		<i>HKE</i>	<i>HKW</i>	<i>KE</i>	<i>KC</i>	<i>KW</i>	<i>NTE</i>	<i>NTE</i>	<i>All clusters</i>	<i>Average Cost/attendance (\$)</i>
Medicine	Lower quartile	2	2	3	4	4	5	6	4	1,220
	Median	8	5	8	19	24	28	23	13	
	Upper quartile	24	10	61	37	32	36	27	32	
	Longest	101	99	104	65	79	92	54	104	
Surgery	Lower quartile	4	1	6	1	3	7	10	3	820
	Median	10	6	19	4	12	26	25	15	
	Upper quartile	32	31	44	22	36	52	31	32	
	Longest	126	97	108	51	110	153	90	153	
Obstetrics	Lower quartile	< 1	< 1	< 1	1	< 1	< 1	< 1	< 1	580*
	Median	1	< 1	< 1	5	1	1	< 1	1	
	Upper quartile	1	1	1	7	2	3	1	2	
	Longest	7	14	7	13	10	13	7	14	
Gynaecology	Lower quartile	2	< 1	2	3	2	5	3	2	580*
	Median	11	4	11	7	10	12	12	8	
	Upper quartile	23	6	31	16	17	18	23	18	
	Longest	34	43	82	42	50	72	52	82	
Paediatrics and Adolescent Medicine	Lower quartile	< 1	< 1	1	1	< 1	2	14	< 1	900
	Median	< 1	3	7	2	2	7	17	4	
	Upper quartile	3	6	19	3	6	9	20	10	
	Longest	50	58	57	25	104	51	51	104	
Orthopaedics and Traumatology	Lower quartile	4	2	1	3	2	1	3	2	620
	Median	14	13	7	18	14	10	27	13	
	Upper quartile	34	39	37	27	24	18	33	31	
	Longest	60	99	67	94	127	64	51	127	
Psychiatry	Lower quartile	< 1	1	2	< 1	< 1	1	1	< 1	780
	Median	4	5	8	2	5	5	5	5	
	Upper quartile	17	12	21	7	21	17	18	16	
	Longest	61	63	162	34	65	160	111	162	
Clinical Oncology	Lower quartile	< 1	< 1	NA	< 1	< 1	< 1	< 1	< 1	970
	Median	< 1	1	NA	< 1	< 1	< 1	< 1	< 1	
	Upper quartile	< 1	1	NA	1	< 1	1	1	1	
	Longest	2	9	NA	6	4	10	103	103	
All specialties	Lower quartile	1	< 1	1	< 1	1	2	1	1	700
	Median	6	4	8	3	7	10	9	6	
	Upper quartile	20	10	34	16	24	30	26	23	
	Longest	126	99	162	94	127	160	111	162	

* Average cost of O&G service

- (b) The bed occupancy rate at the HA hospitals with a breakdown by specialty in each hospital cluster in 2002-03, 2003-04 and 2004-05 are given in the table below.

<i>Specialty</i>	<i>Year</i>	<i>Inpatient bed occupancy rate (%)</i>							
		<i>HKE</i>	<i>HKW</i>	<i>KE</i>	<i>KC</i>	<i>KW</i>	<i>NTE</i>	<i>NTW</i>	<i>Overall</i>
Medicine	2002-03	86.3	81.0	95.6	97.9	88.0	97.6	114.9	92.3
	2003-04	75.7	82.5	85.3	88.6	73.4	88.7	87.8	81.5
	2004-05	87.8	85.5	91.9	86.5	94.1	93.1	99.0	91.4
Surgery	2002-03	82.1	84.0	71.7	64.3	74.3	78.2	76.4	75.9
	2003-04	66.5	74.7	68.1	62.7	62.1	72.1	78.5	68.3
	2004-05	78.7	79.3	79.1	75.0	79.9	81.5	95.1	80.4
Obstetrics	2002-03	66.5	61.8	76.8	72.4	82.0	69.5	73.8	73.5
	2003-04	70.6	46.4	84.4	53.6	59.2	59.5	62.3	60.1
	2004-05	74.9	52.5	93.1	57.2	69.2	84.0	73.6	70.1
Gynaecology	2002-03	94.1	67.1	59.8	68.4	80.9	71.3	84.7	73.2
	2003-04	74.0	51.1	51.6	72.4	57.6	62.8	94.2	61.4
	2004-05	79.4	57.8	73.4	73.0	72.6	70.8	91.3	72.0
Paediatrics and Adolescent Medicine	2002-03	74.4	63.6	62.7	65.0	58.0	66.0	77.4	64.3
	2003-04	44.4	57.7	47.3	62.6	47.2	54.4	53.3	52.1
	2004-05	60.2	64.5	68.2	66.0	58.1	81.8	73.5	66.2
Orthopaedics and Traumatology	2002-03	85.5	77.4	86.1	84.0	77.0	80.8	87.9	81.5
	2003-04	69.6	71.1	78.8	76.8	67.5	79.8	77.7	74.0
	2004-05	89.5	78.5	91.8	79.3	90.7	89.1	90.9	87.0
Psychiatric	2002-03	88.0	75.7	96.1	66.7	81.3	73.6	85.1	81.9
	2003-04	85.0	71.3	88.8	54.9	77.9	67.3	84.1	78.0
	2004-05	89.1	61.7	76.9	49.6	73.0	73.9	89.6	79.1
Clinical Oncology	2002-03	84.2	84.4	N/A	76.1	N/A	86.6	106.3	86.4
	2003-04	75.9	81.6	N/A	64.8	N/A	73.6	112.5	77.2
	2004-05	85.9	93.3	N/A	82.8	N/A	86.8	111.8	90.0
Overall (for all specialties)	2002-03	86.1	76.7	86.4	81.3	81.3	83.5	89.1	83.2
	2003-04	77.9	71.1	77.0	74.5	69.2	74.9	81.8	74.4
	2004-05	86.5	75.7	86.2	77.0	80.9	83.3	89.3	82.5

The average length of stay (in days) for discharged inpatients with a breakdown by specialty in each hospital cluster in 2002-03, 2003-04 and 2004-05 are as follows.

<i>Specialty</i>	<i>Year</i>	<i>Inpatient average length of stay (days)</i>							
		<i>HKE</i>	<i>HKW</i>	<i>KE</i>	<i>KC</i>	<i>KW</i>	<i>NTE</i>	<i>NTW</i>	<i>Overall</i>
Medicine	2002-03	5.2	7.3	6.8	6.6	6.9	6.8	5.1	6.5
	2003-04	5.5	7.7	7.0	7.1	7.2	7.6	6.1	7.0
	2004-05	5.5	7.5	6.5	6.4	6.3	6.5	6.0	6.4
Surgery	2002-03	3.9	6.4	4.2	4.6	4.8	6.1	3.8	4.9
	2003-04	3.6	6.5	4.0	4.7	4.3	6.3	3.8	4.8
	2004-05	3.9	6.2	4.1	4.9	4.3	5.9	4.2	4.8
Obstetrics	2002-03	2.4	3.6	4.2	3.5	3.7	3.6	3.1	3.5
	2003-04	2.7	2.9	3.4	3.0	3.5	3.0	2.7	3.1
	2004-05	3.0	2.9	3.2	3.0	3.3	2.5	2.6	3.0
Gynaecology	2002-03	2.3	2.8	3.2	3.5	2.8	2.8	2.4	2.8
	2003-04	2.2	2.5	3.0	3.2	2.6	2.8	2.3	2.7
	2004-05	2.3	2.5	3.2	3.3	2.6	2.7	2.3	2.7
Paediatrics and Adolescent Medicine	2002-03	3.1	5.6	3.4	6.0	3.4	3.9	3.3	3.8
	2003-04	5.1	5.8	3.2	5.9	3.8	4.8	4.2	4.4
	2004-05	3.6	5.5	3.3	5.7	3.3	4.2	3.5	3.9
Orthopaedics and Traumatology	2002-03	6.8	10.0	8.3	10.5	8.1	8.9	7.0	8.5
	2003-04	6.1	9.4	7.2	10.8	7.6	9.0	7.2	8.2
	2004-05	7.0	10.0	7.3	11.3	7.5	9.3	8.1	8.5
Psychiatric	2002-03	60.8	23.4	33.2	109.7	131.6	63.2	272.3	117.1
	2003-04	70.5	23.3	44.6	126.8	109.4	47.5	231.5	100.1
	2004-05	67.4	20.1	36.5	135.2	116.4	42.0	267.5	104.8
Clinical Oncology	2002-03	5.7	3.3	N/A	6.5	N/A	7.2	9.0	6.5
	2003-04	5.1	4.3	N/A	6.5	N/A	6.5	7.3	6.1
	2004-05	4.8	3.9	N/A	5.7	N/A	6.8	6.6	5.8
Overall (for all specialties)	2002-03	8.8	8.6	6.7	8.6	9.8	9.1	12.8	9.3
	2003-04	9.9	9.3	6.7	8.9	10.4	9.9	14.0	9.9
	2004-05	9.3	8.3	6.2	8.3	8.7	8.2	14.0	8.9

HKE - Hong Kong East Cluster
 HKW - Hong Kong West Cluster
 KE - Kowloon East Cluster
 KC - Kowloon Central Cluster
 KW - Kowloon West Cluster
 NTE - New Territories East Cluster
 NTW - New Territories West Cluster

New Facilities at Lok Ma Chau Control Point

16. **MR LAU KONG-WAH** (in Chinese): *President, Phase II of the Lok Ma Chau Control Point expansion project was completed at the end of 2003, with new facilities including a coach parking information system (the information system) and travellators. However, I have received complaints about the information system being not fully utilized because of repeated failures, and because most coach drivers do not bother to enter the vehicle registration marks after parking their coaches. Moreover, there are also complaints that the travellators at the Control Point are often out of service. In this connection, will the Government inform this Council of:*

- (a) the anticipated and actual utilization of the information system and travellators mentioned above;*
- (b) the respective numbers of days since commissioning on which both of the two facilities were in normal operation, one or both of them were out of service; and*
- (c) the reasons for the two facilities being out of service, and the numbers of days on which such suspension of service was attributable to the contractor's quality of work, human errors or mechanical failures respectively?*

SECRETARY FOR SECURITY (in Chinese): *President,*

- (a) The second phase of the Lok Ma Chau boundary crossing expansion project aims to cater for the cross-boundary needs of an anticipated daily average of 35 000 passengers, mainly through the renovation and extension of relevant facilities.*

The purpose of the information system is to make it easier for passengers who have completed the immigration procedures to locate the parking bays of their buses. The use of the system by bus drivers is on a voluntary basis. No record of the utilization rate of the system has been maintained.

Two simple surveys were conducted on the utilization of the 10 travellers in March to April and October 2005 respectively, the result of which showed that a daily average of about 190 and 19 800 passengers had used the travellers at the drop-off and pick-up areas respectively.

(b) and (c)

The information system was out of service because of mechanical failure for 74 days. As regards the 10 travellers, their operation has never been suspended across the board.

For individual travellers, owing to some minor failures (damaged glass modules or damaged belts), the service of three of them had been suspended three times for five, 22 and 27 days respectively. For another three travellers, their pallets had been damaged by jammed small metallic objects, and had become unable to meet the safety requirements under the Code of Practice on the Design and Construction of Lifts and Escalators published by the Electrical and Mechanical Services Department. As a result, they have been closed since 23 July 2004, 17 August 2004 and 7 March 2005 respectively^{Note}. The relevant government departments, consultant and contractor are actively exploring various remedial measures.

^{Note} It should be noted that energy-saving feature has been adopted in the design of the travellers. A traveller only starts to run when its sensor has detected passengers riding on it. It will stop automatically when there is no passenger using it. In addition, to ensure passenger safety, the police would temporarily suspend the operation of certain travellers when their two ends are crowded with queuing people.

Fee Alignment Exercise for Leisure and Sports Facilities

17. **MR ALBERT CHAN** (in Chinese): *President, at present, there are discrepancies between the fee levels for certain types of leisure and sports facilities provided by the Leisure and Cultural Services Department (LCSD) in the New Territories and those in the urban area. Many New Territories residents have pointed out that the fees of these facilities in the New Territories are generally higher than those in the urban area, which they consider as unfair to them. Also, the Administration told this Council in November 2003 that in view of the then financial climate, the fee level alignment exercise had been put on hold. In this connection, will the Government inform this Council:*

- (a) *of the details of the fees of the leisure and sports facilities in the New Territories and the urban area; and*
- (b) *whether the alignment exercise will resume; if so, when the fees will be aligned; if not, the reasons for that?*

SECRETARY FOR HOME AFFAIRS (in Chinese): President, my reply to the Honourable Mr Albert CHAN's question is as follows:

- (a) At present, the LCSD adopts the fee levels set by the former Municipal Councils for the facilities of their recreational venues. Owing to the different pricing policies of the former Municipal Councils, there are discrepancies between the fee levels for certain facilities in the urban area and those in the New Territories. Overall speaking, except for the charges of tennis courts, badminton courts, natural turf pitches and swimming pools in the New Territories which are higher than those in the urban area during peak hours, the fees and charges of the leisure and sports facilities in the New Territories are generally lower than those in the urban area. A list of charges for use of major LCSD recreational facilities in the urban area and the New Territories is set out at the Annex.
- (b) Since its establishment, the LCSD has reviewed the fees and charges of the facilities concerned. During the course of the review, the LCSD has considered that any increase in fees in either the urban area or the New Territories for the purpose of alignment of fee levels would add burden on the general public. On the other hand, any reduction in fees as a result of alignment would require a corresponding increase in government subsidies to the facilities. In view of the earlier economic downturn experienced in Hong Kong, the Bureau has decided to put on hold the fee level alignment exercise. Nevertheless, during that period the LCSD has taken the opportunity to standardize the concessionary rates of the leisure and sports facilities in urban area and the New Territories, including those for public swimming pools, tennis courts, soccer pitches, squash courts, sports centres, holiday villages. Users or organizations of the same category, including children/infants, people with disabilities, students, schools, subvented organizations,

and so on, can enjoy the same concessionary rates when using these facilities in various districts.

With the gradual improvement in the economy, the Bureau has asked the LCSD to re-examine the feasibility of aligning the fee levels and to develop options for implementation. We hope the study will be completed as early as possible and a paper will be submitted to the Legislative Council Panel on Home Affairs for discussion.

Annex

Charges for Use of Major LCSD Recreational Facilities

<i>Facility</i>	<i>Urban</i>	<i>New Territories</i>	
		<i>Peak hour</i>	<i>Non-peak hour</i>
Tennis court			
- with floodlighting	\$57 per hour	\$73 per hour	\$67 per hour
- without floodlighting	\$42 per hour	\$52 per hour	\$34 per hour
Squash court			
- with air-conditioning	\$27 per 1/2 hour	\$27 per 1/2 hour	\$18 per 1/2 hour
- without air-conditioning	\$17 per 1/2 hour	\$17 per 1/2 hour	\$13 per 1/2 hour
Basketball court			
- with air-conditioning	\$236 per hour	\$148 per hour	\$120 per hour
- without air-conditioning	\$148 per hour	\$82 per hour	\$57 per hour
Volleyball court			
- with air-conditioning	\$236 per hour	\$148 per hour	\$120 per hour
- without air-conditioning	\$148 per hour	\$82 per hour	\$57 per hour
Badminton court			
- with air-conditioning	\$59 per hour	\$66 per hour	\$51 per hour
- without air-conditioning	\$37 per hour	\$48 per hour	\$34 per hour
Table tennis table			
- with air-conditioning	\$21 per hour	\$14 per hour	\$13 per hour
- without air-conditioning	\$12 per hour	–	–
Activity room of 100 sq m or above			
- with air-conditioning	\$75 per hour	\$57 per hour	\$54 per hour
- without air-conditioning	\$54 per hour	\$39 per hour	\$37 per hour

Facility	Urban	New Territories	
		Peak hour	Non-peak hour
Activity room less than 100 sq m			
- with air-conditioning	\$47 per hour	\$38 per hour	\$36 per hour
- without air-conditioning	\$27 per hour	\$20 per hour	\$19 per hour
Use of fitness equipment			
	\$17 per person per hour	\$14 per person per hour	\$13 per person per hour
Bowling greens (per rink)			
- with floodlighting	\$58 per hour	\$40 per hour	\$30 per hour
- without floodlighting	\$53 per hour		
Natural turf pitch (Association Soccer)			
- with floodlighting	\$336 per 1.5 hours	\$350 per 90 minutes	\$290 per 90 minutes
- without floodlighting	\$168 per 1.5 hours	\$230 per 90 minutes	\$170 per 90 minutes
Natural turf pitch (Miniature)			
- with floodlighting	\$168 per 1.5 hours	–	–
- without floodlighting	\$84 per 1.5 hours	–	–
Artificial turf pitch (Association Soccer)			
- with floodlighting	\$336 per 1.5 hours	\$280 per 90 minutes	\$240 per 90 minutes
- without floodlighting	\$168 per 1.5 hours	\$170 per 90 minutes	\$130 per 90 minutes
Artificial turf pitch (Miniature)			
- with floodlighting	\$168 per 1.5 hours	\$150 per 90 minutes	\$130 per 90 minutes
- without floodlighting	\$84 per 1.5 hours	\$90 per 90 minutes	\$70 per 90 minutes
Swimming pool admission fee			
	\$19 per person	\$20 per person	\$17 per person

Remarks 1: Recreational Facilities on New Territories

Non-Peak Hour	Monday to Friday	From opening to 6.00 pm (excluding Public Holidays)
	Saturday	From opening to 1.00 pm (excluding Public Holidays)
Peak Hour	Monday to Friday	6.00 pm to 11.00 pm
	Saturday	1.00 pm to 11.00 pm (excluding Public Holidays)
	Whole Day on Sunday and Public Holidays	

Remarks 2: Recreational Natural Turf Pitch and Artificial Turf Pitch in the New Territories

Non-Peak Hour	Monday to Friday	From opening to 6.00 pm (excluding Public Holidays)
Peak Hour	Monday to Friday	6.00 pm to 11.00 pm
	Whole Day on Saturday, Sunday and Public Holidays	

Safety of Disposable Plastic Tableware

18. **MR LI KWOK-YING** (in Chinese): *President, it has been reported that in a sample test of plastic disposable tableware recently carried out by the State*

General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ), about half of the samples were found to contain carcinogenic substances. In this connection, will the Government inform this Council:

- (a) how it prevents the inflow of such substandard plastic tableware into the territory, and whether it has assessed the health implications of using such tableware over a long period of time;*
- (b) of the number of samples taken for laboratory tests by the Food and Environmental Hygiene Department (FEHD) in the past three years from foods in plastic disposable containers, the number of such samples suspected to have been contaminated by the containers, the number of prosecutions instituted against the persons concerned and the penalties imposed on those convicted;*
- (c) of the department responsible for monitoring the food safety aspects of food containers and utensils; and*
- (d) of the current progress of its study on regulating the quality of plastic disposable tableware by legislation, and the other measures to safeguard public health?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Chinese):
President,

- (a) The Public Health and Municipal Services Ordinance (Cap. 132) provides that all food items intended for sale in Hong Kong must be fit for human consumption. If there are suspected cases of food contamination caused by substances released from plastic containers, the FEHD will conduct tests on the relevant food and take follow-up action. If necessary, the FEHD will also strengthen communication with other departments concerned to prevent the problematic plastic disposable tableware from entering the territory. Plastic disposable tableware may release various kinds of chemical substances on contact with food, including heavy metals, residues of raw materials used in manufacturing plastics such as styrene, and other impurities such as additives, and so on. The amount of

chemical substances released depends on variables such as the types of food that come into contact (for example whether the food is oily), the temperature of food and duration of contact. Health impacts vary according to the types and amount of chemical substances released. Ordinary impurities such as additives have very low toxicity. But ingesting heavy amounts of styrene may cause nausea and affect the nervous system.

- (b) In the course of collecting food samples, the FEHD does not classify the samples according to their containers, that is, whether they have been "preserved in plastic disposable containers" or not. However, the FEHD had collected 30 samples of plastic disposable food containers for chemical testing in the past three years and the test results were all satisfactory.
- (c) Food safety issues related to food containers and utensils are regulated by the FEHD and the Customs and Excise Department (C&ED). Under the Public Health and Municipal Services Ordinance, the Director of Food and Environmental Hygiene is authorized to draw up regulations to regulate the use of materials in the manufacture of apparatus or utensils intended for the preparation or preservation of food for human consumption. Furthermore, the licensing conditions for licensed food factories supplying lunch boxes also stipulate that food containers must be made of heat- and acid-resistant materials that do not release toxic chemical substances. The C&ED also takes samples of plastic disposable tableware available in the market for testing in accordance with the Consumer Goods Safety Ordinance to prevent unsafe plastic disposable tableware from entering into Hong Kong.
- (d) The joint study on plastic disposable lunch boxes conducted by the FEHD and the Consumer Council is well underway and the results are expected to be published by the end of 2005 or early 2006. Meanwhile, the C&ED has collected samples of plastic disposable tableware such as forks, spoons, soup spoons and knives (54 dozens in all) and sent them to the Government Laboratory for testing in accordance with the Consumer Goods Safety Ordinance. The C&ED also contacted the AQSIQ to follow up whether there had been any export of unsafe disposable tableware to Hong Kong and to

seek specific information about unsafe tableware, such as the origin of the products and the Hong Kong importers concerned for follow-up actions.

Education of Students of Ethnic Minorities

19. **MS EMILY LAU** (in Chinese): *President, regarding the education of students of the ethnic minorities, will the executive authorities inform this Council:*

- (a) *in each of the past 10 years, of the number of students of the ethnic minorities who:*
 - (i) *sat for the Hong Kong Certificate of Education Examination (HKCEE), together with their passing rates for Chinese Language, English Language and Mathematics; and*
 - (ii) *furthered their studies in matriculation courses; and*
- (b) *whether specific measures are in place to help students of the ethnic minorities to learn Chinese; if so, of the effectiveness of such measures; if not, the reasons for that?*

SECRETARY FOR EDUCATION AND MANPOWER (in Chinese): President, our response to the question raised regarding the education of students of the ethnic minorities is presented below:

- (a) Applicants registering for the HKCEE are not required to submit information on their racial origin/nationality. The Education and Manpower Bureau (the Bureau), therefore, does not have statistics on the number of students of the ethnic minorities taking part in the HKCEE and their passing rates for Chinese Language, English Language and Mathematics. Nor do we have information on the number of these students furthering their studies in matriculation courses, as a student's racial origin/nationality does not affect his/her eligibility for such courses.

- (b) The Bureau collaborates with teachers and provides schools with a wide range of supporting services to help students of ethnic minorities to learn Chinese. Some specific measures include: (1) To assist schools in developing school-based learning materials and adjusting the teaching and learning progress so as to increase students' learning motivation and build up their confidence; (2) To promote professional development of teachers, help them understand the difficulties faced by these students so that they can develop flexible teaching strategies, introduce continuous assessment which could provide positive feedback to students' learning; (3) To assist schools to build up a school network and organize activities for teachers to share their successful teaching experience and teaching resources.

The above measures have effectively helped students of ethnic minorities learn Chinese. With better understanding about the learning needs of these students, schools can better design the curriculum and develop appropriate learning materials for them. Schools can also arrange different programmes, such as pull-out programme on vocabulary building and Chinese Language tutorials to cater for the learning diversity of students and improve their language ability. Some schools also create language-rich environment through organizing peer support activities (for example, Big Brother and Big Sister Scheme, Reading Ambassadors). These programmes do not only help enhance the speaking and listening abilities of these students, build up their repertoire of Chinese words and accelerate the speed at which they learn new words, but also enhance their learning motivation and confidence. As observed from school visits, students of ethnic minorities participated actively and spoke proactively in classes. Some even showed that they loved learning Chinese and had participated actively in language learning activities. Cultural integration within schools was also fostered.

MOTIONS

PRESIDENT (in Cantonese): Motion. Proposed resolution under the Pharmacy and Poisons Ordinance to approve the Pharmacy and Poisons (Amendment) (No. 3) Regulation 2005 and the Poisons List (Amendment) (No. 3) Regulation 2005.

PROPOSED RESOLUTION UNDER THE PHARMACY AND POISONS ORDINANCE

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, I move that the Poisons List (Amendment) (No. 3) Regulation 2005 and the Pharmacy and Poisons (Amendment) (No. 3) Regulation 2005 as set out under my name in the paper circulated to Members be approved.

Currently, we regulate the sale and supply of pharmaceutical products through a registration and inspection system set up in accordance with the Pharmacy and Poisons Ordinance (the Ordinance). The Ordinance maintains a Poisons List under the Poisons List Regulations and several Schedules under the Pharmacy and Poisons Regulations. Pharmaceutical products put on different parts of the Poisons List and different Schedules are subject to different levels of control in regard to the conditions of sale and keeping of records.

For the protection of public health, some pharmaceutical products can only be sold in pharmacies under the supervision of registered pharmacists and in their presence. For certain pharmaceutical products, proper records of the particulars of the sale must be kept, including the date of sale, the name and address of the purchaser, the name and quantity of the medicine and the purpose for which it is required. The sale of some pharmaceutical products must be authorized by prescription from a registered medical practitioner, a registered dentist or a registered veterinary surgeon.

The Amendment Regulations now before Members seek to amend the Poisons List in the Poisons List Regulations and the Schedules to the Pharmacy and Poisons Regulations for the purpose of imposing control on three new medicines and tightening the control on two existing medicines.

Arising from the applications for registration of three pharmaceutical products, the Pharmacy and Poisons Board (the Board) proposes to add three substances to Part I of the Poisons List and the First and Third Schedules to the Pharmacy and Poisons Regulations. Pharmaceutical products containing any of these substances must be sold in pharmacies under the supervision of registered pharmacists and in their presence, with the support of prescriptions. We propose that these Amendment Regulations take immediate effect upon gazettal on 25 November 2005 to allow early control on and sale of pharmaceutical products containing these substances.

In addition, the Board proposes to tighten the control on two existing medicines. At present, substances containing more than 0.1% of Codeine are classified as Part I and First Schedule poisons. This classification, in effect, causes substances containing not less than 0.2% of Codeine to be subject to the control applicable to Part I of the Poisons List and the First Schedule to the Pharmacy and Poisons Regulations. That is to say, they can be sold in pharmacies without the support of prescriptions.

Vitamin A and its esters are currently non-poisons. Hence Vitamin A and its esters, when contained in pharmaceutical products regardless of its concentration, can be sold in all kinds of medicines outlets.

We intend to tighten the control of these two types of substances, by listing substances containing not less than 0.2% of Codeine in the Third Schedule, and listing "Vitamin A and its esters, when contained in pharmaceutical products the recommended daily dose of which contains not less than 10 000 international units of vitamin A" in Part I of the Poisons List, the First Schedule and the Third Schedule. Pharmaceutical products containing any of these substances must then be sold in pharmacies under the supervision of registered pharmacists and in their presence, with the support of prescriptions. To allow time for sellers, manufacturers and importers to adapt to the new requirements, we propose that these amendments take effect 30 days after the day of their gazettal.

The two Amendment Regulations are made by the Board, which is a statutory authority established under section 3 of the Ordinance to regulate the registration and control of pharmaceutical products. The Board comprises members engaged in the pharmacy, medical and academic professions. The Board considers the proposed amendments necessary in view of the potency, toxicity and potential side effects of the medicines concerned.

With these remarks, Madam President, I move the motion.

The Secretary for Health, Welfare and Food moved the following motion:

"RESOLVED that the following Regulations, made by the Pharmacy and Poisons Board on 31 October 2005, be approved -

- (a) the Pharmacy and Poisons (Amendment) (No. 3) Regulation 2005; and
- (b) the Poisons List (Amendment) (No. 3) Regulation 2005."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by the Secretary for Health, Welfare and Food 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?

(Members raised their hands)

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

(No hands raised)

PRESIDENT (in Cantonese): I think the question is agreed by a majority of the Members present. I declare the motion passed.

MEMBERS' MOTIONS

PRESIDENT (in Cantonese): Members' motions. Proposed resolution under the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China.

PROPOSED RESOLUTION UNDER THE BASIC LAW OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION OF THE PEOPLE'S REPUBLIC OF CHINA

MR JASPER TSANG (in Cantonese): President, I move the motion under my name to amend the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region.

The Committee on Rules of Procedure (CRoP) has studied the voting rights that the chairmen of committees and subcommittees under the Legislative Council should have. Subsequently, it is recommended that the chairmen of Bills Committees, panels and their subcommittees, as well as the House Committee (HC)'s subcommittees on subsidiary legislation should have an original vote but not a casting vote. The proposed amendments to the Rules of Procedure (RoP) have been endorsed by the Council meeting on the 19th of last month.

As for the chairmen of the Finance Committee (FC), Public Accounts Committee (PAC), HC, Investigation Committees (IC), Select Committees (SC), Committee on Members' Interest (CMI) and CRoP, and of the HC's subcommittees other than those on subsidiary legislation, the CRoP recommends that they should have a casting vote but not an original vote.

The CRoP also recommends that it should be provided in the RoP that the chairmen of the committees and subcommittees shall not exercise the casting vote in such a way as to produce a majority vote in favour of the question before the committees and subcommittees. This is also the current provision in the procedures of the FC, the Establishment Subcommittee and the Public Works Subcommittee.

The CRoP has also taken into consideration the fact that the HC may appoint subcommittees to study any subsidiary legislation which is not subject to the provisions of sections 34 and 35 of the Interpretation and General Clauses Ordinance (Cap. 1) and instruments made under legislation. The HC may also appoint subcommittees to study any subsidiary legislation which is subject to the provisions of sections 34 and 35 of Cap. 1, together with some subsidiary legislation which is not subject to the provisions.

As the instruments referred to in the above and subsidiary legislation not subject to sections 34 and 35 of Cap. 1 are made under legislation, the CRoP recommends that the chairmen of the subcommittees dealing with them should have the same voting rights as the chairmen of subcommittees which deal with subsidiary legislation which is subject to sections 34 and 35 of Cap. 1. In other words, the chairmen should likewise have an original vote but not a casting vote.

President, the CRoP's proposed amendments to the RoP are contained in the resolution. The HC has already endorsed these amendments. I urge all Members to support the resolution.

Mr Jasper TSANG moved the following motion:

"RESOLVED that the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region be amended -

(a) in Rule 10(2), by repealing "and (8)" and substituting ", (5A), (5B) and (5C)";

(b) in Rule 71 -

(i) in subrule (2), by repealing everything after "such absence.";

(ii) by adding -

"(5A) The chairman and 8 other members shall form a quorum of the committee.

(5B) All matters before the committee or its subcommittees shall be decided by a majority of the members voting. Neither the chairman of, nor any other member presiding at, the committee or its subcommittees shall vote, unless the votes of the other members are equally divided, in which case he shall give a casting vote.

(5C) Notwithstanding the provision in subrule (5B), the chairman or the member presiding, as the case may be, shall have an original vote in addition to his casting vote in the election of the chairman or deputy chairman of the committee or its subcommittees.";

(iii) by repealing subrule (8);

(c) in Rule 72 -

(i) in subrule (3), by repealing everything after "House Committee.";

(ii) by adding -

"(3A) The chairman and 2 other members shall constitute a quorum of the committee.

(3B) In the event of the temporary absence of the chairman and deputy chairman, the committee may elect a chairman to act during such absence.

(3C) All matters before the committee shall be decided by a majority of the members voting. Neither the chairman nor any other member presiding shall vote, unless the votes of the other members are equally divided, in which case he shall give a casting vote.";

(iii) by repealing subrule (7);

(d) in Rule 73 -

(i) in subrule (2), by repealing everything after "House Committee.";

(ii) by adding -

"(2A) The chairman and 2 other members shall constitute a quorum of the committee.

(2B) In the event of the temporary absence of the chairman and deputy chairman, the committee may elect a chairman to act during such absence.

(2C) All matters before the committee shall be decided by a majority of the members voting. Neither the chairman nor any other member presiding shall vote, unless the votes of the other members are equally divided, in which case he shall give a casting vote.";

- (iii) by repealing subrule (5);
- (e) in Rule 73A -
 - (i) in subrule (6), by adding a comma after "deputy chairman";
 - (ii) in subrule (9), by repealing "have" and substituting "give";
- (f) in Rule 74 -
 - (i) in subrule (2), by repealing everything after "the Council.";
 - (ii) by adding -
 - "(2A) The chairman and 3 other members shall constitute a quorum of the committee.
 - (2B) In the event of the temporary absence of the chairman and deputy chairman, the committee may elect a chairman to act during such absence.
 - (2C) All matters before the committee shall be decided by a majority of the members voting. Neither the chairman nor any other member presiding shall vote, unless the votes of the other members are equally divided, in which case he shall give a casting vote.";
 - (iii) by repealing subrule (5);
- (g) in Rule 75 -
 - (i) by repealing subrule (10) and substituting -
 - "(10) The committee shall decide the manner of consideration of the following matters -

- (a) any subsidiary legislation, whether or not such subsidiary legislation is subject to the provisions of sections 34 and 35 of the Interpretation and General Clauses Ordinance (Cap. 1);
 - (b) any other instrument made under any Ordinance; or
 - (c) any draft of subsidiary legislation or instrument referred to in paragraph (a) or (b).";
- (ii) in subrule (12A), by repealing everything after "a quorum of the committee.";
- (iii) by adding -
 - "(12AA) All matters for the decision of the committee or its subcommittees shall be decided by a majority of the members voting.";
- (iv) in subrule (12B), by repealing everything after "in the consideration of" and substituting "a matter referred to in subrule (10)) shall not vote, unless the votes of the other members are equally divided, in which case he shall give a casting vote.";
- (v) in subrule (12C), by repealing "subsidiary legislation" and substituting "a matter";
- (vi) by repealing subrule (12D);
- (vii) in subrule (12E), by adding "In the event that two or more nominees receive the same highest number of valid votes in such election, the chairman or the member presiding, as the case may be, shall give his casting vote." after "its subcommittees.";

- (h) in Rule 76 -
 - (i) by repealing subrule (8A);
 - (ii) in subrule (8B), by adding "In the event that two or more nominees receive the same highest number of valid votes in such election, the chairman or the member presiding, as the case may be, shall give his casting vote." after "its subcommittees.";
- (i) in Rule 77 -
 - (i) in subrule (5), by adding a comma after "any deputy chairman";
 - (ii) by repealing subrule (13A);
 - (iii) in subrule (13B), by adding "In the event that two or more nominees receive the same highest number of valid votes in such election, the chairman or the member presiding, as the case may be, shall give his casting vote." after "or deputy chairman.";
- (j) in Rule 79 -
 - (i) in subrule (3), by adding a comma after "deputy chairman";
 - (ii) in subrule (6), by repealing "have" and substituting "give";
- (k) by adding -

"79A. Exercise of Voting Rights of Chairmen of Committees

(1) Where the Rules in this Part provide that the chairman of, or any other member presiding at, a committee shall give a casting vote, the chairman or the member presiding, in exercising his casting vote on a matter before

the committee (other than exercising the vote in the election of the chairman or deputy chairman, as the case may be), shall not exercise the vote in such a way as to produce a majority vote in favour of the question put.

(2) Where two or more nominees receive the same highest number of valid votes in the election of the chairman or deputy chairman of a committee, as the case may be, lots will be drawn in respect of these nominees, and the chairman or the member presiding, as the case may be, shall exercise his casting vote in accordance with the lot drawn by him.

(3) Where the Rules in this Part provide that the chairman of, or any other member presiding at, a committee shall have an original vote, and if the chairman or the member presiding wishes to exercise his original vote on a matter before the committee, the vote shall only be exercised at the same time as other members of the committee exercise their votes; otherwise, he shall be regarded as having given up his right to vote on the relevant matter.

(4) Notwithstanding the definition of "committee" in Rule 93(e) (Interpretation), in this Rule, "committee" includes a joint subcommittee appointed under Rule 77(9A) (Panels) and a joint meeting referred to in Rule 77(10) (Panels).". "

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Mr Jasper TSANG, 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?

(Members raised their hands)

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

(No hands raised)

PRESIDENT (in Cantonese): I think the question is agreed by a majority respectively of each of the two groups of Members, that is, those returned by functional constituencies and those returned by geographical constituencies through direct elections, who are present. I declare the motion passed.

PRESIDENT (in Cantonese): Two motions with no legislative effect. I have accepted the recommendations of the House Committee: the movers of these motions will each have up to 15 minutes for their speeches including their replies, and another five minutes to speak on the amendment; the mover of an amendment will have up to 10 minutes to speak; other Members will each have up to seven minutes for their speeches.

First motion: Enhancing economic and trade co-operation between Hong Kong and the Pan-Pearl River Delta Region.

ENHANCING ECONOMIC AND TRADE CO-OPERATION BETWEEN HONG KONG AND THE PAN-PEARL RIVER DELTA REGION

MR CHAN KAM-LAM (in Cantonese): President, the Pearl River Delta (PRD) Region was only an undeveloped farming area in the '70s. Following the opening and reform, it has now transformed into the world factory after 20-odd years of rapid development. Its Gross Domestic Product has risen sharply from RMB 12 billion yuan in the '80s to RMB 1,134 billion yuan in 2003, with an average increase of 21.9% per annum. The successful transformation of the PRD from agriculture to manufacturing can be attributed, to a large extent, to the investment of Hong Kong manufacturers in setting up factories in the Mainland, thereby moving the labour-intensive industries northward. But above all else, it is attributed to the open policy of the Government.

Following the gradual structural change of the PRD economy from manufacturing towards diversified development, the economic and trade

co-operation between Hong Kong and the PRD must also advance with the times. The previous mode of co-operation of the two places adopted in the '70s and the '80s, which was initiated unilaterally as the simple "front shop and back plant" model, is no longer applicable. Nowadays, the integration of the two places should strive to achieve interaction and synergy, and should work and progress together with a view to scaling new heights for the Pan-Pearl River Delta (PPRD) Region, which includes Hong Kong.

It is indeed an irreversible trend for Hong Kong to enhance co-operation with the PRD. Global competition is no longer confined to competition among individual cities, but mainly among economic regions. Since the economy of scale of an individual city is after all limited, it will be difficult for it to compete internationally alone. Only economic regions composed of a central hub and peripheral hinterlands have the potentials to compete in the international market.

President, the plan to develop the economic and trade co-operation between Hong Kong and the PRD is long-term and complicated. In the face of continual restructuring of mainland industries and the changing environment of international competition, there must be clear division of responsibilities between the two places in their economic and trade co-operation and repositioning so that the overall competitiveness can be upgraded. With regard to the role of Hong Kong in the PPRD economic region, it can be further developed into a major financial, business and trade services centre, and may be even upgraded to a centre of supply chain management and a regional information hub. Furthermore, we opine that if assistance can be provided to upgrade the industries previously set up by Hong Kong people in the PRD, which include research and development, innovation, certification, the introduction of core production and the establishment of brand names, it is believed that the previous mode of "front shop and back plant" co-operation adopted by Hong Kong and Guangdong will be transformed into an updated mode.

Second, Hong Kong must enhance its liaison and co-ordination with the mainland authorities. An economist of the Shenzhen University pointed out that during the course of integration of the PRD Region, the biggest problem in the co-operation among cities is the lack of co-ordination and macro planning.

We agree that in order to resolve this problem, we must remove the obstacles posed by the imbalanced administrative rank under the existing system; establish and enhance dialogue with various PRD cities on an equal footing, especially core cities like Hong Kong, Macao, Guangzhou and Shenzhen, and negotiate on the operation of a co-ordination system. Examples including establishing a research and think-tank mechanism together for the unification of a Greater PRD economy, setting up government and quasi-government advisory bodies, trade associations and chambers of commerce, and enhancing co-ordination necessary for the provision of infrastructure in the two places, such as port, airport, road network, and so on.

The lack of room for development has created a bottleneck which tightly restrains the development of Hong Kong. In order to draw up a forward-looking development plan, the Hong Kong Government must extend its coverage and launch active studies on further integration with the contiguous Shenzhen, with a view to achieving full-scale integration between the two places. The geographical boundaries can only be extended by including Shenzhen into Hong Kong's development, whereas a better and more balanced industrial and commercial development can only be achieved through an expansion of geographical space. Two years ago, Premier WEN Jiabao already instructed Shenzhen to dovetail with Hong Kong's development and to expeditiously implement the integration of Hong Kong with Shenzhen.

The removal of obstruction in passenger and cargo flows, and the breaking of barriers at the border are crucial to Hong Kong-Shenzhen integration. The implementation of the Individual Visit Scheme (IVS) is indeed a good start, which facilitates the smooth flow of passengers and cargoes between the two places. Yet, the measure has to be further deepened and improved, and consideration should also be given to further streamlining the application procedures of the IVS, for example, shortening the processing time and further relaxing the restrictions on endorsement, which include the validity period of endorsement and the number of visits allowed.

We propose that the SAR Government should suggest to the Central Government to select Shenzhen as a trial point, where Shenzhen residents holding identity documents will be allowed to visit Hong Kong freely, thereby gradually turning the existing one-way free movement into two-way free movement to the largest extent.

Under regional economic and trade co-operation, cross-boundary infrastructures are regarded as priority projects. In the past, due to an absence of co-ordination in regional planning, there was duplication of facilities and unnecessary harmful competition. Therefore, the two governments concerned must enhance co-ordination in the future, and to draw up development plans of cross-boundary infrastructures from the perspective of overall regional development.

Since air transport is the lifeline of Hong Kong's logistics industry, the Hong Kong airport should actively work with airports in the South China region, thereby establishing an integrated air service network to foster the economic development of the PPRD Region. Furthermore, Hong Kong should extend the airport's radiation coverage and improve the co-ordination with the railway and highway networks. Since the two strategic railways, namely the Beijing-Kowloon Railway and Beijing-Guangzhou Railway, have yet to be connected to the local trunks, the Hong Kong Government should actively conduct further studies on the feasibility of a PPRD inter-provincial railway network.

With regard to highways, since the landing point of the Hong Kong-Zhuhai-Macao Bridge is basically finalized, the Government should expeditiously complete the relevant environmental impact assessment so that the project will not be delayed. Meanwhile, communication with the provincial governments in relation to the construction of the Eastern Corridor should be stepped up, so that Hong Kong's transport connectivity can be extended to the eastern part of Guangdong.

In order to achieve free flow of cargoes, the problems of a land transport bottleneck between Hong Kong and the Mainland, and the prolonged immigration and customs clearance should be resolved as early as possible. Measures should include the expeditious implementation of the "co-location" arrangement at Lok Ma Chau for trial purpose and subsequent extension to other control points, as well as the implementation of 24-hour passenger clearance at the border control points to ensure smooth flow of transport.

Although the SAR Government has affirmed the development direction of the economic and trade co-operation between Hong Kong and the PPRD Region, there is little to write home about insofar as the concrete measures are concerned.

