

OFFICIAL RECORD OF PROCEEDINGS

Wednesday, 18 March 2009

The Council met at Eleven o'clock

MEMBERS PRESENT:

THE PRESIDENT

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

THE HONOURABLE ALBERT HO CHUN-YAN

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

THE HONOURABLE LEE CHEUK-YAN

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

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

DR THE HONOURABLE MARGARET NG

THE HONOURABLE JAMES TO KUN-SUN

THE HONOURABLE CHEUNG MAN-KWONG

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

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

THE HONOURABLE LEUNG YIU-CHUNG

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

THE HONOURABLE WONG YUNG-KAN, S.B.S., 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 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, S.B.S., J.P.

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

THE HONOURABLE ALBERT CHAN WAI-YIP

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

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

THE HONOURABLE VINCENT FANG KANG, S.B.S., J.P.

THE HONOURABLE WONG KWOK-HING, M.H.

THE HONOURABLE LEE WING-TAT

DR THE HONOURABLE JOSEPH LEE KOK-LONG, J.P.

THE HONOURABLE JEFFREY LAM KIN-FUNG, S.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

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

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

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

THE HONOURABLE CHIM PUI-CHUNG

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

THE HONOURABLE KAM NAI-WAI, M.H.

THE HONOURABLE CYD HO SAU-LAN

THE HONOURABLE STARRY LEE WAI-KING

DR THE HONOURABLE LAM TAI-FAI, B.B.S., J.P.

THE HONOURABLE CHAN HAK-KAN

THE HONOURABLE PAUL CHAN MO-PO, M.H., J.P.

THE HONOURABLE CHAN KIN-POR, J.P.

THE HONOURABLE TANYA CHAN

DR THE HONOURABLE PRISCILLA LEUNG MEI-FUN

DR THE HONOURABLE LEUNG KA-LAU

THE HONOURABLE CHEUNG KWOK-CHE

THE HONOURABLE WONG SING-CHI

THE HONOURABLE WONG KWOK-KIN, B.B.S.

THE HONOURABLE WONG YUK-MAN

THE HONOURABLE IP WAI-MING, M.H.

THE HONOURABLE IP KWOK-HIM, G.B.S., J.P.

THE HONOURABLE MRS REGINA IP LAU SUK-YEE, G.B.S., J.P.

DR THE HONOURABLE PAN PEY-CHYOU

THE HONOURABLE PAUL TSE WAI-CHUN

DR THE HONOURABLE SAMSON TAM WAI-HO, J.P.

MEMBER ABSENT:

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

PUBLIC OFFICERS ATTENDING:

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

THE CHIEF SECRETARY FOR ADMINISTRATION

THE HONOURABLE JOHN TSANG CHUN-WAH, J.P.

THE FINANCIAL SECRETARY

MR KENNETH CHEN WEI-ON, J.P.

SECRETARY FOR EDUCATION

DR THE HONOURABLE YORK CHOW YAT-NGOK, S.B.S., J.P.

SECRETARY FOR FOOD AND HEALTH

THE HONOURABLE TSANG TAK-SING, J.P.

SECRETARY FOR HOME AFFAIRS

THE HONOURABLE MATTHEW CHEUNG KIN-CHUNG, G.B.S., J.P.

SECRETARY FOR LABOUR AND WELFARE

PROF THE HONOURABLE K C CHAN, S.B.S., J.P.
SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY

THE HONOURABLE EDWARD YAU TANG-WAH, J.P.
SECRETARY FOR THE ENVIRONMENT

MR YAU SHING-MU, J.P.
SECRETARY FOR TRANSPORT AND HOUSING

CLERKS IN ATTENDANCE:

MS PAULINE NG MAN-WAH, SECRETARY GENERAL

MRS CONSTANCE LI TSOI YEUK-LIN, ASSISTANT SECRETARY
GENERAL

MRS JUSTINA LAM CHENG BO-LING, 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

L.N. No.