It is mainly because the actual progress and effectiveness are subject to constraints. We also see that under the policy of positive non-intervention, the "small government, big market" principle emphasized by the Government all along is subject to many constraints as well. We are happy to see that the recent attitude of government officials has become more positive than before, and it is hoped that the Government will look squarely into the numerous potential risks of the current economic development of Hong Kong, look clearly at the prevailing development trend of the overall economy, seize the opportunity to strengthen economic co-operation with the PPRD Region and lead Hong Kong into a new direction of development.

With these remarks, President, I beg to move.

Mr CHAN Kam-lam moved the following motion: (Translation)

"That, as the co-operation among the Hong Kong SAR, nine mainland provinces/region and the Macao SAR in the Pan-Pearl River Delta (PPRD) region is expanding, this Council urges the Hong Kong SAR Government to firmly grasp this opportunity to vigorously enhance the economic and trade co-operation with the various provinces/region in the PPRD Region, further implement and develop the PPRD Regional Co-operation Framework Agreement, explore measures to deepen the Mainland/Hong Kong Closer Economic Partnership Arrangement in the region, and to simplify the procedures to promote investments by mainland enterprises in Hong Kong, so as to upgrade and transform Hong Kong's service-based economy after integrating with the Mainland's manufacturing industry and create more job opportunities locally; at the same time, this Council also urges the Hong Kong SAR Government to relax the visa requirement for travellers under the Individual Visit Scheme, so as to facilitate mainland residents to come to Hong Kong for leisure travel and business, thereby promoting the development of the two places and creating a win-win situation that brings about mutual benefits."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Mr CHAN Kam-lam be passed.

PRESIDENT (in Cantonese): Mr Albert HO will move an amendment to this motion. The motion and the amendment will now be debated together in a joint debate.

I now call upon Mr Albert HO to speak and move his amendment.

MR ALBERT HO (in Cantonese): Madam President, I move that Mr CHAN Kam-lam's original motion be amended. The Democratic Party supports the enhancement of economic and trade co-operation between Hong Kong and the Mainland, optimizing the competitive edges of both places to strengthen the competitiveness of both Hong Kong and the Mainland. A Greater China free trade zone should be set up among the Mainland, Hong Kong, Taiwan and Macao to facilitate the flow of visitors and goods, as well as economic and trade co-operation of the four places on both sides of the Straits, thereby enhancing the competitiveness of the entire Greater China in the long run. The consolidation of CEPA signed by Hong Kong, Macao and the Mainland and the strengthening of the trade co-operation of the three places is a starting point for the establishment of the Greater China free trade zone.

In my amendment, I therefore propose specific measures in four aspects with a view to facilitating the Mainland and Hong Kong in optimizing the competitive edges of both places and perfecting the transport networks between both places, thereby enabling a smoother flow of visitors and goods. The Government is also urged to enter into discussions with the mainland authorities to remove existing barriers to trade co-operation between the two places, enabling operators of both places to have more leeway in exploring business opportunities.

Take the freight transport sector as an example. In recent years, the business environment of the freight transport sector has been really undesirable. For the first eight months of this year, the throughput of the Kwai Chung Container Terminal has already fallen behind the total throughput of the various terminals in Shenzhen, while the overall container throughput of Hong Kong has, for the first time, been surpassed by Singapore this year. One of the reasons, which is in fact the most important one, is the rapid development of container terminals in the Mainland. In addition to Yantien Port, a number of ports in Shenzhen and Guangzhou are also competing with Hong Kong. Certainly, the exorbitant handling fees charged by container terminals in Hong Kong is also a factor affecting the competitiveness of Hong Kong.

The airport is in a similar situation. The airport in Hong Kong is an international airport; this is beyond doubt. However, there are five airports in total in the Pearl River Delta Region, and the international airport in Huadu of Guangzhou is greater than ours both in terms of scale and planning.

In the past, when Hong Kong was a colony, Hong Kong and the Mainland each had their own planning on infrastructure. With the rapid development of the Mainland in recent years, it is only natural that the need for the construction of large-scale infrastructure of all kinds arises in the Mainland. However, since Hong Kong has already been reunited with China, if rapport and co-ordination in planning between both places are missing completely, it will result in the construction of large-scale infrastructure by each side to cater for the demand of the entire region, which will thus spark off extremely fierce competition between both places.

Of course, the Democratic Party does not oppose competition. But we have to note that competition among these large-scale infrastructures is different from competition of general commodities. The former is somehow of a zero-sum nature, where the winner of the competition will usually take a dominant market share. If each of the local governments, owing to inadequate co-ordination, constructs large-scale infrastructures, regions which competitive edges are not comparable to others will encounter problems of resource mismatch and wastage of investment resources. Since there is room for co-ordination with Guangdong Province on the construction of infrastructure upon Hong Kong's reunification with China, we should follow by all means the direction of enhancing the planning and supporting work in this respect with a view to utilizing resources effectively and avoiding any duplication of facilities and wastage of investment resources. The Democratic Party considers that PPRD Regional Co-operation Framework Agreement provides a very good foundation for the co-operation and co-ordination between Hong Kong and the Mainland in respect of large-scale infrastructure planning, bringing into play the effect of complementing each other with their own strengths.

Now, I would like to talk about the perfection of the transport networks connecting Hong Kong and the Mainland. To strengthen the economic and trade co-operation between Hong Kong and the Mainland, Hong Kong has to, in addition to co-ordination on large-scale infrastructure, improve its existing network with the Mainland in respect of visitor and goods flows.

The importance of transport networks is manifested by the competitive edge enjoyed by our airport. Though the airport in Hong Kong is charging fees higher than its competitors, its passenger throughput has been on the rise for several years in a row and its cargo throughput has reached record highs. The key is the extensive aviation network the airport of Hong Kong has established. At present, the Hong Kong airport offers direct flights to more than 140 cities, the second largest in number in the world. The Hong Kong airport can still attract overseas visitors and consignors despite its high operational costs because its operation efficiency is higher. This is also one of the major reasons that enables Hong Kong economy to transform into high value-added services successfully.

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

Madam Deputy, owing to historical reasons, the land transport and aviation networks connecting Hong Kong and the Mainland have become the bottleneck in the flow of visitors and goods between both places, thereby increasing the logistics cost of both places and affecting the development of the logistics, aviation and tourism sectors in Hong Kong.

On land transport, there are only three land crossing points in Hong Kong. However, with the ever growing traffic flow between Hong Kong and the Mainland, the capacity of cross-boundary facilities has seemed to reach the saturation point. Though the commission of the Hong Kong-Shenzhen Western Corridor in the near future will help to alleviate the pressure of cross-boundary traffic, the low efficiency of cross-boundary traffic that creates long queues at crossings will obviously take its toll on our freight transport sector and tourism industry. Therefore, the Government should continue to improve our cross-boundary facilities, such as the implementation of co-location of clearance arrangement at Lok Ma Chau and the widening of Man Kam To, to enhance the link between Hong Kong and the Mainland on land transport, in particular the highways link, thus increasing the efficiency of goods flow between both places.

In respect of visitor flow, the Government should endeavour to facilitate the movement of residents between Hong Kong and the Mainland, shortening the travelling time spent by boundary-crossers. This will facilitate mainlanders

visiting Hong Kong, but more importantly, this will facilitate the access of people in Hong Kong, including overseas investors, to the Mainland for both business and sightseeing purposes.

Sources revealed that the Government would soon confirm the construction of the regional express link connecting Guangzhou and Western Kowloon, shortening the travelling time between the two places to only half an hour. The Democratic Party welcomes and supports this proposal. All along, the Democratic Party has been suggesting to the Government that room for the construction of a railway should be reserved in discussions with the Mainland on the building of the Hong Kong- Zhuhai-Macao Bridge. The building of the bridge will facilitate residents in Zhuhai and the peripheral areas to visit Hong Kong, better still, to use the airport in Hong Kong, thus offering strong support to Hong Kong in serving its role as an aviation hub. However, so far, governments of the three places concerned still have reservations about the proposal. We hope that they will give careful consideration to the issue again.

In respect of the aviation network, though our airport still has an edge over others at present, it should not be overlooked that visitors commuting between Hong Kong and the Mainland is a main source of growth for the aviation sector in future. However, destinations of Hong Kong flights to the Mainland are restricted mainly to capital cities of various provinces, and a further increase in the number of flights is desired. The Hong Kong International Airport has a well-established international aviation network, so if we can open more air routes to the Mainland and increase the number of flights, it will give a big boost to Hong Kong's status as an aviation hub.

Finally, I would like to talk about the streamlining of requirements on mainland enterprises investing in Hong Kong. We should welcome mainland enterprises to invest in Hong Kong. They, of course, have to comply with the law and regulations in Hong Kong, but just as we welcome international investors to invest in Hong Kong, we should also remove investment barriers for mainland investors by all means.

Certain state policies are involved in mainland enterprises making investments in Hong Kong, including foreign exchange control or the prevention of outflow of Renminbi, and compliance with specific procedures is a must. However, we hope that the Government may discuss with the Mainland the gradual relaxation of restrictions on mainland enterprises making investments in

Hong Kong. For instance, pilot measures may be first tested out in Guangdong Province, and then be extended to the nine provinces. Allowing mainland enterprises to invest freely in Hong Kong will help the Central Government to understand the impact of the policies and also promote economic and trade co-operation between Hong Kong and the Mainland.

With these remarks, I hope Members will support my amendment and the original motion.

Mr Albert HO moved the following amendment: (Translation)

"To add "and adopt the following measures" after "to firmly grasp this opportunity"; and to delete ", further implement and develop the PPRD Regional Co-operation Framework Agreement, explore measures to deepen the Mainland/Hong Kong Closer Economic Partnership Arrangement in the region, and to simplify the procedures to promote investments by mainland enterprises in Hong Kong" after "the various provinces/region in the PPRD Region" and substitute with ": (a) discussing regional planning with the provinces/region in the PPRD Region, so as to avoid scrambling for building infrastructures that already exist and are sufficient to meet the demands in the region, such as container terminals and airports, and thereby wasting resources or even creating vicious competition in the region; (b) further implementing and developing the PPRD Regional Co-operation Framework Agreement, including perfecting the road and railway networks linking Hong Kong and the Mainland as well as extending Hong Kong's aviation network to the Mainland, so as to improve the efficiency of passenger and cargo flows between the two places and promoting mutual economic and trade co-operation; (c) studying the implementation of the Mainland/Hong Kong Closer Economic Partnership Arrangement (CEPA) in the region, and progressively establishing communication and co-ordinating mechanisms with the mainland authorities so that Hong Kong residents who do business, work and live in the Mainland because of the implementation of CEPA can reflect to the relevant mainland authorities through the Hong Kong SAR Government the difficulties they encounter in the Mainland, thereby perfecting CEPA; and (d) simplifying the procedures for mainland enterprises to invest in Hong Kong, so as to attract them to come to Hong Kong and promote co-operation between enterprises in the two places, thereby complementing each other's advantages and enhancing the competitiveness of the PPRD Region". "

DEPUTY PRESIDENT (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mr Albert HO to Mr CHAN Kam-lam's motion, be passed.

MR HOWARD YOUNG (in Cantonese): Madam Deputy, with the upswing of the economy of the Pan-Pearl River Delta (PPRD) in recent years, the Gross Domestic Product (GDP) for the first half of this year generated by the nine provinces together with Hong Kong and Macao has already accounted for 40% of the total of China. We can thus see that co-operation with the PPRD is vital to the economic development of Hong Kong. Members have cited the cases of a number of industries earlier; I would like to concentrate my discussion on the tourism sector now. In respect of the tourism industry, we can really bring into play the effect of capitalizing on each others' advantages while complementing each others' deficiencies. On the one hand, Hong Kong may facilitate the tourism development of the PRD. On the other hand, we may, on the strengths of the tourism resources in the PRD, operate Hong Kong and PRD package tours to attract more tourists, which will in turn facilitate the tourism development of both places.

In strengthening the co-operation between Hong Kong and the PPRD Region on tourism, the tourism sector welcomes the Government's initiative to strive for the further extension of the Individual Visit Scheme to all cities in the PPRD, as well as the lowering of the threshold for entry to the mainland market for the tourism industry granted under CEPA III. However, the trade — looking forward to the reaching of CEPA IV — does hope that the Government will strive for the relaxation of restrictions on the provision of tourism services by Hong Kong travel agents in the Mainland and the liberalization of the mainland outbound tours market, so as to open up for the trade more business opportunities in the Mainland and allow Hong Kong travel agents to provide one-stop tour services to people in the Mainland.

Over the years, Hong Kong travel agents have been expressing their aspiration to bringing into play the huge mainland outbound tour market in the whole of China. However, sometimes, achievements cannot be made in just one go, but have to be made in gradual progress instead. We hope that the Government may consider proposing to the Mainland the opening up of the outbound tour market in the PRD first to serve as a pilot point for the opening up

of all provinces in China in future. Consideration may also be given to first allowing Hong Kong travel agencies now permitted to serve mainland tourists, that is, agents offering "Hong Kong Tour" services, providing "one-stop" services to their customers direct. This will not only assure the quality of Hong Kong Tours, but will also boost the confidence of mainland visitors in visiting Hong Kong. In the long run, I believe Hong Kong travel agencies, with their professional knowledge accumulated over the years and international network, may provide more comprehensive tour services, promoting the outbound tourism of the Mainland and fostering Hong Kong's position in tourism.

At present, 10 cities in the PRD are providing "144-hour convenient visas" to overseas visitors, on condition that the overseas visitors concerned have joined tours offered by specific travel agencies in Hong Kong. In this connection, it is hoped that the Government will examine with the Mainland the further relaxation and streamlining of the formalities of visas processing, including the extension of the validity period of the convenient visas.

On the other hand, at present, foreigners like businessmen or tourists from the United States and European countries have to apply for single-entry visas or multiple visas for sightseeing or business purposes, and the cost is very expensive. For an American businessman applying for a double-entry visa, the fee is several dozen US dollars and the number of entry is limited to two times. In some cases, a single-entry visa may even be cheaper. However, upon the commissioning of the airport in Guangzhou, the number of direct flights to the Mainland has increased and overseas visitors no longer need to enter the Mainland, Guangzhou in particular, via Hong Kong. To attract this group of tourists to take short trips to Hong Kong, I hope the authorities will propose to the Mainland that overseas visitors entering the Mainland on single-entry visas for sightseeing or business purposes be allowed entry to Hong Kong for a short trip within the validity period of their visas and be granted visa-waiver arrangement for re-entry to the Mainland on condition that the re-entry is made within the original validity period of their visas. As far as I know, a similar arrangement has been made for visitors entering Hong Kong who also take short trips to Macao. Particularly in the case of trade fairs, many visitors are interested in such arrangement.

In order to cope with the increase in visitor and goods flow, first, the Government should further streamline customs clearance procedures between the

Mainland and Hong Kong and shorten the time required, including the expeditious implementation of co-location of clearance arrangement at Huanggang and other control points. Moreover, the streamlining of licence renewal procedures should also be considered. At present, drivers of private vehicles, tourist coaches and trucks who wish to drive across the boundary are required to apply to the Transport Department of Hong Kong for a closed-road permit which needed three to 12 months to process. In addition, a permit for travelling between Hong Kong and the Mainland issued by the Guangdong Provincial Public Security Bureau is needed. The procedures involved are really complicated. Regarding the procedures involved in annual renewal of licences, even if no alternation of information is involved, a lot of time and money have to be spent in this respect. To promote exchanges between Hong Kong and the Mainland, the Liberal Party hopes that the authorities may propose to the Department of Communications of the Mainland that consideration be given to abolishing some outdated requirements and streamlining the formalities concerned. Better still, consideration may be given to acceptance of applications by post or online. This will thus provide greater convenience to Hong Kong residents commuting across the boundary between Hong Kong and the Mainland for such purposes as shopping, entertainment or travel, and cross-boundary drivers promoting trade and tourism of both places.

The last point I would like to discuss is the helicopter services between Hong Kong and the PRD Region. In recent years, the demand for helicopter services has increased. With increasing economic and trade exchanges between Hong Kong and the PRD Region, cross-boundary helicopter services which used to cater for sightseeing purpose has now faced a marked increase in demand from business visitors who race against time. To cope with the gradual integration of Hong Kong and the PRD Region and the expansion of the market, there is a pressing need for the construction of a permanent heliport in the urban area — the provision of single-engine helicopters is preferred, which is also a global trend. The Liberal Party thus hopes that the Government will confirm the construction of a permanent commercial heliport as soon as possible to improve the cross-boundary helicopter services between Hong Kong and the PRD Region, facilitating Hong Kong to assume the role of the main entrance to the PPRD Region.

Madam Deputy, I so submit.

MISS TAM HEUNG-MAN (in Cantonese): Madam Deputy, with regard to the economic and trade co-operation of the PRD Region, the accounting sector wishes to put forward some proposals. As we all know, many accountants have turned to the north to look for opportunities and among them, the largest proportion went to the PRD Region in particular. However, according to the preferential treatment provided under CEPA III, the validity period of the Temporary Business Permit of Hong Kong accountants is only extended from one year to two years. For accountants currently practising in the Mainland, though the validity period of the Permit has been extended, it is after all temporary in nature. Whether or not the accountants can manage to enter into long-term contracts with their employers has a bearing on their job security in the Mainland. Of course, in order to develop their careers on the Mainland, the accountants are after all required to sit the mainland professional examinations, which I believe fellow accountants working in the Mainland do not mind.

Insofar as examination is concerned, accountants who had obtained Hong Kong accountant qualification through the revised qualifying programmes organized by the Hong Kong Institute of Certified Public Accountants (HKICPA) under CEPA II, are exempted from two subjects in sitting the mainland professional examination. However, it benefits only less than 1 000 accountants, therefore many fellow accountants expect that the preferential treatment can be followed up and further increased under CEPA III (and yet there is no mention under CEPA III). For example, the exemption from examination should be extended to cover all HKICPA members who have obtained the professional qualification. As such, the number of people who benefits from it will double, thereby bringing substantive benefits to the Hong Kong accounting sector. As more and more Hong Kong accountants can obtain the mainland professional qualification more easily, more professional accounting services can be provided in the Mainland to dovetail with its rapid economic development.

Among the professional service sectors, the legal profession benefits most from CEPA III. Solicitors who have obtained the mainland professional qualification are allowed to set up law firms in the Mainland in association with mainland solicitors, and handle legal business in the province concerned. It is said that this was attributed to the efforts of the former Secretary for Justice Elsie LEUNG, but I think such a result cannot be achieved through the effort of one person alone. I believe that it is natural for different professions to enter the

mainland market smoothly, and it is just a matter of time. Will the Administration consider enhancing the negotiation with the Mainland with a view to expediting the provision of suitable matching services for individual professional service sectors, given that the legal profession has obtained more preferential treatment? For example, the accounting sector should first of all be allowed to set up accounting firms in association with accountants in the PRD Region, and this will be of immense benefit to the accounting sectors of both Hong Kong and the PRD Region.

Finally, I wish to advise the Government that the accounting sector and other professional service sectors have been waiting for a long time, and the long-term development of the sectors will be restrained if they have to wait any longer. I hope that the Administration will speed up the pace of implementing the enhancement of economic and trade co-operation with the PRD, if possible, so as to lay a solid foundation for the long-term development of Hong Kong economy.

Thank you, Madam Deputy.

MR WONG KWOK-HING (in Cantonese): Madam Deputy, before I speak further, I have to express my regret because it seems that the Secretaries in charge of the relevant areas have not attended the meeting to listen to Members' speeches and give replies today. I am afraid we could be speaking to a wall. I hope that this will not be the case. Therefore, I urge the official who will give a reply later to explain why the Secretaries responsible for the respective policy areas have not attended this meeting.

I now begin my speech. Madam Deputy, the Mainland/Hong Kong Closer Economic Partnership Arrangement (CEPA) has been implemented for nearly two years and measures such as the Individual Visit Scheme and the zero-tariff concession have also been put into place one after another. From 1 January next year onwards, phase III of CEPA will also be implemented and 1 369 types of goods from Hong Kong will enjoy zero-tariff concession. In addition, 23 types of services falling into 10 service areas will be able to access the mainland market, so trade-related services in Hong Kong can integrate further with the mainland market. The 10 service areas to be further opened up in 2006 include such sectors as the legal, accounting, banking, securities, tourism, entertainment, transport, telecommunications and insurance sectors.

However, in actual operation, how many of these areas can bring direct benefits to the general public in Hong Kong, in particular, to people who are unemployed or underemployed?

According to the figures provided by the Government, in the first two years of implementing phase I of CEPA, that is, from 2004 to 2005, a total of about 29 000 jobs were created in Hong Kong. The implementation of the Individual Visit Scheme under the CEPA framework brought a total of 4.26 million visitors to Hong Kong and the total amount of revenue from the additional spending was \$6.5 billion. However, the increase in people entering the labour force in the same period was 58 000 persons, so 29 000 jobs is like a drop in the bucket. If we review the implementation of the first two phases of CEPA, has the Government ever seized the opportunities offered by CEPA or was it too optimistic in its assessment of CEPA? I have asked two questions in the foregoing part of my speech and I wonder if the Secretary will give me any reply.

I have no objection to the further implementation of CEPA, including infrastructure co-ordination and the implementation of the framework agreement, however, in the process of implementation, it is worthwhile to ponder how it can be conducive to solving the problem of structural unemployment in Hong Kong and be truly beneficial to the public at large. This is the third question.

Therefore, regarding the question of how the public at large can be benefited directly, the creation of employment opportunities is naturally the first issue that has to be addressed. The original intention of putting in place zero-tariff concession under CEPA is to encourage the manufacturing industries to return to Hong Kong and help the local manufacturing sector develop, so that the local manufacturing sector can make its own blood rather than just rely on blood transfusion. Unfortunately, since its implementation, the programme has been of little help to the local manufacturing sector. Moreover, the 10 newly opened up areas are mostly sectors requiring higher academic qualifications and even professional requirements, so people with low academic qualifications cannot be benefited in any way. In addition, 8.1% of people who are unemployed at present have low academic qualifications and their number is 40% higher than that of people educated to tertiary or degree levels. How can the unemployment problem among middle-aged people with low income and low academic qualifications in Hong Kong be solved? This is the fourth question.

At present, Hong Kong is facing a structural unemployment problem and the structural transformation is towards higher value-added and knowledge-based economic activities, so it is even more difficult for local grass-roots workers to adapt. In the past, labour-intensive industries such as the textile, garment and electronic clocks and watches industries figured prominently in Hong Kong and a large number of workers could find employment. At present, one third of our labour force is educated only to junior secondary level and it is easier for these workers to move horizontally from one trade to another requiring more or less the same skills or education level, but it will be much more difficult to require them to upgrade their skills. However, since the 10 recently liberalized areas all involve trades requiring high qualifications, what opportunity has CEPA actually offered to the grass-roots workers who account for a third of the labour force? Madam Deputy, this is the fifth question.

Although the Individual Visit Scheme has brought 4.26 million visitors to Hong Kong, the actual proceeds amount to only \$6.5 billion. Furthermore, the recent outbreaks of infectious diseases such as avian flu in neighbouring areas have no doubt posed potentially serious threats to the travel industry. How should we deal with this?

In the course of implementing CEPA, it is inevitable that Hong Kong people have to travel to the Mainland frequently. According to statistics, last year, a total of 240 000 Hong Kong residents worked on the Mainland and this is four times the figure in the early 1990s. Given the high frequency that Hong Kong people travel across the border to work and the different social systems between Hong Kong and China, the likelihood of Hong Kong people encountering difficulties on the Mainland and requiring assistance is also increasing. However, the Government of the Hong Kong Special Administrative Region (SAR) has not established any department to offer assistance and handle the personal problems encountered by Hong Kong people, such as medical, legal, academic and employment problems. The offices established by the Hong Kong Government on the Mainland are generally designed only to offer assistance on matters of trade and commerce, that is, they can only offer assistance on matters of business. Should the Government not consider enhancing the support provided to Hong Kong people on the Mainland besides its support for business operations? This is the sixth question. As far as I know, at present, some local groups are already working in this area, for example, the Hong Kong Federation of Trade Unions has established enquiry and service centres in Guangzhou and Shenzhen. Can the Government co-operate more with these groups? This is yet another question.

Therefore, Madam Deputy, if we want to make use of CEPA to instil vigor into the Hong Kong economy, we cannot simply look at the proceeds and the number of visitors. More importantly, we have to look at how many job opportunities the whole programme can create and this is where the core of the problem lies. Phase III will be implemented soon and I hope that the Government can give more thoughts to the aspect of employment, in particular, the employment problem of the general public.

Finally, I once again urge the official attending the meeting and speaking today to respond to the six or seven questions posed by me and I hope he can give me answers. Otherwise, next time, the authorities should not assign an irrelevant official to attend a motion debate conducted by Members of the Legislative Council.

DEPUTY PRESIDENT (in Cantonese): Mr WONG Kwok-hing, your speaking time is up.

MR LI KWOK-YING (in Cantonese): Madam Deputy, with the deepening of the Mainland/Hong Kong Closer Economic Partnership Agreement (CEPA) and the commencement of co-operation between the nine mainland provinces and municipalities with Hong Kong and Macao, regional co-operation in the Pan-Pearl River Delta (PPRD) has long since become a reality. It has become a concrete agreement for co-operation and translated into specific projects to accomplish. In these few years past, although Hong Kong has entered into a number of agreements with mainland provinces and municipalities and consensus has been reached with them in many aspects, not much progress has been seen and this has impeded trade and economic developments in Hong Kong and the Mainland. In the face of the challenges posed by globalization and competition from mainland provinces and municipalities, the Government of the Hong Kong SAR should display dedication and take action to seize the opportunities to foster further development in Hong Kong and the Mainland.

In fact, the challenges and crises facing Hong Kong are imminent and they are just around the corner, and the only way out is to speed up integration with the Pearl River Delta (PRD). Since the accession of our Motherland to the World Trade Organization (WTO), there has been a rapid emergence of

provinces and municipalities in the Yangtze River Delta (YRD) and they are posing a threat to the leading position of Hong Kong and the PRD in the economic development of the nation. According to statistics in 2004, of the 10 most economically advanced counties and municipalities in China, those in the Jiangsu and Zhejiang provinces in the YRD accounted for as many as eight places. Only Guangdong and Nanhai of the PRD are on the list. Recently, the National Development and Reform Commission has discussed the Eleventh Five-Year Plan and Jiangsu which is on the 10 most economically advanced places list, announced that it planned to strive for a target of making tens of million of people in its municipalities rich. Informed sources said that Hong Kong badly needed innovation and change and if we were complacent with our past achievements and position, it would be difficult for us to maintain the edge that we enjoyed in the past.

The best example showing this lack of aggressiveness on the part of the SAR Government is its procrastinations in border development. For many years both official and non-government bodies as well as the business sector, plus the DAB, have made many suggestions and put forward a lot of views on opening up the border region and developing the river loop area. Although the policy address proposes that the size of the border closed area should be reduced, there are to this date no specific plans on it. Even if the Government supports the idea of opening up the border area, a lot of excuses are put up to delay and reject the opening up of the border closed area. An example is the suggestion to open up Sha Tau Kok. The Security Bureau often rejects the suggestion to open up Sha Tau Kok completely by putting up security reasons. However, the SAR Government has not considered the suggestion actively and from other perspectives, such as adding matching facilities to meet the requirements of future development, deploying more manpower on boundary inspection to cater for the increasing trade and exchanges between Hong Kong and the Mainland and widening roads to accommodate the surge in the traffic volume, and so on. Nothing whatsoever has been done by the Government in these aspects. The accident involving a minibus in the Sha Tau Kok highway sometime ago is an obvious example. The limited opening of the border closed area as proposed by the SAR Government shows that it has not felt the ardent expectations of the residents in the border areas for opening up. On the other hand, it is further proof that in issues like the opening up of the border area and co-operation between Guangdong and Hong Kong, the Hong Kong Government has not been active.

Apart from this lack of a positive and aggressive mentality, the authorities have been lacking in a sense of crisis. This makes people worry all the more that Hong Kong will fail to stay competitive in the overall development of the national economy. Sometime ago when ZHANG Dejiang, Secretary of the Guangdong Provincial Committee of the Communist Party of China met the Chief Executive and Members of the Legislative Council, he said frankly that in the face of strong economic growth in the YRD, Guangdong Province had developed a strong sense of crisis. However, as we can see the SAR Government seems to be quite passive and it is complacent with its past achievements and position. Just take the example of charges levied by container terminals, we can see that there is very little sense of imminent crisis on the part of the SAR Government. It is common knowledge that terminal charges in Hong Kong are very expensive and in the face of rapid developments in nearby ports such as Yantian in Shenzhen, the leading edge of the Hong Kong port is reducing. But the Government is doing nothing about the terminal charges. It is not active in expanding its port facilities and as a result, the Container Terminal 10 project is still a castle in the air.

The root of the problem can be traced to the word "arrogance". The SAR Government is still obsessed by the "Great Hong Kong" mentality and it simply overlooks how important it is for the merging of Hong Kong with Shenzhen. Take the example of the construction of the Hong Kong-Zhuhai-Macao Bridge, some scholars have pointed out that the Government is resisting and repulsing Shenzhen as it did during the Hong Kong British Government era. That is why Macao and Zhuhai are chosen as the landing points of the bridge in the west while on the eastern end of the bridge, Shenzhen is excluded. This choice has barred links of the bridge with places on the eastern part of the PRD outside Hong Kong.

All these show that the SAR Government is still nursing the notion that "Hong Kong is always number one" and so it despises any opportunity of integration with the Mainland that may appear. The SAR Government must realize that in the course of merging with the Mainland, the opening up of the border area is only a testing ground for co-operation between Hong Kong and Shenzhen. And when there is no co-operation between Hong Kong and Shenzhen, there is no way one can talk about co-operation between Hong Kong and the Greater PRD and the PPRD.

It remains of course that there are crises lurking on the road to regional co-operation between Hong Kong and the PPRD. But Hong Kong needs not look down on itself as it has some edges. As an international financial hub, coupled with the rule of law, its excellent institutions and international networks, Hong Kong can well play the role of a middleman in attracting foreign investments and leading the mainland enterprises to go international. In addition, civilian organizations in Hong Kong have long since responded actively to plans for co-operation with the PPRD. Various kinds of functions are held to encourage the business sector and the professions to explore business opportunities on the Mainland. Recently, about the cause of environmental protection, more than 100 enterprises in Guangdong and Hong Kong have signed a Clean Air Charter. Though the Charter is not binding, it can be seen as a product of mutual co-operation between civilian organizations of both places. When civilian organizations are so active, should our SAR Government not speed up its integration with the Mainland in trade and commerce as well as in other areas?

In the face of challenges posed by globalization and competition from nearby places, the SAR Government should not just mind its own business. Conversely, it should adopt an active stand, grasp the opportunities for growth and promote the development of the PPRD, thus enabling the economic development of the SAR to scale new heights.

Madam Deputy, I so submit.

MR ABRAHAM SHEK: Madam Deputy, in an increasingly globalized world market, economies both large or small can no longer operate independently from each other. As we in Hong Kong pursue greater structural integration with the Mainland's economy, more co-operation and collaboration with the Motherland is definitely needed to capitalize on these new global opportunities. Presently this is the main platform for our future economic development and survival. That is why nine mainland provinces, as well as Hong Kong and Macao were linked in one giant economic bloc in the Pan-Pearl River Delta (Pan-PRD) regional co-operation agreement. This visionary concept not only created a vast "common market" for our goods, but Hong Kong can also leverage the partnership for new business and trading opportunities arising from the "Nine plus Two" regional development, and use it as the engine to drive further economic potentials and explore new opportunities.

Covering more than 2 million sq km with a population of over 450 million people, a united Pan-PRD area makes for a rising economic power. The delta's peripheral economy offers Hong Kong a much larger hinterland and assists our potential to compete globally with other advanced economic regions.

The "Nine plus Two" development model has raised questions of how a market-oriented economy like ours can collaborate and integrate with a socialist economy. From a market-oriented perspective, the private sector's participation is crucial for initiating and formulating any co-operative plans. Provided that new business opportunities prevail, market forces will naturally take shape and private enterprises will pursue partners for co-operation. As a high value-added service centre with good global connections, Hong Kong will definitely gain from substantial business opportunities generated from the Pan-PRD's development. Among the benefiting sectors include financial and other professional services, logistics, tourism and manufacturing support services including management, product design, marketing services and many others. Aside from consolidating our existing pillar industries, the "Nine plus Two" arrangement can help nurture new enterprises in growth areas like technology-based and pharmaceutical industries. The Government can also be a catalyst by taking a more proactive role in exploring new opportunities through partnerships and businesses in the Pan-PRD Region. It is crucial the Administration addresses the demands of the private sector in new growth areas by providing the necessary policy support, regulatory control, efficient transportation networks and infrastructure.

Madam Deputy, shortcomings in our infrastructure can impede economic integration in the Pan-PRD Region. A key component affecting Pan-PRD regional co-operation is for Hong Kong and the Mainland to accelerate the creation of a speedy and efficient cross-border transportation network, thus expediting the flow of passengers and goods. The growing ties and increased two-way economic flow between the two places have rendered existing infrastructure inadequate. Since the future of the whole area hinges on the growth of the western part of Pan-PRD, priority needs to be given to upgrading the land link between Hong Kong and the west coast of the Pearl River estuary. Landmark infrastructure projects including the Hong Kong-Zhuhai-Macao megabridge will be important to boost regional transport efficiency.

The Government should also expedite its study with Guangdong authorities for the proposed Hong Kong-Shenzhen Eastern Corridor project,

which would create a direct road link with the eastern side of the Pan-PRD Region. The road link would not only supplement the Hong Kong-Shenzhen Western Corridor, but it would also divert the increasing traffic away from the already congested Sha Tau Kok and Man Kam To borders and speed up overall traffic efficiency in the whole region. This would definitely improve the economic prosperity and logistic circle surrounding the Pan-PRD Region. Hong Kong, as one of the main connecting points, will benefit from the improved flow of cross-border movement.

Furthermore, the Mainland's growing aviation market and many new airports springing up in the PRD are already challenging Hong Kong's superiority as the regional logistics hub. To consolidate our global edge, we need to explore a sustainable multi-modal transport strategy that considers transportation flow on land, sea and air to better serve the "Nine plus Two" development. With an ever-increasing demand for logistics movement throughout the Pan-PRD Region, expanding a rail link that is high-speed, reliable and safe is essential for our future. The existing rail transport capacity is very limited. Using the government-owned KCRC railway for freight transportation is a possible model to supplement land freight. At the same time, we must continue enhancing our already well-established worldwide air connectivity and improve the efficiency and reliability of our airport's operation.

Moreover, Hong Kong should strengthen its exhibition and conference services to showcase its advantages as a world-class city with different competitive edges as a key international business, financial and information hub. In this aspect, more hardware support and promotion activities should be provided and launched. There is an urgent need to strengthen Hong Kong's representational network in the Pan-PRD in order to accentuate our liaison with regional officials and personnel, and to further co-operation opportunities. As the region improves its international network, the Trade Development Council can do more promotions focusing on the combined trading advantages of the whole "Nine plus Two" region, and help our Pan-PRD businesses export and import goods.

For now though, there still lacks enough mutual trust and genuine collaboration between Hong Kong and the provincial authorities. Regional protectionist measures between cities and provinces are still common and prevalent across our country. Further deterring many local businesses from investing in the region are red tape and administrative and policy barriers, like

high investment thresholds and complicated licensing procedures. The Government should take the initiative to liaise with mainland authorities to eliminate barriers. Mutual trust and understanding is a necessary step for any form of co-operation.

Thank you, Madam Deputy.

MISS CHAN YUEN-HAN (in Cantonese): Madam Deputy, the Hong Kong economy grew by 8% in 2004 and recovery for this year is still robust. It is projected that growth in the GDP may reach 6% to 6.5%. While it is a good sign that the Hong Kong economy has revived and is growing this couple of years, many people are looking into the way forward for our economy in the future and how Hong Kong should develop from now. We can all see that keen competition is lying ahead.

Two days ago, I attended a seminar held behind closed doors in The Hong Kong Polytechnic University and there were economists from Beijing, Shenzhen, Guangzhou and Hong Kong. We all thought that there was a need for repositioning now. But what kind of repositioning should be undertaken, should it be given a single focus, a double focus or a multilateral focus? There is a need for the government of every place to consider this. When mention was made of Hong Kong, we all pointed out that we were at a crossroads. Where should we go from now?

Madam Deputy, now the economy of Hong Kong has found itself in a most critical point, how should we chart our future course of development? There is a chance that the prosperity and stability of Hong Kong can continue. But if the Government sticks to the attitude it has been holding all along and does not care about anything and the market is left to chart its own course, I think many Honourable colleagues and I and outsiders would be all very pessimistic. The prospects of Hong Kong will be very grim indeed.

Given globalization, the small economy of Hong Kong has a need to tie in with the developments of the region before it can achieve long-term and stable development. The Central Authorities have realized this point and that is why the Central Government has drawn up some sort of a direction for Hong Kong. Therefore, we can see that after the conclusion of CEPA, promotion is made for economic co-operation in the Pan-Pearl River Delta (PPRD). I am not going to

talk about CEPA because Mr WONG Kwok-hing has talked about it earlier. I would focus my speech on what the Government should do in respect of economic co-operation in the PPRD.

On 3 June last year, the nine provinces and the two special administrative regions of Hong Kong and Macao in the PPRD signed the PPRD Regional Co-operation Framework Agreement (the "Nine plus Two" agreement). Under this "Nine plus Two" agreement, there will all-round regional co-operation in the PPRD, in areas like economy, transport, traffic, culture, education, tourism and technology. At that time, there was a popular view in Hong Kong society and that is, Hong Kong should assume the role of the leader in the PPRD. When my friends and I heard this, we were all feeling very embarrassed because we knew Hong Kong should not make any pretences at all. We should know ourselves better. In Hong Kong everything is market-led and the Government may be said to be playing no part in it, so how can it guide us into assuming this role?

Mr WONG Kwok-hing has talked about the Trade and Industry Department and today it should be John TSANG who is sitting here. I am not saying that Mr YUNG is not capable. He is in a very difficult position as well. It is like the recent case in which we pursued details about the outsourcing agreements of the Government, when he was not able to give us an answer. By the same token, even if Mr YUNG is in charge of this, I would still think it would not be so appropriate. Why is John TSANG not sitting here? Why is Stephen IP not sitting here? It can be seen that the Government has never thought of becoming the leader in this, so the people of Hong Kong and our economists should stop bragging and saying that Hong Kong should be the leader. Provided that the mentality of the Government remains the same, the prospects of Hong Kong will never be any better than mediocre. We will certainly face great hardships. The labour sector will be much worse off. It will not be the business sector that will face economic hardships, the workers will face great difficulties in employment.

Madam Deputy, with respect to the principles of co-operation under the "Nine plus Two" agreement, it is mentioned that regional co-operation is to be implemented through government promotion and in accordance with market operation. This is clearly stated. The question is, I can see that the provinces under the "Nine plus Two" agreement and even Macao as well have all positioned themselves very quickly and they have all set clear-cut goals for

themselves. The case of Macao has given me the greatest stimulus of all. Developments in the Macao SAR are always a stimulus for me. Macao is aware of the fact that besides tourism and the betting industries, it is quite inadequate in other forms of economic activities. This is why they want to boost their manufacturing sector. Mr HO is a man of vision. But what about us? Our Government is still sleeping. Our Government has never felt this stimulus. I do not know what the Government is doing. We are Hong Kong people and our officials are Hong Kong people too. But this is the mentality one can see from our Government.

Madam Deputy, as I see how other places grow, I cannot help but feel scared. They are all racking their brains and exerting their best to spur growth in the market, boost the economy and create employment. And our Government is still sitting at the bottom of the well, observing the world in a most insular perspective. In the face of such fierce competition, we can see that Hong Kong is gradually losing its edges and this breaks our heart so much.

Madam Deputy, in 2003 I had an operation. I made use of two or three months' time which I should have used otherwise on recuperation and visited many places in the Pearl River Delta. I felt scared with the more I saw. After coming back, I had an opportunity to discuss what I saw with Sandra LEE. After the discussion, I had a feeling that all that discussion was a joke. However, I would not want to talk about the details of the discussion here.

Madam Deputy, I cannot see how good things are right now in Hong Kong. The SAR Government has set up a Greater Pearl River Delta Business Council. A report was released last year by that Council in which it was mentioned that Hong Kong should position itself as a logistics hub of the region. The idea sounds excellent but what kinds of policies and measures are in place to achieve this goal of becoming a logistics hub?

In 2003, I went to Shekou and Yantian and then I paid a visit to the south of Nanao again. I have talked about the trip many times in this Council. Other people have already formulated many policies and made many preparations for their future development and competition with the logistics industry of Hong Kong. Madam Deputy, I am sure you will know perfectly well what is happening to the logistics industry in Hong Kong. Would you please tell us what we can do about it? Recently, some events have taken place and they are examples of how Hong Kong has lost its edges due to this market-led approach.

In May this year, Hutchison Whampoa sold its stakes in the Hongkong International Terminals Limited and cashed in \$7.2 billion. In November, it invested \$6.5 billion in my home town Yantian to expand the port there. The Hongkong International Terminals Limited is the largest container terminal company in Hong Kong and the fact that it has taken money from Hong Kong to invest in my home town in Shenzhen serves to tell us that capital will go to where there are money and prospects in the market. Why does our Government still fail to learn this lesson?

I cannot see any future in the logistics industry in Hong Kong because in terms of software, in major control points like Lo Wu, Huanggang, and so on, there are still a lot of problems with respect to clearance hours and traffic co-ordination, and so on. As for hardware, the construction of the Hong Kong-Zhuhai-Macao Bridge is still a subject of debate. As it is, we can say that generally speaking, there are problems with both hardware and software and things are not ready at all. How can we take up this role as the logistics hub? This is only a joke.

Some commentators say that Hong Kong should serve as the management hub, regional information hub and information hub of the supply chain. Certainly, I hope that Hong Kong can really achieve all these. I once visited Kerry Logistics and discussed this issue with a university president CHEN Kwan-yiu who is very knowledgeable on this. However, we only had an impression that the Government had not grasped this opportunity and so it had slipped to other places.

Actually, our neighbours are more active and aggressive than the Hong Kong Government. Guangdong Province, for example, has been facing severe challenges posed by economic restructuring. When problems like shortage of labour and resources appear, they would think of many ways to avert the situation. It can be seen that other people will take a positive approach to problems and they will focus on developing the sales, logistics, high-end manufacturing and such like high value-added industries whereas Hong Kong is only marching on the same spot in the face of drastic changes. This is the stark contrast one can see between Hong Kong and Guangzhou. The "Nine plus Two" agreement has a grave impact on the positioning of Hong Kong.....

DEPUTY PRESIDENT (in Cantonese): Miss CHAN Yuen-han, your speaking time is up.

MR ALAN LEONG (in Cantonese): Madam Deputy, last June, the two SARs of Hong Kong and Macao, together with the provinces of Guangdong, Fujian, Jiangxi, Hunan, Guangxi, Hainan, Sichuan, Guizhou and Yunan signed a Pan-Pearl River Delta Regional Co-operation Framework Agreement (or the "Nine plus Two" agreement for short), with the hope of achieving regional economic co-operation and mutual complementation of each other's advantages in these 11 provinces and regions.

Both the "Nine plus Two" agreement and CEPA can be regarded as initiatives of regional economic co-operation. Information from the World Trade Organization (WTO) shows that ever since the 1990s, most member states of the WTO have become members of one or more regional economic agreements. As at end 2002, the WTO has been notified of 250 regional agreements and the number is expected to increase to more than 300 at the end of this year. Such agreements on regional economic integration are divided into two major categories of free trade agreements and customs unions. CEPA is classified by the WTO as a free trade agreement.

Madam Deputy, as Hong Kong and Macao are both separate customs territories, the "Nine plus Two" agreement will operate under the framework of CEPA. Therefore, as compared to customs unions which are aimed at the same markets and adopt the same customs policy and even the same administrative documents, the "Nine plus Two" agreement will certainly have a greater flexibility. This is especially so when all parties to the agreement will be entitled to take part in some or all of the co-operation projects under the 10 major areas of co-operation as specified in the agreement and according to their own laws and regulations or policy needs. Therefore, as a major supporter of the "Nine plus Two" agreement, Hong Kong has both the rights and the needs to define its own long-term vision and direction, then determine the extent of its participation and role under the "Nine plus Two" agreement.

I have no intention to query the sincerity of the provinces and regions in signing the agreement. But as pointed out by many mainland scholars, some of the provinces have a mentality of jumping on the bandwagon of CEPA when they signed the agreement. They are after some other things on top of the "Nine plus Two" agreement and they even place the emphasis of their economic strategies on the trade and economic integration with other nearby provinces or countries. Though there is nothing wrong in joining one or more trade and economic

agreements, as other provinces may adjust the extent of their participation in the "Nine plus Two" agreement at any time, then Hong Kong will be placed in a very unfavourable position if it is still groping for its own direction.

Previously the key tone to co-operation between Hong Kong and Guangdong Province is the so-called "front shop and back plant" model. The "Nine plus Two" agreement will never mean that as Guangdong Province does not want to be the factory for Hong Kong any more, then Hong Kong should look for other provinces as factories. This kind of simplistic division of labour into shops and plants has become obsolete. Now the provinces are striving hard to develop their own resources so that economic development in the provinces will be made more diversified. Parties to the "Nine plus Two" agreement may play the part of both a shop and a plant and there will be both co-operation and competition among the parties.

Many local and mainland scholars have pointed out that economic co-operation in China should pay particular attention to domestic demand. A meaningful regional co-operation of the PPRD will mean not only a union for earning foreign exchange but through enhanced links and mutual complementation, the 11 provinces/regions will develop into economic entities which are competitive in both the export and domestic markets.

Now the two key factors that may create bottlenecks in the forging of closer ties in the PPRD are insufficient transport infrastructure and protectionism in some provinces. The most important challenge faced by the "Nine plus Two" agreement is to develop transport infrastructure while avoiding vicious competition. In terms of the construction of transport networks and their operation, Hong Kong has already gathered rich experience and this will enable the SAR to contribute its relevant experience and advantages to the PPRD Region.

Madam Deputy, if Hong Kong is to consolidate its position among various members of the PPRD with their different levels of economic development and if such a positioning will both be advantageous to Hong Kong itself and others, then Hong Kong must first analyse its own strengths and long-term vision. It must address clearly the strategic planning of various provinces, make good use of the experience gathered and networks built after more than a century of having an outward-oriented economy, give full play to the stabilizing factor of its rule of law system and software support, and utilize fully its international vista and

networks. These should all be regarded as advantages enjoyed by the territory when it is to join the regional co-operation framework and they should be brought into optimal play. Hong Kong should strive to achieve a win-win situation as it uses its advantages to complement the inadequacies of other provinces while other provinces can complement our own inadequacies.

To enable all parties under the "Nine plus Two" agreement to reap benefits, Hong Kong must identify its role and position itself clearly. We must take the initiative to build up our own economic image and brands and set the priorities with respect to co-operation with other provinces and undertake well-defined strategic planning. We must never adopt a passive approach of feeling our way one step at a time as this may result in a situation whereby Hong Kong will be led by other provinces in the "Nine plus Two" agreement and our legs may be pulled when there is a lack of co-ordination in the provinces or if disputes arise. All these may undermine our competitiveness and slow down the pace of our development. We must therefore be mindful of these and devise matching actions as we embrace the "Nine plus Two" agreement and CEPA.

With these remarks, Madam Deputy, I support the motion and the amendment.

MR JAMES TO (in Cantonese): Madam Deputy, in mid-October when I moved a motion on "Assisting Hong Kong residents encountering problems in the Mainland", many Members talked in the debate about problems concerning personal safety and need for health care services encountered by Hong Kong residents under detention. All these are pressing matters for Hong Kong residents as they encounter problems in the Mainland and so assistance must be given to them. The focus of the discussions at that time therefore fell on contacts of the Hong Kong Government in the Mainland and how prompt assistance could be given to such Hong Kong residents. Besides this, there are certain difficulties faced by Hong Kong residents as they do business or work in the Mainland and these problems would require a long time for follow-up actions or the Hong Kong Government may need to discuss these with its mainland counterpart.

An example is provided by the convention and exhibition services industry. People in the sector point out that though CEPA states that the sector belongs to those services which companies wholly-owned by Hong Kong residents can be

run on the Mainland, there is one case about a Hong Kong resident who is unable to obtain approval for running his sole proprietorship on the Mainland after spending one year in the application. There are also some Hong Kong businessmen who have to face very complicated vetting and approval procedures on the Mainland and after spending a lot of time, they cannot start doing their business yet. This explains why despite the fact that 900 companies have been issued Certificates of Hong Kong Service Suppliers by the Trade and Industry Department, but only a few can really start doing business on the Mainland. In addition, even as CEPA is now in its third phase, only about 200 companies are issued Certificates of Hong Kong Service Suppliers during the past 10 months. The number is a drastic fall from 670 such Certificates issued from mid-2003 to end 2004. If it is found that CEPA cannot offer help in actual terms to those companies intending to venture into the Mainland, then consideration should be given to other avenues of access to the Mainland.

For the logistics industry, people who wish to start their logistics business on the Mainland must get a registration certificate for logistics trade. But people who wish to purchase trucks in Guangdong must apply for a quota on trucks separately. Madam Deputy, I think you must be aware of this. A further complication is that the logistics business registration certificate only permits the holder to buy a container truck but it does not permit the holder to buy a box truck. This sounds like a joke but actually this is in fact most unfortunate, for the complainant has spent close to one year in application but he only gets a business registration certificate for logistics trade which does not permit him to buy a box truck.

I agree that CEPA has opened up a vast market for Hong Kong businesses because they can gain access to the mainland market on preferential treatment from the Mainland which is more favourable than that given to businesses from other WTO member states. However, if Hong Kong businesses want to venture into the Mainland, they would still have to face a lot of problems. These include, for example, the fact that they have to face the local governments which may pursue a different policy than that drawn up by the Central Government. Or, as evident in the above example, there may be inconsistencies in policies and that the rules and regulations may not be reasonable. At times there may even be conflicts and clashes between local policies and government stipulations. All these problems will definitely affect more than just a handful of Hong Kong businesses and these problems are obviously beyond the ability of individual businessmen to handle, unless they are members of certain families.

The conclusion of the CEPA does not mean that the duty of the Government is all discharged. In the last couple of years or so, has the Government made any efforts to find out how CEPA is being implemented on the Mainland? Has it informed the mainland authorities of the major barriers that bar Hong Kong businesses from entering the mainland market? This is one of the duties of the Economic and Trade Office of the Hong Kong Government in Guangzhou, but why do we keep on seeing Hong Kong businessmen airing their grievances in the newspapers anonymously? Is it because they have no other channels of redress or is it because they do not dare to reveal their identity when lodging complaints?

Madam Deputy, the Democratic Party believes that the local governments on the Mainland do not necessarily think that Hong Kong businesses which enter the mainland market under CEPA are snatching business opportunities from their mainland counterparts. This is evidenced by the constant exodus of mainland provinces and municipalities to Hong Kong to solicit investments. The Democratic Party knows that some local governments actually would like to know why some Hong Kong businessmen have not started their business on the Mainland though they have got the permission concerned.

At the beginning of this month, the Trade Development Council (TDC) formed the Guangzhou-Hong Kong CEPA Market Entry Facilitation Group with the Guangzhou Municipal Government. It is planned that a centre will be set up in the TDC to receive complaints concerning the Guangzhou Municipality in this respect. Whether the Group will be effective depends on the scope covered by the co-operation agreement executed. But it appears that the Group is not able to offer any assistance to Hong Kong residents who encounter problems in the course of employment on the Mainland as a result of CEPA. The Government and the relevant departments should pay attention to this shortcoming. The Democratic Party hopes that this Group is only the first step and similar bodies can be set up in other provinces to facilitate the implementation of CEPA.

Lastly, I would like to point out that if the Government speaks to the mainland authorities on behalf of the Hong Kong businesses, this will lead to gradual improvements on the Mainland and there will be fewer inconsistencies and conflicts in the policies, laws and regulations. When the Hong Kong Government conveys the problems encountered by Hong Kong businesses in applying for permission to do business on the Mainland, this will help the

mainland authorities reduce unnecessary laws and regulations and enhance efficiency in the public sector. In the long run, this will help raise the overall competitiveness of the Mainland and this will surely be beneficial to both mainland and Hong Kong businesses.

Madam Deputy, the Democratic Party hopes that CEPA as an agreement is much more than a symbol and it will offer concrete help to Hong Kong businesses in opening up the mainland market and foster trade and economic co-operation between the two places.

With these remarks, I support Mr Albert HO's amendment.

MR ANDREW LEUNG (in Cantonese): Madam Deputy, the Pan-Pearl River Delta (PPRD) concept was first advocated by Mr ZHANG Dejiang, Secretary of the Guangdong Provincial Committee of the Communist Party of China. The PPRD covers vast stretches of land with an area close to 2 million sq km, or 20% of the total area of China. The total GDP of the nine provinces amounts to RMB 3,400 billion yuan, or one third of the national GDP. Though the figure still lags behind the GDP of the European Union with 10,000 billion Euro, as can be projected from the annual growth rate of the GDP of the European Union, the potentials of development in the PPRD are likewise boundless.

According to a research report compiled by the Federation of Hong Kong Industries (FHKI) in 2003 on Hong Kong manufacturing industries in the Pearl River Delta (PRD), the close partnership between Hong Kong and Guangdong has led to a high degree of economic integration in the Greater PRD. The PPRD is an extension of the Greater PRD concept and it represents an expansion of the hinterlands and it has a positive interactive effect on the economic development of the entire region. If efforts as appropriate are put in to match developments in the PPRD, the benefits thus brought to Hong Kong will be much more than those brought by the PRD.

The PPRD therefore has far-reaching effects on the development of trade and the economy of Hong Kong. Most of the core production procedures of the local manufacturing industries have been relocated to places in Guangdong Province. Local service industries, especially trading, logistics, insurance and banking, are all providing diversified services to these core activities. This new trend of "Hong Kong leading the services with Guangdong leading the

manufacturing activities" will add greater economic value to the region and propel the region to becoming a unitary economic entity of greater co-operation. By then, the PPRD would not only attract the transfer of high-end industries from the world but also become a most vital growing area in the world. Hong Kong will surely stand to benefit.

Massive regional co-operation in the PPRD will serve to ease the problem of shortage of manpower and supply of raw materials in Guangdong Province, thereby lowering the wages and costs. The rich natural resources in the nine provinces in the PPRD will supply energy and raw materials to Guangdong Province. In addition, some of the work procedures in Guangdong Province which entails high costs of production may be relocated to other provinces in the PPRD. This will not only lower costs but also give a boost to the economy in these provinces. When there are vibrant economic activities in the PPRD, the high value-added industries may return to Hong Kong and this will help improve the local employment situation.

The FHKI submitted a package of proposals to both the Government of the Hong Kong Special Administrative Region (SAR) and the Guangdong Provincial Government, suggesting that a large-scale industrial park be set up in Guangdong Province with the top 500 companies of the world in mind. It is expected that this super industrial park will produce a clustering effect and attract other companies to join in. In this way, not only will products become more diversified and reach higher ends of the market, it would also produce a rippling effect and contribute to business growth in mainland enterprises and Hong Kong companies alike.

This super industrial park will mean advantages for Hong Kong too. The greater development in the manufacturing sector in Guangdong will certainly mean vibrant growth for Hong Kong as it is the centre for management, R&D and design in the supply chain. Moreover, as the information, financial and logistics hub in the region, Hong Kong will attract foreign companies to set up their regional headquarters in the territory. It is estimated that at least 30 000 jobs will be created. On the other hand, as Hong Kong enjoys a reputation as an international financial centre, these companies will inject their capital into the super industrial park via Hong Kong. This will certainly mean benefits for the financial services in Hong Kong. The super industrial park will also help boost developments in the "Nine plus Two" provinces in such sectors as higher

value-added and hi-tech production, parts assemblage, natural resources and manpower resources.

With respect to aviation, I hope that the SAR and the Central Government will build a sound aviation network connecting Hong Kong and the Mainland and that co-location of customs and immigration clearance can be carried out. I also hope that through "one-stop" services, Hong Kong will establish air links with some smaller cities in the PPRD. This will induce growth in these cities direct. The move can also help the building of a sound international aviation network in Hong Kong and PPRD whereby Hong Kong and overseas travellers visiting the PPRD will be facilitated, and mainland residents in going to the world using Hong Kong as a gateway.

To benefit from the "Nine plus Two" agreement, local governments in the region must put in their best efforts to forge a sound transport network. The Guangdong and Hong Kong Governments should spearhead efforts to construct cross-boundary infrastructure such as the Hong Kong-Zhuhai-Macao Bridge, the Lintang Corridor and the Regional Express Line, and so on. These projects will provide a solution to cross-boundary transport problem and enable a breakthrough to be made in economic co-operation in the "Nine plus Two" region. When economic growth in the region becomes buoyant, it will also result in the return of high value-added trades like financial services and logistics back to Hong Kong and hence bring in benefits to Hong Kong. There is a need for the Hong Kong Government to take the lead in this regional economic development.

The PPRD Regional Co-operation Framework Agreement has identified 10 major areas of regional co-operation in infrastructure, industry and investment, commerce and trade, tourism, agriculture, labour service, science, education and culture, information building, environmental protection, as well as health and epidemic prevention. All these areas spell great investment opportunities for Hong Kong companies. The ultimate goal of the PPRD is to build a unitary market so that there can be a total free flow of capital, products, services and talents in the region. This will accomplish the goal of "entry into one province will mean free passage in nine provinces".

Madam Deputy, now it is the right time for the Hong Kong and Guangdong Governments to take the lead in boosting the economic development of the PPRD. I believe the dream can come true in 10 years' time. The

concept of the PPRD will certainly mean great prosperity and vibrancy for both the PPRD region and Hong Kong.

With these remarks, I support the motion.

MISS CHOY SO-YUK (in Cantonese): Madam Deputy, strengthening the economic co-operation between Hong Kong and the PPRD is a consensus of this Council. It is also a keynote effort which the DAB has been making over the years. Both Hong Kong and the PRD are places in the same country. The people there belong to the same race and share the same skin colour. The same blood flows in their veins. They speak the same language. It is indeed ironic to see such a motion topic proposed here today.

I share what Miss CHAN said earlier on. She asked why John TSANG was not here. I also want to know why Secretary Dr Sarah LIAO is not here. However, given the great intelligence of Secretary Stephen LAM, I am sure he will understand all our speeches. I hope Mr LAM will not just pass on our remarks to each and every bureau but that he will take a closer look at things and see for himself what can be done and reach out his hands to push things forward and help people out.

Madam Deputy, there are in fact many areas in which co-operation between the two places can be enhanced. The list can be endless. Miss CHAN did not have the time to count the items in the list. For me, I have heard a lot, even in areas in which I am not versed. However, I would like to speak only on the area I am familiar with and that is, environmental protection.

Talking about environmental protection, I agree with what Miss CHAN said and I share her feeling about a chill in the spine. But the difference is that, insofar as environmental protection work is concerned, no expert or environmentalist can be bold enough to come forth and say that Hong Kong can take the lead in environmental protection work in the two places.

I recall that three years ago some green groups raised a pointing finger at green efforts on the Mainland and said that such work was bad. But now many green groups and environmentalists are beginning to cite the achievements in environmental protection work on the Mainland to show how inadequate such

work has been done in Hong Kong. They point out that even in the laws which are a source of our pride, not much is done to advance the cause of environmental protection. In stark contrast to green legislation on the Mainland, Hong Kong has very little to offer except the Environmental Impact Assessment Ordinance which is quite advanced but is still fraught with loopholes. For other green laws, Hong Kong is either lacking or is way behind the many new laws passed on the Mainland.

(THE PRESIDENT resumed the Chair)

Madam President, there are a lot of areas where more can be done to protect the environment. Such efforts of enhancement should actually be made in Hong Kong. First, with respect to green industries, we know that they are emerging industries. Figures show that the total value of green industries in Guangdong Province amounts to RMB 50 billion yuan. By 2010, investments in green industries in the PRD alone would reach RMB 440 billion yuan. It can thus be envisaged that there are vast potentials for development in the green industries as well as their markets. But here in Hong Kong, the breeding ground for green industries is close to non-existent. As a result, Hong Kong companies cannot find a place in the green industries on the Mainland, not to say secure a market niche. As Hong Kong attaches little importance to environmental protection and is doing so little about it, there is no breeding ground for green industries. Hence, the vast market of the green industries on the Mainland has become the easy meat of countries nearby.

In the recovery of waste and its recycling, for example, the Mainland now imports many kinds of waste already separated in other places. For Hong Kong, we also send waste to the Mainland through various channels. Though we have no recycling industry, there can be close partnership between the two places. Some labour-intensive recycling industries which require smaller-scale investments and are thriving in the PRD in Guangdong. These include the recycling of glass, plastics and paper. But due to restrictions imposed by the Basel Convention, we cannot recycle such kinds of waste. The two places can discuss and find out a flexible way to overcome the restrictions imposed by the Basel Convention. If only ways can be identified to eliminate any abuse of the policy, waste materials which have undergone stringent monitoring, inspection and separation should be shipped into and out of the two places freely. If this

can be done, Hong Kong can develop some hi-tech recycling industries, such as those involving tyres and foam plastics. These can be done in Hong Kong.

Another thing is renewable energy. In the southern part of Guangdong Province there are some private enterprises investing in renewable energy. But in Hong Kong, renewable energy is still produced by incinerating waste materials. We can join hands with Guangdong to develop some renewable energy resources, in the same way as in recycling industries just mentioned by me. Unfortunately, Hong Kong is still incinerating waste materials and nothing is done to complement the advantages of the two places and develop the allied industries in Hong Kong. Furthermore, Guangdong Province is one of the 10 testing points for green GDP in China. But in Hong Kong, nothing so far has been done in this regard. There is certainly plenty of room for co-operation. Madam President, I so submit.

MR JEFFREY LAM (in Cantonese): Madam President, the importance of the Pan-Pearl River Delta Co-operation Framework Agreement ("Nine plus Two" agreement) and the Mainland/Hong Kong Closer Economic Partnership Agreement (CEPA) to Hong Kong is beyond doubt. I do not think I need to talk about the strengths of the nine provinces and regions in the Pan-Pearl River Delta (PPRD) as well as those of Hong Kong and Macao as we all know that they are remarkable. By taking forward regional co-operation in the PPRD, there will be more opportunities to speed up Hong Kong investments on the Mainland and the opening up of the market there. As a result, the economic development of Hong Kong can be given a boost in the long run. Moreover, our advantages in areas like finance and logistics can enhance the strengths and competitive edges of the entire region.

I am sure we have all heard about these lines in a nursery rhyme which are to the following effect: a bamboo stick can easily be bent but a bundle of them will make bending and breaking difficult. If co-operation with the provinces in the PPRD can be enhanced, the shortcomings between them and Hong Kong can be complemented and their advantages brought into full play. This would be beneficial to both places and a multi-win situation can emerge.

Hong Kong businesses can further extend the factories they have set up in the PRD to the interior as this can lower operation costs and capitalize on the vast domestic market. Besides, given the existence of problems like labour shortage

in Guangdong Province, this move can also encourage the inflow of people from other provinces to Guangdong and prompt Hong Kong businessmen to set up factories in other provinces. Another example is the shortage of power supply in Guangdong, and this problem can be eased if assistance can be sought from other provinces in the PPRD like Guangxi, Hunan, Guizhou, and so on, which are rich in natural resources.

However, as there are different requirements imposed by various provinces on applications for licences, I think that the Hong Kong SAR Government should discuss relevant arrangements with the mainland authorities so that businesses can enter from one province and gain free access to all the nine provinces. This will mean a free flow of capital, goods, services and talents in the region. It will thus serve to enhance competitiveness and help create more job opportunities as well.

Now CEPA will enter its third phase and since its inception in 2004, it has created many jobs for Hong Kong and it is expected that more jobs will be created. We know that recent figures announced by the Government show that about 30 000 jobs have been created locally because of CEPA, of which most belong to the service sector. Two years ago when CEPA was introduced, I anticipated such a development and I believe the employment situation would become even better given the effect of the "Nine plus Two" agreement and CEPA.

Findings of a survey released by the Central Policy Unit of the Government last month show that there are presently 486 000 Hong Kong residents who work on the Mainland on a long-term basis. This is proof that with the close economic ties between Hong Kong and the Mainland, a lot of Hong Kong residents have gone to the Mainland for work. I hope very much that the Government can strengthen the role played by the representative offices on the Mainland and offer assistance to Hong Kong residents who encounter problems in doing business or working on the Mainland. With respect to the proposal made by the Chief Executive in the policy address delivered last month that offices would be set up in Shanghai and Chengdu, I agree with it and hope that these two offices can link up with the existing offices in Guangzhou and Beijing so that there can be an office positioned strategically in the north, south, east and west corners of China respectively. This will ensure that quicker and better services can be offered to Hong Kong people in need.

It remains of course that these four offices should also engage in publicity work on the procedures and formalities about investment in Hong Kong. Efforts should be made to shorten vetting and approval time, speed up the processing of applications and attract mainland enterprises to make investments in Hong Kong.

Madam President, lastly, I would like to use some time to talk about problems faced by the logistics industry. Now 24-hour operation is only implemented in the Lok Ma Chau and Huanggang control points. In my opinion, the facilities at the land control points in Sha Tau Kok and Man Kam To should be utilized. The network of roads there should be expanded and more immigration clearance counters should be set up. Moreover, consideration should be given to the possibility of 24-hour clearance to divert the people flow. As the Shenzhen-Hong Kong Western Corridor will be commissioned next year, we anticipate a great surge in the traffic volume. We must therefore ensure that the freight transport trade can operate flexibly in order that our competitiveness as a logistics centre can be upgraded.

Madam President, I so submit.

MR WONG TING-KWONG (in Cantonese): Madam President, a survey by The Chinese University of Hong Kong shows that the integration of Hong Kong with the Pearl River Delta (PRD) Region has brought great benefits to Hong Kong. As compared to 1995, the year 2002 showed a drastic rise in total proceeds from Hong Kong export services related to the PRD by \$130 billion and that represented an increase of 74%, accounting for 76% of the rise in GDP of Hong Kong. Moreover, a total 740 000 jobs were created in these seven years. If there is no integration of Hong Kong with the PRD Region, the number of unemployed people in Hong Kong would have increased by 300%. Therefore, we have reason to believe that Hong Kong should strive to further implement the Pan-Pearl River Delta (PPRD) development concept whereby the advantages of Hong Kong and the PPRD can be mutually complemented to each other's benefit.

An issue which has been a cause of concern is that our port services and transport trade are gradually conceding their advantage to nearby fast-growing ports. This, when coupled with the local investors' gradual shifting of the focus of development northwards, has sounded an alarm for the future of the Hong Kong port services and transport trade. Recently, after negotiations between

the Hong Kong SAR Government and the mainland authorities concerned, some restrictions previously imposed on the Hong Kong cross-boundary freight transport trade have been lifted, such as the "four-up-four-down" and "one-truck-one-driver" rules. The result is that from now on, the driver, the truck, the trailer and the container are not required to enter the Mainland and return to Hong Kong as one ensemble. A reserve driver can be arranged for each truck. However, owing to various reasons, the terminal charges and transportation costs in Hong Kong are still higher than those charged on the Mainland. Despite the fact that the cross-boundary transportation fee for a standard container overland has dropped from \$2,470 to \$2,200, this is still 2.2 times more than the transportation fee of \$990 when sending a container direct from a mainland location to the Yantian Port. This shows clearly that Hong Kong is not competitive enough in this aspect.

Apart from solving the problem of high haulage costs, the SAR Government should also address the problems of bottlenecks in traffic between Hong Kong and the Mainland, and customs clearance difficulties by adopting co-location of customs and immigration clearance at more control points and striving to ask the mainland customs authorities to simplify the clearance procedures. In addition, the SAR Government should also aim at greater co-ordination in the infrastructure developments in the two places, build a transport network with wide coverage and diversified enough in order to achieve a seamless flow of traffic as well as smooth people and cargo flows.

With respect to infrastructure construction, Hong Kong is presently working closely with the Mainland in many infrastructural projects. The Hong Kong-Shenzhen Western Corridor is expected to complete next year. But there may be some delays in the Hong Kong-Zhuhai-Macao Bridge because of construction costs. As for the Regional Express Link, there may also be some delays as the commissioning date for the Hong Kong section does not tally with that of the Mainland. Though hiccups are likely, I still hope that the parties concerned can review the situation and address the problems expeditiously. We expect that road infrastructure linking up the Mainland can be perfected to help the Hong Kong logistics industry to forge ahead.

With respect to CEPA, it would come to the mind of many people that with CEPA, investors from Hong Kong can capitalize on the zero-tariff preferential treatment and venture into the Mainland and invest in various industries and engage in manufacturing activities, and so on. Actually, there

are many more possibilities than these. We need to make good use of CEPA to engage in interactive co-operation with the Mainland and attract more mainland private enterprises to come here to make investments. This will bring in more capital to Hong Kong and create more business opportunities. Hence, the economy is given a boost and more jobs can be created. This is a win-win situation for both parties. It is exactly what the DAB has been stressing all along. The World SME Expo which opened two days ago attracted 5 000 mainland private enterprises to come here to seek business and partnership opportunities. The number of such enterprises shows an increase of 2 000 over that of last year.

Chief Executive Donald TSANG delivered his policy address in October and proposed to set up trade offices in Shanghai and Chengdu and enhance the functions of the trade office in Guangzhou. It is believed that the SAR Government has realized that the major direction these days is for closer economic partnership with the Mainland and that the reality is economic co-operation between the two places is increasing all the time. There is a need to enhance co-operation and dialogue between the SAR Government and the mainland departments and more resources should be deployed to meet the demand.

From now on, apart from InvestHK and the Trade Development Council, various trade offices on the Mainland and the Beijing Office will assume a more important role. The SAR Government should step up its publicity and foster the idea of exploring overseas markets among the mainland private enterprises, hence attracting them to set up companies in Hong Kong. The advantage of Hong Kong as a springboard for going global should be given more publicity. Support should be given to Hong Kong business groups in holding various kinds of promotional activities in this respect. The SAR Government should create more favourable investment conditions to facilitate such enterprises in establishing businesses in Hong Kong, such as devising special working visa arrangements for private entrepreneurs who have to shuttle between Hong Kong and the Mainland on business. Requests can also be made to the Central Authorities for a relaxation of the restrictions on capital, and so on.

As CEPA is now in its third phase, market liberalization initiatives launched cover 10 areas, including professional services like legal service, accounting, architecture, banking and securities. However, examples in the past show that it is very difficult for professional services from Hong Kong to

establish business on the Mainland, for the main reason that the systems in the two places are not quite the same. The Chief Executive stated in the policy address that co-operation with the mainland authorities would be strengthened to publicize extensively the specific contents of CEPA and the strengths of Hong Kong professional services, and that the Government would strive to help local professions participate in mainland construction works and other projects. I hope the authorities can really act on its words and give serious thoughts to the suggestions put forward by the DAB.

With these remarks, Madam President, I support the original motion and the amendment.

MS MIRIAM LAU (in Cantonese): Madam President, as a result of economic restructuring, Hong Kong does not produce too many products for export and what Hong Kong is doing now is mainly to export products from the factory of the world, which is the Mainland, to different parts of the world. Therefore, our logistics infrastructure and cross-boundary infrastructure are crucial to the local logistics industry in maintaining its advantage, as well as to the economic development of the Pan-Pearl River Delta (PPRD).

Up to the end of last year, Hong Kong was still the busiest container port in the world. At present, about 80% of the containers handled come from the Pearl River Delta (PRD). However, with the rapid developments in the mainland ports, a substantial share of the container throughput has been diverted to these ports. The throughput in the Shenzhen container terminals last year reached 13.06 million TEUs and this surpassed the throughput in the Kwai Chung container terminals. Competition from our rivals in the region has never slackened. In Singapore, for example, a total of 10.93 million TEUs were handled in the first half of the year. The number was just slightly more than the 10.75 million TEUs handled in Hong Kong. From this it can be seen that the competition we face is very keen indeed. Actually, our container handling capacity is still greater than the actual number of containers handled by us. This shows that Hong Kong has the capacity to handle more containers. We must therefore strive to catch up and make ourselves more competitive.

Recently, the third-phase expansion of the Yantian Port has been finalized. When completed, the container handling capacity of the Shenzhen container terminals will increase by 3 million containers. When this is coupled with the

developments and expansions in other ports in Shenzhen like Nansha, Kaolan, Dachan Bay, and so on, the container handling capacity of Shenzhen will certainly increase greatly in the days to come. If this goes on, it is very likely that vicious competition will appear among the Hong Kong and mainland ports. If this happens, it will not only waste resources in the two places but also produce an adverse impact on their development. It is also likely that our competitors in Asia will find it easier to take over our place. However, I would like to point out that the development in Hong Kong and the Mainland is not a "zero-sum game". The Hong Kong SAR Government should act from a regional perspective and foster greater synergy with the Mainland. Containers in the region can be handled separately both on the Mainland and in Hong Kong at the same time.

As a matter of fact, the airport in Hong Kong has been engaging in talks with the PRD on co-operation. The SAR Government can draw reference from how co-operation is carried out between airports in Guangdong and Hong Kong, and enhance co-operation of the two places in port services and avoid vicious competition and duplicated investments. It is only in this way that both parties can stand to benefit. I therefore hope very much that the Hong Kong-Shenzhen Western Corridor can be completed at the end of next year as this will greatly increase the links between Hong Kong and places like Shekou in Shenzhen. Another infrastructural project that has received great attention is the Hong Kong-Zhuhai-Macao Bridge which has experienced delays as its commencement date has yet to be finalized due to financing problems. The SAR Government should step up talks with the Mainland with a view to getting the project started as soon as possible as it will strengthen our links with the developing parts of western Guangdong and various provinces to the west.

Apart from road networks, railway projects such as the Regional Express Line (REL) are also receiving much attention as they are also vital to our future development. Under the "Nine plus Two" agreement for the PPRD, regional co-operation would be further expanded to include places as far as Sichuan Province. This kind of development would have to be supported by a railway network. Unfortunately, the SAR Government has yet to finalize the alignment of the Hong Kong section of the REL. This results in a vacuum of at least two years before the two sections can ever be articulated. I hope that the SAR Government can make a decision and put it into action fast. It must not make a decision and then sit on it. The project must be implemented as soon as possible. For if not, we will not be able to catch up with the latest developments on the Mainland.

Madam President, what I have just said are mostly about how hardware should dovetail with the developments. However, what must not be overlooked as well is how software should complement the situation. On the question of 24-hour clearance at the control points, for example, though it has been implemented in Lok Ma Chau, only a small number of lanes are open after midnight and when coupled with the fact that most of the mainland control points are closed during the night, many trucks will choose to clear the customs in the morning. The authorities should therefore strengthen co-operation with the Mainland, open more lanes during the night and increase the clearance capacity. Measures to this end would include extending the customs clearance hours on the mainland side. This will make 24-hour clearance really live up to its name and achieve the greatest economic benefits.

Another problem encountered by the logistics industry in pursuing development on the Mainland is that the great very different licences required by various provinces. Therefore, the SAR Government should engage in more talks with the Mainland to make it possible that entry into one province would mean free passage in all the nine provinces, so to speak. It is only when all the nine provinces in the PPRD adopt the same requirements and remove the barriers that there can be co-operation in the true sense of the word. It will also mean that the sound implementation of the PPRD Regional Co-operation Framework Agreement.

Actually, with enhanced synergy between Hong Kong and the Mainland and matching software and hardware in place to this end, it will not only result in long-term and sustained development for Hong Kong but the edges of our logistics industry can also be capitalized to enable the PPRD to go global, thereby creating an all-win situation for all the parties concerned.

Madam President, I so submit.

MRS SELINA CHOW (in Cantonese): President, the PPRD Region has a population of 450 million. Its importance to Hong Kong therefore requires no further description because it will offer many business opportunities to Hong Kong, whether we regard it as a market, a base of manufacturing industries or a major trade centre.

From the tourism perspective, if the PPRD, which has such a huge population, can be combined with Hong Kong, the resultant entity will be a mammoth market in itself. The reason is that the linking of the two places as a single tourism route, attraction or scenic area will be extremely appealing to all the provinces and cities outside the PPRD and even foreign visitors. As we can see, many countries in Asia are now capable of offering "single trip, multiple destinations" itineraries. In the past, if Hong Kong was to offer such itineraries, it would have to link up with other countries or cities. But we have not done this so far. Following the opening of our country, such opportunities have greatly increased as we can now forge partnerships with many cities in the Mainland.

The Individual Visit Scheme was launched in July 2003. Since then, it has brought as many as 9.8 million visitors to Hong Kong. And, 93.2% of these 9.8 million visitors came from the PPRD. This shows very clearly the great importance of this market to us.

Actually, the predecessor of the Hong Kong Tourism Board, that is, the Hong Kong Tourist Association, already started to co-operate with Guangdong Province and Macao a very long time ago and the Guangdong, Hong Kong and Macao Tourism Marketing Organization was formed as early as 1993. This Organization launched many initiatives of co-operation with a view to promoting tourism in the three places. However, owing to resource constraints and for various reasons, our co-operation was confined to the publicity level and no large-scale marketing and sales promotion campaigns were ever launched. And, it must be admitted that it was rather difficult to launch such campaigns at the time.

However, there is no gainsaying it that the situation has improved in recent years, especially since the Government started to vigorously promote co-operation within the Pearl River Delta and the PPRD Region. To tie in with this policy, the Hong Kong Tourism Board launched a series of initiatives in 2003 and 2004, the most notable of which being a large-scale promotion drive in 2004 entitled "Nine plus One" (that is, excluding Hong Kong). And, when the USTTA, the organization with representatives from all American travel agencies, held a conference in Hong Kong, we also conducted promotion activities targeted on them. We actually held many joint activities to promote the PPRD, and we also conducted many discussion forums to make them see the feasibility. We even made special efforts to attract the vast long-haul market of North America.

Since 2003, we have been to Japan, Germany and even the emergent market of India to promote tourism in the PPRD Region. Apart from going overseas, we have participated in some large-scale activities in Hong Kong and Guangzhou and made joint promotion efforts under this name. However, we are still subject to many constraints after all; the Government may perhaps offer some assistance in this respect. We know that there is now a Greater Pearl River Delta Business Council and many discussions are going on in the community. Since the Secretary is present today and he has expressed the intention of doing a lot of things, I hope that he can render some assistance. When we conduct promotion activities outside the region, we usually regard the PPRD as one single entity. To put it simply, we will treat Hong Kong as a member of this big family in many ways. That is why we think that more joint efforts can be made.

In addition, I also wish to say a few words on the flow of people between the PPRD and Hong Kong. We have already heard many views on the flow of goods and I think we should seek to facilitate the flow of people by all means. This is especially the case with co-location of immigration clearance because the better the arrangements in this respect, the greater will be the tourism development of both sides. The case of vehicle flow is just the same. In many other parts of the world, vehicle flows among countries are allowed. It will be excellent if Hong Kong and the Mainland or the PPRD can make the same arrangements. The roads in the Mainland are so splendid nowadays, so I believe many Hong Kong people, including the President, will be delighted at such a development.

Another very important point is that Hong Kong travel agencies have not yet been able to expand into the Mainland under CEPA. I believe that if they are allowed to do, the promotion of PPRD tourism will certainly receive a great boost. I hope that the Government can pay heed to this issue.

Thank you, President.

MS AUDREY EU (in Cantonese): President, regarding this motion on economic and trade co-operation within the Pearl River Delta (PRD) Region, there are actually two issues that can enable us to see the central problem.

The first issue is related to the Hong Kong-Zhuhai-Macao Bridge. The idea of constructing this bridge was first advanced in 2002, with the completion date originally scheduled in 2007. The 24 studies on the feasibility of the bridge were finally completed a couple of days ago. Pending the Central Government's project approval, letters of intent can be invited from interested consortia.

But the financing of the bridge is still a worrying problem. A Zhuhai Municipal Government official was reported by the press as remarking on a public occasion in Guangzhou in late September that Zhuhai had no intention of shouldering the costs of constructing the bridge. The Macao Government on the other hand said that if the sides involved were to share the construction costs, the principle of fairness must be upheld. It insisted that since Hong Kong would benefit most from the project, half of the costs should be paid by it, with the remaining half shared equally by Zhuhai and Macao. Director of Highways MAK Chai-kwong has even anticipated that it will be impossible to complete the bridge before 2010.

The second issue is about a recent announcement made by a Hong Kong consortium on its investment of RMB 10 billion yuan in expanding the container terminals at Yantian. It has been disclosed that the number of berths will be increased by 67%, from nine to 15. Following the expansion, the number of berths owned by Hutchison Whampoa Limited in Shenzhen will outnumber the berths it owns in Hong Kong. This means that the Hong Kong container terminals will face increasing pressure from its counterpart in Shenzhen.

Why have I mentioned these two issues? The reason is that while we are all singing the praises of Hong Kong's advantage of being able to leverage on the Mainland, I hope that we can still realize the regional competition faced by Hong Kong. All Members and government officials present today are well aware that the problem of competition is no longer unique to the PRD economic zone under discussion today. Mr CHEN Yao of the Institute of Industrial Economics under the Chinese Academy of Social Sciences, who is also a supervisor of PhD candidates, has actually written a number of study reports, in which it is pointed out that the regional competition in China is marked by the "dual head" phenomenon. By "dual head", it is meant the presence of two cities comparable in ranking and size within a large economic zone. These two cities will vie for the status as the core or head of the economic zone, overtly or covertly, never

giving way to the other. For instance, in the Beijing-Tianjin-Hebei economic zone, there are the two cities of Beijing and Tianjin. In the Yangtze River Delta economic zone, there are Nanjing and Suzhou on the one hand, and Hangzhou and Ningpo on the other. And, in the PRD economic zone, there are Guangzhou and Shenzhen.

The "dual head" cities in an economic zone are geographically close to each other. However, since their respective proportions of development projects and investments are computed separately under State planning, it is very difficult to strike up any co-ordination between them and they usually follow their own courses of development, even though they are located in the same province. In a bid to vie for resources, provinces and cities often resort to land and taxation concessions as a means of competition and may even put up various barriers. As a result, infrastructure and industrial facilities are often duplicated and left idle after completion, and the problem is at times rather serious.

It can thus be imagined that Hong Kong will also face the same problem when it seeks to co-operate with the provinces and cities in the PRD Region and even the PPRD Region. The solution advanced by Mr CHEN Yao is the prompt establishment of a central commission on regional policies under the State Council for the purpose of working out an effective mechanism for balancing the interests of major regions and provinces and for consolidating regional resources.

However, I do not think it is likely such a central mechanism can be established at this stage. Consequently, from the pragmatic perspective, we can say that it will not be possible to resolve this type of regional competition overnight. We must therefore understand that mainland provinces and cities are both our development partners and rivals. We must realize this and we must also understand our own strengths, particularly the competitive edge of our legal and financial systems. This explains precisely why we are so sad whenever we notice the destruction or damage of our excellent systems.

I believe Members will still remember that when we visited the PRD for exchanges, ZHANG Dejiang, Secretary of the Guangdong Provincial Party Committee, once told us, to this effect, "We in Guangdong Province all have a strong sense of crisis because Jiangsu, Shangdong, Zhejiang and Shanghai are just a stone's throw away and if we do not have such a sense of crisis, we may be reduced from the vanguard to the rear guard in no time." Actually, Hong Kong

faces precisely such a situation. Mainland cities do possess certain advantages, some of which are not even possessed by us. Our sense of crisis should therefore be much stronger than that of any province or city in the Mainland.

The motion topic today is "Enhancing economic and trade co-operation between Hong Kong and the Pan-Pearl River Delta Region". I believe no one will probably object to this broad direction. I hope that apart from firmly grasping the opportunities arising from the PPRD Regional Co-operation Framework Agreement as proposed in the motion, the Government can also realize the crises facing Hong Kong now. We should have a strong sense of crisis. While seeking to co-operate with the Mainland, we must also treasure those excellent institutions of Hong Kong that are not found in the Mainland, especially our existing legal and financial systems, which have given us such a great advantage over others. This is extremely important. I hope that the Government can treasure and preserve the advantages of Hong Kong in its rule of law, democratic development and openness. I so submit. Thank you, President.

MR CHIM PUI-CHUNG (in Cantonese): President, in our debate on this topic today, we should, in theory, confine our discussions to the economic and trade development of the Pearl River Delta (PRD). But in practice, we should set our eyes on the whole country.

To begin with, we must realize that although China itself is developing rapidly, there should still be room for the further development of Hong Kong. Why? As has been emphasized by the Government of the Hong Kong Special Administrative Region (SAR) all along, Hong Kong enjoys an advantage in four areas, namely, logistics, trade, tourism and financial services. Let us discuss them one by one.

Regarding logistics, we in the Legislative Council have been holding discussions on the construction of Container Terminal No. 10 over the past few years. We have been working on it but have nonetheless failed to achieve any progress. Members must not deny the rapid advancement of the Mainland; even though the systems there are more bureaucratic than those of Hong Kong, it will seek to adapt to changing circumstances as much as possible. Consequently, we may in no time discover that the logistics industry of Hong Kong has already regressed, or we may even find that there is no longer any room for its development. When all this happens, it will be too late to catch up.