Independent Police Complaints Council Ordinance (Commencement) (No. 2) Notice 2009	36/2009
---	---------

Other Papers

- | | | |
|--------|---|---|
| No. 74 | — | Hong Kong Examinations and Assessment Authority
Audited Financial Statements and Report on Activities for
the year ended 31 August 2008 |
| No. 75 | — | The Lord Wilson Heritage Trust Annual Report 2007-2008 |
| No. 76 | — | Report of changes to the approved Estimates of
Expenditure approved during the third quarter of 2008-09
Public Finance Ordinance: Section 8 |

ORAL ANSWERS TO QUESTIONS

PRESIDENT (in Cantonese): Question. First question.

Provision of Subsidized Nursing Home Places

1. **MR LEUNG KWOK-HUNG** (in Cantonese): *President, good morning. Some elderly people and organizations have complained to me that the current acute shortfall of subsidized nursing home places has resulted in rather long waiting time for such places. Moreover, due to the lack of necessary ancillary facilities, the care and attention homes and private homes for the elderly which have participated in the Enhanced Bought Place Scheme are unable to take proper care of elderly people who need intensive care, and the current subsidized*

Integrated Home Care Services (IHCS) have also failed to provide proper care for such elderly people. In this connection, will the Government inform this Council of:

- (a) the current respective numbers of elderly people waiting for subsidized nursing home places who live in the community and private homes for the elderly, together with a breakdown of the average waiting time for such places by District Council districts (excluding cases of the elderly people concerned choosing to wait for admission to specified homes and those cases which were given priority allocation on grounds of special circumstances);*
- (b) the number of elderly people in each of the past five years who died while waiting for nursing home places, and whether the Government will substantially increase such places to ease the current situation of supply falling short of demand; if so, when it will be implemented; if not, the reasons for that; and*
- (c) the details of IHCS currently provided by the Social Welfare Department (SWD) for singleton elderly people who live in the community and are waiting for subsidized nursing home places, the average waiting time for such services, and the daily number of hours of such services which can be provided to the elderly people; whether SWD has assessed if such services can meet their needs; if assessment has been conducted, of the findings; if not, the reasons for that?*

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, promoting "ageing in the community" is one of the underlying principles of the Government's elderly policy, and hence we have allocated considerable resources to support elders to age in the community. I have to emphasize that not all elders with long-term care needs have to stay in residential care homes, and not all elders with long-term care needs require subsidized residential care services. With adequate community care and support, elders with long-term care needs can continue to age at home as they wish.

Now, I will reply the three parts of Mr LEUNG Kwok-hung's question individually as follows:

- (a) As at end-January 2009, a total of 6 267 elders were waiting for government-subsidized nursing home places. Among them, 1 838 elders were living in the community, 3 726 elders were living in private residential care homes for the elderly (RCHEs) and the remaining 703 elders were living in various kinds of subsidized or self-financing RCHEs or hospitals.

As shown in the abovementioned figures, some elders waiting for subsidized nursing home places are already occupying government-subsidized care-and-attention places. They can also opt for government-subsidized community care services in the interim. Generally speaking, elders can be allocated with subsidized community care services that suit their needs within a relatively short period of time. Besides, some elders may choose to stay in private RCHEs while waiting. If these elders require financial assistance, they may apply for Comprehensive Social Security Assistance (CSSA) to meet the relevant expenses.

As at end-January 2009, about 3 543 elders on the waiting list were receiving various kinds of government subsidies or services, including:

- (i) about 638 (that is, 10.2%) were using subsidized community care services;
- (ii) about 185 (that is, 3%) were using subsidized residential care services of a lower care level; and
- (iii) about 2 720 (that is, 43.4%) were staying in non-subsidized residential care places in private RCHEs and are receiving CSSA.

Regarding the waiting time, as the overall planning and service allocation of subsidized nursing home places are based on territory-wide demand, the SWD cannot provide information on the

waiting time by district. Excluding cases where elders have specific requirements on the RCHEs they are waiting for (such as requesting for particular RCHEs or specific location of RCHEs) as well as the priority cases, the average waiting time for subsidized nursing home places is 40.5 months, which is similar to the overall average waiting time of 40 months.

- (b) The numbers of elders who passed away while waiting for subsidized nursing home places in the past five years were 1 293, 1 339, 1 540, 1 619 and 1 847 respectively.