Second, with respect to trade, we all know that since the 1950s, Hong Kong has been noted in the world for its trade and strong adaptability in many aspects. However, given the advances in technology and telecommunications nowadays, is trade still confined to any particular regions or environments? The answer to this question will show that the advantage of Hong Kong is no longer so big.

Third, it is the tourism industry. We know that the Mainland has implemented the Individual Visit Scheme, that Hong Kong has benefited in some ways from the Mainland's policy of opening in recent years, and that Hong Kong is a popular destination of many visitors from Europe, the United States and other places, but we also know that many Hong Kong people like to travel to the Mainland for consumption during weekends and holidays. For this reason, I do doubt whether Hong Kong can still get any benefits after all these effects are offset.

The remaining area is the financial sector, especially our financial services. As a result of its attitude towards the local financial services, the SAR Government has not provided any safeguard to the industries concerned; not only this, it even goes so far as to emphasize the notion of internalization and allow investors from other parts of the world to make profits in Hong Kong, thus driving the local financial services to the verge of death. If the Hong Kong Government still does not wake up to this, Hong Kong will not possibly become very competitive in other areas despite the four advantages it enjoys.

Many people from the labour sector have recently approached me, complaining that they can only earn a meagre monthly wage of several thousand dollars. I notice that the Government has resorted to all sorts of means to query and challenge workers' abilities, instead of looking at their problem in the context of our broad development direction. This really warrants our worry and concern.

President, I think much of the work that the Hong Kong Government has to do in many aspects in order to become a responsible government, including policy formulation, is all very easy tasks, especially because the transition since 1997 has been very smooth. Actually, the Chief Executive is vested with very extensive powers, so he does enjoy an advantage over his counterparts in the PRD, the Yangtze River Delta, the whole country and even the rest of the world; he is also free from any worries about checks and balances, and so as long as he can remember to be modest in policy formulation, he does not really need to talk

about having to learn from other places in the world, or from their legislatures. Although Hong Kong upholds the separation of legislative, judicial and executive powers, the executive is nonetheless above the remaining two branches of government. As a result, assuming that the Chief Executive can remember to be modest in policy execution and formulation and make alternative arrangements whenever necessary, his competitiveness will in fact be very strong.

President, perhaps because the SAR Government thinks that our Secretary for Constitutional Affairs has not been (and will not be) very busy, it has decided to assign more duties to him. I am not saying that Secretary Stephen LAM will still be holding this post two years later, or will be holding this post forever, but the fact remains that the SAR Government wants to expand the portfolio of this post, in the hope that Mr LAM can apply his superb abilities to constitutional reform and uncover the potentials of Hong Kong for future development. In this regard, Secretary Stephen LAM may not have gained a clear understanding of the mission assigned to him. But I still very much hope that when he deals with others on behalf of the Government in the future, be they from the PRD, the Yangtze River Delta or even the rest of the country, he can modestly listen to others' views and at the same time put forward his own. I further hope that he can really communicate with the governments of other places or provinces, instead of thinking that he is supported by the Central Government and therefore superior to others. Such mentality will arouse the rejection of other local governments in the country.

I can quote the case of the Hong Kong-Zhuhai-Macao Bridge as an example. I can well appreciate that the other two places may have to put forward their own different views on the basis of their unique circumstances and demands. I very much hope that the SAR Government can accept those conditions that are reasonable. The Hong Kong Disneyland is simply a project of funnelling interests to a foreign enterprise. Why then is it so impossible to hold proper negotiations among places belonging to the same country? Why is such an unfair approach adopted instead? Is this the legacy of the colonial mindset?

I therefore hope that under the leadership of the Secretary, our government departments can conduct joint studies on new fields with a modest attitude, so as to answer the aspirations of Hong Kong small and medium enterprises and create conditions of fair competition for them. The rest of the country are all set for

further opening, and I can see that apart from the Yangtze River Delta, the railway still runs through more than seven provinces. These are all major trade partners of Hong Kong. Although we do enjoy certain advantages, we must still tie in with the development of all sides. Despite all the political disputes in Hong Kong, the Government can still become a responsible government if it can fulfil the people's aspirations in other respects. The Chief Executive wants to achieve strong governance. Strong government consists in its ability to answer the people's aspirations.

President, I so submit.

DR LUI MING-WAH (in Cantonese): President, the Earth never stops rotating, nor does society ever cease evolving either. The social changes, economic progress and rising living standards that have taken place in China since the launch of its policy of reform and opening in 1978 have filled the whole world with admiration but some individual countries with shock and horror. Guangdong has been the vanguard of reform and opening and also the locomotive of economic progress. At the very beginning, manufacturing industries provided the main impetus for the economic development of Guangdong. At the time, Hong Kong and Taiwan manufacturers flocked to the Pearl River Delta (PRD). Taking advantage of the low-priced factory premises and massive supply of cheap labour there, these manufacturers managed to expand their scales of production, and goods made in China were marketed and sold in every part of the world. In the process, the economy of Guangdong started to take off.

In recent years, the economic growth of Guangdong has shown signs of slowing down. In 2003, noticing the rapid economic progress taking place in the Yangtze River Delta and seeing that the Bohai Gulf economic zone was fast catching up, Guangdong proposed the formation of a grand alliance comprising nine provinces and two cities, that is, the major strategic move commonly called the "Nine plus Two" agreement, which aims to build up a strong framework for long-term and sustainable development. Since its existing labour-intensive manufacturing industries can provide job opportunities but cannot possibly upgrade the economy of the PRD, Guangdong has made the strategic move of introducing the car assembly and fittings industries, petrol chemical production and other sizeable manufacturing and high-tech industries. We can foresee that in the very near future, the economies of Guangdong and its neighbouring

provincial partners will make another take-off. My aim of giving this brief account is to point out that the leadership, support and active efforts of the provincial government have played a key role in enabling the Guangdong economy to grow continuously over the past 26 years at an average annual rate of 13.4%.

Back in Hong Kong, there were drastic social changes in the past 20 years or so, especially after its reunification with the Motherland. Owing to the outward shift of its manufacturing industries and the consequent removal of a solid pillar, the economy of Hong Kong declined and recorded a high unemployment rate for successive years, and even now it is not yet quite able to regain its vitality. As a result, though already a well-developed economic entity, Hong Kong still needed an umbilical cord, so that it could get from its mother the nutrients necessary for its survival. It was only with the impetus given by the Individual Visit Scheme and CEPA that the economy of Hong Kong could start to recover in 2004. However, to the people of Hong Kong, this is both a blessing and also a cause of sorrow. The reason is that although the protection offered by the preferential policies of the Central Government can provide some sort of temporary relief, their effects will not last long. Worse still, the people of Hong Kong may feel humbled as a result. In the long run, this may affect their mental outlook and reduce their desire for innovations, thus causing the disappearance of the Hong Kong spirit.

At this very age of economic take-off for the Motherland, Hong Kong must understandably adopt the strategy of "engaging itself globally while leveraging on the Motherland". But we must at the same time ask ourselves, "Does Hong Kong possess any strengths that can enable it to build up complementary partnership with the provinces in the PPRD and ride on this strong easterly wind of economic progress?" This is a question that should be considered seriously by the SAR Government and the different sectors of society. If we do not draw up any integrated and strategic plans for the long run, and if we rely solely on piecemeal or fragmentary proposals, I am afraid we may fail to achieve any marked and long-lasting results.

According to some studies, Hong Kong is marked by a mismatch of political status and economic conditions. If a proper positioning can be worked out for Hong Kong, then the policies formulated on the basis of this positioning will necessarily be correct in direction, being able to suit the needs of the actual situation and take full advantage of all the favourable circumstances. That way, in this vibrant age, Hong Kong will be able to progress by leaps and bounds.

The correct positioning of Hong Kong should be a "separate economic entity under one country, two systems", instead of a "city economy under one country, two systems". The actual situation is that the Central Government has been offering Hong Kong very great favours. The Individual Visit Scheme, for example, has made the consumption market of Hong Kong very active and CEPA, on the other hand, has opened up the vast mainland market for Hong Kong. All these were totally inconceivable before the reunification. A "separate economic entity" is similar to the economies of Singapore and Switzerland. Its structure, underlying policies and supporting measures are all unique and sensible. Built on a firm and solid foundation, it possesses a strong ability of independent survival and can compete on its own strength with other economies in the world. The case of "city economies" such as New York City, London and Shanghai is simpler. These economies are defined by city boundaries but they are not customs territory. There are no controls over the movements of population but they have access to their respective national markets. Enterprises from everywhere are welcome to give full play to their strengths but neighbouring cities will not develop similar industries for fear of giving rise to vicious competition. In the case of Hong Kong, at the political level, it is a Special Administrative Region of China. It is defined by clear boundaries, possessing its own legislative, judicial and executive systems. Economically, it is a separate economic entity and a separate customs territory.

After clarifying the positioning of Hong Kong, the Government should conduct a physical check for the economy and study its advantages and strengths, so as to ascertain the directions and types of industries and specific measures that should be developed. The ultimate aim should be to make the Hong Kong economy less reliant on but more proactive towards the external economic environment, with a view to delivering it from the plight of passiveness. It is only by realizing these two objectives that Hong Kong can achieve sustained economic development and prosperity as well as social stability.

President, let me now turn to the economic relationship between Hong Kong and the PRD. When it comes to the need for making joint efforts to open up overseas markets, I agree that they are certainly partners. But in other respects, such as logistics, producer services, or as time goes by, even financial services and the shipping and aviation industries, there will be competition. However, as long as the competition is healthy, we should welcome it instead of regarding it as something dreadful. There is certainly some truth in the Western proverb that competition is healthy. President, I so submit.

MR ALBERT CHAN (in Cantonese): President, when it comes to economic development and co-operation, I think that very often, much will have to depend on who the beneficiaries will be at the end of the day. As a result of its economic growth over the past 20 years, especially the economic progress attributable to the development in the Motherland, Hong Kong has been amassing wealth at an increasing rate. But at the same time, the problems of disparity in wealth, transfer of benefits and lop-sided distribution of economic gains in Hong Kong have all turned increasingly acute. Consequently, the many proposals recently put forward under the pretext of China-Hong Kong development, such as the opening of the frontier closed areas for certain development purposes, many end up benefiting only large property developers or property tycoons. These people may get all the benefits at the end of the day in the name of economic co-operation or economic interaction. As Stanley HO once remarked, some are so obese that they cannot even put on their socks, but I must add that they will continue to be so obese. On the other hand, however, because of the ever widening wealth gap, the continuous drop of grass-roots workers' wages and all the rest, the masses are basically unable to benefit much from the economic growth or progress.

Over the past 20 years, the wages of the grassroots have plummeted and the unemployment problem has also worsened — there has been some slight improvement, though. Our former Chief Executive and former Financial Secretary both repeatedly and publicly encouraged the people of Hong Kong to go north to the Mainland for investments and employment. But I have repeatedly condemned such advice, pointing out that this is an erroneous policy, a wrong direction to follow.

As Members of the local legislature and part of the local government, we naturally welcome globalization — I may understandably disapprove of many of the underlying concepts and principles of globalization, but I must still accept it as an irresistible trend of the world — and all the increasingly frequent and drastic changes arising from China-Hong Kong interaction. But we must make sure that we can capitalize on these changes for the benefit of Hong Kong people.

In the course of promoting overall development, the Government must never pay sole attention to the interests of any particular consortia or professional sectors. I do not object to the provision of government assistance to certain professional sectors, so that they can increase their employment prospects in the

Mainland, so that the policies there can be adjusted and changed to allow the various professions in Hong Kong to expand into the country. But, most importantly, we must ensure that the common masses in Hong Kong and our society as a whole can benefit from all the interaction and development taking place in the PPRD. We must ensure that all Hong Kong people, especially the common masses and workers, can thus benefit.

Many people often advocate that in the course of all this development, we should designate a special zone of some kind, where property developers can construct many factory buildings, where large numbers of workers from outside Hong Kong can be imported to provide cheap labour to Hong Kong manufacturers and to enable them to reap excessive profits. But this will in the end plunge the poor masses in Hong Kong into acute unemployment and semi-unemployment. The interaction and co-operation under discussion will not benefit them at all but will instead deal a heavy blow to their financial conditions and income.

There are many Members in this Chamber, and they come from a wide spectrum of backgrounds. Members representing the industrial and commercial sector, in particular, often emphasize how the Government should promote development to enable them to get returns for their investments. But when they manage to get returns for their investments in the Mainland, will Hong Kong itself also benefit as a result? Very often, whether this is the case is highly doubtful. Now that estate duty has already been abolished Anyway, the capitals of plutocrats are all internationalized. Their profits may be as much as billions, but there will not be any overall economic benefits for Hong Kong as a society, much less any direct benefits for the people. Therefore, I hope that when promoting any policy, the Government can specify whether it will benefit Hong Kong, especially the common masses. This is a very fundamental question.

Besides, President, I can remember asking the Government a question on professional drivers in this Chamber. Interaction will necessarily lead to more frequent flows of people. Professionals can of course always make their voices heard through their respective professional bodies. Likewise, some professional drivers' unions have also voiced their views to many mainland government departments. But many professional drivers have still approached me, complaining about the many difficulties they encounter in boundary clearance. According to them, once any problems emerge, they are often

entirely helpless and desperate. There is simply no one there to help them cope with the problems. Many a time, they can voice their grievances only after their imprisonment, when they have returned to Hong Kong.

In the course of interaction, many social and legal problems will emerge. Has the Hong Kong Government ever offered any assistance to those Hong Kong people caught in difficult situations, especially people from the lower strata and the working class? Are they provided with any reasonable assistance in the Mainland? Such assistance is extremely important. If no assistance is provided, then, in a way, encouraging people to work in the Mainland, as what the former Chief Executive did, will be tantamount to sending them to death. They are hard-pressed by plight, heavy pressure and numerous corruption problems. They may even have to waste their youthful years in prison. And, when they return to Hong Kong, they may still have to face bankruptcy. There are countless such cases. In brief, how to protect the rights and interests of the common masses in the course of development is a problem that must be dealt with and tackled by the Government. Thank you, President.

MR LEUNG KWOK-HUNG (in Cantonese): President, this is actually a manifestation of economic centralization, which is why in all these discussions on the ties between the PPRD Region and Hong Kong, we can sense the strengthening of political ties. Am I correct? Mr TSANG, like a school principal, led a delegation to the Mainland and all the 60 Members simply followed him here and there like school children. Then, after the visit, co-operation is brought up for discussion.

It is often said that fair transaction is the fundamental principle underlying capitalism. But this is all falsehood. Members must all know that prices of labour are not usually adjusted in accordance with market levels. The reason is that workers must get a job to earn a living. They must therefore reduce their prices. But this is not related to the motion topic today.

One point I want to raise today is that from many actual instances, we can see that CEPA, or any further relationship that may develop between Hong Kong and the PPRD should CEPA be abolished, is just something happening under a system marked by power monopolization. That being the case, only those having connections with high-ranking officials or giant corporations in the Mainland can make a big fortune and as they become rich, those who are

excluded from all the clandestine transactions will be left to perish. Let me cite an example to illustrate my point. The Orient Overseas Group owned by the family of former Chief Executive, Mr TUNG Chee-hwa, may really have earned a great reputation overseas. We noticed after his resignation that the value of the Orient Overseas Group had soared because LI Ka-shing held huge quantities of its stocks. And, subsequently, the Mainland granted many prime land lots to the company. What can this example show us? It shows us that the powerful will become even richer and the rich will become even more powerful. So, the cycle of money-power exchanges never stops — this is a comment of mainland journalists, not mine.

There is another point. Everyone thinks that our luck has finally changed, now that TUNG has departed and TSANG has assumed office. But we must not forget that the hotel where our respectable Vice-President of State, Mr ZENG Qinghong, stayed during his visit to Hong Kong belongs to Mr LI. And, even though he had only one or two hours of free time, he could still find time to have breakfast with Mr LI. As for the 60 of us, that is, Members of the Legislative Council — precisely, there were only 59 because I was expelled — we were all seated at guest tables; we were literally treated as guests because the table I was originally assigned was far away from the head table and Members could only join others in the toast. But we were all elected by the people and as such, we represent their opinions. The Vice-President said that since he did not have enough time on that day, he could not talk with Members. Then, what is the point of holding this debate today? What can Members say to him? He could still find time to see Hong Kong's richest man, LI Ka-shing, and even his sons. What is the problem here? It is all about the power of money. When there is money, there is recognition. He simply did not bother about how the 60 Legislative Council Members were elected. They were elected by the people, but so what? He will not have any time for those who do not have any money.

The second example is related to Provincial Party Secretary ZHANG Dejiang. He cut in when I was speaking, so I criticized him for being impolite. Mr ZHANG was once in Hong Kong talking to the media about CEPA. It was 2004, the year when the TUNG Chee-hwa Administration was in deep trouble. What did he say after talking with Mr TUNG? Secretary Stephen LAM may have forgotten already. But I advise him that he must always be aware of such minute hints if he wishes to stay on in his post. Mr ZHANG said, "I am a member of the Politburo of the Party Central Committee." In other words, he

meant to say that he was here to negotiate with our Chief Executive in this very capacity. He thought this would scare the people.

We must not forget that both of them were returned by a coterie election — perhaps Mr ZHANG's coterie was even smaller. Anyway, to sum up, as CEPA continues to expand, the "Nine plus Two" agreement and the entire PPRD will in fact be dominated by the capitals of bureaucrats in Guangdong. What evidence do I have? This reminds us of President JIANG Zemin, TUNG Chee-hwa's benefactor and moneygiver, or political moneygiver. His son is talking about buying the stocks of the company belonging to Mr LI's son. There is also our respectable Chairman LI Peng, who made his mark on the world for the bloodbath in Beijing years ago. His daughter is now very active in the commercial circles of Hong Kong, so smooth and suave in business dealings and seen almost every day in balls and parties of the rich. I do not care where they get all their money, for the motion today is not about China. However, the deeds of all these people are precisely the result of political power in Hong Kong being monopolized by just a handful of people. As a result, all organizations with public powers, including the Securities and Futures Commission and the 600 or so advisory committees and authorities (in brief, those organizations that are funded by us but beyond our control) all work for this handful of people.

I have recently heard that the Government intends to establish a special zone measuring 2 800 hectares in the boundary area. What will be the result? This will deprive the small business operators in New Territories North and Northwest New Territories of their means of living. Inside this special zone, there will be cheap labour and the prices of goods will be low. In a word, the Government intends to grant this low-priced lot to a handful of people as a base of profit-making. It even allows these people to engage in concept speculation beforehand and reap huge profits in the Hong Kong stock market.

Many of my constituents have said to me, "'Long Hair', you must speak for us. The Individual Visit Scheme has given us a little bit of help. But now land prices and rents are all rising. Our families will all die. 'Long Hair', you must tell people that the common masses are not the beneficiaries of China-Hong Kong trade. The only beneficiaries are those with connections, those who have votes because of their wealth, and those who have become even richer because of their votes." Honourable Members, all these miseries must be stopped immediately. Only democratic politics can monitor this complex transfer of benefits involving such a myriad of interests and billions of money. I hope that

small business operators, workers and young people can all rise to the cause of democracy for the benefit of the future generations in Hong Kong. The 4th of December will be the very day when we should all come out and fight for clean politics in Hong Kong.

PRESIDENT (in Cantonese): Mr LEUNG, your speaking time is up.

MR LEUNG KWOK-HUNG (in Cantonese): Thank you, President.

MR VINCENT FANG (in Cantonese): Madam President, Chief Executive Donald TSANG led all Legislative Council Members on a visit to the Pearl River Delta (PRD) in September. Since many Members had not been to the Mainland for a very long time, they were amazed by the rapid progress in transportation, urban construction, economic development, people' livelihood and environmental protection witnessed in the places visited. They also remarked that all that was inconceivable to them.

As a matter of fact, the keen competition among Hong Kong and international manufacturers for a foothold in the PRD has boosted the development of its economy, leading to rises in land prices and production costs. Besides, one must not overlook the fact that due to the strenuous efforts of the State to develop the central and western parts of the country over the past 10 years, the provinces surrounding Guangdong have also been progressing rapidly. This explains why over the past five years, many Hong Kong manufacturers have been expanding into a number of inland provinces. Such movements can enable these manufacturers to benefit from the still relatively low production costs in the new venues. But more importantly, they can thus get a direct foothold in the local market. For this reason, we in the business sector very much welcome the Pan-Pearl River Delta Regional Co-operation Framework Agreement (the "Nine plus Two" Agreement) signed by nine mainland provinces/regions, Hong Kong and Macao last year. It is hoped that Hong Kong businessmen can achieve further expansion on the basis of their experience in expanding the economic development of Hong Kong into the PRD.

I have investments in both places, so I have some personal feelings about the contents of motion today. Owing to the tiny size of its domestic market,

Hong Kong must rely on the Mainland for any development. However, the territory of the Mainland is very vast, so even though the Central Government has already put in place an integrated and comprehensive policy, local governments will still seek to protect their own interests by applying their own interpretations to the overall policy and the details of enforcement. Consequently, Hong Kong businessmen often have to make adjustments to suit the local requirements of their places of investments. Therefore, I hope that the Government can seek to promote the market integration of the "Nine plus Two" region on the basis of the "Nine plus Two" Agreement. It is hoped that in the case of operation licences, an arrangement of "one single licence for access to all nine provinces" can be put in place. For instance, if one is granted a retail operation licence in Guangdong, one should be permitted to operate retail business in the other eight provinces. This is highly attractive to businessmen and will only do good, instead of any harm, to local economic development.

With the accelerated flows of goods, people, capitals and information, it is extremely important to achieve co-ordination in the infrastructure facilities within the Pan-Pearl River Delta (PPRD) Region. In the case of airports, for example, there are already five in the PRD and more than 20 in the whole PPRD Region. Airports are capital-intensive investments, so we must also ask ourselves whether the resultant economic benefits can be proportional to the huge investments required. On the other hand, although the construction of the Hong Kong-Zhuhai-Macao Bridge has already been approved by the Central Government and the relevant feasibility studies have also be completed, the completion date has still be deferred again and again, beyond 2008 as originally scheduled. This bridge will be beneficial to all the three sides, but they have not yet reached any consensus, so one simply cannot know when it can be completed for use.

I hold that cross-boundary and cross-province infrastructures actually play a very significant role in a macro environment marked by the increasing internalization of the flows of people and goods. With a smooth corridor, it will be possible to achieve a synergy effect for the advantages of all the places along the way; not only this, while products, talents and various supplies within the region can be brought to the outside world, it will also be possible to bring in anything necessary. Separate and parallel developments will not only end up in wastage of resources due to duplicated efforts, but may also lead to vicious competition.

For all these reasons, I hope that on the basis of the "Nine plus Two" Agreement, the Government can seek to promote the infrastructure integration of Hong Kong and the PPRD and maximize the advantage of resource integration as much as possible. Officials of the Central Government have already disclosed that planning on the co-operation within the PPRD will be included in the Eleventh Five Year Plan now being drawn up by the State. This shows that even the Central Government has realized that the integrated development of the PPRD will be beneficial to the country as a whole. I hope that on this very basis, the Government can make efforts to bring about the finalization and completion of the Hong Kong-Zhuhai-Macao Bridge as early as possible. In this present case, the simple arithmetic of "1+1+1=3" will not apply because the entire western part of the country will surely benefit ultimately.

Although the focus is trade and economic co-operation, hygiene and disease prevention are also part of the framework agreement on co-operation because the PPRD is the main supplier of food for Hong Kong. I hope that on the basis of the "Nine plus Two" Agreement, the Government can step up its co-operation with the PPRD in respect of food safety. It is also hoped that the food source monitoring measure implemented jointly with Guangdong can be extended to the PPRD Region. This will further ensure the safety of foodstuffs supplied to Hong Kong and also induce the agricultural and fish farming industries of Hong Kong to invest in the Mainland. But then, there is of course the question of how they can sell their produce back in Hong Kong. Well, all will have to depend on the Administration's negotiations with the Mainland. Hong Kong and the Mainland are of the same descent and interdependent. The enhanced co-operation of Hong Kong with the PPRD will be beneficial to both sides.

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

MR PATRICK LAU (in Cantonese): Madam President, it really surprises me that we have finished discussing motions on the deepening of CEPA and "Nine plus Two" one after another in a matter of five months.

Regarding this motion, I have repeatedly stated here how the Government can help Hong Kong businesses and professionals to compete with overseas

businesses through reinforcing its offices in the Mainland. I have also reiterated repeatedly the need for the Government to expeditiously take initiatives to fight on behalf of Hong Kong professionals for equal treatment enjoyed by mainland nationals so that Hong Kong professionals will not be barred from starting up business on the Mainland because of the excessively high thresholds on business start-up capital, professional qualification requirements, joint venture requirements, consolidated business requirements, and so on. As I have expressed these views a number of times before, I am not going to spend extra time in this area today. However, this does not mean these issues are unimportant. On the contrary, I will continue repeating these views on behalf of the profession until the situation is improved.

Madam President, the initiatives proposed in the amendment are largely good. However, I do not entirely approve of the first one. Item (b) of paragraph 2 of the Pan-Pearl River Delta (PPRD) Regional Co-operation Framework Agreement with respect to co-operation principles states that in promoting regional co-operation, the principle of "markets operate, and the Government promotes" should be adhered to. However, it must be borne in mind that under the principle of free market operations, the Government's role should be limited to doing its best to foster a business environment conducive to investors and providing supportive assistance to investors. I am afraid this principle will be contravened should the proposal raised in the amendment to discuss regional planning with various provinces/regions be adopted.

On the contrary, the Hong Kong Government should take initiatives in approaching various provinces/regions in the PPRD Region to gather the latest information on their planning programmes in various stages. All information, whether relating to ongoing, planned or long-term programmes, can be made available through an easily accessible and open database in an official website for the reference of investors, in order that they can be facilitated in making commercial decisions on projects considered by them to be the most beneficial. However, it must be noted that such information must be up-to-date, or the information collected will become useless. Therefore, the Hong Kong Government must maintain closer and more frequent communication with the regional authorities concerned. In doing so, we will be able to, on the prerequisite of upholding free market operations, help Hong Kong businesses while avoiding vicious competition and resource wastage.

Madam President, I know that, because of the financial control imposed in the Mainland, many Hong Kong businessmen operating business in the Mainland cannot freely bring back the money they have earned in Renminbi even though they can freely bring with them Hong Kong dollars into the Mainland. Very often, they have to rely on some unofficial channels to transfer their money back to Hong Kong in a troublesome and dangerous manner. Similarly, some mainland enterprises will face the same obstacle when they need to pay for the services delivered by their business partners in Hong Kong.

For these reasons, if we hope to really expedite the economic development of the PPRD, the Government must consider conducting joint studies with the relevant authorities in China to examine ways to modify restrictions that will slow down economic activities. Before Renminbi can be brought into Hong Kong without any restrictions, one feasible or possible solution is to launch a pilot scheme in the Shenzhen Special Economic Zone by setting up a Shenzhen-Hong Kong Renminbi monetary authority — this is merely a suggestion — under which Hong Kong businesses providing services to mainland enterprises can exchange the money they have earned in Renminbi into Hong Kong dollar for the purpose of speeding up capital flow across the boundary and truly achieve the effect of "transferring the northern capital southwards".

Thank you, Madam President.

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

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): Mr CHAN Kam-lam, you may now speak on Mr Albert HO's amendment. You have up to five minutes to speak.

MR CHAN KAM-LAM (in Cantonese): President, as the content of the amendment moved by Mr Albert HO is basically consistent with the stance of my original motion, and Members of the DAB have already elaborated their views in this respect, I therefore support the amendment. Thank you, President.

SECRETARY FOR CONSTITUTIONAL AFFAIRS (in Cantonese): Madam President, I am deeply grateful to the many Members who have expressed such a wide range of opinions on the question today. Members have advanced many valuable views on enhancing economic and trade co-operation between Hong Kong and the Pan-Pearl River Delta (PPRD) Region. One of the emphases of the motion today is economic and trade co-operation, but since Secretary for Commerce, Industry and Technology John TSANG is overseas, making preparations for the imminent Ministerial Conference of the World Trade Organization, he is unable to attend this meeting today. I am therefore giving a reply on behalf of the Government. Actually, the contents of the question today also involve the work of the Constitutional Affairs Bureau because the Bureau is responsible for providing secretariat services for co-ordinating the co-operation between Hong Kong and the PPRD Region. Mr WONG Kwok-hing expressed the fear that he might be playing a tune too hard for an ox to appreciate. But he needs not worry because I was born in the Year of the Lamb.

Since the financial turmoil and the bursting of the property bubble in 1998, Hong Kong has been striving to identify a direction of economic development. After making various trials and gaining experience from them over the past few years, Hong Kong has identified a broad direction of economic development. In order to maintain sustained economic development, we must make full use of our advantage of being able to "leverage on the Mainland while engaging ourselves globally". This means that we must grasp the opportunities arising from the rapid economic development of the Mainland, with a view to turning them into an impetus for upgrading our own economic development.

It was precisely due to this consideration that in June 2004, Hong Kong signed the Pan-Pearl River Delta Regional Co-operation Framework Agreement with nine mainland provinces and regions and the Macao Special Administrative Region (the "Nine plus Two" Agreement). Upholding the same spirit, we hold that if Hong Kong is to derive benefits from PPRD regional co-operation, it must focus on increasing the flows of people, goods and capitals. Our strategy should be to fully utilize the measures and policies already approved by the Central Authorities, such as CEPA and the Individual Visit Scheme (IVS), with a view to promoting the co-ordination between Hong Kong and the PPRD Region on the one hand and with other mainland places on the other.

Madam President, I note that Mr Abraham SHEK and several other Members are very concerned about the progress of work under the "Nine plus

Two" Agreement. In regard to the flows of people, goods and capitals, we opine that all these flows must be two-way. In other words, Hong Kong must capitalize on its advantage in the financial and other services and provide a platform for the enterprises of the nine provinces and regions in the PPRD Region to "go global". And, at the same time, Hong Kong businessmen, especially the Hong Kong manufacturers operating in the Pearl River Delta (PRD) Region, can rely on the PPRD Region as a vast hinterland of development and a huge domestic market for the sale of their goods.

As regards promoting the flow of people, I first wish to raise the point that this does not merely involve the IVS — although Mr CHAN Kam-lam's original motion also mentions the IVS. It is obvious that the IVS has led to overall growth in the tourism industry and created many business opportunities for the retail, hotel, catering and consumer goods industries, thus helping to lower the unemployment rate. Our unemployment rate is now 5.3%, a record low for years; to a great extent, this is attributable to the new employment opportunities generated by the growth of the local services industries.

As rightly pointed out by Mrs Selina CHOW, the IVS is most crucial. Over the past few years, the Hong Kong Tourism Board has been making efforts in many different areas. The various provincial and municipal authorities in the PRD have also joined hands to promote regional co-operation, and in conjunction with the Macao Special Administrative Region Government, all have been working to promote "single trip, multiple destinations".

Since its implementation in 2003, the IVS has brought about a rough increase of 10 million in the number of mainland visitors to Hong Kong. In 2004, a total of 4.25 million visitors came to Hong Kong under the IVS, generating an extra tourism revenue of \$6.5 billion for Hong Kong. In the first 10 months of 2005, the number of visitors to Hong Kong under the IVS already reached 4.56 million, representing 45% of all mainland visitors to Hong Kong, or an increase of 34% when compared with the figure for the corresponding period of 2004.

The IVS currently covers 38 mainland cities, 25 of which are located in the nine provinces/regions of the PPRD Region. Of these 25 cities, 21 are in Guangdong Province, three are in Fujian and one is in Sichuan. This means that there is still much room for the development of the IVS within the nine

provinces/regions of the PPRD, particularly places outside Guangdong Province. As pointed out by the Chief Executive in the policy address, we will continue to work for the expansion of the IVS into those provincial capitals and cities within the PPRD which are not currently covered by this policy.

On one or two occasions, Mr Howard YOUNG expressed the hope that foreign visitors to the Mainland could be allowed to re-enter without having to apply for another visa after coming over to Hong Kong for a short stay. Since immigration technicalities are involved, we will have to conduct studies and negotiations with the relevant mainland authorities when an opportunity arises.

As regards promoting the flow of goods, Ms Miriam LAU has discussed in great detail how the interests of the industry will be affected. Actually, over the years, she has been making tremendous efforts to promote and uphold the status of Hong Kong as a logistics and freight transport centre. In order to facilitate the goods flow, we must build up a sound network in the PPRD Region. This is precisely one of the focuses of Mr Albert HO's amendment.

Madam President, since Hong Kong and Guangdong are geographically connected, our strategy is to join hands with Guangdong to develop cross-boundary infrastructure facilities, so that our transport systems can be connected to those provinces/regions in the PPRD via Guangdong. This is our overall strategy. The Hong Kong-Shenzhen Western Corridor, for instance, is one of the cross-boundary infrastructure projects being actively pursued by both Hong Kong and Guangdong. Following the inauguration of the Hong Kong-Shenzhen Western Corridor in 2006, the daily throughput of cross-boundary traffic will increase by 80 000 vehicle trips.

The advance work for the Hong Kong-Zhuhai-Macao Bridge is progressing steadily. The Hong Kong-Zhuhai-Macao Bridge Advance Work Co-ordination Group, which comprises representatives from Guangdong, the Hong Kong Special Administrative Region (SAR) Government and the Macao Special Administrative Region Government, is examining the findings of the project feasibility reports.

Besides, Hong Kong and the relevant mainland authorities (including the Guangdong Provincial Government) are also actively studying the construction of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (ERL), and the

topics under study cover the articulation of the mainland and Hong Kong sections of the ERL.

Mr Howard YOUNG talked about the significance of helicopter service. In this regard, we are actually holding ongoing discussions with the Guangdong Provincial Government on the establishment of helicopter routes on the one hand and on the other, we are also holding an internal public consultation exercise on the construction of a new heliport in Central.

In his speech, Mr Albert HO made it a point to say that the boundary areas to the north and south of the Hong Kong section of the Shenzhen River must not become bottlenecks. The fact is that over the years, the SAR Government's policy in this respect has been based precisely on this consideration. This explains why we have attached so much importance to the construction of the Hong Kong-Zhuhai-Macao Bridge, the Hong Kong-Shenzhen Western Corridor and the ERL for connection to Guangzhou. Upon the completion of these new facilities, we will no longer have to rely solely on the boundary area adjacent to Shenzhen; with the Hong Kong-Macao-Zhuhai Bridge, we will also be able to tap the endless flows of people, goods and even capitals on the west bank of Pearl River.

With respect to promoting the flow of capitals, I wish to point out that as at October this year, more than 320 mainland companies were listed in the Hong Kong stock exchange. Since the signing of the "Nine plus Two" Agreement, about 80 companies in the PPRD Region have been listed in Hong Kong. This has contributed to both the promotion of Hong Kong as a financing platform for mainland enterprises and the enhancement of Hong Kong-Mainland co-operation in financial services.

Here, I would like to raise two related points. First, in order to give the local financial services sector a better understanding of the mainland market, the Secretary for Financial Services and the Treasury led a 70-strong delegation to Fujian Province in September last year. The aim was to enable the Hong Kong investment sector, especially venture capital investment funds, investment banks and entrepreneurs, to gain a better understanding of the investment opportunities in Fujian Province. We also took this opportunity to present the strengths of Hong Kong as an international financial centre to the provincial government and enterprises of Fujian, with a view to encouraging more Fujian enterprises to use Hong Kong as a financing platform for raising development capitals.

The second point I wish to raise, Madam President, is about the efforts to induce mainland enterprises to use the financial services offered by Hong Kong. This is also one of our focuses of work. The SAR Government plans to host the Pan-Pearl River Delta Financial Services Forum in March next year with the theme of using Hong Kong as a platform of international financing and investments for the Mainland. We will invite representatives of PPRD provincial governments and enterprises to the Forum, in the hope of enabling these PPRD regional representatives to gain a first-hand and comprehensive understanding of Hong Kong's financial services and inducing them to use Hong Kong as a platform for access to the world market.

Madam President, so much for the flows of people, goods and capitals. I now wish to turn to the measures of intensifying the implementation of CEPA and streamlining the procedures for mainland enterprises wishing to invest in Hong Kong. Mr CHAN Kam-lam's motion proposes to deepen CEPA in the PPRD, and both he and Mr Albert HO propose to simplify the various procedures for mainland enterprises intending to invest in Hong Kong. We agree to this development direction. As a matter of fact, at the meeting of the Hong Kong/Guangdong Co-operation Joint Conference in September this year, both sides agreed to conduct further studies on perfecting the management systems for CEPA, increasing the transparency of its implementation, streamlining the approval procedures and stepping up publicity, so that Hong Kong enterprises can first develop more soundly in Guangdong before expanding into other "Nine plus Two" provinces/regions.

At the same time, the SAR Government will continue to persuade the mainland authorities to simplify the procedures for PPRD enterprises intending to make outward investments, so as to encourage these enterprises to make the best use of Hong Kong as a platform of "going global". In a bid to tie in with the State's policy of encouraging and supporting investments in Hong Kong by mainland enterprises, the relevant departments of the SAR Government, including Invest Hong Kong, the Economic and Trade Office in Guangdong, the Beijing Office and the Hong Kong Trade Development Council (TDC), have all stepped up their promotion efforts of inducing mainland enterprises to invest in Hong Kong, providing comprehensive and business-friendly services and assistance to mainland enterprises intending to establish their presence in Hong Kong.

Invest Hong Kong is now providing a One Stop Service tailor-made for mainland enterprises intending to invest in Hong Kong. As for the TDC, its focus of work is to step up the efforts of promoting Hong Kong as a platform of commerce and trade. Through its 11 offices in the Mainland, the TDC has already grasped the requirements of mainland enterprises wishing to operate in Hong Kong or to "go global" via Hong Kong. It has also established a database on mainland enterprises operating successfully in Hong Kong and on those succeeding in "going global". These cases are quoted as far as possible as examples of success in the extensive publicity conducted in the Mainland.

As regards the two offices to be established and the two existing offices in the Mainland, they will step up promotion and publicity efforts, so as to tie in with the activities of Invest Hong Kong and the TDC. The two new economic and trade offices we propose to open, especially the Chengdu office, will further step up the publicity and promotion efforts in PPRD provinces. Naturally, the economic and trade office to be set up in Shanghai will also conduct publicity in the Yangtze River Delta. In regard to these two offices, I must thank Mr WONG Ting-kwong and other Members in this Chamber for their recognition and support. In the past two weeks, Madam President, thorough discussions were already held in two different panels on various issues relating to the work and additional manpower needs of these four offices.

On the question of co-ordination in infrastructure construction in the PPRD Region, Mr Albert HO urges on the importance of co-ordination. As a matter of fact, the various places in the PPRD Region also recognize such a need. This explains why there is a special planning project for transport systems co-operation under the Pan-Pearl River Delta Regional Co-operation Framework Agreement. With this special planning project, it is possible for the various sides to exchange information and views on their respective development and construction projects as early as possible. This will be useful in co-ordinating the construction of infrastructure facilities in the provinces/regions and the Special Administrative Regions. In fact, we do agree that there must be co-ordination in terms of infrastructure planning within the PPRD Region, and that this is essential to the formation of a complementary partnership between the SAR and other places in the PPRD.

Ms Audrey EU has mentioned the issue of competition. But I must say that competition is no stranger to Hong Kong and we should not be afraid of it at all. For decades, the various trades and industries in Hong Kong have had to

face the competition from many different places, but the economy of Hong Kong has still continued to boom incessantly despite the highly competitive environment. The SAR Government will strive to strike up infrastructure co-ordination with neighbouring provinces/regions. The Hong Kong-Zhuhai-Macao Bridge and the ERL are two examples of such efforts. At the same time, we must continuously upgrade our own competitiveness and enhance our advantages. I think that mainland provinces/regions are indeed our rivals on the one hand and partners on the other.

Apart from talking about the importance of infrastructure construction, Mr Vincent FANG has also mentioned co-operation by airports. In this regard, apart from the Shanghai airport, we have also been considering other airports. The Hong Kong Airport Authority has been co-operating with these other airports.

Miss CHOY So-yuk and several other Members have discussed the importance of environmental protection. I think that this should also be a subject of our concern under the framework of regional co-operation. Madam President, I therefore wish to say a few words on the air quality problem affecting Guangdong and Hong Kong. We have in fact been making efforts in this respect. Both Guangdong and Hong Kong will phase in the Pearl River Delta Regional Air Quality Management Plan, with a view to achieving the objective of reducing the emission of air pollutants by 2010. Besides, the Pearl River Delta Regional Air Monitoring Network jointly established by both sides has already been validated. Both sides are now making active preparations for the daily publication of the Pearl River Delta Regional Air Quality Index before the end of this year. That way, residents of the two places will have a better idea of the air quality trends in the region.

Madam President, Mr Albert HO has mentioned the need for providing assistance to Hong Kong businessmen encountering difficulties in the Mainland. We are currently operating two offices in the Mainland and as I have already mentioned, the number of such offices will be increased to four. It is the responsibility of these offices to offer appropriate assistance to every Hong Kong businessman and Hong Kong resident approaching them for help. Besides case referral, these offices will also provide information to the assistance-seeker in the light of the nature and circumstances of the case concerned and also on the basis of their past experience in handling similar cases, so as to give him a clear idea of which mainland departments he should approach for handling of his problems.

Mr James TO, Mr Albert CHAN and Mr WONG Kwok-hing have all made it a point to say that these offices must handle all requests for assistance properly. In this connection, we already intend to hold negotiations with the relevant mainland departments on the feasibility or otherwise of stationing Immigration Department staff in the office in Guangdong for the purpose of providing assistance to Hong Kong residents encountering accidents or difficulties in Guangdong and its four neighbouring provinces.

We also note that some Hong Kong organizations have established their presence in the Mainland. The Hong Kong Federation of Trade Unions, for example, has set up offices in the Mainland. We will maintain contact with these organizations and seek to know more about their work in the Mainland, so as to identify possible areas of co-ordination.

Mr Jeffrey LAM has discussed the issue of operating businesses in the Mainland. This is an important issue and our economic and trade offices are also very concerned about it. One example of their successful follow-up is the effort of the Economic and Trade Office in Guangdong in solving the problem of certificates of origin for imported steel encountered by Hong Kong businessmen. We have also reflected the views of Hong Kong businessmen on textile quotas.

Besides, the SAR Government has also been making active efforts to facilitate negotiations between the TDC and the Bureau of Foreign Trade and Economic Co-operation of Guangzhou on the formulation of a Hong Kong-Guangdong co-ordination mechanism for CEPA market entry facilitation. This mechanism will serve two major purposes. The first function is the dissemination of information. With this, Hong Kong businessmen can acquire a timely and comprehensive understanding of the relevant policies and latest progress of the implementation of CEPA. That way, problems arising from inadequate communication and information can be reduced. The second function is the referral and follow-up of cases. When Hong Kong businessmen encounter problems with their applications for establishing enterprises in Guangzhou under CEPA, this referral mechanism can enable us to ascertain the natures of the cases concerned and help them tackle the problems.

Madam President, I now wish to sum up my reply. I notice that the topics raised by Members in the debate today are actually very extensive in scope.

Instead of merely focusing on the economic prospects of Hong Kong, Members have also touched upon such topics as economic co-operation and trade, tourism, infrastructure facilities, logistics, employment, lowering the unemployment rate and environmental protection.

Madam President, as Miss CHAN Yuen-han has rightly reminded us, we must ensure that there are both prospects and a proper orientation for the economic development of Hong Kong. But I must tell her that over the past few years, the SAR Government has already formulated an integrated policy and orientation on this. Since the reunification, many policies, such as CEPA, the IVS and RMB business, have been implemented in Hong Kong. These policies are of course founded entirely on "one country, two systems", but they also owe their origin to our idea on regional economic co-operation. Our efforts have in fact been highly recognized by international investors. According to our latest statistics, 3 800 foreign enterprises are operating their regional headquarters or offices in Hong Kong this year. This represents a 50% increase when compared with the figure of roughly 2 530 for the year 1997. I believe many of these enterprises have established their presence in Hong Kong with the aim of entering the mainland market.

Although it has been a very short time since the implementation of CEPA, the value of goods exported to the Mainland on zero tariff so far this year has already doubled that recorded in the corresponding period last year. This proves that the efforts of all sides have borne fruit.

Mr WONG Kwok-hing has asked six questions; this is already the third time that I mention his name today. I note that his greatest concerns are the problem of employment and how we should offer assistance to those grass-roots Hong Kong people with lower educational qualifications.

Madam President, the policies we have implemented over the past few years, such as the IVS and the development of logistics and the shipping industry, are all meant to create more employment opportunities to people from this social stratum. The unemployment rate has dropped from 8.6% in 2003 to 5.3% today. This shows that some progress has been made. But we are not yet satisfied and we will continue to work hard on this. We will therefore strive to implement the various policies. At the same time, we must upgrade our manpower training here in Hong Kong. In this regard, we do have an objective and it is by now almost accomplished. We hope that 60% of our high school

leavers can receive tertiary education. As for other people, we will continue to invest resources in their retraining.

Madam President, as rightly pointed out by Mr CHAN Kam-lam, it is no longer enough for us to cling to the policies and mindsets of the 1970s and 1980s, such as the belief in "front-shop-back-plant" operation. We must co-operate with the Mainland in a proactive and comprehensive manner by making use of all new policy frameworks. We must take advantage of CEPA and various forms of regional co-operation; we must try actively to build up ties with the relevant departments of the Central Authorities and provincial and municipal governments, so as to ensure that the governments concerned can all follow roughly the same policy directions, and that any formulated policy, such as CEPA, can be fully implemented not only by the Central Authorities but also by provincial and municipal governments. Madam President, it is only by doing all this that we can take full advantage of our development strategy of "leveraging on the Mainland while engaging ourselves globally" and remove all obstacles to policy implementation and infrastructure construction.

Madam President, I so submit. Thank you.

PRESIDENT (in Cantonese): When the Secretary for Constitutional Affairs was speaking, Dr Raymond HO made a request for speaking immediately after the Secretary for the reason that he had only just returned to the Chamber. Since we have not voted on the amendment, I shall allow Dr Raymond HO to speak.

DR RAYMOND HO (in Cantonese): Madam President, thank you for giving me the opportunity to speak on this motion. Miss TAM Heung-man and I went to the Hong Kong Coliseum in Kowloon just now to attend the Graduation Ceremony of the Vocational Training Council.

DR RAYMOND HO: Madam President, Hong Kong has been playing a leading role in the economic development of the Pearl River Delta (PRD) Region since the launch of the Mainland's economic reforms in the late '70s of the last century. At present, there are some 53 000 Hong Kong-invested manufacturers in the PRD Region, employing over 10 million workers. Indeed, the PRD Region has become one of the fast-growing regions of the Mainland.

Built on its strengths and past experiences, Hong Kong can assume a bigger role under the Pan-PRD Regional Co-operational Framework Agreement signed by nine provinces and two special administrative regions in June 2004. With this "Pan-PRD" or simply "Nine plus Two" Agreement, our hinterland has expanded from the coastal provinces, like Guangdong and Fujian, into the inner provinces, such as Jiangxi, Guizhou, Sichuan, Yunnan, Hunan, Hainan, the Guangxi Zhuangzu Autonomous Region.

As we all know, the scope of co-operation under the "Nine plus Two" Agreement is quite broad and it covers a diversity of areas, such as investment, trade, technology, transport, agriculture, logistics, information exchange, tourism, environmental protection and labour services.

But good transport infrastructure is always a prerequisite for successful regional economic integration. In this connection, Hong Kong must give priority to the development of cross-boundary transport infrastructure. Not long ago in the Legislative Council, I spoke on the subject during the debate on the Motion of Thanks to the policy address and urged the Chief Executive to see to the early commencement of the construction of the much debated Hong Kong-Zhuhai-Macao Bridge and the Guangzhou-Shenzhen-Hong Kong Express Rail Link. With a view to planning ahead to meet future needs, the Government of the Hong Kong Special Administrative Region (HKSAR) must take initiatives in co-operating with other neighbouring regions in major infrastructure including transport, power, telecommunications networks, and so on. In this respect, Hong Kong has much to offer, given its strengths and vast experiences in financial and professional services. Capital-raising, project financing and management, engineering consultancy and designs are among our highly acclaimed advantages.

Indeed, Hong Kong can act as a high valued-added services centre for the Pan-PRD. Besides, Hong Kong may also position itself as a bridgehead for overseas investors who want to tap into the Region under the "Nine plus Two" framework. For realizing the full potential of Hong Kong enterprises and professionals, the HKSAR Government must make its best efforts to expand the scope of the Mainland/Hong Kong Closer Economic Partnership Arrangement (CEPA) and promote its full implementation.

The relatively high entry threshold for both Hong Kong enterprises and professionals who wish to establish practices on the Mainland remains a critical issue. This may help as a first step, if the "Nine plus Two" partners can be persuaded to take the lead in lowering the entry threshold. Other provinces and regions will follow suit if they could see for themselves the mutual benefits so created. To this end, it is essential that other provinces, particularly the partners in the "Nine plus Two" Agreement, are made to understand that the full implementation of CEPA is not only good for Hong Kong but also for them.

Madam President, the "Nine plus Two" Agreement provides a solid co-operation framework for regional co-operation and development. The HKSAR Government must strive to promote its implementation on the basis of equality and mutual benefit. While Hong Kong must not act as overbearing partner, we can surely play a more proactive role.

In fact, I came back yesterday afternoon from Beijing with the executives of the Hong Kong Institution of Engineers, after paying a visit to the Ministry of Commerce on Monday morning.

We were given the message that we should concentrate on providing our services to the Pan-PRD Region to start with, and this would give us an even better opportunity to effectively utilize or capitalize on the advantages which we have in Hong Kong. I think the message is clear: The Central Government is hoping strongly that working together or co-operating will bring mutual benefits to both Hong Kong and the Mainland.

With these remarks, Madam President, I so submit.

PRESIDENT (in Cantonese): Secretary for Constitutional Affairs, do you wish to speak again?

SECRETARY FOR CONSTITUTIONAL AFFAIRS (in Cantonese): No, I do not.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the amendment, moved by Mr Albert HO to Mr CHAN Kam-lam'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.

(No hands raised)

PRESIDENT (in Cantonese): I think the question is agreed by a majority respectively of each of the two groups of Members, that is, those returned by functional constituencies and those returned by geographical constituencies through direct elections, who are present. I declare the amendment passed.

PRESIDENT (in Cantonese): Mr CHAN Kam-lam, you may now reply and you have six minutes 15 seconds.

MR CHAN KAM-LAM (in Cantonese): President, insofar as today's motion is concerned, apart from urging the Government to enhance the comprehensive co-operation between Hong Kong and the Mainland, it also aims at, more importantly, strengthening our crisis awareness in the process of taking forward development in different aspects. It is a fact that our neighbouring regions have made rapid progress in recent years in both economic development and people's livelihood. On the home front here in Hong Kong, the lack of a crisis awareness, coupled with a number of other contributing factors, has not just made us unable to achieve major breakthroughs in our economic restructuring efforts, but it has also led to the emergence of signs of retrogression in certain areas where we used to enjoy a competitive edge, and the most notable case in point is definitely our port business. According to the statistics, we can see that, during the first three quarters of the year, our container throughput has increased by only 2%, which is far lower than the 21% of Shenzhen. For the month of September alone, Hong Kong's rate of increase was just 4%, whereas Shenzhen's rate was over 13%. It could become a new long-term development trend for our container terminals to have a lower growth rate than that of Shenzhen. Will Hong Kong lose its present status as the top-ranking container port of the world? This is exactly where our worry lies.

In fact, there are other lurking dangers that warrant our attention too, such as the recent withdrawal of capital out of Hong Kong by certain investors. In

June this year, Hutchison Whampoa sold its Hong Kong port business to Singapore's PSA Corp for a consideration of more than \$7.2 billion. Earlier this month, the company engaged in a joint venture with Shenzhen Yantian Port Group Company for participation in the Yantian port expansion project with a total investment of RMB 10 billion yuan. In another incident, the Wharf Holdings Limited has successfully bid the Dachan Bay Container Terminals Phase I Project, which involves an investment of approximately HK\$7.1 billion. Evidently, some major local investors are gradually withdrawing their capitals out of Hong Kong and channel them to the Mainland for investment in infrastructural facilities. Of course, we do not oppose it. Yet, we must instil in ourselves a crisis awareness: Why are we no longer able to maintain our competitive edge? What has happened is apparently a siren call to Hong Kong's economic development.

Now, if Hong Kong and the PPRD Region were to maximize the benefits of our co-operation, the first step is to clear all the hurdles standing in our way, such as discarding "Hong Kong chauvinism". Recently, I talked to an expert from Shenzhen's China Development Institute. According to him, as there are many competing forces in the PPRD Region, the factors that would enable a major Hong Kong corporation to stand out from its counterparts are the mentality, the ability to accept new ideas and vision. His words have illustrated a fact, that is, we have been relying on the Mainland for a prolonged period of time, but we have not adopted any facilitating policies. This is obviously inadequate.

President, the Chief Executive and you led all the Members of this Council on a fact-finding visit to four different cities in Guangdong in late September this year. Members marvelled at the progress of the economic and urban development of the cities in the Mainland, and we all recognized the achievements accomplished by the PPRD Region. The problem is, many still hold the view that the Mainland is still lagging far behind us, without realizing that they are developing at a pace much quicker than ours; and their conditions are no inferior to ours. Yet, on the other hand, in comparison with us, they are in a more advantageous position in terms of manpower training, costs of production, room of expansion, macro development strategies and crisis awareness, and so on.

We firmly believe that if government officials and people from different sectors of Hong Kong can break away from the small circle of Hong Kong and work sincerely with the Mainland in areas of trade and commerce, the development prospects and scale of Hong Kong will not be restricted to the mere 1 000 sq km of land in our territory, but instead, it will cover the entire PRD. On the contrary, Hong Kong will be marginalized if it continues to develop within the self-imposed circle, thereby restraining itself from making any progress beyond it.

Furthermore, if Hong Kong can resolve many of the social disputes in a rational and pragmatic manner and spend more time on contemplating its direction of economic development, I believe Hong Kong and the PPRD Region can, with the concerted efforts of everybody in society, enable our economic co-operation with the PPRD Region to scale new heights. Thank you, President.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Mr CHAN Kam-lam, as amended by Mr Albert HO, be passed. Will those in favour please raise their hands?

(Members raised their hands)

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

(No hands raised)

PRESIDENT (in Cantonese): I think the question is agreed by a majority respectively of each of the two groups of Members, that is, those returned by functional constituencies and those returned by geographical constituencies through direct elections, who are present. I declare the motion as amended passed.

PRESIDENT (in Cantonese): Second motion: Policy on inheritance of "dai pai dong" culture.

POLICY ON INHERITANCE OF "DAI PAI DONG" CULTURE

MR TOMMY CHEUNG (in Cantonese): Madam President, I move that the motion, as printed on the Agenda, be passed.

There are now only 28 cooked food "dai pai dongs", or street side cooked food stalls, remaining in Hong Kong. According to the existing policy on Fixed Pitch (Cooked Food or Light Refreshment) Licence, if the licence holder of a "dai pai dong" passes away, only his or her surviving spouse can inherit the licence, and this surviving spouse has to personally manage the "dai pai dong". Current licence holders may also choose to surrender and revoke their licence under an *ex gratia* scheme and receive an *ex gratia* payment of \$60,000. In short, the policy aims at eliminating "dai pai dong".

The concept of this policy dates back to 1956. At that time, the Government believed that "dai pai dong" affected the general outlook of the city and they were not environmentally hygienic and safe, so it decided to reduce the number of "dai pai dong" by enacting laws to forbid the transfer of these licences. Subsequently, the Government had stopped issuing new "dai pai dong" licences since 1973, and in 1983, the Government called on the licence holders to surrender their licences.

However, after the lapse of half a century, there is apparently a different consensus in society now. We may recall that back in May this year, the licence holder of Man Yuen Noodles, a street side cooked food stall located in Central with a history of over 80 years, passed away, and he did not have a surviving spouse to inherit the licence. At that time, the licence holder's assistant implored the Food and Environmental Hygiene Department (FEHD) to exercise discretion to allow the noodle stall to continue its operation as an exception, and the matter was also discussed in the Panel on Food Safety and Environmental Hygiene of this Council. But the Director of FEHD resolutely refused to exercise his discretionary power.

Since then, the public has been discussing whether Hong Kong should preserve these "dai pai dong". Some editorials criticized the Government of being too rigid and inflexible. A number of writers of cultural columns expressed the worry that Hong Kong's "dai pai dong" culture would disappear. Some organizations, academics and members of the public even wrote to the Government and requested that "dai pai dong" be preserved. It is evident that there is a consensus in society that "dai pai dong" should stay.

In fact, the reason for this is simple. Hong Kong people are emotionally attached to "dai pai dongs". The origin of "dai pong dongs" can be traced back to the post-war period. At that time, in an attempt to revive the economy as quickly as possible, the Government granted an exemption and issued a special licence to family members of civil servants who were wounded or killed in the war; and by this licence, they were allowed to operate food stalls on the streets. As this special licence was bigger in size than hawker licences, hence it was called "dai pai dong", which means "stalls with a big licence". "Dai pai dongs" do carry some special significance to Hong Kong because they witnessed the economic takeoff of Hong Kong in the post-war period.

You may ask this question: In the '70s, was there anyone who did not know the Gala Point (Tai Dat Tei), where many "dai pai dongs" clustered together? "Dai pai dongs" display some unique visual impacts that are nowhere to be found in other eating establishments, including all those folding chairs and folding tables under the metal canopy, the burst of flame from the stove shooting up as high as three feet in the air, the performance of the cook as he stir-fries with the wok, and the steamy, freshly cooked hot food. While making his film "In the Mood of Love", famous director WONG Kar-wai made some live shots at "Keung Kee dai pai dong" at Yiu Tung Street of Shek Kip Mei, shooting the actress carrying her take-away with her own meal box. Now does this scenario remind us of the time in our childhood or adolescence? In the news clippings of this current month, there is an article named "Collective Memory of Dai Pai Dongs", which detailed the locations of the remaining 20-odd "dai pai dongs" and featured the special dishes of each of them. This shows that the people of Hong Kong are still very much fond of the traditional flavour of these "dai pai dongs".

The "Man Yuen Incident" has rung a warning bell to remind us that the remaining 28 "dai pai dongs" represent a valuable heritage of our culture. We have to face the issue and ask ourselves this question. Is it our wish that we could only pay homage to these "dai pai dongs" in a museum 10 years from now, just like the fourth generation runner of Man Yuen Noodles, Ms LEE, has said?

I always stress that the catering industry is closely related to the tourism industry. The authorities must realize that tourists from different regions are attracted to Hong Kong not only by international big names like the Disneyland or the Ocean Park, but also by something uniquely Hong Kong such as our local culture and our cultural heritage. "Dai pai dongs" represent a unique culinary

tradition of Hong Kong. As such, we should put this tradition to good use and preserve its distinctiveness so that this traditional culinary culture can thrive. Given adequate publicity, "dai pai dongs" could become a highlight for the promotion of Hong Kong's tourism industry. Meanwhile, by enabling these small businesses to continue their operation, more shoppers could be attracted to shops in the vicinity, creating a synergy effect to benefit all parties involved.

The Singapore experience is a good case for our reference. Instead of trying to eradicate street side cooked food stalls, the Singaporean Government actively promoted the trade and relocated more than 200 famous cooked food stalls into 12 Hawker Centres. In 2002, the Government initiated a Hawker Centres Upgrading Programme and allocated 420 million Singaporean dollars (approximately HK\$2 billion) to fund a comprehensive programme to improve the environmental hygiene of the Hawker Centres. The Singaporeans have succeeded in transforming their cooked food hawkers into a unique Singaporean culture. Why can Hong Kong not do the same?

In handling the case of Man Yuen Noodles, the Government flatly refused to change the existing policy on "dai pai dongs" mainly for three reasons. First, since the policy for phased reduction of the number of "dai pai dongs" has been in place for many years, under the principles of consistency and impartiality, the authorities thought that they should not change it, otherwise they would find it hard to explain to those licence holders who had voluntarily returned their licences previously. Now we have to ask: Should our policies be restrained by history? Like I have said just now, it is apparent that the people have adopted a different stance over whether "dai pai dongs" should stay. Members of the public are now in favour of preserving "dai pai dongs" which have a long history of existence in Hong Kong. With regard to those who voluntarily returned their licences in the past, they had already received the *ex gratia* payment from the Government. Further, there are different needs in different periods of time, so we cannot always compare the past to the present. It is only sensible and reasonable for the Government to review and change its policy in accordance with the overall requirement of society.

The second reason held by the authorities is that Man Yuen Noodles has already been relocated into a commercial premise where it will soon commence operation. They have even invited local artist Charlene CHOI to be the officiating guest for their opening ceremony. In this regard, it is actually

normal for a "dai pai dong" to be relocated into a commercial premise. However, once these "dai pai dong" have moved into commercial premises, not only will the prices go up because of the higher rents they have to pay, they will also lose its unique flavour. The special flavour of Man Yuen Noodles as a "dai pai dong" will become a thing of the past. This being the case, in holding this argument the Government has apparently failed to appreciate the aspiration of the people. When a "dai pai dong" moves into a commercial premise and is removed from the street, the sight of the metal canopy and the folding tables, and so on, will no longer be seen, and the customers will no longer be able to watch the activities going on in the kitchen in close proximity. It is no longer a "dai pai dong". It will be stripped of its special distinctiveness and profound cultural characteristics. What Hong Kong people need is not just a famous eating establishment, but a dynamic "cultural heritage".

Thirdly, the authorities insist that "dai pai dong" are subject to outside influences, so the problems of environmental hygiene and food safety will persist. What we have to bear in mind is that when the Government decided to reduce the number of "dai pai dong" in the '50s, it was because "dai pai dong" were very robust businesses, so robust that it caused a speculation in the buying and selling of "dai pai dong" licences. Owners of "dai pai dong", on the other hand, were over-copiously expanding their seating capacity. However, the ecology of the catering industry in Hong Kong has undergone dramatic changes since then. Today, "dai pai dong" no longer dominate the industry, and there are stringent mechanisms to govern environmental hygiene and food safety issues. Local eating establishments have to comply with relevant requirements, and "dai pai dong" are no exception.

According to the statistics made available by the FEHD, in the first 10 months of this year, 41 complaints had been received against street side cooked food stalls for causing nuisances. The number of prosecutions was 215, which was similar to that of the preceding year. There were no further breakdown on the nature of these complaints, but to my understanding, most of them were about obstruction caused by tables and stools. Generally speaking, the number of complaints against street side cooked food stalls is not really large at all, whereas issues such as obstruction caused by tables and stools are pretty easy to handle. As catering facilities and building technology keep on improving nowadays, the nuisances caused by "dai pai dong" to the public should be minimized over time.

The issue of "dai pai dongs" demonstrated that the authorities have been rigid and inflexible and they see it just as a hygiene problem. It shows that our government departments are narrow-minded, with each department judging matters purely from the perspective of their own area of responsibility. The authorities must realize that the times have changed. Currently our society emphasizes cultural heritage with the understanding that history and heritage play a pivotal role in the development of our city.

Therefore, the Government should handle the "dai pai dong" issue with a new mentality. It must abandon such concepts as "outlawing", "eliminating" and "phasing-out", and so on. On the contrary, it should formulate proposals for "preserving" and "promoting" "dai pai dongs"

With regard to how we should implement the new proposals, I in fact keep an open mind. On whether "dai pai dongs" should continue to operate *in situ* or new locations should be identified for setting up "dai pai dongs" designated zones, I do not have any strong views. The most important point is that we must first consult the industry on the choice of a suitable location, and the designation of such a zone should tie in with the overall tourism development plan, so as to enliven the economic activities of the district. But I agree that we must ensure the new proposal would not cause nuisances to the residents concerned.

With these remarks, Madam President, I implore Honourable colleagues to support my original motion.

Mr Tommy CHEUNG moved the following motion: (Translation)

"That this Council urges the Government to look squarely at the concept of cultural inheritance and affirm the historical value of street side "dai pai dongs", review the licensing policy for "dai pai dongs" in order that they can complement the tourism development plans and, at the same time, assist the operators of "dai pai dongs" in identifying suitable sites to continue their operation in compliance with the environmental hygiene and safety requirements, so that this traditional culinary culture can thrive."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Mr Tommy CHEUNG be passed.

PRESIDENT (in Cantonese): Miss CHAN Yuen-han and Mr Fred LI will move amendments to this motion respectively. The motion and the two amendments will now be debated together in a joint debate.

I will call upon Miss CHAN Yuen-han to speak first, to be followed by Mr Fred LI; but no amendments are to be moved at this stage.

MISS CHAN YUEN-HAN (in Cantonese): Madam President, the question of today's discussion does evoke my strong feelings. On the one hand, it is because not too many of such "dai pai dongs" with local characteristics are left now. On the other hand, the current policy adopted by the authorities in managing such "dai pai dongs", vendors and hawkers has actually stopped the lower class from climbing the social ladder through their personal endeavours, thus nearly putting a halt to social mobility here.

Madam President, we have always said that assisting the poor does not mean just giving them some money and some benefits; instead, we should assist them in finding jobs and changing to some other professions. However, has the Government seriously studied what are the ways and opportunities it should provide to the grass-roots people, thus assisting them to eradicate poverty? Let us take "dai pai dongs" as an example. "Dai pai dong" was the product of the policy adopted by the Government in the '50s and '60s for alleviating poverty. We can see that the Government at that time made very good and active use of this product. In fact, we can now do something similar by introducing some innovative ideas to "dai pai dongs", and then make use of them as a good solution for alleviating poverty. However, instead of presenting to us such good solutions, why is the Government trying to drive the "dai pai dongs" into total extinction?

Madam President, I have great respect for the Secretary. He is responsible for the management of certain parts of the businesses mentioned in this motion. However, as he is a medical doctor, I am slightly worried about whether he can understand what I have spoken above. I feel that Stephen IP should be present today. Frankly speaking, as this motion is about the alleviation of poverty, so it is correct for you, Secretary Dr York CHOW, to attend this meeting. However, the motion also has something to do with

economic activities. Therefore, I hope, after taking great pains in listening to our speeches, you can have some understanding of the situation of the grass-roots people.

In fact, during the post-war era, the economic conditions of Hong Kong then were even worse than those nowadays. However, at that time, the Hong Kong British Government knew how to exercise flexibility in assisting the poor and opted for the introduction of a food stall policy, which granted licences with priority to the poor people, especially those poor families with more children. In this way, these people could make a living by themselves through operating street side food stalls. Apart from making a living, the operation of such food stalls enabled them to improve their lot through personal endeavours. I had also personally experienced this. My father died in that era. As we belonged to the category of widowed families, so we were invited to apply for such a license. Very unfortunately, as we did not have any money, we did not apply for one. At that time, the Social Welfare Department did not have a series of poverty alleviation policies in place. But the Government then could still understand the miserable situation of a widow who had five children to feed, and asked the question, "Mrs CHAN, do you need to apply for a licence?" What about our present situation now? Such a practice simply does not exist now.

Madam President, as proven by facts, the "self-reliance" food stalls poverty alleviation programme launched by the Government then was effective. This is because, through operating a street side food stall, many poor people managed not only to make a living for the entire family, but also started their own business. Let me quote the example of a street side food stall first selling Sichuan tan-tan noodle in Tai Hom Village (now it has been relocated to a food centre managed by a famous local gourmet CHOI Lan). Now, this food stall has become a household name in the restaurant industry. Many street side food stalls selling fishball noodles have already relocated their operation to shop premises, and become very famous restaurants in their own specialized field of selling fishball food. We can see that the family of this noodle stall has made a fortune and completely broken away from poverty. In addition, many members of their next generation are also pursuing tertiary education. All these examples serve to illustrate that, apart from being a kind of economic activity that requires only small amounts of capital, small food stalls selling beef noodles and fishball noodles have actually provided a social ladder that enables upward mobility in society.

However, as we take a look at the circumstances in Hong Kong now, we find that there is gradually diminishing room for people to operate businesses with small capitals and to climb the social ladder. The Government seems to be treating us like enemies. Nowadays, if we want to dine out in restaurants offering family-style food, very often we have no alternative but to patronize some fast food restaurants or some chain restaurants operated by syndicates. The traditional family-style restaurants or "dai pai dong" simply cannot survive due to their weaker competitiveness and the monopolization by major syndicates. In view of such a business environment, and the expensive rents, how can the grass-roots people eradicate poverty by way of running a small business? If I teach them how to start a business, I could have put them in an even worse situation. How can they create wealth? These are really tough problems.

Madam President, apart from serving certain social functions, "dai pai dong" is also a kind of local living culture, and it can evoke the collective memory of many people. Let us take the "dai pai dong" constructed by some metal sheets as an example. Very often many of us would recall fondly our old days of eating at the street side "dai pai dong". In other words, as someone is having a meal at an old-style "dai pai dong", he does not just taste the food, but he is at the same time savouring the flavour of its unique environment and historical substance. Madam President, in the past, I used to go to enjoy a meal at some "dai pai dong" after completing a trail-walking trip. Unfortunately, the "dai pai dong" I used to patronize had all been removed in some recent clearance actions. Besides, the strengths of "dai pai dong" lie in their convenient locations, inexpensive prices and freshly cooked food. Mr Tommy CHEUNG has also mentioned the last point, which immediately stirred up in me a strong impulse of devouring a full plate of Fried Rice Noodle with Sliced Beef. In fact, "dai pai dong" have already developed into a kind of street side cooking, where you can see for yourself the sizzling food and the naked flames in the stoves. Eating at the street side a bowl of Braised Beef Brisket, Beef Tendon and Tripe, or Doggie Congee, or even some fishballs on a skewer or some chestnuts has already become a part of the daily life of the people. Some young colleagues told me, "Miss CHAN, these kinds of food are really yummy." I found them very delicious too. If the Government really insists on driving these much beloved "dai pai dong" into extinction, it will not only extinguish this kind of local living culture altogether but also make our food styles and choices most monotonous. Frankly speaking, Hong Kong's reputation as "the gourmet's paradise" is already very much at stake, and it can come under serious threats very soon.

Madam President, the Government is now adopting a hardline approach towards poor people's eating places such as "dai pai dong", "mushroom kiosks" and hawker's stalls, and so on, forcing them to move away from the streets. Take "dai pai dong" and "mushroom kiosks" as examples. The Government often drives them away from the busy streets to some quiet upper floors in some municipal services buildings on the pretext of maintaining environmental hygiene and tidying up the urban environment. I have no intention of finding fault with Secretary Dr York CHOW. But as the Secretary is a medical doctor who has a special preference for hygiene, so he may not like this type of culinary culture. That explains why he absolutely cannot appreciate this kind of poor men's culinary style. As such, when I entered the Chamber just now, I invited the Secretary to join me in visiting the remaining 20 or so "dai pai dong". Although he is the official in charge of health affairs, he should also understand that this is one of our culinary styles. Of course, I also understand that, by adopting such a policy, both the Government and the Secretary would find it easier to manage such stalls. However, for us, we think that this policy will lead to the extinction of some special eating places with distinct characteristics that have some connection with the communities and the environments. It seems that they are doomed.

Madam President, there are only some 20 "dai pai dong", in the form of metal structures, left in the territory. But the Government is still insistent on wiping them out in an across-the-board manner through recovering their stalls and licenses. The Man Yuen Noodles is a classic example. The Government has completely ignored the aspiration of both the people (including the requests made by many Members) and the incumbent operator in carrying on with the operation of the stall. Officials of the FEHD said that they did not exercise their discretion in retaining this "dai pai dong" just for upholding fairness to operators of other "dai pai dong" who had previously surrendered their licenses. But actually, this is nothing more than a beautiful excuse adopted by the Government. The truth is: They are absolutely unwilling to retain the "dai pai dong", nor do they have any respect for such poor men's "dai pai dong" and they do not think the "dai pai dong" have any value in their continued existence. Therefore, I hope that, upon the passage of this motion today, the Government can re-examine its existing policy towards "dai pai dong", thereby providing a way of "survival", instead of "extinction", for these characteristic eating places which the people hope to retain.

Madam President, in my amendment, I propose to "study the setting up of designated zones for on-street cooked food stalls". I think this is a feasible solution that can achieve a win-win situation for all parties concerned. This is a proposal that the Secretary should feel happy about as it will gather all the food stalls within the same district. But please do not "kill" other food stalls, just put them all within the same zone. As we all know, many countries or places now feature street-side snacks as their special local culinary attractions for tourists, such as Wangfujing in Beijing (though I find it a bit too neat and tidy. Its past setting was better as there were some local characteristics, yet the present setting is also quite nice), the Chinatown in Singapore and the Shilin Night Market in Taipei, and so on. Whenever the tourists arrive at these cities, they would immediately go to these places, as if they cannot wait any longer to taste the great food there. Some go there with the sole objective of enjoying the great cool food there. Frankly speaking, I feel that all tourists like such places with great exotic local colours, that explains why so many tourists from different countries have been attracted to these markets. There are so many different types of street-side food in Hong Kong, why can we not develop a designated zone for on-street cooked food stalls, which shall be operated in the way of the existing Temple Street and Ladies' Market at Tung Choi Street, so as to enable "dai pai dongs" or cooked food hawkers to survive freely and legally?

In fact, establishing a designated zone for on-street cooked food stalls does not only promote the development of the tourist industry and preserve the local culinary culture, but it will also make it easier for the Urban Services Department (sic) to enforce central management of such stalls — Secretary, I put forward a proposal on this type of designated zones is completely for the purpose of facilitating your work. Besides, it can also satisfy the daily needs of the people who are fond of the food of street side stalls. So one can say that by making one single move, one can achieve four objectives at the same time. Of course, apart from implementing such measures, I hope the Government can also solve the problem of these metal sheet-built "dai pai dongs" mentioned by us today.

Madam President, if the hygiene conditions of these metal sheet-built "dai pai dongs" are still up to the standards, and if they are accepted by people in their neighbourhood, then they should be allowed to carry on with their operation *in situ*. I feel that as this type of food stalls still have a value in continued existence, we should let them continue to operate. I do not hope that the Secretary or the relevant officials should have the mentality that they were the

ones to decide the fate of "dai pai dongs". I believe some other Honourable colleagues may also have received complaints from members of the public against certain "dai pai dongs". However, a colleague has put forward an amendment today to stress that the "dai pai dongs" should be operating *in situ*. I believe this is an indication that the objections raised by certain people in the District Councils and at the district level have already been solved. So, why does the Government not accept public opinions and consider the issue accordingly?

Madam President, in my opinion, since Members of different party affiliations in this Council, members of the public and people with different spending patterns all have the same aspiration of retaining such characteristic "dai pai dongs", why can the Government not let this unique sight with 50 years of history continue to exist as it has already blended the on-street environment and the way of living of the people together? I really do not wish to see the forced relocation and demolition of this type of precious local culture as a result of unreasonable and ruthless regulatory control by the Government.

Madam President, I so submit.

MR FRED LI (in Cantonese): Madam President, the closure of Man Yuen Noodles has made the people recall the good old days of "dai pai dongs". This is in fact not just the collective memory of a single generation, but instead, the culinary culture that has been inherited from many previous generations. The term of "dai pai dong" is a unique term used in Hong Kong, and the culinary culture associated with it is also unique to Hong Kong. With the influx of immigrants into Hong Kong in the '40s and '50s, the local population witnessed a hectic increase. Owing to economic considerations, and for the sake of stability, the Hong Kong British Government then permitted the existence of this type of food stalls on the streets. The term "dai pai dong" was originated from the requirement that the business licence issued by the Government had to be hung within the food stall.

"Dai pai dong" has a history of over 60 years, and its best booming period was of course the '60s and '70s when there were over 3 000 "dai pai dongs" operating all over the territory. I believe all the Members present today who are over 50 must have experienced this golden era of "dai pai dongs", as Mr Tommy CHEUNG mentioned earlier on. However, such scenes are gradually

fading out. As the licences of the operators of "dai pai dongs" cannot be inherited by their next generations, the number of "dai pai dongs" will gradually decrease, and now there are only some 20 "dai pai dongs" left. If the present policy remains unchanged, "dai pai dongs" will really become something in our memory, and we can only take a reminiscent look at the chopsticks, bowls, tables and stools of "dai pai dongs" in some history museums in future. And with the onward flow of time, we can hardly recall the actual scenes and circumstances at "dai pai dongs". I believe such a situation is attributable to certain historical factors. Nowadays, we have more and more fast food shops, cooked food stalls and Hong Kong style restaurants. This is in fact a development process of the culinary culture.

Ever since the '70s, the people's livelihood improved significantly as the local economy had enjoyed great prosperity. In 1973, for reasons such as the impact caused by "dai pai dongs" on environmental hygiene, the Urban Council adopted the policy of "natural wastage" for "dai pai dongs", that is, from then on, no more "dai pai dong" licences will be issued. Therefore, once the licence holder dies of old age, his licence can only be transferred to his or her spouse, but not to his or her next generations. As a result of such a policy, the number of on-street licensed cooked food stalls today has dwindled to only 29, that is, 28 in the urban area and one in the New Territories. Of course, the Urban Council also provided a relocation arrangement, thereby gradually transferring "dai pai dongs" from the streets to the second and third floors of cooked food centres located in Municipal Services Buildings.

Of course, "dai pai dongs" which have been accommodated in Municipal Services Buildings can no longer be considered as "dai pai dongs"; instead, they should be regarded as fixed cooked food stalls. The closing down of the genuine "dai pai dong" Man Yuen Noodles aroused our concern. If our present practice should continue, that is, if we do not make any policy changes or introduce some flexibility, I believe all the "dai pai dongs" will sooner or later vanish altogether. These remaining 29 "dai pai dongs" will not linger on for too long.

The people are beginning to attach great significance to cultural inheritance and the relics. So we have heard some strong public voices calling for the preservation of cultural relics with historical value. For example, in the cases of the Kam Tong Hall and the Central Police Station, we also heard such calls for the preservation of cultural relics with Hong Kong characteristics.

And I believe "dai pai dong" is also one of such examples. No such voices had ever been aired in 1973, nor had there been too many of them in 1993. However, when we came to 2003, I believe more people had started to show their concern for this issue. For example, the Cheung Chau Bun Festival had been banned for many years. When this event was relaunched, it also won the applause from the media, Hong Kong people and even the tourists, and was praised as an activity that should be restored. With regard to "dai pai dong" that is so deeply implanted in our memory, can it acquire a similar status?

Madam President, we think that the original motion is intended to give society with an opportunity to hold a debate on the room of survival of "dai pai dong". The original motion holds that the Government may assist the operators of "dai pai dong" in identifying suitable sites for continuing their operation in compliance with environmental hygiene and safety conditions. Of course, we will definitely support this. But we think we should add some rather significant amendments, that is, the "dai pai dong" should continue operating *in situ*. Why should a "dai pai dong" continue operating *in situ*? This is because, after they have been operating at a certain location for several decades, residents living in buildings nearby are more ready to accept their existence. If the "dai pai dong" is relocated to the next street, the residents living in buildings of its new neighbourhood may raise strong protest against their operation. Therefore, we think that facilitating the "dai pai dong" to operate *in situ* is a more realistic option and that it is also an approach that can show more respect to the public opinion of the District Councils concerned. That explains why we have incorporated this point into this amendment.

Frankly speaking, Miss CHAN Yuen-han has excessively glorified "dai pai dong". I think it is not necessary for us to do that. Please imagine: Will we patronize street side "dai pai dong" in summer? When it is over 30 degrees Celsius with lots of exhaust air emitting from vehicles passing by, will you find it a cozy environment? Will tourists patronize these "dai pai dong"? If "dai pai dong" workers continue to wash the dishes in a basin placed on the ground, the hygiene condition can hardly be described as satisfactory. Will everyone still be interested in having meals there? Please ask people of our younger generations, will they patronize the "dai pai dong"?

We must be more realistic, and avoid glorifying "dai pai dong" excessively. I feel that we do not have to do that. We should not push too hard in this issue. We should not ask for too much. Perhaps, our collective

memory should best stay in our minds. Yet we must ask ourselves this question. Will we go to have a meal in an eating establishment without air-conditioning in the hot summer? I know the cooked food stalls very well in the Municipal Services Buildings. They said that they would have a hard time in summer because basically only very few people would patronize cooked food stalls without air-conditioning. For those stalls selling congees, rice noodles, noodles and rice, will the people still go and have a meal there? Will you still go to such food stalls to order a bowl of hot congee even though air-conditioning is not available there? This is a very simple question indeed.

This is how the actual environment of "dai pai dongs" looks like. Are the people still willing to patronize "dai pai dongs"? No. Is the environment particularly pleasant? No. The situation of Singapore's Chinatown is very much different from those examples of "dai pai dongs" we have just mentioned. The citing of Sichuan Dan Dan Noodles as an example for illustration was also wrong. I knew the Sichuan Dan Dan Noodles very well when it was still operating in the Diamond Hill, because I was born in that district. Miss CHAN Yuen-han has not done her homework thoroughly. It was not a "dai pai dong", but a shop. Wing Lai Yuen Sichuan Dan Dan Noodles had been operating in a formal shop, which can be accessed after walking up a flight of stairs. I had started buying Dan Dan Noodles there since I was seven. Although the meteoric rise of this shop is a Hong Kong success story, it had never been a "dai pai dong". It had risen from a small eating shop to a well-known restaurant. Therefore, I hope we would not over-glorify "dai pai dongs" as if they were perfect. We must address the problem in a pragmatic manner. If the preservation of these "dai pai dongs" is conducive to attracting overseas tourists as a unique Hong Kong feature, then we should do our best to help preserving them. However, not all these 29 "dai pai dongs" can become cultural or tourist attractions. This is impossible.

Man Yuen Noodles has sadly become the victim of the existing policy. We can actually provide more assistance and support to Man Yuen Noodles. In fact, many Members of our panel support it, so does the District Council. As the present policy specifies that the licence cannot be transferred to the assistant of its original holder, so the licence in question had to be surrendered to the Government. This is a matter of policy.

I hope the Secretary can do some thinking in this aspect. I will not glorify "dai pai dongs". As the spokesman of the Democratic Party, I will face

the realistic circumstances in a pragmatic manner, but we must also add some creativity in the collective memory of our culinary culture. I so submit.

MR WONG YUNG-KAN (in Cantonese): Madam President, the picture of people savouring meals with a wide array of delicious dishes masterly cooked up by chefs in those green-top stalls fitted with long benches and square-top tables in the small alleys represents a collective memory to those of us who grew up with the experience of eating at "dai pai dongs". While I cannot say for sure that each and every one of our Honourable colleagues who are present today have eaten at "dai pai dongs", I am sure we have all heard about that and I believe nobody will disagree if we say "dai pai dong" represents one of the most interesting characteristics of the culinary culture of Hong Kong.

"Dai pai dongs" first emerged in Hong Kong as early as the wartime period and they became most popular in Hong Kong in the '50s and the '60s as these "dai pai dongs" were able to provide decent and affordable foods to satisfy the culinary demands of the many new immigrants from the Mainland. As time goes by, "dai pai dongs" have even developed into a highly recommended special culinary culture in Hong Kong. At that time, apart from running their businesses by the street side, as Mr Tommy CHEUNG said, these "dai pai dongs" also ran their businesses at piers and the Gala Point (Tai Dat Tei) in the old days. However, as the need for improving the general outlook of the city arises, the number of "dai pai dongs" still operating by the street side has dwindled from thousands of stalls to less than 30 stalls. The glorious days of "dai pai dongs" at Tai Dat Tei and the "Gluttonous Pier" are now things in the distant past.

However, Madam President, nowadays there are as many people who love "dai pai dongs" as those who find them a nuisance. People who love "dai pai dongs" find them exquisite and special, and there are long-term customers who have been patronizing "dai pai dongs" for several decades. Yet, they do bring about many hygiene and noise pollution problems, and that explains why some residents living near "dai pai dongs" find them a disturbing nuisance. Because of the incessant complaints from members of the public against the nuisances caused by "dai pai dongs", the Government has always, since the formulation of the policy by the former Urban Council to the present, intended to gradually eradicate "dai pai dongs" in order to improve the outlook of our city. The authorities stress that if the policy can be changed easily and that unqualified

persons are allowed to inherit the "dai pai dong" licence, it would be unfair to previous licence holders who had volunteered to relocate their operations away from the streets and surrender their licences to the Government. With regard to such a theory held by the Government, we can understand it. However, to judge it from another perspective, street side "dai pai dong" are really a distinctive feature of Hong Kong with embedded tourism value. They are very popular with the general public too. Besides, since "Gluttonous Pier" and Tai Dat Tei no longer exist, it would really be a pity if we fail to retain these less than 30 street side "dai pai dong".

The Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) is of the opinion that the current government policy is too rigid and inflexible. Given that the people do have a demand for preserving the distinctive features of street side "dai pai dong", the Government should take the initiative to identify some other suitable sites for these remaining "dai pai dong" to continue their operation. Meanwhile, more efforts could be made to provide better facilities such as the sewerage system and a more hygienic environment, so that street side "dai pai dong" can preserve their distinctive features in compliance with the environmental hygiene and safety requirements.

Madam President, I have reached an age at which I like to take a walk down the memory lane every now and then. Today's motion reminds me of something very special about the culinary culture of Hong Kong when I was small, which I would like to share with all of you. As you know, I was raised in a fisherman family. Honestly, I hardly had the chance to go ashore to have a meal when I was a kid. On the contrary, in my childhood, when fishermen had some occasions to celebrate or needed to conduct some religious rituals, they would employ "the floating cook" from major typhoon shelters, who specialized in providing catering service for people living at sea. These special cooks would use a small boat as their floating kitchen, which we called the "kitchen boat" or "catering boat". They would also have another bigger boat where banquets were prepared. The fishermen would have their fare on a well illuminated boat, thoroughly enjoying themselves. Later on, many people living onshore found it an enjoyable experience to get on board a fishing boat and enjoy the sea breeze while savouring the delicacies prepared by cooks from the typhoon shelters, and that was how the dish "spicy clam typhoon shelter style" came into being. Gradually, more and more people were attracted to the "kitchen boat" business, and it evolved into a distinctive culinary culture of Hong Kong. Subsequently, the Government started imposing more stringent

requirements in granting licences for operating cooked food stalls on a boat due to hygiene and safety reasons. Nowadays, this kind of business run by the boat people is nowhere to be found all over the territory except in Shau Kei Wan and Aberdeen, where some boat people are still selling fishball rice vermicelli. This is a business with a long tradition, and I hope the Secretary will not send somebody to "wipe out" this mode of business operation. Basically, this business, which is representative of the unique culinary culture of the boat people, is gradually disappearing in Hong Kong.

Madam President, as a matter of fact, these "dai pai dongs" on the boat have as long a history as those street side "dai pai dongs", both of which are representative of the way of living of a specific stratum of society, and both of which are equally appealing to the tourists. Imagine: What is so special about it if we could only enjoy "spicy clam typhoon shelter style" in a confined, air-conditioned area? To consider the matter from another perspective, many fishermen in Hong Kong who make their living by catching fish are unable to sustain their basic living these days, and they do not have the ability to make a living onshore either. If the Government is willing to issue licences for operating cooked food stalls on fish boats that meet the environmental hygiene and safety standards, these operations could even develop into a "fishermen banquet" to attract tourists. This will not only revive the distinctiveness of the authentic typhoon shelter flavour and enhance the appeal of Hong Kong to the tourists, it will also give fishermen an opportunity to open up a new way of making a living.

Madam President, while the Government has a duty to keep our city clean and tidy, it is also its obligation to preserve Hong Kong's distinctive culinary culture. I hope the Government will not be overly rigid in their policies. Where circumstances allow, the Government should provide adequate assistance in identifying suitable sites for street side "dai pai dongs" to continue their operation, so that both residents of Hong Kong and tourists from other places would have an opportunity to experience the distinctive "dai pai dong" flavour.

Thank you, Madam President.

MR PATRICK LAU (in Cantonese): Madam President, for all cities with a historical background and special characteristics, their attraction is not originated only from their buildings and standard cultural facilities such as theatres,

museums and concert halls, as those currently planned for construction in the development project of the West Kowloon Cultural District, but more importantly, from the daily way of life of the local people.

When we travel to Paris, we would usually take a seat in an outdoor sidewalk cafe found everywhere in the city and have a cup of local coffee and, at the same time, take a look at what the French people and tourists around are doing at the cafes. If you ask them of their views of sidewalk cafes, I believe they will definitely say, "This is a symbol of Parisians' art of life. Chatting with friends even the French existentialism was bred here!" If we think about it carefully, these sidewalk cafes are actually the street side "dai pai dong" in Paris.

In recent years, the Hong Kong Government has always said that, for the purpose of promoting tourism, it plans to construct sidewalk cafes in different places to attract tourists. I find this very strange. Why does the Government on the one hand encourages the establishment of such foreign "dai pai dong" but, on the other, is determined to uphold the existing policy and drive away ruthlessly the Hong Kong style "dai pai dong" which are full of local characteristics? Guess which one does a European tourist who has come a long way to Hong Kong prefer to visit: a European outdoor cafe or a Hong Kong style street side "dai pai dong"? Actually, many tourists would like to visit and patronize street side "dai pai dong" because, apart from tasting the inexpensive and delicious local food, they may also witness the whole cooking process performed by the cooks, and they can also experience the culture of inter-personal communication of the local people.

Madam President, as what Mr CHEUNG's original motion and Miss CHAN's amendment have put it, street side "dai pai dong" are indeed part of the history and culture of Hong Kong and therefore should be preserved with the concept of cultural inheritance. Mr CHEUNG also mentioned just now that when a "dai pai dong" operated in Central was forced to close down recently, even the Hong Kong Heritage Museum had deployed its staff to take pictures and videos of it, and asked the operator for some memorable items for keeping as the historical record of local culture and as exhibits. I think what has made us sentimental is the thought that our next generation will be able to see such street side "dai pai dong" only by looking at old pictures and visiting museums; and tourists visiting Hong Kong will also lose the chance to visit a traditional cultural feature with local characteristics and enjoy themselves in making such visits. What a great pity indeed.

The Government implements the policy of not preserving "dai pai dongs" mainly out of environmental hygiene and safety considerations. It is true that hygiene at "dai pai dongs" is usually poor and many Hong Kong people may not accept their continued existence; and pedestrians and road traffic may be blocked because of the excessive number of customers with tables and chairs scattering all over the streets. However, should a civilized, committed and responsible Government proceed to destroy a local culture which has witnessed Hong Kong emerging from hardship to success just because of the existence of such problems with "dai pai dongs" on the pretext of upholding their existing policy, employing such an inflexible method? Why can the Hong Kong Government not follow the example of Singapore in striving to preserve and promote the "dai pai dong" culture on the one hand, and setting up a rigorous hygiene and monitoring system on the other so as to ensure that public health and safety will not be jeopardized? I therefore support the original motion and the two amendments and hope that the Government can seriously consider reviewing its licensing policy of "dai pai dongs" and even study whether it is possible to restore issuing such licences on a limited scale with cautious planning.

However, I have reservations about the proposal of setting up designated zones for on-street cooked food stalls. From the perspectives of general town planning and administrative control, of course it would be easier for the authorities to control street side "dai pai dongs" if their operations are concentrated within certain areas; and the Government has also followed this guiding principle for many years and relocated many "dai pai dongs" to cooked food centres and municipal service complexes of various communities. However, as Mr LI has just mentioned, there are also many problems with such an arrangement.

First, the density of "dai pai dongs" in such cooked food centres is really too high and they are over-crowded. I think the hygiene conditions of such food centres are not much different from those of street side "dai pai dongs". Secondly, to tourists, the culture of such street side "dai pai dongs" is nevertheless "original", and it is easier for tourists to come across such "dai pai dongs" when they stroll along the streets. Such "dai pai dongs" have witnessed the economic and historical development of the districts concerned and they fully reflect the characteristics of such districts. Therefore I very much agree with the opinions contained in the amendments, that is, the Government should actively strive to improve the hygiene and safety conditions of street side "dai pai dongs" and monitor them effectively. Secretary Dr York CHOW, I very much

hope that you can have a chance to reflect our opinions to Secretary Dr Patrick HO and Secretary Michael SUEN.

I wish to stress that the Government should expedite formulating a comprehensive set of cultural inheritance policies, and seriously and humbly study how to look squarely at the cultural inheritance issue by closely communicating with District Councils, the people and small merchants in the cultural, architectural and planning aspects. Such discussions should not be limited to the preservation of "dai pai dongs" or otherwise. The authorities should be more far-sighted, and they should also consider other items which are worth keeping and promoting, such as stilt houses in Tai O, traditional markets and many folk handicrafts, and so on, so as to avoid reducing Hong Kong to a "boring city" without any characteristics and local culture.

Thank you, Madam President.

PRESIDENT (in Cantonese): Mr LAU, your speaking time is up.

MR LI KWOK-YING (in Cantonese): Madam President, "dai pai dongs" can be described as the traditional culinary culture in Hong Kong that offers the richest local characteristics. A "dai pai dong" provides virtually all kinds of food, ranging from the most expensive exotic food to such day-to-day items as congee, rice noodle, noodle and rice. "Dai pai dongs" are also closely related to our daily life, and that is why they have frequently become the themes of films and television series. Directors always depict human sentiments through filming scenes where people in the neighbourhood meet, eat and chat at "dai pai dongs". However, as the Government is gradually taking steps to phase out "dai pai dongs", I believe such situations will only become some episodes in our memory. In future, we may only find traces of "dai pai dongs" in some fictitious television dramas.

Some people think that, for the sake of environmental and food safety, road side "dai pai dongs", which are subject to the battering of the elements, should all be eliminated. As a matter of fact, when "dai pai dongs" were mostly operated at dark alleys and odd corners of narrow streets in the '70s and '80s, their hygiene conditions left much to be desired. In addition, the noise generated in the process of their business operation often caused great nuisance

to residents in the neighbourhood. So, the Government was forced to take enforcement measures to restrict the operation and number of "dai pai dong", and it has stopped issuing new hawker licences since 1973. However, nowadays, only less than 30 traditional "dai pai dong" built of metal sheets are left in the territory. So is it easier for the Government to control the hygiene problem now? And should the policy of suppressing "dai pai dong" be reviewed now?

Earlier on, Mr Fred LI has pointed out that, not every "dai pai dong" is capable of producing delicious food, nor all of them are free of hygiene problems. I admit that this point is true. However, as I have said earlier, what we are missing now is the human touch and the feeling of people living under the Lion Rock. However, we must also be fair, so I have to say that the hygiene conditions of "dai pai dong" are not necessarily so bad as imagined by the Government. As the Government has reiterated, it is still receiving many complaints against "dai pai dong" now, but over 90% are complaints about obstruction, instead of food safety problems. What is more, even environmental hygiene problems can be solved. The Government may provide "dai pai dong" with better hardware for business operation, such as re-surfacing the ground and improving the sewerage system, and so on. Therefore, the problem of food safety and environmental hygiene is not the best reason for eliminating "dai pai dong".

I fully understand the Government's refusal to exercise its discretion to allow individual "dai pai dong" to continue operating in order to uphold the impartiality principle. The Government is of the view that it will be unfair to previous operators who surrendered their licences in the past. However, we have only less than 30 "dai pai dong" left now and that "dai pai dong" is a form of culinary culture that is full of local characteristics. So should the Government not strike a balance between safeguarding local culture and upholding the impartiality principle?

In fact, street side "dai pai dong" is the only surviving form of food businesses inherited from the pre-war period. The most significant feature of "dai pai dong" is: Customers are seated at tables placed on the pavement and they have their meals in an open or semi-open environment. At that time, equally well-known was the "Poor People's Nightclub", or "Tai Dat Dei" (大笪地), which is very familiar to all of us. Many artists, or the so-called "trick performers" and cooked food hawkers were attracted to this venue to earn a

living there. However, with the erosion of time after several decades, "Tai Dat Dei" has vanished completely. We have only less than 30 "dai pai dong" left now. Should we cherish such treasures left by history?

During the past few years, the Government has actively advocated local cultures to the people, and at the same time, it has also promoted cultural visits among tourists from both overseas countries and the Mainland. However, in the eyes of the Government, "culture" probably comprises only Disneyland which is made overseas or paintings borrowed from Paris; or magnificent opera houses and museums; or the future West Kowloon Cultural District, as well as temples or monasteries with local characteristics scattered in different parts of the New Territories. But no buildings with local cultural characteristics are included. During the past few years, buildings with historical value such as the Murray House and the Western Market have already been redeveloped into commercial complexes and restaurants, and I believe the Central Police Station which has closed down now will not escape the fate of commercialization or demolition. Do we really have to wait until all the scenes with historical value have vanished altogether before we start cherishing those artificial models and pictures placed in the museums in future?

In the eyes of officials who know nothing but efficiency, cultural value can hardly get any of their attention. As for the ordinary people, they would only realize the significance of cultural value when the final moment has come. This observation can best be illustrated by the scene of many customers lining up in a long queue to buy egg tarts on the last day of business of an old bakery in Central. As a responsible Government which always claims to support local culture, is it what it is supposed to do by just sitting back with folded arms when it is witnessing the imminent disappearance of "dai pai dong" which are so rich in historical and cultural value? I earnestly hope that and I also urge everyone to think about this: What actually do we want, a Hong Kong full of local cultural characteristics or a cold concrete jungle?

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

MR HOWARD YOUNG (in Cantonese): Madam President, I believe when we go on an overseas trip, we would hope to experience and understand the history and culture of such places. Apart from visiting scenic spots and historic

monuments, we may also experience the ways of life of the local people by savouring the various kinds of food as well as experiencing the environment and atmosphere of local restaurants.

In fact, street side culinary culture is very common in different parts of the world. Insofar as Asia is concerned, such a form of culinary culture is most common and popular. Among such examples, the more well-known ones include Singapore's Hawker Centre mentioned by Mr Tommy CHEUNG earlier; Jalan Alor in Kuala Lumpur, Malaysia; Shilin Night Market in Taiwan; and the on-street noodle stalls in Japan, and so on. In Europe, the sidewalk cafes in France are the place for people to savour the aroma of coffee; in the foregrounds of Hamburg's railway terminals, people may buy and eat hotdogs; and the same also happens in Manhattan where many hotdogs stalls can be found on the streets. All these belong to street side culinary culture. Every city has its own unique eating establishments where we can savour the local culinary styles and local food. It can be said that all these characteristic restaurants are reflections of the respective local cultures, and they have become the selling points of tourism of these cities, and therefore are highly recommended to the tourists. So, when tourists go on sight-seeing trips to these cities, they will visit these places to savour the special local food in person so as to taste the local culinary culture.

Mr Tommy CHEUNG has said earlier that "dai pai dong" is one of the special features of Hong Kong, witnessing the history of the territory. The various foods of "dai pai dong" such as milk tea, French toast, noodles and rice noodles are all unique to Hong Kong, being the products of the East meeting the West. They are very popular among local and overseas visitors. "Dai pai dong" could be seen everywhere on the streets of Hong Kong in the '50s. However, starting from the '80s, more and more restaurants were opened as a result of our improving economy. On the other hand, the Government stopped issuing new licences of "dai pai dong" on the ground of improving environmental hygiene and the city outlook. As of today, there are only some 20 "dai pai dong" left, and "dai pai dong" is a culture gradually diminishing. In fact, we should now consider preserving it as a kind of culture, so as to enrich our tourism resources for the purpose of promoting the development of tourism. Earlier on, many Honourable colleagues have already spoken on the work of the Singapore Government and the example of Man Yuen Noodles in Hong Kong. I am not going to speak on them again.

Not too many features of traditional culture of Hong Kong are left now. If we do not do our best to preserve the few remaining genuine cultural characteristics of Hong Kong, what other special features do we have in attracting overseas visitors to come and explore our city? The harsh truth that saddens us most is Hong Kong is only an ordinary commercial city. Do we have to wait until all "dai pai dongs" have vanished before we can realize the true value of their existence? Or do we have to search for them in museums? Even if we can see them again in museums, they will have lost their vitality, and by then the touch and flavour associated with them will have gone forever.

Someone may say that we must move forward with the times, and for this reason the "dai pai dongs" have to be cleared for improving environmental hygiene. Of course, in the past, many old buildings in Hong Kong were eventually demolished to make way for new developments. However, when not too many such old buildings are left, or nearly none is left, someone would come forward to highlight the fact that those remaining ones are not old stuffs but historic monuments. Now, the remaining "dai pai dongs" have developed to such a stage. We must look at them from a fresh perspective and should not use the policy formulated decades ago (when "dai pai dongs" was a major problem) to deal with them. This is because the "dai pai dongs" have come to a point of near extinction. We must adjust the relevant policies and treat them as historic monuments. This is worthy of our consideration. We should learn from the Singapore Government in assisting the operators of "dai pai dongs" to improve the environment and hygiene. These problems can be solved. If their food is found contaminated, of course, they will still be subject to prosecution. On the contrary, if their food is safe and hygienic, the Government should issue licences to them according to the law. At least, we should continue preserving the existing ones and relocate them to some other locations. There should not be any major problem. Please do not start looking for remedies only after all of them have vanished. We hope "dai pai dongs" can be passed from generations to generations, and their continued existence can be fostered forever.

Madam President, I so submit.

MR FREDERICK FUNG (in Cantonese): President, "dai pai dongs" as a catering trade has a long history dating back to the inception of Hong Kong. After the war, in particular, all trades and industries were awaiting to be

revitalized. For people of the lower stratum, not too much capital was required to start up their own business on the street side for selling food. With this special skill, they could then rely on themselves in making a living. Despite the social changes and economic take-off since the '70s, "dai pai dong" food is still very affordable and immensely popular among the working class. Nowadays, a lot of "dai pai dong" foods, such as wonton noodle, French toast, bear strong local characteristics. "Dai pai dong" have also become part of our culinary culture.

Nevertheless, with the influence of urban development and community planning, coupled with the internationalization of the territory, the operation of "dai pai dong" has brought hidden worries to the environment. In 1973, the former Urban Council decided not to issue new hawkers licences. Then, in 1983, an *ex gratia* scheme was launched to tempt licensees to surrender their licences. In addition, more off-street cooked food markets were built to lure operators to move away from their street side cooked food stalls from their original locations with a view to eliminating all the "dai pai dong" one day. Today, only 29 licensed cooked food stalls still exist in the territory. If we consider the role played by "dai pai dong" in Hong Kong's development, particularly the fact that they represent the culinary culture of the grassroots in their daily life or a tool for eliminating poverty, I believe Hong Kong people will share the hope of preserving this cultural heritage with local characteristics. Whether for the sake of promoting the local community economy or promoting tourism, the Government is obliged to look squarely at the local community culture, review whether "dai pai dong" have made any contribution to the tasks in this area and assisting the poor, and thereby come up with relevant policies.

The Hong Kong Association for Democracy and People's Livelihood (ADPL) and I have once submitted a proposal to the Sham Shui Po District Council on the management of "dai pai dong". As "dai pai dong" operate until late midnight with their chairs and tables occupying the pavements and even an entire traffic lane, they have given rise to safety problems. Moreover, the oily fume emitted by "dai pai dong" has often become a source of complaints by the residents living upstairs. Furthermore, the gossip of diners and the noise generated by players of drinking games have also given rise to complaints by nearby residents. These are the complaints we would receive from time to time. However, how can we strike a balance between these problems and the merits of "dai pai dong" mentioned by me earlier? Both the ADPL and I hope to propose to the Government to, for instance, expeditiously arrange for the

relocation of the "dai pai dongs" in Sham Shui Po to the Cheung Sha Wan Cooked Food Market, which is located in the same district. The Cooked Food Market is only five minutes' walk from its nearby offices and a newly built middle-class residential area. Moreover, the district, where parking lots are provided, is easily accessible. This will help develop new sources of customers and prevent old patrons from going away. Furthermore, more than 80% of the cooked food licensees in the district are aged over 70. Under the existing policy, the Government must expeditiously help relocate their stalls to the Cooked Food Market to achieve the dual purposes of preserving this catering trade with local community cultural characteristics and enabling this type of local community culture to be carried on in a more hygienic environment without causing nuisance to others. I believe this proposal can achieve an all-win situation.

I certainly believe each district has its own aspirations for "dai pai dongs" and its own handling method. The circumstances of Sham Shui Po are just a case in point. In discussing the "dai pai dong" culture in the context of cityscape, hygiene, and so on, the unique circumstances, the needs of the residents and the livelihood of the stall operators of each district must be considered. For this reason, we need not decide in a sweeping manner whether or not the remaining 29 "dai pai dongs" should be preserved in situ or relocated elsewhere. Instead, District Councils should be allowed to hold discussions to enable District Council members and stall proprietors to express their views in their respective District Councils. Moreover, each District Council should be allowed to make its own arrangements after collecting views. Furthermore, I consider it necessary for the Government to review its "dai pai dong" licensing policy which has been enforced for more than three decades. As only 29 "dai pai dongs" are still in existence and cooked food licences can be inherited only by the spouse of a deceased licensee, thus posing considerable obstacles to cultural inheritance, the authorities must review the existing licensing policy to enable the existing operators to inherit licences. At the same time, a consensus should be reached at the district level to allow "dai pai dongs" to continue their operation in situ or in the same district.

In brief, the characteristics of "dai pai dongs" are part of Hong Kong culture. I hope the Government can assume the responsibility to preserve and inherit the "dai pai dong" culture for the purpose of further promoting the local community economy and tourism. In reviewing the licensing mechanism for "dai pai dongs", the views of the residents of each district should be considered as well.

With these remarks, President, I support the original motion and the amendments.

DR LUI MING-WAH (in Cantonese): President, strong voices were aired in the community in respect of the closure of a "dai pai dong" selling noodles, which had been operated in Central for eight decades, subsequent to the death of its license holder this year. "Dai pai dong", or roughly-built stalls on the roadside or in rear lanes, are owned by hawkers with fixed-pitch cooked food licences. Their first appearance in the territory dates back to between the '40s and the '50s. They were originally seen something of a social welfare measure to enable members of the public to operate small businesses. Back in the difficult times when the Hong Kong economy had not yet taken off, the operation of "dai pai dong", geared mainly for the poor, was immensely popular with the grassroots.

However, the operation of "dai pai dong" has given rise to various environmental and safety problems. For instance, the storage of inflammable substances, such as liquefied petroleum gas, for preparation of food in outdoor public places poses a safety hazard to both the diners and nearby residents. The hygiene conditions of "dai pai dong" are unsatisfactory because of lack of tap on the roadside and contamination of food by roadside dirt and dust, and bacteria. The oily fume and affluent discharged, and the noise generated, by "dai pai dong" have also caused nuisance to nearby residents. Given that the conditions of Hong Kong nowadays are even more crowded than they were five decades ago, both pedestrians and vehicles are inconvenienced by the traffic congestion caused by roadside "dai pai dong".

The operation of all trades and professions is bound to change in tandem with social development. With the Hong Kong economy taking off between the '70s and the '80s, the rich began patronizing cosy and hygienic restaurants one after another. As food establishments began to put great emphasis on their presentation, the service and conditions of "dai pai dong" could no longer meet social demands. As a result, the former Urban Council decided in 1973 to stop issuing licences for "dai pai dong". The gradual disappearance of "dai pai dong", replacement of old food establishments by new ones, and discarding of the dross of the industry are but the inexorable laws of social development.

However, an ideological trend of preserving old stuff has emerged in Hong Kong in recent years. A wide range of issues, from the retention of antique buildings to the preservation of "Wedding Street" in Wan Chai, where there was a cluster of wedding card shops, have send ripples throughout the community. While cultural and history preservation is emerging as a new value in society, we must give serious thoughts to our cultural ingredients and significance.

Actually, the definition of culture is quite broad. Generally speaking, it refers to the behaviour, beliefs, values, habits and ways of thinking shared by people of the same race in the context of their unique historical, geographical, political, economic and social conditions. Culture is therefore constantly moving forward and changing in the light of changing objective circumstances in combination with a number of elements, namely time and climate, location and human relations. In the course of these constant changes in the objective environment, only culture and monuments of historical significance, with traditional wisdom or artistic value or bearing great significance to the development of future generations, should be considered worthy of inheritance. The "dai pai dongs" mentioned by Members now is merely a unique mode of operation of some food stalls. These food stalls might merely bear the stamp of the olden days when Hong Kong people worked diligently and frugally to create wealth despite enormous hardships. They do not have anything to do with culture, do they?

There are at present 29 street side "dai pai dongs" in Hong Kong. Following the deaths of licensees and their spouses, these "dai pai dongs" are bound to disappear. Actually, excluding the cooked food stalls in public housing estates, 103 "dai pai dong" licence holders are now operating in indoor cooked food centres throughout the territory. For the "dai pai dong" located in Central, which was wound up some time ago, the Government did offer the family of the deceased licensee a stall in a cooked food centre to let them continue their business. So, the "dai pai dong" has merely moved from the roadside to an indoor cooked food centre where the hygiene conditions are even better. The "dai pai dong" spirit of providing inexpensive, convenient, savoury food can still be retained. We therefore do not see any need to review the existing licensing policy for "dai pai dongs".

President, from the angle of tourism, it is worthwhile for us to refer to the model of Singapore. We might consider identifying a suitable place to house dozens of "dai pai dongs" where a wide range of food is served. This will not

only facilitate food hygiene control and quality management, a clustering effect can also be achieved to attract local diners and tourists to these "dai pai dongs" where they can get a taste of the specialities of Hong Kong as a "gourmets' paradise". The "dai pai dongs" may become tourist attractions too.

I so submit. Thank you, President.

MRS SOPHIE LEUNG (in Cantonese): President, with regard to this motion today, some Members will probably say that there is no cause for further discussion, but actually we can see from such a minor point as "dai pai dongs" the changes of the whole city over the past two decades.

Here I would like to make a fair comment for the Secretary. The terrible conditions of "dai pai dongs" being criticized by Members here today is actually a problem left over by history. It has nothing to do with the incumbent Secretary. Notwithstanding this, the Secretary may still listen to the views expressed by various sides on "dai pai dongs".

Why did I say that the issue of "dai pai dongs" is left over by history? It was not long before that "dai pai dongs" brought us lots of happiness and contributed enormously to society. So, why have "dai pai dongs" not progressed for years? Actually, those involved in governance must take account of the circumstances of all levels. Over the past two decades or so, however, the Government has done nothing at all in this regard.

Environmental protection had just become a fashionable topic for discussion when I was a newcomer to this Council. At that time, sustainability was even a strange word to many colleagues. I was asked such questions as: Why should this word be used? Did I invent it? Why was the word so clumsy? I cannot possibly consider myself a veteran. I have joined this Council for less than 10 years. However, we already started discussing environmental awareness with respect to food establishments and kitchens back then. I remember I proposed to the then Environmental Protection Department to set aside a small space in the Hong Kong Productivity Council to introduce, by using household utensils, environmental protection awareness to chefs. Had this been done, substantial results should have been achieved. The overflowing of sewage in rear lanes could have been avoided too. However, the officials at that time, considering it unrealistic, were reluctant to implement my proposal

and came up with this and that excuse. In view of such a mentality harboured by those involved in governance, "dai pai dong" have been poorly managed and have seen no improvement for the past two decades.

Today, however, many colleagues have pointed out that in Singapore and elsewhere, and even in a lot of places on the Mainland, formerly scattered cooked food stalls have been pooled in certain streets. The authorities concerned might also install such facilities as trapped ditches, mains water supply and washing places for the stalls. Compared to the larger space available elsewhere, the space in Hong Kong is very limited. So, what should we do? Though it seems that we are confronted with thousands of problems and have no ideas how to start, we should not be afraid of being late if we are really determined to tackle the problems. We must do some thinking about the necessary course of action.

When it comes to tourism, I heard yesterday a group of overseas experts talking about our vitality, design and branding, that is, how branding creates Hong Kong and how branding can be created. They pointed out that nowadays tourists look for cities of vitality, not beaches, sun or just a few tourist spots. To attract tourists, we must examine whether we can measure up to the standard of vitality. The vitality we can feel in every corner of our community is nothing more than the everyday living environment and conditions of the general public. In my opinion, "dai pai dong" are definitely one of the components. Although today's motion seeks to urge the Government to do something, I feel that actually we can do a lot of things in collaboration with the Government.

When it comes to "dai pai dong" licence renewal, I know that it has been the Government's long-standing practice of not renewing the licence after the licensee has passed away. However, can the Government introduce a new method to decide on the renewal of a licence after conducting a site inspection? If a "dai pai dong" meets the requirements of being suitably located and well equipped, and being able to provide characteristic food and secure a new proprietor who has agreed to sign a new agreement to continue operating the "dai pai dong", can the Government renew its licence? Come to think about this. If this practice is introduced, "dai pai dong" will continue to thrive instead of declining, like what it is doing now.

When it comes to a cultural change, if even our toilet culture can be changed — President, I think you remember it too — I believe a lot of cultures

can be changed as well. The ultimate questions we have to ask are: Will our small and medium enterprises (SMEs) be respected? Will "dai pai dongs", as members of SMEs, be respected too? What attitude should be adopted to show our respect? I hope the Secretary can understand that he is not the cause of this problem. Nevertheless, given that he is in the office, though the problem is entirely left over by history, we still hope that he can come up with a good solution to help "dai pai dongs".

Thank you, President.

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

MR LEUNG YIU-CHUNG (in Cantonese): President, the young generation may find it very strange for this Council to discuss the issue of "dai pai dongs" today. They may even question why this Council would want to discuss these food establishments which are no longer popular. However, this is nothing special for Hong Kong people over 40 years of age. As Members are aware, in the '60s, '70s, '80s, and even the '90s, "dai pai dongs" contributed to the economic prosperity and development of Hong Kong. Back then, "dai pai dongs" could be found in small and large streets, with their largest concentration found in factory areas, where "dai pai dongs" had almost become the canteens of the factory workers working nearby, who would have their meals there after work. Not only did "dai pai dongs" provide workers with relatively inexpensive food, the workers could also gather there to chat with each other for relaxation after working laboriously for the whole day. For these reasons, "dai pai dongs" mean a lot to Hong Kong people, particularly the older generation.

However, the situation nowadays is different. Because of the improving economy, matters of concern to the people are different too. Now we are concerned about hygiene, noise and fire prevention problems caused by street side "dai pai dongs", considering these problems may not necessarily be acceptable to the public. This is why nowadays "dai pai dongs" might in a certain sense have become a target of affection as well as hatred to the public. But what are the problems caused by this phenomenon? In my opinion, the problems are attributed to poor government regulation or the Government's handling method which may not necessarily be the most appropriate. If the Government can do better, the situation can be changed. Actually, some "dai

"pai dong" owners have realized that they may not be able to continue their previous mode of operation as a result of social changes. Some of them have therefore moved to street-level shops or somewhere else to continue their business. However, as I mentioned earlier, people over the age of 40 love "dai pai dongs" and still wish to patronize "dai pai dongs" in the afternoon or evening. Though the number of "dai pai dongs" has continued to dwindle under the present circumstances, should "dai pai dongs" be treated properly to prevent them from running their own course and continuing to dry up?

President, the "dai pai dong" culture is not unique to Hong Kong. Many colleagues have earlier mentioned the "dai pai dongs" somewhere else. Singapore is a case in point. Actually, Taiwan has drawn reference from Singapore and come up with a new development programme in Taipei city. Members paying attention to this matter would have found that the Shihlin Night Market in Taipei, where there were a lot of metal shacks previously, is also confronted with similar problems facing Hong Kong, such as problems relating to environmental hygiene, noise, and fire prevention in particular. But unlike our Government which has maintained an indifferent attitude, the Taipei Government has, on the contrary, tackled the problems positively. The Taiwanese Government has ameliorated the problem of metal shacks by rehousing so that all metal shacks are now grouped together. At present, "dai pai dongs" in Taiwan are also grouped together instead of scattering in various streets and alleys. In doing so, the environmental hygiene and fire prevention problems can be ameliorated as well. Consequently, not only have "dai pai dongs" managed to prevent themselves from withering, they are even doing a thriving business in the evening, showing signs of increasing prosperity.

This example demonstrates aptly that the crux of the problems hinges on how they are dealt with. If we act merely as an on-looker with an indifferent attitude, "dai pai dongs" will probably vanish gradually and can no longer survive. However, the situation can possibly be reversed should we act positively. This explains why it is the Government's attitude that matters. I feel that the Government is not taking a positive and enterprising attitude should it continue to stick to its earlier saying that a "dai pai dong" licence will be abolished once it expires and the "dai pai dong" will have to wind up if its licence is not inherited by the spouse of the licence-holder. I hope the Government can reverse its past attitude by giving emphasis to Hong Kong's history and culture and the people's traditional way of life, and enable the "dai pai dong" culture to be preserved. I really hope that the Government can refrain from tackling the

problems in such a passive manner. Actually, as it is evident to all, "dai pai dongs" have not only benefited Hong Kong people, but also boosted the number of tourist destinations in Hong Kong. Such being the case, why do we not kill two birds with one stone by handling this issue more properly in a positive manner?

President, I so submit.

MR LEUNG KWOK-HUNG (in Cantonese): President, I have been asked whether we have gone a bit too far in discussing the issue of "dai pai dongs" here in this Council. This question reminds me of the scrapping of the Municipal Councils. A lot of things should have originally been handled by the Municipal Councils, but the latter have been scrapped. As a result, all matters, whether big or small, have to be submitted to this Council if they cannot be dealt with by the District Councils because of their limited terms of reference. From this we can see that erroneous governance will definitely bring devastating consequences for thousands of years. Back in those days, the three-tier councils were forcibly cut, thereby leading to a substantial increase in the workload of this Council. Now, we even have to discuss the issue of "dai pai dongs" here. This issue should have been dealt with by the Urban Council or Regional Council. Should that be the case, Secretary Dr York CHOW would not have to waste so much time here listening to our discussion about "dai pai dongs". I would rather suggest him have something to eat. As a result of erroneous or barbaric governance, Members have to deal with such inconceivable issues.

Why are "dai pai dongs" called "big licence stalls"? The answer is simple. It is because "dai pai dong" owners were issued a large permit to allow them to serve their customers with cooked food. Actually, there is nothing special about it. It must be understood that "dai pai dongs" were once very popular. During that time, housing was a problem to the general public. A large number of people were forced to live in downtown areas and even wooden or stone huts spreading all over the hills. Yet, "dai pai dongs" developed into a cultural phenomenon.

The demise of "dai pai dong" culture was not caused by the Government's refusal to renew "dai pai dong" licences. Instead, it was attributed to the emergence of the bistro cafes and shopping cultures. As I pointed out in a debate last year, Hong Kong is like a graveyard as skyscrapers can be found

rising up everywhere like tombstones, and commercial arcades can be found in every corner. Property developers, owners and people operating food business by renting shop premises from property developers definitely hate "dai pai dongs" very much because food premises operators have to pay an enormous sum of money to rent a shop before they can run their business. They will certainly not be pleased with "dai pai dongs" because a person can already run a business with a "big licence". On the other hand, "dai pai dong" operators may probably consider it not a bad idea to run their business inside a shop and thus decide to move their business from a "dai pai dong" to a shop. The demise of a culture is actually attributed to the dying of the elements contributing to the development of that culture. Who are the murderers of "dai pai dongs"? They are the people, the Government and the property consortia of Hong Kong as profits from "property speculation" are much more attractive to property consortia because of high land prices in Hong Kong. Actually, it is already too late for us to mourn for "dai pai dongs" today.

Human beings are made up of food. "Dai pai dongs" are the places where food is prepared. As Members are aware, "dai pai dongs" serve a powerful function. Like the pubs in overseas countries, "dai pai dongs" are places where people can share a meal with others. But why are "dai pai dongs" dying? Because Hong Kong cannot accommodate "dai pai dongs". We can also find leisure culture in some places in Hong Kong, particularly the downtown areas where land prices are relatively high, where people can take a leisure stroll in places with a strong culture of gastronomy, such as Food Streets, Lan Kwai Fong, and so on, as long as we are prepared to pay more. While Members may probably have heard of the "founding father" of Lan Kwai Fong, have they ever heard of the "founding father" of "dai pai dongs"?

It is thus evident that the attitudes held by the British Hong Kong Government and the SAR Government towards "dai pai dongs" are the same — just wait and see how these food stalls will die one day. After the holder of a "dai pai dong" licence passes away, the licence will have to be surrendered to the Government. Under such circumstances, there is simply no room for revitalization and development of "dai pai dongs" for the licence will be gone with the passing away of the licence holder. Who will be willing to continue their efforts in operating a "dai pai dong"? For this reason, Members suggesting copying Singapore and Taiwan must bear in mind that the Government has even employed nine or 10 tactics to prop up the property market, push property prices upward to ensure that the shopping culture will

always remain expensive, and advocate the bistro cafe culture — the small owners can only brace themselves for future hardships in running their business in order to pay for their rents. How can we believe the Government will take actions for the sake of such a vague and abstract expression as "dai pai dong"? This is just a self-deceptive way of thinking.

I find that many outdoor food premises are just an extension of a shopping arcade and have to pay rents. The only way to revitalize the "dai pai dong" culture is for the Government to alter its policy of acting merely in the interest of property developers and consortia at the expense of the living quality of Hong Kong people. This is the way in which the Government treats the sale of food and everything else. Let me take the sale of kites as an example. How can a huge production of kites be sold out? Those who advocate kite flying culture will want everything. What I oppose most strongly is the saying that developing culture in Hong Kong helps developing tourism and making more money. The reason for Hong Kong to develop culture is to develop tourism and make more profits. Do the French people think in this way? The French develop their culture merely for the sake of themselves. When you feel that you take pride in your own culture, others will be willing to pay to admire your culture. Why should the cause and effect be reversed? Sai Jin Hua or the Eight-Power Allied Forces, which one comes first? This is total nonsense.

I have been ridiculed as the rudest and most uncultured Member in this Council. I really have no idea how Members look at culture. Secretary, you do not have to answer because the problem has nothing to do with you. It is because property developers and senior government officials are determined to maintain Hong Kong's cultures of money and property speculation and, as a result, stifle the "dai pai dong" culture. Owing to the scrapping of the Municipal Councils, the Secretary has to sit here today to perform some meaningless tasks. The lesson learned from this story is very impressive indeed. President, this mistake will only repeat itself if Hong Kong people do not come forth on 4 December to express their views. Thank you, President.

MR ALAN LEONG (in Cantonese): Madam President, while the recent trip made by former Governor Chris PATTEN to Hong Kong certainly attracted media attention to his new book and his views on the Fifth Report of the Constitutional Development Task Force, his visit to Tai Cheong Bakery which

had just resumed business in Mong Kok and his tasting before the cameras again of egg tarts fresh from the oven also captured wide attention. It was even reported that he had got his tongue burned by the freshly baked egg tarts. Tai Cheong Bakery, having moved to Mong Kok from Central, was forced into closure in the middle of this year. Fortunately, it can eventually resume business in Mong Kok.

Man Yuen Noodles, just one street away from the old Tai Cheong Bakery, was another grass-roots eatery well known to locals as well as people from overseas. Besides myself, I believe many colleagues have once got a taste of its fresh wonton, braised noodles in soya sauce and pig's knuckle noodles. Even overseas tourists would visit the stall in particular. However, after its licence holder had passed away, his descendant was not allowed to automatically inherit the right to operate the shop. As a result, the stall could only wind up after more than 80 years of operation.

Actually, colleagues of the Panel on Food Safety and Environmental Hygiene of this Council had once pleaded the relevant department on behalf of Man Yuen. However, the Food and Environmental Hygiene Department insisted on sticking to the policy of phasing out "dai pai dongs". There are only two ways for a "dai pai dong" licence to be extended upon expiry: one is to apply for relocation to a public cooked food centre to continue business and the other is winding up.

Madam President, a city with cultural substance must have an awareness of historical inheritance. In drawing up policies in different areas, public interest and economic development must be taken into joint consideration, and every effort must be made in preserving and extending the historical cityscape. Hong Kong history is a story of rapid development from a small fishing village into an international metropolis. We can find in it experiences of a lot of people (I believe many Members in this Chamber are also among them) struggling very hard to move up from the lower stratum and eventually enjoying the fruits of their efforts. The fact that "dai pai dongs" play an unforgettable role in these stories of climbing up the social ladder must not be taken lightly.

I believe a lot of people, including Members and decision-making officials, must have had the experience of leaving a few dollars on the table after finishing a bowl of wonton noodle before they rushed back to school when they were a

student. Or when they went out with their dates, they found that they could not afford to dine in a restaurant when they reached for their pockets and then said to their dates: "Never mind, let us go to a 'dai pai dong'!" So, they shared a savoury plate of rice in a "dai pai dong".

"Dai pai dong" are not simply a kind of eatery. Witnessing the happiness, anger, sorrow and joy of many Hong Kong people in struggling hard to move upward, "dai pai dong" represent the collective memory of a lot of Hong Kong people. More often than not, we can find touching stories one after another and beautiful memories in "dai pai dong". The unique appeal of Hong Kong's history and culture can certainly be displayed through this kind of culture, if properly preserved and even introduced to overseas tourists.

Madam President, the policy of outlawing "dai pai dong" was actually formulated by the defunct Urban Council as early as in 1973. Not only did the Urban Council decide not to issue cooked food stall licences in 1973, an *ex gratia* scheme was further launched in 1983 to encourage cooked food stall licence holders to voluntarily surrender their licences in exchange for *ex gratia* payments. As the number of complaints against cooked food stalls remains high, coupled with the Government's worry about being unfair to the outlawed cooked food stalls, the Government has no intention to alter its current policy.

However, in present-day society, the concern about eatery culture, district planning, tourism promotion and even food safety awareness, and so on, can simply not be compared with that in the '70s. In addition, the number of "dai pai dong" still in existence has been reduced to less than 30. The difficulty in regulation has actually been lowered significantly. The Government may, after fully consulting the views of the District Councils and the residents in the districts, draw up for the existing "dai pai dong" hygiene and food safety requirements. As long as the requirements are met, the Government may even allow these "dai pai dong" to continue their operation *in situ* or, after considering hygiene factors, identify suitable places for their relocation.

Apart from these, it is extremely worthwhile for the SAR Government to consider and model on such designated zones for street side cooked food as Chinatown and the Orchard area in Singapore. Displaying to tourists our local culinary culture with a long history can definitely enable Hong Kong, world renowned as the Pearl of the Orient, to emit even richer rays of light with substance.

Madam President, cultural inheritance is definitely not a calculation of cost-effectiveness. More importantly, it is a manifestation of affection in society. We should actively consider altering our thinking underlining the "dai pai dong" policy, whether out of our affection for traditional "dai pai dong" operators or out of our affection for respecting collective memories in society.

With these remarks, Madam President, I support the motion.

MR WONG TING-KWONG (in Cantonese): Madam President, I believe all Members must have had the following experience: Beside a road crowded with people and vehicles were folded chairs and tables. A sweating chef was seen cooking savoury dishes attentively with his gigantic Chinese wok. Customers in groups of three and five were heard talking about everything under the sun, eating and drinking heartily and happily. With smells of good food filling the air, the noise of flames from the stoves, and the laughing and shouting of customers, what a busy place it is. These familiar scenes of "dai pai dong" are simply unforgettable. However, street side "dai pai dong" are gradually disappearing. The 28 "dai pai dong" still in existence are concentrated mainly in Central, Wan Chai and Sham Shui Po.

As "dai pai dong" must be operated in narrow streets in residential areas, the hygiene conditions of "dai pai dong" are far from satisfactory. Moreover, the excessive noise and oil fumes generated, and the street and traffic obstruction problems caused, by "dai pai dong" during their opening hours are a constant source of nuisance to the residents. All these explain why street side "dai pai dong" in urban areas are slowly disappearing. In 1973, the former Urban Council decided not to issue new cooked food licences, including licences for street side "dai pai dong". Moreover, "dai pai dong" licences can be inherited only by the spouses of licensees. At the same time, cooked food centres were built in markets to encourage "dai pai dong" to move into the markets. The Government's move in 1983 to grant *ex gratia* payments to hawker licence holders who surrendered their licences to the Government voluntarily further speeded up the elimination of "dai pai dong".

In my opinion, the preservation of "dai pai dong" is of definite value to us because they can bring us lots of collective memories. Street side "dai pai dong", emerged before the war, sought mainly to provide inexpensive food to the grassroots and singletons. After more than a decade of baptism by history,

"dai pai dongs" now enjoy patronage by people from all walks of life, including executives, office ladies, construction workers, and many others. Street side "dai pai dongs" are not only a mark of the developmental process of every one of us, but also a manifestation of the changing of eras. The mix of green metal stalls with clusters of skyscrapers in the city forms a delightful contrast of old and new. Even though chain shops are now dominating the market, the green authentic food and simple Chinese dishes prepared by "dai pai dongs" will always draw a large crowd. Even the bowls and chopsticks used by "dai pai dongs" can bring back a lot of our childhood memories. The exchange of cordial greetings between many "dai pai dong" owners and the people living in their neighbourhoods also adds warm feelings of human touch to our extremely busy life. After a day of busy work, sitting, chatting, eating and drinking freely at the roadside is simply a great way of relaxation. Not only is this a special characteristic of street-side culture, it is also a rare cultural heritage we must cherish. "Dai pai dongs" are worthy of inheritance as a portrayal of the local culture so that our next generation will still have a chance to experience for themselves the historical and cultural characteristics and changes of Hong Kong.

Furthermore, an opportunity to experience local customs and culture is an important attraction to tourists. For this reason, preserving and promoting the culinary culture of street side "dai pai dongs", coupled with the development of "dai pai dongs" into tourist spots, will definitely help attract a lot of tourists to Hong Kong to savour these local delicacies and experience for themselves this peculiar culinary flavour of the ordinary public. The egg tarts from Tai Cheong Bakery, mentioned by many colleagues earlier, have been repeatedly praised by the former Governor, Chris PATTEN, who simply could not resist the temptation of visiting the Bakery again and again just for the egg tarts. Furthermore, some colleagues have also mentioned the hugely successful food streets operated in Singapore's Chinatown, one of the tourist destinations of the country.

However, I am also concerned that the proposal to preserve street side "dai pai dongs" is inconsistent with the Government's long-standing control policy, unfair to operators who have surrendered their licences, and oblivious to the sufferings of the residents affected by the nuisance. For these reasons, unless strong voices and overriding public demands are heard in the community, suitable places can be identified and such problems as environmental hygiene and street obstruction can be properly tackled, no discretionary power can be

exercised for the preservation of street side "dai pai dongs". In May this year, the eight-decade-old Man Yuen Noodles, which licence was to be abolished, triggered a signature campaign joined by thousands of people expressing support for the continued operation of this old food stall in the hope that the Government could give careful consideration and spare the shop. As for identifying suitable locations for "dai pai dongs", the Government may consider such places as plazas, parks or streets near hotels for the convenience of tourists. Moreover, the Government may designate cooked food zones and impose restrictions on the operation hours of "dai pai dongs". In the long run, the Government may even install additional noise barriers for neighbouring buildings to reduce the impact of noise pollution on the residents. Proposed hygiene measures also include sewer improvements, installation of additional fumes extracting systems, and so on.

Regarding this motion today, Madam President, I actually have a strange idea. It would be even better if we, dozens of us, can hold our meeting in a "dai pai dong" where we can debate while sipping coffee.

Thank you, Madam President.

PRESIDENT (in Cantonese): Your speaking time is up. Please sit down.

MR ALBERT CHAN (in Cantonese): President, many in this Chamber grew up in the culinary culture of "dai pai dongs". When I was a student, I was a regular patron of a few "dai pai dongs" because of their especially delicious stir fry clams and sliced beef with fried rice noodle. I have often found immense pleasure from these fond memories.

Although the food prepared by "dai pai dongs" was appetizing, sometimes one could not help sweating while eating, especially during the hot summer. It was equally tough for the chefs. Therefore, they generally wore shorts, flip-flops or vests. Some people even stripped to their waist, with the towels on their shoulders turning from white to greyish yellow. With one hand holding a towel and the other a turning shovel, they were sweating all over, with their sweat dropping down not only onto their towels but also into their woks. It was probably because of this special "dai pai dong" flavour that the sliced beef with fried rice noodle was particularly tasty.

Despite our appreciation of the "dai pai dong" culture because we grew up alongside "dai pai dong", such a working environment is really hard to bear because of the hot weather, particularly as the atmosphere is getting increasingly thin. It is really very tough to cook when the temperature reaches 35 degrees Celsius. So, should we also take account of the well-being of "dai pai dong" workers while preserving the "dai pai dong" culture to prevent them from working so hard when the weather is so hot?

Furthermore, "dai pai dong" cause pollution problems. Effluent from "dai pai dong" is often found discharged into stormwater drains. According to municipal legislation, such act is in breach of sewage treatment requirements and is liable to prosecution. As such, the conditions of "dai pai dong" *per se* pose a lot of problems to legislative control. If the Government is prepared to develop "dai pai dong" to preserve the "dai pai dong" culture, we may even build a "dai pai dong" village for the preservation of these unique "dai pai dong" culture and flavours in the whole area. Not only does this proposal meet environmental hygiene requirements, fans or air-conditioners can also be installed so that the conditions of the whole area can be improved. While I absolutely approve of this proposal, it is not necessarily appropriate to maintain the traditional "dai pai dong" set-up because this is merely an act of preserving culture for its own sake.

Furthermore, the residents living above "dai pai dong" will surely have strong views. Not only will the cooking process generate greasy fume everywhere, the diners will, apart from enjoying their meals, even produce loud noises, drink wine and play drinking games, thereby causing serious noise nuisance. Yet, there is nothing the occupants living upstairs can do but suffer in silence.

In a number of meetings held a couple of years ago between some "dai pai dong" licence holders led by me and the Government, the licence holders made some requests and one of which was for the Government to give them \$200,000 in exchange for their licences. This kind of "dai pai dong" and so-called cooked food centre is actually like "chicken ribs". Even if the operators struggle to survive, "dai pai dong" have gradually fallen into decline and their ability to compete with such chain caterers as Maxims, Café de Coral and Fairwood will gradually lose too. Some "dai pai dong" might be operated near factories by a couple helped by one or two assistants. However, this mode

of operation is not highly profitable. The operation of "dai pai dongs" is really rough for the profits made might just be enough to offset the expenses. Yet, the Government's administrative expense is also involved — I hope the Secretary can seriously examine this issue for it has already been discussed a number of times. The request was rejected by the Food and Environmental Hygiene Department at that time. Now, the Municipal Councils even no longer exist.

As the supervision of "dai pai dongs" involves management and cleaning manpower, it could cost the Government hundreds of thousands of dollars a year for supervising just a dozen of "dai pai dongs". According to the simple calculation I did at that time, management expenses and cleaning and maintenance costs payable over a period of three to five years are enough to buy back all "dai pai dong" licences. If the Government is prepared to carry out long-term development in preserving monuments and cultural heritage, it may even draw reference from the establishment of the cultural village. During a visit to Kowloon Park on Monday, I found that two properly preserved old barracks there had even been converted for use as a museum. This is worthy of support.

Despite the need to restore and modernize preserved monuments and antiquities, the restoration must be cost-effective and in compliance with a number of planning criteria. I very much hope that the Secretary can consider improving the conditions of the existing "dai pai dongs" and come up with an all-win proposal — the previous one is an all-lose proposal: Not only do the operators have to work very hard, residents living nearby will continue to be affected by the nuisance. As for the Government, the expenses are enormous because of the need to offer constant subsidies and assistance to cooked food stalls and "dai pai dongs".

The plan to cover costs with licence fees is definitely not workable. Despite its intention to recover the cost of supervising food establishments from licence fees, the Government has to make substantial subsidies for the purpose of supervising "dai pai dongs". All parties will be benefited if the Government can turn its current financial conditions from an "all-lose" to "all-win" situation. First, the lives of "dai pai dong" operators can be improved should the Government accept their proposal to recover their licences by offering these operators who have been struggling so hard to continue their business but failing to make a profit up to \$200,000 each as retirement funds.

Second, even the residents living near the cooked food stalls, "dai pai dongs" will find their living conditions improved. Landscaping can also be carried out by growing green plants on the original sites of the "dai pai dongs". Third, the Government can reduce its expenses because of the cessation of subsidies.

Although sentimental and historical recognition are important factors of consideration in discussing this question, the Government should also consider such practical factors as the objective circumstances, cosmopolitan development and regulation, the hygiene and aesthetic appearance of urban amenities and hygiene conditions, and so on. There are a lot of cooked food stalls in Tsuen Wan, the constituency to which I belong. The situation in Kwai Tsing is similar as well. For the residents living in the districts, this is a historical issue for the districts and a central issue of environmental pollution. In discussing this question, consideration must be given to overall factors in various aspects. Even if the Secretary cannot answer my question today, I still hope that he can carefully examine my proposal of recovering licences. It will be yet another matter if "dai pai dongs" are treated as historical heritage. Generally speaking, the licence recovery proposal will lead us to an "all-win" situation. Thank you, Madam President.

MISS CHOY SO-YUK (in Cantonese): President, the winding up of Man Yuen Noodles has stirred up the emotions of Hong Kong people, prompting them to rethink the value of "dai pai dong" culture to us. If the Government is genuinely committed to continuing the local culture, it should seize this valuable opportunity to stimulate focused discussion among the public, so as to come up with a set of cultural values recognized by all for integration into the policy. Only in this way can the people-oriented objective be achieved in the relevant policy. Regrettably, this is only my wishful thinking, for the idea of quietly jumping out of the institution has again been successfully nipped in the bud by the bureaucratic system.

I found it very strange that since the officials responsible for cultural policies often stress the need to preserve the collective memories of the public, and as our discussion about "dai pai dong" now has precisely touched the core of the issue, why do they look on indifferently, not uttering a word and simply passing the buck to the environmental hygiene department for it to take up the gauntlet?

I think the apathy of the officials has precisely reflected the limitation in the existing policy. That is, the policy only sets eyes on old buildings with elegant façades or with a long history, or the collection of antiquities in museums, but remains indifferent to things such as "dai pai dongs" which originate from people's living with characteristics of traditional culinary culture deeply engraved in them.

President, I wish to point out that in the minds of foreigners, what is most representative of Hong Kong is absolutely not the flying dragon which symbolizes evil in the West, but the "red-white-blue" stripped plastic bags which carry the subtleties of the identity of Hong Kong people! By the same token, the culture of a place lies not in any official showcase of peace and prosperity, but in things that reveal the uniqueness of the place. Similarly, insofar as the culinary culture of a place is concerned, the attraction lies in open-air street side delicacies: The Chinatown in Singapore, the night market in Taipei, and in Hong Kong, "dai pai dongs", especially the night bazaar in Sheung Wan back in those years. In fact, the unique street side atmosphere at "dai pai dongs" is indeed beyond compare.

To Hong Kong people who have patronized "dai pai dongs" since they were a child — I believe many people will share this feeling — even though they have tasted all kinds of delicacies overseas, what they miss most is still "Won Ton" noodle soup and fish ball noodle soup sold at street side food stalls in Hong Kong! Are these not a part of Hong Kong culture and recollection of the people? Are they unworthy of our preservation efforts?

President, even if I take a step back and look at it not from a cultural viewpoint but from the angle of environmental hygiene, I still do not see that preserving "dai pai dongs" will give rise to major problems. In fact, officials of the Health, Welfare and Food Bureau have admitted that of the 222 summons served on "dai pai dongs" last year, only a small number were served because of unclean food, while others mostly related to relatively minor breach of rules, such as causing street obstruction. Even the winding up of Man Yuen Noodles is purely due to licensing problems. This goes to show that these street side food stalls still have extremely strong vitality. The situation now is very clear. What the Government must really do is to allocate some street areas that will not cause nuisance to the public for the "dai pai dong" culture to further develop, rather than insisting on their phasing out or rigidly making "dai pai dongs" move into enclosed market complexes to continue their operation and hence stripping them of their unique flavour.

With regard to continuing this street side culinary culture through licensing, officials considered that this will involve a policy change that is unfair to those hawkers who have surrendered their licences. My response is that when there are changes in the policy, it is certain that some people will stand to gain whereas some will stand to lose. The duty of the Government is to identify ways to strike a balance, rather than keeping the policy at a standstill. On the other hand, according to the logic of the officials, when the Secretary for Housing, Planning and Lands openly stated days ago that consideration would be given to waiving the rent of all public housing tenants in Hong Kong for one month, is that not entirely unviable? It is because according to their logic, will this not be unfair to public housing tenants who have surrendered their flats?

In the final analysis, President, I think this incident has again clearly reflected that the fossilized bureaucratic system is blindly pushing society to an orderly but lifeless state. It is precisely because of this working style that the night bazaar in Sheung Wan lost its soul and all of its characteristics after its revival, and the grand plan of developing scenic attractions in the 18 districts with emphasis on their respective characteristics has degenerated into monotonous flea markets. The closing down of Man Yuen seems to foretell that the "dai pai dong" culture will become yet another sacrifice.

President, if the Government just sits by idly watching this culinary culture with rich local flavours stew in its own juice, I am afraid that in the future, our descendents must go to a museum to embark on a journey through time before they can imagine how it is like to be "crouching at dai pai dong".

President, I so submit.

MRS SELINA CHOW (in Cantonese): President, I believe Miss CHOY So-yuk will be glad to hear that Man Yuen Noodles is going to reopen. I have just received an invitation asking me to preside over its opening ceremony. If I am available, I will certainly go to give my support and encouragement. This noodle shop has a long history and yet, it can still adapt to the needs of the times by obtaining a licence and moving its operation to a shop premises and also meeting safety and hygiene requirements. This is very good indeed.

No doubt I very much agree with what Miss CHOY and a number of other Members have said. I particularly thank Mr Tommy CHEUNG for giving us an opportunity today to express our views and heartfelt wish concerning an issue of great concern to all of us and an issue over which we can feel a surge of warm feelings. Much to our regret, only Secretary Dr York CHOW is in the Chamber today — not that I do not like seeing Secretary Dr York CHOW, but seeing him naturally makes me think of hygiene and safety. Why do we not see the Bureau Director responsible for cultural matters? Why do we discuss the issue of "dai pai dongs"? Why are there three Members so actively giving their thoughts to this motion? It is because while upholding safety and hygiene, we also hope that the culture of Hong Kong and the characteristics of Hong Kong can be preserved.

I believe Members will agree that we do not mean to sacrifice anything. We do not mean to sacrifice safety or hygiene — that is why I am very happy to see Secretary Dr York CHOW here. In the meantime, however, the Bureau Director who should be concerned about culture is not here.

In fact, we hope to come up with a way to serve both purposes, so that on the one hand, the safety and hygiene can be ensured for consumers or diners and on the other, things that are very much cherished by us can be maintained or preserved. Mr Tommy CHEUNG mentioned earlier the point about why "dai pai dongs" could be preserved in Singapore? We all know that Singapore puts great emphasis on hygiene and sets very high standards. We also know that in Singapore, it is very easy for any legislation to be passed. Legislation can be passed by the parliamentary assembly all at once, (*laughter*) and the Singaporean Government has also set very high standards for the operators. But why can Singapore make it but not us? In fact, this market does have its value of existence. If Members visit Singapore, they will certainly spend some time at Lau Pa Sat at night. One cannot find "dai pai dongs" at Lau Pa Sat during the day. Tables and chairs are put all over the place only at night, turning it into a place for foods. Is this place really 100% clean? I dare not make a comment. But the fact is that it is very clean. Even though Hong Kong cannot overtake Singapore, we, being an international city, should at least keep up with it. Why can Singapore make it but not us?

Mr Tommy CHEUNG and I have taken great pains in striving for alfresco dining or outdoor sidewalk cafes. While a policy is already in place in this

respect, it is indeed very difficult for an application to succeed. Therefore, firstly, I hope that the Secretary can pay attention to this and if there is room for improvement, efforts must be made to make improvement expeditiously.

Secondly, since the Government has in place this policy, can the opportunity be taken to facilitate the rebirth of "dai pai dongs"? In fact, "dai pai dongs" are also part of alfresco dining. Can assistance be provided for their development? The Government must set standards in respect of safety and hygiene, but in the meantime, can we provide facilitation to these "tiny" enterprises, so that they can be given an opportunity of development? The Government can set standards for compliance by "dai pai dongs", so that members of the public and visitors can enjoy the culinary culture in a way as they could enjoy it in the past. When visitors shop, they will go to the "Ladies' Market"; if they wish to eat, I believe they will like to eat at sidewalk cafes and taste the delicacies at the more popular areas.

We call on the Government to set standards for "dai pai dongs". We hope that the Secretary and a number of other Bureau Directors who are concerned about culture can work in concert and do something in response to the heartfelt wishes expressed by Members today, so that the "dai pai dong" culture can revive in Hong Kong. Thank you, President.

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

MR ALBERT CHENG (in Cantonese): President, the topic of our discussion today is policy on inheritance of "dai pai dong" culture. Why are they called "dai pai dongs"? Perhaps no one has talked about this before. There is actually a story behind "dai pai dongs". What does "dai pai" mean? "Pai" is licence, and "dai pai dongs" actually refer to the permanent licence for cooked food hawkers, and that is why the licence is called "dai pai" (big licence). Earlier on, Mrs Selina CHOW mentioned Singapore in the context of tourism development. There is no "dai pai dong" in Singapore. What they have is outdoor food courts. Many of these catering establishments can also be found in Hong Kong, just that they are located inside shopping malls. We have cooked food courts inside market complexes, and there are the so-called "mushroom pavilions" in housing estates. So, there are, in fact, substitutes.

Since Members are here recalling their memories of the past collectively, let me also join them and recall my memories of the past. This topic today should not be discussed in the Legislative Council. What memories do we collectively recall here? We are recalling memories about the Municipal Councils. Had TUNG Chee-hwa not scrapped the Municipal Councils, this topic would have been discussed in the Municipal Councils in any case. So, this is the day to collectively recall memories of the days when the Municipal Councils were still there.

The mover of this motion, Mr Tommy CHEUNG who is the representative of the industry, represents the interest of the industry. But I really find it difficult to understand his underlying motive. On the one hand, he asked the Government to outlaw "private kitchens"; on the other hand, he called for the preservation of "dai pai dongs". Why has he adopted a double standard? It really beats me.

Reminiscing about the past and recalling memories of the past collectively are cultural values of the petty bourgeoisie. In Hong Kong, the weather is hot, the streets are crowded and the air is polluted. Who would wish to have meals at "dai pai dongs"? Only those petty bourgeoisie will "crouch" at "dai pai dongs" for a while to reminisce about the past and to show that they have not forgotten their class origin and to show that they are cultured, but do they really feel very comfortable? Besides, "dai pai dongs" do not operate in the Mid-Levels, South Bay or the Peak. They invariably operate near tenement buildings in old districts. What would happen to people living on the first floor? Have these people been consulted? We are here only to collectively recall memories of the past for our own amusement and to show that we are cultured. I oppose this motion.

We should progress with the times. Is anyone still willing to eat at "dai pai dongs" nowadays? Nowadays, food courts are air-conditioned, and we go to Fairwood, Café de Coral, and McDonald's. Do children go to "dai pai dongs" nowadays? If they sit on the chairs of "dai pai dongs", they will definitely fall over, and it is basically unhygienic and unsafe to eat there.

Moreover, Members have mentioned that Singapore has this and that. But it is true that Singapore has a lot of things. I wish to say this to Members: "When others do not have something, I work to obtain it; when others have what I have, I strive for excellence; when others have achieved excellence, I

withdraw." When it comes to developing the "dai pai dong" culture, how can we be comparable to Singapore? If we must learn from Singapore in operating "dai pai dong" before visitors can be attracted, although Donald TSANG withdrew his remark the other day, the Hong Kong Tourism Board is spending too much indeed and has no creativity at all.

In view of changes in society, we must progress with the times. Given changes in hygiene standards, living habits, culinary culture, and so on, I oppose this motion. I do not understand why friends from the Democratic Party have to propose an amendment. If they are against it, they should simply oppose it. Why should they propose an amendment to it? This is actually causing nuisance to the people and a waste of time. So, I am not going to use up all the seven minutes. I only wish to repeat this: I oppose this motion; I oppose even the moving of this motion.

I so submit. Thank you, President.

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

MR WONG KWOK-HING (in Cantonese): President, my thanks go to Mr Tommy CHEUNG for proposing this motion for debate today, which has aroused enthusiastic discussion among Members.

With regard to this motion, I have a lot of feelings about it. I have looked up the *Reform of Municipal Administration* (市政興革) written by me, and I found that there are seven articles on the policy on hawkers and local community culture economy. Having looked up this book and checked past information, I found that the Member who proposed the motion and Mr Fred LI, who proposed an amendment to the motion, supported an across-the-board abolition of the "dai pai dong" licence at the meeting of the Standing Committee of the Urban Council on 15 April 1997. Could this not arouse mixed feelings in me?

However, it does not really matter, and I still very much welcome this motion, for it proves that the mover of this motion and the Member who proposed an amendment to it have realized that they were wrong then. So, this is very good. But the unemployment rate now stands at 5.3% in Hong Kong, and there are only 29 "dai pai dong" left. In 1997 or 1998, the unemployment

rate was between 2.5% and 3.5% with 110 000 unemployed workers, and the number has now reached 200 000. From this we know that the lack of a good policy in Hong Kong has caused the situation to worsen continuously, and this has aroused a lot of feelings in me.

Another reason why I feel deeply about it is that when the Government appointed WONG Yan-lung as the Secretary for Justice, the WONG Yan-lung phenomenon had suddenly become the talk of the town. WONG Yan-lung could become the Secretary for Justice because he was nurtured and financially supported by his father who made a living as an ice-cream vendor. Everybody was praising him highly at the time, trimming the sail to the wind and describing him as beyond compare. But looking back, people who sing his praises now are those Members and officials who proposed the abolition of the "dai pai dong" licence. I feel very deeply about this. Why did they have to remove the foundation of the local community culture economy capable of producing talents like WONG Yan-lung?

This motion today has not touched the core of the issue. With regard to this motion today, I personally have very deep feelings about it. President, my mother passed away recently. My fondest memory of her is that she had worked laboriously to raise me and my seven sisters and brothers. I was only 10 or 11 at that time, and I had to follow my mother to the street to sell congee and fried bread sticks. This is the way that she relied on to earn money for the food, thus saving us from having to eat just "rice with soy sauce". But my mother and I had once been taken to the Tsim Sha Tsui Police Station — the Marine Police Headquarter now which will soon be a declared monument — for hawking and we had even been detained in an iron cage. In the '50s and '60s, our older generation relied on such local community culture economy to raise their families with their own efforts and ride through difficulties.

In fact, this is exactly what Miss CHAN Yuen-han means in proposing her amendment. The key is to urge the Government to attach importance to local community culture economy. It is not the case as described by Mr Fred LI who had put labels on her, saying that she only intended to glorify "dai pai dong" and was unrealistic. Why did he put "hats" on Miss CHAN Yuen-han? Miss CHAN Yuen-han's head is not big enough for those "hats". Why did he force these "hats" on her? Moreover, I would like to mention in passing that the Sichuan noodles shop also started out as a street side stall, which is of a "dai pai dong" nature. So, please do not criticize without justifications that Miss CHAN

Yuen-han did not do her homework. In fact, there should be rational discussions among Members. Why should we attack each other as such?

So, I very much hope that today's motion is proposed not only for the 29 "dai pai dongs", but to urge the Government to develop local community culture economy, thereby giving the people a way out and opportunities to make a living. There are many types of snacks with special local flavours, such as steamed rice cake, pudding in a bowl, sesame candy, peanut candy, "aeroplane" olive, and so on, but all such food will soon sink into oblivion. Besides, there are also many types of traditional handicrafts, such as paper cutting, painting, photography, carving and even the knitting of grasshoppers with straw, which are all very popular. Furthermore, we also have talent show, including vocal mimicry, the playing of musical instruments, folk art, dance, and so on. Why does the Government not provide support to the people, so that they can give play to their talents, specialties and industry, thereby solving the problem of unemployment? If the Government still does not give consideration to this, it will truly be very regrettable.

So, another thing which has aroused a lot of feelings in me is that I think the discussion today should not only urge the Government to consider those 29 "dai pai dongs". Nor should it focus only on the inheritance of the local community culture economy. Rather, it should urge the Government to vigorously support local community culture economy and remove all the barriers. When we look northwards, we can see that during the reform and opening of the Mainland, self-employed labourers and individually-owned businesses are regarded as a leading force, and this is used as a means to solve the problem of employment in the Mainland. Let us take an overview of places elsewhere in the world. Whether it be the Southeast Asia, North America or European Union countries, all are very supportive of the local community culture economy. Therefore, I hope that the SAR Government, after listening to this debate today, will really be awakened.

Finally, I hope that we will not further argue over this anymore. I hope that the Secretary can discuss this with other Bureau Directors after this meeting and identify one or several places in the New Territories, Kowloon or Hong Kong Island as testing points to support the local community culture economy. As DENG Xiaoping had said, let us argue no more and do something and then sum up lessons and experiences through tests and trials. Thank you, President.

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

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): If no other Member wishes to speak, I now call upon Mr Tommy CHEUNG to speak on the two amendments. The speaking limit is five minutes.

MR TOMMY CHEUNG (in Cantonese): Madam President, I do not have any strong views on the two amendments. But I still wish to say a few words on Miss CHAN Yuen-han's amendment, which proposes to delete "identifying suitable sites" from my original motion. Does this mean that she supports only the *in situ* redevelopment of "dai pai dongs"? If the *in situ* redevelopment of "dai pai dongs" is possible, and also if their redevelopment can tie in with local tourism projects, I will of course render my support. However, I am afraid that in case there are any objective constraints, such as the opposition of residents, the insistence on *in situ* redevelopment may well result in the failure of the project on retaining "dai pai dongs". The inclusion of "identifying suitable sites" in my motion is actually meant to give the authorities one more choice in the selection of sites. We should not rule out the possibility that in the formulation of town planning for certain areas in the future, the Government may come across suitable sites where "dai pai dongs" can continue to operate. After listening to Miss CHAN Yuen-han's remarks, I do not think that this is her reason for deleting the phrase from my motion.

As for Mr Fred LI's amendment, it adds in the idea that the sites chosen must "receive the support of the District Councils and the local communities concerned". This is a point I cannot possibly oppose. I must remind Members that since "dai pai dongs" are street side cooked food stalls, their presence will inevitably meet resistance at the district level. However, the presence of resistance should not lead us to put aside the entire policy on the inheritance of the "dai pai dong" culture. Quite the contrary, there are all the more reason for the authorities to remove any resistance. For example, they should select sites away from residential settlements, consider the possibility of designating neighbouring streets as pedestrian precincts, enhancing the drainage and cleansing facilities nearby and applying various technologies to tackle hygiene and pollution problems, with a view to working out integrated development plans.

As long as "dai pai dongs" can boost the local community economy without causing any nuisance to residents, the relevant plans will certainly receive support when put before the District Councils concerned.

Madam President, I so submit.

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, first of all, I would like to thank Mr Tommy CHEUNG for moving a motion today on "Policy on inheritance of 'dai pai dong' culture" and Miss CHAN Yuen-han and Mr Fred LI for moving their amendments. The collective memory invoked by Members earlier has also made me think of the past.

Now there are some 20 "dai pai dongs" left in Hong Kong and from time to time I would patronize a "dai pai dong". Incidentally, as I have eaten nothing since noon, so when I hear Members talk about food, I cannot but help feel somewhat hungry. *(Laughter)*

This kind of hawker licence to which the "dai pai dongs" are issued can be traced back to a long time in the past. The traditional culinary culture which the "dai pai dongs" represent has become one of the characteristics of Hong Kong. But with the passage of time and higher public demand for environmental hygiene in food, we think that with respect to this mode of operation which the former Urban Council and the Regional Council thought should be changed, a balance should be struck between the preservation of traditional culinary culture and improving environmental and public hygiene.

Currently government policy on hawker licence for on-street cooked food stalls follows that of the two former Municipal Councils, the purpose of which is to reduce the number of on-street hawkers and cooked food stalls gradually so as to achieve better environmental hygiene and reducing the impact of street hawkers on pedestrians and traffic. Under normal circumstances, existing licence holders of on-street cooked food stalls may renew their licence on or before the expiry of their licence each year. With respect to the inheritance and transfer of licence, pursuant to the Hawker Regulation (Cap. 132A1), unless prior approval in writing is obtained from the Director of the Food and Environmental Hygiene Department (FEHD), the hawker shall not transfer the licence to another person. It follows that once a licence holder passes away, the

licence shall be deemed as having been revoked. The existing policy on the inheritance and transfer of on-street cooked food stall licence is as follows:

- (1) An on-street cooked food stall licence shall only be inherited by the spouse of the deceased licence holder, but the spouse in question is required to undertake that he or she shall operate the stall in person; and
- (2) If a licence holder makes an application to transfer his or her on-street cooked food stall to his or her spouse, the grounds given must be agreeable to the Director of FEHD, such as being advanced in years or in poor health.

In 1983, the then Urban Council began to implement an *ex gratia* payment scheme to encourage holders of cooked food stall licence to surrender their licence on a voluntary basis. An *ex gratia* payment of \$60,000 would be made out to holders of cooked food stall licence in the urban areas upon surrender of their licence. With effect from 2002, the *ex gratia* payment scheme is extended to include the New Territories. Holders of cooked food stall licence may surrender their licence for cancellation during the period from 1 December 2002 to 31 November 2007. A total of 26 holders of cooked food stall licence surrendered their licences in exchange for an *ex gratia* payment during the period from 1 December 2002 to 31 October 2005. The objective of this policy is to reduce the number of on-street cooked food stalls. Now there are only 28 licensed on-street cooked food stalls in Hong Kong and they are mostly found in Central and Western. The details are as follow: 10 in the Central and Western, three in Wan Chai, one in Tai O of the Lantau Island and 14 in Sham Shui Po. Earlier on some Members said that there were "dai pai dongs" in the districts to which they belong, in fact they are mistaken and actually there are no such "dai pai dongs". (*Laughter*)

In order to remove on-street cooked food stalls away from the streets, the Government has built many off-street cooked food bazaars and the newly built markets are fitted with cooked food centres. The environment in these off-street facilities and the standards of food hygiene there are much better than the on-street cooked food stalls. Many cooked food stalls that used to operate on the streets still attract a substantial number of patrons after they have moved into the off-street cooked food bazaars or cooked food centres in the markets.

Earlier this year when Man Yuen Noodles requested that its licence be transferred to a person other than the licence holder, we reviewed the existing policy with respect to the licence of on-street cooked food stalls. Of course, we would adopt an open stand and continue to listen to views put forward by Members and the public. However, as the conditions and reasons leading to the formulation of this policy still exist, we think that the existing policy should therefore be maintained. The reason is that quite a number of on-street cooked food stalls are posing an environmental nuisance. This is because owing to environmental constraints, many of these "dai pai dongs" are lacking in sanitary facilities such as toilets and sewers. They have to process and cook food in an almost open-air environment and often they take up street space to place more tables and chairs. In addition, many of them operate well into night. Owing to the above reasons, various kinds of environmental nuisance are produced, such as excessive noise, oily fume, making the buildings dirty, blocking of underground sewers by grease and effluent, as well as posing obstruction to pedestrians and vehicles. In addition to these, food safety in the cooked food stalls is also a cause of concern owing to the conditions in which these stalls operate. Though there are now only 28 on-street cooked food stalls left, the Government has received 49 complaints over the past 12 months about environmental nuisance and food safety concerning these on-street cooked food stalls. During the same period, a total of 248 summons were issued to these stalls in the course of routine inspections and handling of complaints. In the meantime, many residents and members of the District Councils have requested the Government to remove the on-street cooked food stalls away from their respective districts and hence avert the nuisance caused. Some Members said earlier that a large number of complaints and prosecutions involved obstruction of public access. This is true. There are five cases complaining of unhygienic conditions in these stalls alone. There are 11 complaints about the production of oily fume, preparation of food at the roadside which affects hygiene and the noise problem, and so on. As for cooking food in open air conditions, the authorities have made 11 prosecutions for this reason.

We think that relocating these on-street cooked food stalls to the cooked food centres in wet markets or off-street cooked food bazaars run by the FEHD would serve to strike a balance between culinary culture and environmental hygiene. Such an arrangement will do no harm to the preservation of traditional

culinary delights offered by on-street cooked food stalls. This is because the cooked food stalls can continue to operate in hygienic conditions which produce no environmental nuisance. They can offer good food to the customers with their unique way of cooking. For this reason, the customers will continue to patronize these stalls.

Some Members are of the view that the licensing policy for on-street cooked food stalls should tie in with tourism promotion plans, including the setting up of designated cooked food areas, so as to promote this kind of traditional culinary culture. We do not object to this in principle. However, I wish to stress that when promoting tourism, efforts must be made to ensure environmental and public hygiene. For if not, the streets may be obstructed and nuisance may be caused to the public. Tourists may also feel unwell if they eat some unclean food. If this happens, it will affect our reputation as the prime destination for tourists. Since the placing of cooked food stalls on the streets is subject to practical difficulties, and the lack of sanitary facilities and preparation food in almost entirely open-air conditions are undesirable, we think that a more appropriate option would be some off-street locations if designated areas for cooked food are to be developed.

Actually, the mode of operation of "dai pai dongs" is already continued in the off-street cooked food bazaars. If any organization has identified any other suitable off-street locations for the purpose of "dai pai dongs" operating in a designated area with a view to fostering tourism by offering traditional culinary delights to tourists, then we would be most happy to give our advice with respect to environmental and food hygiene. We would also provide support in licensing matters. The Tourism Board would also be happy to engage in publicity efforts to promote food establishments in Hong Kong with a distinctive local flavour to tourists on condition that these establishments will comply with requirements in environmental and food safety. When identifying locations for such promotions, a very important point would be to assess whether or not there will be sufficiency patronage if "dai pai dongs" operate there. This will ensure that such a plan would be successful. We will also need to learn from the past experience of the Sheung Wan Gala Point and the Dragon Market in Wong Tai Sin in the hope that the people can see what can be done to promote traditional Chinese culture in a new location and that it really can be sustained.

We note that some cooked food stalls operating in certain off-street cooked food bazaars and cooked food centres in the markets have established their reputation and many people like to patronize these stalls. They are situated in places like the Hoi Phong Road cooked food bazaar, the Java Road market cooked food centre, the Bowrington Road market cooked food centre and the Wong Nei Chung Road market cooked food centre. If any owners of on-street cooked food stalls would like to operate in these cooked food centres or off-street cooked food bazaars, the FEHD would be happy to provide assistance. I am sure if the "dai pai dongs" can offer tasty food, there will surely be patrons and their business will not be affected even if they operate in private premises. A good example is Man Yuen Noodles which closed down sometime ago, but it has now been issued a restaurant licence by the FEHD and it has reopened in a private shop premises nearby.

In sum, we agree that "dai pai dongs" is part of the unique culinary culture of Hong Kong and if there is any organization so interested in identifying locations to promote this culture, given that the hygiene and safety standards are met, we would be most happy to provide assistance together with other departments concerned.

Thank you, Madam President.

PRESIDENT (in Cantonese): I now call upon Miss CHAN Yuen-han to move her amendment to the motion.

MISS CHAN YUEN-HAN (in Cantonese): President, I move that Mr Tommy CHEUNG's motion be amended.

Miss CHAN Yuen-han moved the following amendment: (Translation)

"To add "cultural and" after "affirm the"; to add "the people's needs in their daily life and promote" after "complement"; to delete "identifying suitable sites to continue their operation" after "the operators of 'dai pai dongs' in" and substitute with "continuing to operate"; and to add "and study the setting up of designated zones for on-street cooked food stalls," after "safety requirements, "."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Miss CHAN Yuen-han to Mr Tommy CHEUNG'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)

Mr WONG Kwok-hing rose to claim a division.

PRESIDENT (in Cantonese): Mr WONG Kwok-hing has claimed a division. The division bell will ring for three minutes, after which the 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:

Mrs Sophie LEUNG, Mr WONG Yung-kan, Mr Howard YOUNG, Mr LAU Wong-fat, Ms Miriam LAU, Ms LI Fung-ying, 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 Patrick LAU and Mr KWONG Chi-kin voted for the amendment.

Dr Raymond HO, Dr LUI Ming-wah, Mr CHEUNG Man-kwong, Mr Abraham SHEK and Miss TAM Heung-man abstained.

Geographical Constituencies:

Mr James TIEN, Mr LEE Cheuk-yan, Mrs Selina CHOW, Miss CHAN Yuen-han, Mr CHAN Kam-lam, Mr LAU Kong-wah, Miss CHOY So-yuk, Mr TAM Yiu-chung, Mr Albert CHAN, Mr Frederick FUNG, Ms Audrey EU, Mr LI Kwok-ying, Mr Alan LEONG and Mr LEUNG Kwok-hung voted for the amendment.

Mr Albert CHENG voted against the amendment.

Mr Albert HO, Mr Fred LI, Mr James TO, Dr YEUNG Sum and Mr LEE Wing-tat abstained.

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

THE PRESIDENT announced that among the Members returned by functional constituencies, 21 were present, 16 were in favour of the amendment and five abstained; while among the Members returned by geographical constituencies through direct elections, 21 were present, 14 were in favour of the amendment, one against it and five abstained. Since the question was agreed by a majority of each of the two groups of Members present, she therefore declared that the amendment was carried.

PRESIDENT (in Cantonese): Members have been informed by circular on 21 November that Mr Fred LI will withdraw his amendment if Miss CHAN Yuen-han's amendment is passed. Since Miss CHAN Yuen-han's amendment has been passed, Mr Fred LI has therefore withdrawn his amendment.

PRESIDENT (in Cantonese): Mr Tommy CHEUNG, you may now reply and you have five minutes.

MR TOMMY CHEUNG (in Cantonese): Madam President, I am very grateful to the 18 Members who have spoken, and I thank the 17 Members for supporting this motion.

Mr Albert CHENG said he did not understand why I had to outlaw "private kitchens". I think he made this comment because he seldom listens to my speeches in this Council, as he is not in the Chamber most of the time. Today, I must tell him solemnly that I have never supported outlawing "private kitchens". My position is that "private kitchens" should be subject to a licensing regime and regulatory system, just as all the other sectors in the catering industry are, and that they cannot be treated differently from the other sectors in the catering industry and be allowed to operate without a licence. After I have clarified my position to Mr Albert CHENG, I hope that he will not say that I support the outlawing of "private kitchens" anymore.

Madam President, with regard to this motion, I hope that the Government can set a new milestone in the policy on the development of "dai pai dongs" by integrating into the policy history and culture, urban planning, economic development and tourism promotion, as well as the factor of assisting the poor. I therefore hope that the Secretary can convey these views to other Bureau Directors, such as Secretary Stephen IP whom he has just mentioned or even Financial Secretary Henry TANG who is tasked to lead the Commission on Poverty, and also the Bureau Director responsible for cultural affairs.

In fact, "dai pai dongs" are a legacy of history to the people. With regard to this unique form of culture, columnist MA Kwok-ming once said that street side culinary culture can provide ordinary food of an exemplary standard. It can also provide a popular, unique space in society with a free and unrestrained atmosphere. I hope that the Secretary, in response to this motion, will not just listen to the views of some sectors, as I often criticize him for listening to public views partially. Today, Mr Albert CHENG opposes this motion. I do not hope that the Secretary will go on saying that there is opposition from Members, because if he says so, he would perhaps be ignoring the views of the 58 Members who supported the idea.

In his response earlier, the Secretary stated that the existing phasing-out policy would not be changed. This, I think, is utterly regrettable, and I hope that he can really reconsider it. With regard to the arguments put forward by the Secretary just now, whether it be causing pollution to the environment or roads or causing nuisance to the people, none is unsolvable, as also mentioned by a number of Members in their speeches. While Man Yuen Noodles will reopen, we must bear in mind that this is due to the support of the Central and Western District Council. So, it is not the case that public support has no part to play; and in this motion, the Legislative Council has indicated its support — at least most colleagues have indicated their support. So, I hope that the Secretary can think twice. He should not decide on providing support or otherwise by looking at whether a cooked food stall is run by an organization. Rather, he should focus on the policy. Mrs Selina CHOW mentioned earlier on the issue of licences to sidewalk cafes. Can the Secretary, in considering this issue, extend the scope of coverage a bit and study how this can be implemented in the policy? I hope that the Secretary can spend more time on this aspect. I know that he already has a "headache" now, because he is facing such problems as the avian flu. But when it comes to food, I can see that his mouth is watering.

Perhaps I will support Mr WONG Ting-kwong. He did not finish his speech earlier on. Did he mean that he will put forward this motion again if I do not propose it next year? In that case, I would ask for the President's permission for us to conduct the debate right beside a "dai pai dong" then, so that we can enjoy a cup of mixed coffee and mike tea while debating, and this can perhaps make the Secretary change his mind or act more positively. Would it not be better?

I really hope that the Secretary will not listen to public views partially. I hope that he will be more generous in dealing with the "dai pai dong". In fact, I hope that the Secretary can draw the attention of other Bureau Directors, particularly Secretary Michael SUEN. Now, the Government said that it is going to revamp land planning in Shek Kip Mei. In fact, there is a very good place just adjacent to Shek Kip Mei where "dai pai dong" can be set up and that is, Sham Shui Po, which was mentioned by us earlier. Perhaps we have to renovate the place and improve the facilities there, so that the residents will not find it so obnoxious.

Madam President, I so submit.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Mr Tommy CHEUNG, as amended by Miss CHAN Yuen-han, 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 Tommy CHEUNG rose to claim a division.

PRESIDENT (in Cantonese): Mr Tommy CHEUNG has claimed a division. The division bell will ring for three minutes, after which the 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:

Mr CHEUNG Man-kwong, Mrs Sophie LEUNG, Mr WONG Yung-kan, Mr Howard YOUNG, Mr LAU Wong-fat, Ms Miriam LAU, Ms LI Fung-ying, 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 Patrick LAU, Mr KWONG Chi-kin and Miss TAM Heung-man voted for the motion as amended.

Dr Raymond HO, Dr LUI Ming-wah and Mr Abraham SHEK abstained.

Geographical Constituencies:

Mr James TIEN, Mr Albert HO, Mr Fred LI, Mrs Selina CHOW, Mr James TO, Miss CHAN Yuen-han, Mr CHAN Kam-lam, Dr YEUNG Sum, Mr LAU Kong-wah, Miss CHOY So-yuk, Mr TAM Yiu-chung, Mr Albert CHAN, Mr Frederick FUNG, Ms Audrey EU, Mr LEE Wing-tat, Mr LI Kwok-ying, Mr Alan LEONG and Mr LEUNG Kwok-hung voted for the motion as amended.

Mr Albert CHENG voted against the motion as amended.

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

THE PRESIDENT announced that among the Members returned by functional constituencies, 21 were present, 18 were in favour of the motion as amended and three abstained; while among the Members returned by geographical constituencies through direct elections, 20 were present, 18 were in favour of the motion as amended and one against it. Since the question was agreed by a majority of each of the two groups of Members present, she therefore declared that the motion as amended was carried.

THAT THIS COUNCIL DO NOW ADJOURN

PRESIDENT (in Cantonese): Motion for Adjournment.

Under Rule 16 of the Rules of Procedure, the total speaking time for Members is up to 45 minutes

In response to the circular issued on 21 November, by the deadline of noon yesterday, 11 Members, including Ms Miriam LAU, had indicated to the Clerk their wish to speak on the motion. Taking into account Rule 18 of House Rules, and having regard to the number of Members who wish to speak, I order that the mover may speak for up to five minutes and other Members may each speak for up to four minutes. The public officer making a reply has up to 15 minutes to speak. Those Members who have not indicated to the Clerk their wish to speak will be invited to speak only if there is still time left after all those Members who have so indicated have spoken. It is now 7.03 pm, the debate shall now proceed.

Members who wish to speak will please press the "Request-to-speak" buttons.

MS MIRIAM LAU (in Cantonese): Madam President, I move that this Council do now adjourn for the purpose of debating the following issue: Security and public order issues relating to the Sixth Ministerial Conference of the World Trade Organization (WTO).

Madam President, earlier today, I already submitted a report to this Council in my capacity as Chairman of the Subcommittee of Closed Area (Hong Kong Ministerial Conference of World Trade Organization) Order. The Subcommittee did not make any proposal for amending that Order, but some members felt that there should be an opportunity for them to express their views and concerns on the security and public order issues relating to the Sixth Ministerial Conference of the WTO and the Administration should respond. As Chairman of the Subcommittee, I am most happy to move this adjournment debate so that Members can express their views and concerns in this respect.

The Ministerial Conference of the WTO is an important international event and Hong Kong is fortunate to be the host. This is indeed a very good opportunity for Hong Kong to prepare for the Sixth Ministerial Conference. As Hong Kong has enormous experience in organizing major international events, I am sure that Hong Kong will be able to rise to the challenge and make it a success. According to our experience, however, such international events as the Ministerial Conference of the WTO will inevitably attract a lot of protest and demonstration activities from other countries. From the media, we know that farmers from some countries would come to Hong Kong to protest and they have expressly stated that inconvenience would be caused to the people of Hong Kong.

According to police intelligence, it is estimated that there would be 3 000 local and 7 000 overseas protesters. Moreover, as the nature of this event will be different from other activities in terms of the timing, number of participants and rankings of the delegates, Hong Kong must exercise extra caution.

I believe most of the protesters are peaceful and law-abiding. But from news reports, we understand that WTO meetings held in the past saw rather

radical actions by protesters. This is quite different from Hong Kong's protest culture. So, Hong Kong must act with caution.

In fact, Hong Kong respects the freedoms of speech and of assembly. In the past, we saw not too few protest activities and therefore we do respect the expression of views by protesters to those who will attend the Ministerial Conference of the WTO. On the other hand, however, Hong Kong people love peace and have always conducted protests and demonstrations in an orderly manner. We do not want our public order and traffic to be affected by protest activities either. We therefore must strike a balance between the freedom of speech of the protesters and our love for peace. The setting up of a closed area and the distance between the closed area and the venue for the Conference thus reflect this balance.

I am sure that Hong Kong people will appreciate the need of setting up the closed area and will be patient, understanding and co-operative towards such a measure. But I hope the Administration can do everything possible in order to minimize the impact of this Ministerial Conference of the WTO on our citizens. I hope the Transport Department (TD) will closely liaise with public transport organizations and the freight transport industry because they are the front-line drivers who know the road conditions well. If the Government can listen to them, road closure and traffic diversion measures can be improved in order to minimize inconvenience to the public. Also, the TD must have in place sound contingency measures. If protests should cause impact on the traffic around the venue or even farther areas, the public must be informed in the first instance and appropriate contingency arrangements must be made. Of course, the public should also pay attention to the traffic conditions and the Administration should disseminate the information in good time.

Madam President, I so submit.

Ms Miriam LAU moved the following motion: (Translation)

"That this Council do now adjourn for the purpose of debating the following issue: Security and public order issues relating to the Sixth Ministerial Conference of the World Trade Organization."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That this Council do now adjourn.

MR JAMES TO (in Cantonese): President, we have been told by the laws and countless precedents in Hong Kong that we need to strike a balance between security and public order needs and the right of peaceful expression.

How, then, can a proper balance be struck? As early as when the Government was considering setting up a closed area, that is, at the very initial stage, I already made a suggestion to the Government, asking it to study whether it could try to strike a proper balance. In large-scale demonstrations, it is, of course, impossible for the Government to allow all protesters to stay close or very close to the conference venue and enable them to express their views to conference participants direct. But where police manpower permits, say, where "blue-beret" officers are lined up in front of the protesters and mills barriers are set up (I may be taken to task for mentioning mills barriers), whereas there are only a dozen or so, or 20 to 30 protesters who have been searched by metal detectors for explosives, and police officers have searched the protesters and confirmed that they do not carry any offensive weapon, or they are only carrying banners made of paper, the Government can actually allow peaceful protesters to express their views to conference participants at a closer distance. I have repeatedly made this suggestion to the Government, but the Government has consistently responded that my suggestion is not feasible, because the Government considered that this still cannot deter violent or obstructive acts.

However, Members must bear in mind that the situation which I have just mentioned is one where the number of protesters is limited, maybe 20 to 30 only as against some 100 to 200 "blue-beret" officers, or officers from the Police Tactical Unit. If my suggestion is rejected even for such a situation, then it is rejected not for security reasons, but for protecting feelings. Laws in Hong Kong are not meant to protect feelings. Rather, they are there to protect the right of peaceful demonstration and yet, the Government has refused to consider my suggestion. In the final analysis, the intention of the Government is actually to distance all peaceful demonstrations from conference participants and separate them from each other as far away as possible. This is not the spirit of law. In this connection, I think the Government should be condemned.

I think what the Government should consider is large-scale demonstrations. For example, when there are thousands of protesters who had committed violent acts in similar demonstrations before and when there are only some 20 000 uniformed police officers. The police just cannot send all police officers to the place where the demonstration takes place, because the stationing of police

officers is also required in other parts of the territory and so, there will not be much police manpower that can be practically mobilized. When thousands of police officers can assemble at a place, that is already a very huge number. But what I have just suggested can absolutely strike a balance between both situations. What is more, it can make the protesters feel that at least their representatives can, in a safe situation, express their views to conference participants at a close distance peacefully.

If the Government cannot even accept this, it means that the Government, to put it plainly, basically does not want conference participants to hear any dissenting voices. I hope that my proposal will be taken on board not only for international conferences, because there have been many precedents of peaceful demonstrations before. For instance, on one occasion when President JIANG Zemin visited Hong Kong, a person surnamed LO holding a banner and carrying no offensive weapon (the police had searched him and did not find anything) came alone (all by himself) to the outer area within view of the hotel room where President JIANG Zemin was staying. But even though he was there just like that, the police was still afraid that President JIANG Zemin might see him and so, they drove him away. To put it bluntly, the Government, in so doing, actually intended to suppress and deny all opportunities for peaceful expression of opinions.

I hope that the Government will not pull wool over its own eyes. The point that it must face up to is that the right of peaceful demonstration is protected by law, and my proposal is absolutely viable and within the parameters of ensuring safety.

MR ALAN LEONG (in Cantonese): Madam President, my greatest worry in connection with the Sixth Ministerial Conference (MC6) of the World Trade Organization (WTO) to be held in Hong Kong is possible violent demonstrations and protests. I agree that the police should act according to the law and reasonably prevent demonstrators from causing any harm to life or property. However, if the police act in such a radical manner as to infringe on the rights of the demonstrators and provoke them, or if excessive force is applied in the course to assert control and in so doing go beyond any standards commonly acceptable to the international community, it would cause some very negative impact on Hong Kong's international image and this is certainly something we do not want to see.

Looking at the statements from overseas police or organizers of demonstrations, the causes which lead to the eruption of violence and clashes in anti-globalization demonstrations may come from the demonstrators or the police. Radical demonstrators who deliberately test the limits of police patience are of course a factor leading to clashes and conflicts, but the same can result if the police act in such a drastic manner as to overturn the prior agreement it has entered into with the demonstrators and impose new and unreasonable restrictions such as enlarging the prohibited area impromptu or limit the number of demonstrators and slogans, all these will be regarded as provocation by the demonstrators and hence clashes will be triggered.

In addition, some overseas reports often mention that when the police attempt to exert control, indiscriminate violence may be used. It can be seen from overseas examples that passer-bys may be harmed by pepper spray or when fallen demonstrators are still hit by police with their shields and hence massive bleeding is caused. I would like to reiterate that suppressing a riot must not be made an excuse for the police to curb civil rights or even made a justification for taking the law into its hands. I hope the police would be mindful of the personal safety of detainees in police vehicles or in the detention centres and that the detainees will enjoy the right to seek assistance from their lawyer. I hope the police will act with extra care in these aspects when enforcing the law during the MC6 of the WTO.

Madam President, I have great confidence in the Hong Kong Police Force with respect to their professional competency and conduct. I hope police providing assistance in security matters during the WTO meetings will refrain from overreacting and they should understand that the demonstrators only hope to express their grievances and not to cause damage and destruction. Hence minimal force should be employed to ensure that there will be maximum protection given to both conference participants and demonstrators alike and that there will be no disruption caused to public peace.

Madam President, I so submit.

DR LUI MING-WAH (in Cantonese): President, to Hong Kong, the hosting of the Ministerial Conference of the World Trade Organization in Hong Kong is a spectacular event, a major highlight, and an important conference.

It is spectacular in that over 20 000 government officials and supporting personnel from various countries will gather in Hong Kong to hold negotiations on an important issue of concern to the world, namely, globalization of the world economy.

It is a major highlight in that this conference is so far the largest in scale of all conferences held in Hong Kong. Hong Kong should make the utmost effort to properly provide support on all fronts, so that the guests and conference participants can take part in the conference safely and enjoy a comfortable journey, thus leaving a good impression of Hong Kong on them. This is the duty required of the hosting city.

This conference is of great importance and so, Hong Kong will become the focus of attention of the entire world. Hong Kong must do its best, for this will be the best, once-in-a-blue-moon opportunity for publicity to the world.

It is precisely because this conference is so important that many people who oppose the conference will come to Hong Kong from various countries. They will show their dissatisfaction in various ways, and they may even resort to radical means. Hong Kong should take the most stringent measures to ensure the smooth conduct of the conference. For this reason, I support the setting up of the closed area by the Government under the Public Order Ordinance. I so submit. Thank you.

MISS CHOY SO-YUK (in Cantonese): President, this World Trade Organization (WTO) conference is by far the largest conference that has ever been hosted by Hong Kong. It is the focus of international media attention and a very important test to the international image of Hong Kong, so we must do everything not to let anything go wrong. For this reason, while we should protect the right of protesters to express their views freely, we should also make full preparation to resist violent protesters coming from different parts of the world and prevent social order from running out of control which would affect Hong Kong's image of being a city with good law and order.

Particularly, at the Asia-Pacific Economic Co-operation Conference in Pushan, South Korea, days ago, the violent confrontations between protesters and the anti-riot squad had caused injuries to many policemen. We all know that violent confrontations are indeed nothing new to the security authorities in

South Korea, but as far as we could see, the situation was still in chaos. Some organizations which had taken part in these demonstrations even declared that they would be taking 120 people to Hong Kong next month to oppose the Sixth Ministerial Conference of the WTO. This has aroused concern about whether law-enforcement officers in Hong Kong who seldom face violent demonstrations have sufficient experience to keep the situation under control if similar or more serious incidents occur in Hong Kong.

For this reason, it is necessary for the Security Bureau to further step up security for the WTO conference in the light of what happened in the Pushan conference. Besides, to ensure that social order will not run out of control, there is a need for the Security Bureau to get in touch with the Central Authorities to ensure that the People's Liberation Army Garrison in Hong Kong can provide assistance when necessary.

President, I wish to say in particular that these are not the run-of-the-mill type of demonstrations, and to shops and residents in the vicinity of the closed area, these demonstrations are a complete stranger to them, let alone that they would be in any way prepared psychologically. While the Government said that it had actively contacted shops and buildings around the Hong Kong Convention and Exhibition Centre to discuss with them the arrangements to be made during the conference period, from what we have seen in newspapers, many shops nevertheless said that the authorities had not sent anyone to get in touch with them. They are even worried about what they should do to cope with the occurrence of violent incidents. So, the authorities must closely liaise with nearby shops in no time to teach them what they should do in the event of violent activities, so as to prevent them from suffering even greater losses as a result of fear and panic.

Moreover, according to general insurance provisions, even though shops suffer losses because of a riot, they still cannot claim compensation from the insurance company. It is worrying that the authorities have stated explicitly that they are not liable for making any compensation to persons suffering losses as a result of the setting up of the closed area. Given this, the Government all the more should come up with more proper arrangements and at the same time assist the shops to make full preparations, so as to minimize possible losses to the shops.

President, I so submit.

MS LI FUNG-YING (in Cantonese): Madam President, the Ministerial Conference of the World Trade Organization (WTO) will be held in Hong Kong in less than a month. The WTO agenda will have far-reaching implications on Hong Kong and global economic development. But to the people of Hong Kong, the security arrangements now being made for the WTO conference to be held in Hong Kong will have an even more direct and concrete impact on them.

I am not a member of the Subcommittee on the Closed Area (Hong Kong Ministerial Conference of World Trade Organization) Order (the Closed Area Order). My speech aims only to put forward some opinions based on some observations on the ancillary issues, and I hope the authorities will pay more attention to them. The security arrangements made for the WTO Ministerial Conference involve not only the scope covered by the Closed Area Order. Contingencies outside the prescribed scope, as well as the need to ensure that the public, especially citizens affected by the Closed Area Order, appreciate the aspirations of most of the protest groups, so as to win public sympathy and hence reduce the possibility of conflicts between the public and the protesters are also very important from a security angle.

I do not think that the publicity work of the Government has been rightly and sufficiently carried out to enable members of the public to understand the WTO conference. On the contrary, I have seen some oversimplified publicity that can easily cause misunderstandings. One example is that the zero-tariff concession for Hong Kong is used to put across the message that the WTO conference will facilitate free trade and reduce tariff and hence, consumers can buy goods at cheaper prices. If I believe in this API of the Government, I can only reach one conclusion and that is, the protesters outside the WTO conference venue are just trouble-makers or professional protesters who are deliberately provocative and hence do not merit sympathy. If members of the public look at the WTO protesters with this frame of mind, particularly when security needs have subjected the public to inconvenience, the conflicts between the public and the protesters will intensify, resulting in a higher chance of confrontation between them.

I do not know how the relevant government departments will launch publicity on the WTO conference and the Closed Area Order in the next couple of weeks. But I hope that the Government's publicity campaign will enable members of the public to look at the WTO conference from various perspectives.

This will help facilitate the smooth conduct of the Ministerial Conference of the WTO.

Finally, I would like to talk about how the issue of compensation will be handled under the Closed Area Order. The Government has adopted a broad-brush approach by refusing to bear liabilities for compensation that may possibly arise from the enforcement of the Closed Area Order on the ground that public interest should override private interest. This is improper. But since this is not directly related to this adjournment debate, I will not further discuss this point here.

Madam President, I so submit.

MR VINCENT FANG (in Cantonese): Madam President, it is basically a good thing that Hong Kong succeeded in securing the right to host the Sixth Ministerial Conference of the World Trade Organization (WTO), for this has not only recognized the status of Hong Kong in the international economic and trade arena. Our active participation in the WTO also demonstrates that Hong Kong has the ability to host this sort of international conference.

Moreover, the number of people coming to attend the conference, together with the relevant personnel and their families, is expected to exceed 20 000. At first, it was estimated that they would bring desirable economic benefits to Hong Kong through, among other things, sightseeing and shopping. But the retail sector has now seen the disadvantages before seeing the advantages, because this international event is used by non-governmental organizations opposing globalization of trade as a means of publicity, and it is anticipated that close to 10 000 people will protest on the streets during the conference period. To more effectively control the situation, the relevant government department has proposed the Closed Area (Hong Kong Ministerial Conference of World Trade Organization) Order to set up closed areas at certain parts of Wan Chai and Admiralty.

Given the concern about protesters staging demonstrations outside the conference venue, schools in the district will have to suspend their classes. But the Government seems to have neglected the fact that the shops in the vicinity of the conference venue and demonstration zones may also have to suspend their business for nine days during the conference period. Worse still, they may even suffer economic losses due to sabotages by the protesters.

From past experience, such as the Third Ministerial Conference held in Seattle in 1999, many protesters had taken the opportunity to deliberately vandalize shops near the conference venue. So, the shops in the vicinity of the closed areas and demonstration zones as designated by the Government have prepared for the worst. In order to reduce their loss, they have asked insurers to include protection against losses incurred from the disruption of business or vandalism as a result of "riot" or "demonstration". In Hong Kong, this is brand new in terms of insurance coverage. So, not only will the insurance premium increase significantly, the cost of the industries will also increase and yet, such protection still may not be included in the insurance policy as the shops wish. As we know, there are many automobile showrooms in Gloucester Road near the conference venue. Some insurance companies have rated these automobile companies as bearing high risks and do not even accept insurance application from these companies. This, I believe, is unexpected to the Government.

We are not asking the Government to undertake that it will make compensation for the losses incurred by the industries due to this conference. We only hope that the Government can provide assistance to shops that may be exposed to risks as a result of the setting up of the closed areas. For instance, assistance can be given to shops that cannot take out insurance policy from an insurance company in finding the suitable agent, and consideration can even be given to providing government guarantee. More importantly, I hope that the security authorities can make detailed arrangements, so as to keep the situation under control and minimize risks while ensuring the smooth conduct of the conference, thereby truly protecting the safety of the life and property of the people.

Thank you, Madam President.

MR LEE CHEUK-YAN (in Cantonese): President, with regard to this WTO conference, we all hope to ensure the safety of the participants. This is beyond doubt. The question is: What steps will be taken to achieve this objective? Many important conferences of a large scale have been held at the Hong Kong Convention and Exhibition Centre (HKCEC) before, including the reunification ceremony, which were all attended by state leaders. In the past, the practice of the Government was to cordon off the area under the Police Force Ordinance or the relevant road traffic laws, banning access to the conference venue by

protesters who could only stage demonstrations outside the venue. Why, on this occasion, should section 36 of the Public Order Ordinance be specially invoked to turn the entire Wan Chai North adjacent to the conference venue into a closed area, stipulating that any person who enters the area will commit an offence and is liable to a two-year imprisonment? In fact, placing mills barriers in the area to ban entry by protesters under the relevant road traffic laws or the Police Force Ordinance can already serve the purpose. Why should the area be made a closed area? The only explanation is that the Government does not allow any person to stand right in front of the HKCEC holding up placards to express his views and so, the area in its entirety is made a closed area to deny protesters of an opportunity to express their views.

At a meeting of the Subcommittee, we asked officials of the Department of Justice whether the whole arrangement would be excessively slanted towards the proceedings of the WTO conference to the neglect of the protesters' right of expression, human rights and freedom? They admitted such slanting, but considered it necessary in order to ensure safety in the area. But what reasons are there to convince us that the Government's approach is reasonable? We very much disapprove of the practice of the Government. The Government started out by demonizing all the protesters. Although the police may invariably add that not all the protesters are violent and that many are peaceful and non-violent, what the Government had done was that a video tape about violent demonstrations was played at the conference venue first. If the Government wishes to play this type of video tapes, there are many of them indeed, and the Government may as well play footages about the invasion of Iraq by the United States. In fact, it can play whatever video tape it likes. But this will create a major crisis, giving the international community the impression that Hong Kong has adopted an extremely unfriendly, confrontational and unwelcoming attitude towards non-governmental organizations coming to the territory to express their opinions.

We were once interviewed by an overseas radio station and asked whether the Hong Kong Government very much would not wish to see people coming to the territory to stage demonstration. This shows that the Government has tarnished its own image, because its handling approach is overly exaggerating. Very often, we see in newspapers pointless, exaggerating reports about protesters lying on railway tracks. We did ask the police why there would be such reports in the press. They said that they did not know, but added that they had seen this on the Internet. It would be tragic to consider what one can see on

the Internet as real, because in many cases, what appears on the Internet is just virtual, which means unreal, and everything can be a fabrication. This, I think, is very much regrettable. In its handling of the setting up of the whole closed area, the Government has been over exaggerating and as a result, the Government's image seems to be very unwelcoming to the non-governmental organizations. I hope that there will not really be the case of the police treating the protesters with violence.

PRESIDENT (in Cantonese): Please sit down.

MR JEFFREY LAM (in Cantonese): Madam President, many violent scenes of demonstration took place in past Ministerial Conferences of the World Trade Organization (WTO). There was also similar occurrence in the Asia-Pacific Economic Co-operation Conference which has just ended. This has aroused concern among the public about whether violent protests will take place during the Sixth Ministerial Conference of the WTO to be held in Hong Kong in the middle of next month. Many people may ask: Can we cope with and withstand these unexpected situations?

What will be discussed at the WTO Ministerial Conference are issues involving the interests of various countries and strata under globalization. We already know that protesters from different countries will come to Hong Kong to put forth their aspirations. Some protesters have even stated that they will resort to more drastic means to express their views, in order to attract attention from all sectors.

Hong Kong is a place with the freedom of speech and where civil rights are respected, but I hold that no demonstration or procession should affect social order. The Government has already designated areas for demonstration. Large-scale drills have been conducted many times by various government departments, and staff have been sent overseas to learn from others' experience. Meetings have been held with the protest groups, so that we can be better prepared for crises, while protesters can express their aspirations through peaceful means. I believe the authorities have mapped out a series of plans to deal with the situation, including plans to deal with crises, so as to reduce possible violent confrontation to zero. I hope that the Secretary and the authorities concerned will not easily believe that the processions will be conducted very peacefully then, as suggested by some people, thinking that they

do not warrant concern and hence lowering its guard. We ought to know that sometimes, it is difficult to control the emotions of protesters. Earlier when Mr LAMY arrived in Hong Kong, we already saw the more drastic protesters jumping onto his vehicle. Do we wish to see more drastic actions? Hong Kong people absolutely do not wish to any.

As it may be inconvenient to go to Wan Chai and its vicinity during the WTO conference period, I understand that the Government will disseminate the latest information through various channels. Members of the public have stated that they will show understanding and provide support as far as possible. It is most important to pay more attention to the latest news about the conference and not to throw ourselves into confusion.

Many enterprises have shown to be fulfilling their social responsibilities to Hong Kong. Some companies have drawn up guidelines, allowing employees to work at flexi hours or even to work at home, so as to avoid the inconvenience brought by the WTO conference in Hong Kong. The Eastern Harbour Crossing and the Western Harbour Crossing also agree to offer a discount of 14% to 25% for private cars, taxis and lorries during the six-day conference period, hoping that this will help reduce cross-harbour traffic flow in Causeway Bay and Wan Chai and hence mitigate congestion.

I trust members of the public will give their support and that they are willing to contribute their efforts to make the conference a success, because this is the highest level of international conference that has ever been hosted in Hong Kong. It can consolidate Hong Kong's position as a financial and trade centre, upgrade our image as a bastion of trade and impress the world more deeply with the peaceful and harmonious side of Hong Kong.

Madam President, I so submit.

MR LAU KONG-WAH (in Cantonese): President, December is going to be a bustling month, as there will be processions, and there will also be demonstrations. Perhaps this is how Hong Kong should be like. With regard to this type of WTO conference, I believe it is another "Harbour Fest". While political stars will be gathering here, the demonstration stars will be coming too. In other countries, similar conferences were held at places deep in the mountains to avoid conflicts. This, from the viewpoint of Hong Kong, is certainly an

exaggerated approach. However, since the conference will be held in the urban centre of Hong Kong, if there is no restriction or closed area whatsoever, the situation might go to the other extreme and so, I may not agree with it.

If the Government can do a good job in holding the conference, it can indeed show that the Government can do what others cannot; but if the Government fails to play its part, it may create a certain extent of nuisance to the people, or it may even lead to some uncertainties. So, I very much appreciate that in hosting this conference, the Government must succeed and cannot afford a failure insofar as public order is concerned. I hope that members of the public will understand and support certain work of the police in maintaining order.

Following the globalization of the world economy, there comes also the globalization of demonstrations. We will be receiving protesters coming to Hong Kong from all parts of the world and so, it is only natural for the Government and the police to adopt all necessary measures. Setting up a closed area is just one of these many measures, while measures also have to be implemented in other areas. We have repeatedly discussed the issue of the closed area in the Subcommittee. Some colleagues questioned the need to maintain such a huge closed area. Mr LEE Cheuk-yan even questioned the need to set up a closed area. I personally do not quite agree that no closed area should be set up, and I am of the view that the closed area is quite appropriate in terms of its size. If the area should be further reduced or if a part of the closed area should be cancelled, I think it will indeed have an impact on public order.

Some colleagues opined that the closer the protesters are to the targets of protest the better, for this can suppress their emotions and hence prevent them from making troubles. I beg to differ. Very often, I can see that the closer the protesters are to their targets, the more confusion there will be and so, it depends on the angle from which one looks at it. Therefore, as long as the closed area is located at a place where the protesters can see their targets and chant their slogans, I think it can already balance the interests of all sides.

Mr LEE Cheuk-yan mentioned earlier that the police had learned from information on the Internet that the protesters would lie on the railway tracks in MTR stations or take other actions to create disturbances. He questioned whether this information is true or just virtual. I had been to Seattle to observe the situation, and I had directly asked the policemen who were there to maintain order about this. They said that some protesters had used violence, and that this

had been widely spread on the Internet and mobilized on the Internet. They also told us that this tragic lesson was the result of not making full preparations. It is a tragic lesson not to make full preparations and so, I very much hope that the police will be fully prepared this time in order to cope with the situation.

Finally, President, disregarding what actions the protesters will take, I think the police should deal with it by peaceful means. Hong Kong can tolerate no violence. Should any violent incident take place, we call on the police to stop it immediately.

Thank you, President.

MRS SELINA CHOW (in Cantonese): President, after its First Ministerial Conference held in Singapore at end 1996, the World Trade Organization (WTO) will return to East Asia this year and hold its Sixth Ministerial Conference in Hong Kong next month. Hong Kong was one of its 128 founding members when the WTO was established in 1995. I think the WTO, in choosing Hong Kong as the hosting city of this conference, has given recognition to Hong Kong's status in international free trade. This is what Hong Kong people can take pride in.

There is a famous quote of Mrs Margaret THATCHER: Roll back the state. It means reducing government intervention for the market to operate freely. This is consistent with the philosophy of the Liberal Party. We resolutely support free trade, and our persevering support for free market economy is also expressly written in our party platform. The success of Hong Kong today can be attributed to its free economy, an irreplaceable advantage of Hong Kong. The Liberal Party believes that trade protectionism is diametrically opposed to the fundamental interests of all countries. Only when the various restrictions impeding free trade are removed can an all-win situation be achieved for the countries and hence globalization be truly achieved. Globalization is something we must cherish. Advanced countries can benefit from it, and developing countries can also take the opportunity to strive for improvement. Removing trade barriers is the essence of free trade, and is the fundamental spirit of the WTO and the pillar of globalization. The WTO's philosophy of free trade is cognate with the free market policy consistently upheld by Hong Kong. It can be said that Hong Kong and the WTO have a common set of core values, which are very much agreeable to the Liberal Party.

Therefore, it is particularly meaningful for this WTO conference to be held in Hong Kong, the freest economy in the world.

A concern to the public in relation to this WTO conference is certainly those anti-globalization protesters coming from various parts of the world. In fact, there are also protesters coming for other causes. The public are concerned about whether they will commit overly drastic acts during the conference period. I feel very much at ease with the local groups, because Hong Kong citizens have always been law-abiding. Even when hundreds of thousands of people took to the street to stage a protest, they could still maintain a very good order. In fact, the WTO conferences will invariably attract a large number of protesters, mainly because under the trend of free trade and globalization, divergence has emerged over the distribution of benefits. I think there is basically no problem with the expression of views and the expression of dissatisfaction, but if one resorted to overly drastic means or even chose to use violence in the process of expression, it would trespass the limits of the expression of opinion.

Mr LEE Cheuk-yan questioned earlier whether a person would breach the law entering the closed area. Some colleagues even questioned the need to set up a closed area. I think they are too accustomed to the peaceful acts of local protesters and have forgotten those very drastic protesters whom we often see in news footage. These protesters will be coming to Hong Kong. We may have to face them. I think Members do not have to face those acts, but the Hong Kong Police Force have to be responsible to Hong Kong, and to the world. Therefore, we must not treat this lightly. No doubt this is a major challenge to Hong Kong, and I do believe we can prove that Hong Kong can withstand this challenge. Thank you, President.

PRESIDENT (in Cantonese): Members who have indicated their wish to speak before the deadline have all spoken. Now, I will let Members who could not indicate their wish to speak before the deadline to speak.

MR LEUNG KWOK-HUNG (in Cantonese): President, first of all, I would like to say a few words in order to do justice to overseas organizations coming to Hong Kong to express their opinions. We should not view all of them as rioters.

In fact, from our experience in the several previous World Trade Organization (WTO) Conferences, very violent confrontations were not a definite feature of every WTO conference. I still recall that a farmer from South Korea had once chosen to adopt self-destruction as a means to express his anger.

I am a frequent demonstrator. I feel that the arrangement of this time is not very good. First, the designated demonstration area is too far away from the venue of the conference, from which demonstrators can only see the meeting venue from one direction. This has deviated from the practice that the law-enforcement authorities should allow the demonstrators to exercise their rights of demonstration within the normal viewing and hearing distance of the targets of the relevant demonstration. The present arrangement has failed completely to meet this standard. Such an arrangement will inevitably give rise to many arguments, and will even increase the chances of triggering contradictions and even conflicts between the demonstrators and the police. Secondly, the restricted area has been expanded excessively. In an example quoted by Mr James TO earlier, the police will not permit demonstrators to enter the restricted area even if they are not carrying with them any objects. I have personally experienced this. I once asked the police, if both my hands and feet were bound, and I was just wearing a shirt with some words on it, could I enter the area? Yet the police still answered in the negative. In fact, Hong Kong people have been cheated by the police who have demonized the demonstrators, so that the people may not treat the demonstrators well when the latter take part in the demonstrations during the duration of the WTO conference. Members must understand that the participants of the conference and the demonstrators are doing the same thing. Their difference is just like the two sides of a coin. This is the first point.

By demonizing the demonstrators, the police will make us prejudice against the demonstrators, and it will only make everyone become excessively agitated. This is the second point. This will put the police under the pressure that it must suppress the demonstrations like some "riots". I must warn the police, this was what the Kuomintang did in the past — whenever there was a demonstration, it would suppress it like a riot. I must tell you, the world is fair. If the Administration abuses its power, and suppresses the demonstrations like riots, thereby employing this as a tactic for achieving its "strong governance for the people", first, I shall raise my objection, and second, the police will definitely be denounced.

Besides, Hong Kong people can never understand what the WTO and its subsidiaries, the International Monetary Fund and the World Bank, have been doing. They have made the entire nation of Argentina broke. The World Bank/International Monetary Funding held its meeting in Hong Kong in 1997. After less than one year, international financial raiders launched a speculative attack on the monetary system of Hong Kong, which nearly made Hong Kong broke like Argentina. Have we ever discussed such incidents? Why can we not see such incidents? Why can we not understand the objectives of WTO demonstrators in staging their protests in Hong Kong? I feel that the Government is duty-bound to tell Hong Kong people that we are a civilized society because ours is a fair society, where we can freely disseminate information. I hope we can do justice to the WTO demonstrators. Thank you, President.

PRESIDENT (in Cantonese): Members' speaking time will be over in two minutes. Now, I shall call upon the last Member to speak.

MR HOWARD YOUNG (in Cantonese): Madam President, I believe the public can see that the convening of a conference of the World Trade Organization in Hong Kong is beneficial to Hong Kong, no matter from the macro perspective, economic perspective, the perspective of international reputation or even the perspective of tourism. However, in the short term, there will be some inconveniences and the public should be understanding.

Hong Kong has been described as the city of peaceful demonstrations and I wish to let people know that if they demonstrate peacefully and in an orderly manner, we will certainly welcome them and we hope that they can follow the example of Hong Kong people, who hold their demonstrations in a peaceful and placid manner.

However, we also want to send a message to demonstrators who intend to incite violence that we will definitely deal with such demonstrators sternly and will by no means tolerate any violent behavior because this is not how our society is like. Therefore, I support the adoption of security measures and the establishment of a closed area but I also hope that the police can use their wits to control the crowds and as far as possible, avoid actions that will turn up the heat of the demonstrations.

According to my observations, the aim of the demonstrators is none other than to make the object of their demonstration know what they are doing. Of course, people all want to get close to their objects of demonstration but this is not practical. We can consider adopting more creative approaches, for example, by using electronic communications equipment to show the scenes of demonstration on a screen near the venue of the conference, so that people attending the conference can watch if they want. Meanwhile, if demonstrators know that this type of equipment has been installed, they will feel that the participants in the conference are aware of their presence. This may serve to allay their strong emotions.

I so submit.

SECRETARY FOR SECURITY (in Cantonese): Madam President, the Sixth Ministerial Conference (MC6) of the World Trade Organization (WTO) to be held in Hong Kong from 13 to 18 December 2005 is an important and eye-catching international event. As the host of MC6, Hong Kong certainly has a responsibility to ensure that the conference is held smoothly and safely.

Hong Kong is a busy metropolis which is small and yet densely populated. Coupled with the fact that similar international conferences held in recent years often attracted a large number of protesters and even trouble-makers, it is understandable that some Members are concerned about security and public order during the conference period. We certainly will not treat this matter lightly. That is why we have actively made arrangements on various fronts since the early stage to ensure the safety of conference participants and the public as well as social order. Our strategy is to minimize as far as possible the chances of confusion, conflicts or dangers that may arise during the conference period. In case these incidents do happen, speedy and effective contingency measures will be adopted.

The police already started to prepare for this conference as early as a year or so ago. The preparatory work includes not only making logistics arrangement, but also making reference to overseas experience in organizing major international events. Apart from studying the proposals and review reports on such overseas events, the police have time and again sent officers to overseas countries to observe the arrangements and proceedings of conferences, including the G8 Summit held in Scotland in July this year and the Asia-Pacific

Economic Co-operation informal leadership summit held in Pushan, South Korea, just last week.

Summing up these experiences and evaluations, we consider it most important to make careful and detailed arrangements prior to the conference, in order to prevent demonstrations from developing into conflicts or other scenarios of confusion. This will be more effective than contingencies taken after such incidents. Moreover, it is also very important to ensure that members of the public, particularly those sectors that may be affected, clearly know the relevant arrangements and hence make preparations. I will now give an account of the series of arrangements to be made and measures to be implemented by the authorities in this connection.

To begin with, I wish to emphasize that the authorities absolutely have no intention to smear the protesters. On the contrary, we very much respect their freedom of expression, and we will do our utmost to provide facilitation to enable their activities to be conducted in a peaceful and orderly manner, and this will also meet the need of upholding public order and public safety. In this connection, the authorities have maintained good communication with non-governmental organizations (NGOs) which plan to hold public assemblies and processions during the conference period. Close to 10 meetings and negotiations have been held, and good progress has been made.

Having regard to protesters' wish to be as close to the conference venue as possible in order to maximize their media exposure, the police and the WTO Sixth Ministerial Conference Co-ordination Office (MCO) of the Trade and Industry Department have identified the Wan Chai Sports Ground, which can hold around 7 000 people, and the Wan Chai Public Cargo Working Area at Hung Hing Road, which can hold around 4 000 people, as designated public activity areas for public demonstration. Members may know that the area for demonstration is very close to the conference venue. This shows that we will provide the greatest possible facilitation to the NGOs while ensuring public order and public safety. The MCO and the police will make continuous efforts in this respect and maintain dialogues with these NGOs.

Some Members, in particular Mr LEE Cheuk-yan, who is not in the Chamber, said earlier that the area designated for demonstration is too far away. I can tell him that compared to recent WTO conferences held in many major cities, the area designated for demonstration this time around is already the

nearest to the conference venue. Protesters can see the venue, and conference participants can hear their slogans. In this respect, we have made the greatest concession compared to many major cities overseas.

In line with the arrangement for international events, the organizer of the WTO conference is responsible for venue security. The MCO, taking into account WTO requirements and in consultation with the police, has drawn up various measures to ensure the security of the conference venue (the Hong Kong Convention and Exhibition Centre) (HKCEC) during the conference period. These include searching of the venue before the conference, implementing an access system for persons entering the venue, and stepping up security checks and inspections inside the venue.

To ensure security at the venue, we also need to implement in the vicinity of the HKCEC other measures to assure public order and public safety so as to provide support, and these measures must be compatible with the characteristics of the conference. In this connection, according to the latest police intelligence, about 10 000 local and overseas protesters will stage demonstrations during the MC6 period. While most of these protesters are expected to be peaceful and law-abiding, from the experience of past WTO conferences and similar large-scale international conferences held recently, we cannot rule out the possibility that some people may use disruptive or violent methods. As this conference will last six days, and the topics to be discussed have all along been of wide concern to NGOs, the current public order and public safety threat level for MC6 is "high", and has been on the high side of the spectrum within the "high" rating for some time, while that for a terrorist attack is "moderate". Insofar as past international or large-scale events organized in Hong Kong are concerned, there has never been a case when the situation indicated a need to take contingency measures even several months before the event actually commenced. This has precisely answered the question asked by Mr LEE Cheuk-yan earlier as to why a closed area order was unnecessary for large-scale conferences held in the past. The reason is that the conference will be held for a period of six days, and our rating of the impact of this conference on public order and public safety has been very high.

For this reason, the Chief Executive, in consultation with the Executive Council, made the Closed Area (Hong Kong Ministerial Conference of World Trade Organization) Order under the Public Order Ordinance on 3 October 2005. We have explained in detail to the Subcommittee of the Legislative Council the

many relevant aspects relating to the setting up of the closed area, including the legal justifications of the Order, the size and coverage of the closed area, as well as the relevant traffic arrangements. The Subcommittee has completed the scrutiny of the Order and has not proposed any amendment to it. I wish to take this opportunity to express my gratitude especially to the Chairman and members of the Subcommittee for the opinions they have given to us at meetings of the Subcommittee.

Earlier on some Members asked why the closed area should cover such a large area. The total area of the closed area is less than 1 sq km, and it is indeed very, very modest compared to the restricted access zones set up in overseas countries for similar large-scale events in recent years. In foreign countries, the restricted access zones can easily extend to a few kilometres in radius. Let me cite a few examples. With regard to the Fifth Ministerial Conference held in Cancun, Mexico, in September 2003, the closed area was located about 7 km away from one end of the conference venue and over 12 km from the other end. At the G8 Summit held in Kananaskis, Canada, in June 2002, the entire area within 6.5 km of the conference venue was designated as the restricted access zone; at the G8 Summit held in Evian, France, in June 2003, the area within 30 km of the venue was designated as the restricted zone; and at the G8 Summit held in Gleneagles, Britain, in July 2005, the cordon line at the restricted zone was about 10 km long.

Some Members pointed out that we must also have regard to public order and public safety outside the closed area. This, we totally agree. I would like to assure Members that the police absolutely will not neglect the overall public order and safety in the territory during the MC6 period. In this connection, the police have drawn up a comprehensive plan on manpower deployment. All front-line police officers will be subject to a leave restriction within a specified period preceding the conference and also during the conference to suit special policing needs arising from the conference and to maintain the general policing duties in other parts of the territory.

As regards police equipment, to cope with possible scenarios during the conference, the police have made arrangements on various fronts, such as improving information technology devices (including video-conferencing facilities as well as computer software for instant grasp of required information), in order to exercise command and control in a more expeditious manner. Guidelines have also been issued to all front-line officers concerned explaining

strategies in handling security and public order events during the conference period. The police will continue to keep the security situation under constant review, taking into account latest developments both in Hong Kong and internationally, so as to ensure that the conference can be conducted smoothly. If social peace and order is threatened or in the event of incidents involving the use of violence, the police will definitely take decisive actions. Violence or other criminal acts will absolutely not be tolerated.

Certainly, I must stress that there will definitely not be any provocative acts on the part of the police. The police will not deliberately provoke these protesters, thus resulting in scenes of violence. The police will react only when incidents involving the use of violence have occurred, in which case the police will definitely take decisive actions to deter such incidents.

The setting up of the closed area and the other arrangements will inevitably affect some members of the public. For example, there will be special traffic and transport arrangements in Wan Chai North during the conference period, and traffic in other areas may also be affected. The police and other relevant departments will inform the public of the special arrangements at an early stage, so as to minimize inconvenience to them, whilst ensuring public safety and public order. In addition, we will continue to maintain liaison with the relevant sectors that may be affected to advise them on the potential risks associated as well as the precautionary measures that should be taken to minimize such risks.

The MC6 will be held in less than three weeks. The Government is carrying out the final stage of preparations for the conference. Through various arrangements as well as public support and understanding, we hope to minimize the chance of security and public order incidents and achieve success in hosting the conference, thereby bringing long-term benefits to Hong Kong.

Thank you, Madam President.

PRESIDENT (in Cantonese): I now put the question to you and that is: That this Council do now adjourn. Will those in favour please raise their hands?

(Members raised their hands)

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

(No hands raised)

PRESIDENT (in Cantonese): I think the question is agreed by a majority respectively of each of the two groups of Members, that is, those returned by functional constituencies and those returned by geographical constituencies through direct elections, who are present. I declare the motion passed.

NEXT MEETING

PRESIDENT (in Cantonese): I now adjourn the Council until 11.00 am on Wednesday, 30 November 2005.

Adjourned accordingly at one minute past Eight o'clock.

Appendix I

WRITTEN ANSWER

Written answer by the Secretary for Health, Welfare and Food to Mr Tommy CHEUNG's supplementary question to Question 3

For hairy crab samples, the Food and Environmental Hygiene Department would conduct chemical and microbiological tests for antibiotics, synthetic hormones and heavy metals. The following are the standards for these substances:

<i>Items tested</i>	<i>Standards</i>		<i>Remarks</i>
1. Dienoestrol	Prohibited substances		Requirements as stipulated in Second Schedule of Harmful Substances in Food Regulations
2. Diethylstiboestrol			
3. Hexoestrol			
4. Chloramphenicol			
5. Heavy metals	Metals	Maximum permitted concentration (parts per million)	Requirements as stipulated in Food Adulteration (Metallic Contamination) Regulations
	Arsenic	10	
	Antimony	1	
	Cadmium	2	
	Chromium	1	
	Lead	6	
	Mercury	0.5	
	Tin	230	