The Government has made every effort to respond to the demand of elders for subsidized nursing home places. In recent years, the Government has been increasing the supply of subsidized nursing home places mainly through the construction of contract RCHEs. At present, there are a total of 16 contract RCHEs in Hong Kong. Among them, 14 have obtained RCHE licences and nursing home licences from SWD and the Department of Health respectively, and can therefore provide both subsidized care-and-attention places and nursing home places. We will continue to provide contract RCHEs with both nursing home places and care-and-attention places, and will also increase the number of subsidized nursing home places to meet the demand of the elderly. Besides, the care-and-attention places in contract RCHEs provide continuum of care, that is, elders can continue to stay in the same RCHE instead of moving to another nursing home when their health deteriorates to a level that requires nursing care. On top of subsidized places, contract RCHEs also provide non-subsidized residential care places which can take care of elders requiring care-and-attention or nursing level of care, offering elders another option besides subsidized places.

Regarding the number of places, there are at present 2 086 subsidized nursing home places and 1 289 self-financing places which can take care of elders requiring nursing level of care. The contracts of another two newly built RCHEs have just been awarded by SWD at the end of 2008, the renovation works of which will start shortly. These two new contract RCHEs will provide 99 subsidized nursing home places, 43 subsidized care-and-attention places and 98

non-subsidized residential care places. In sum, through the provision of contract RCHEs, the Government has increased the supply of subsidized nursing home places from 1 574 in 2003-2004 to 2 086 at present, representing an increase of 33%. In addition, SWD will conduct open tender exercises to select operators for five newly built contract RCHEs from now till 2011-2012. A total of 230 subsidized nursing home places will be provided in these RCHEs. Besides, SWD has earmarked sites in 12 development projects for the construction of new contract RCHEs, and will proceed with the open tender process in phases to select operators for these RCHEs upon the completion of construction.

To further increase the supply of subsidized nursing home places, enhance the support for elders requiring nursing level of care, and expedite the commencement of services of newly built contract RCHEs, SWD will adopt a series of measures including:

- (i) to continue to identify suitable sites for the construction of new contract RCHEs;
- (ii) to explore the possibility of in situ expansion of existing contract RCHEs to increase the provision of subsidized nursing home places;
- (iii) to identify ways to further expedite the work process in collaboration with the Housing Department (HD) and relevant departments to facilitate the early operation of newly built contract RCHEs located in HD's public housing estates; and
- (iv) to continue with the Conversion Programme to convert in phases subsidized places without long-term care element into places that provide continuum of care up to nursing level, so that elders can continue to stay in a familiar environment when their health deteriorates to a level that requires nursing care, instead of waiting for subsidized nursing home places afresh.

- (c) We encourage and support elders with long-term care needs, including elders who are waiting for care-and-attention places or nursing home places, to age at home, and we provide them with a wide range of subsidized community care services through non-government organizations. These services include home-based IHCS and Enhanced Home and Community Care Services (EHCCS), as well as centre-based day care services for the elderly.

The home-based community care services enable elders to receive nursing and care services in a familiar home and community environment, and at the same time provide support to their carers with a view to achieving the goal of enhancing family cohesion and meeting the wishes of frail elders to age in the community. The home-based community care services include personal care (for example, feeding and bathing), basic nursing care (for example, measuring blood pressure and body temperature), special nursing care (for example, incontinence care, diabetic care, respiratory care and infection control), rehabilitation training, meals delivery, household cleaning and escort services, and so on.

Currently, the 60 IHCS teams and 24 EHCCS teams in Hong Kong provide a service capacity of 4 586 cases for elders with long-term care needs, including the additional service capacity of 810 cases provided by the six new EHCCS teams set up in December last year. At present, the waiting time for community care services in different districts varies, from no waiting at all to several months, and the average waiting time is less than three months. We expect that the waiting time will be further reduced upon the full implementation of the new service teams.

Since the condition of every elder receiving community care services is different, to ensure that the elders are provided with the most suitable care, the social workers or case managers in-charge will tailor-make for each elder a set of systematic individual care plan, which includes setting service targets and determining the types of services, service frequency and service hours. In respect of service hours, taking the figures of the 4th quarter of 2008 as an example,

operating organizations provided to each elder quarterly 44 to 60 hours of direct care services (for example, special care, rehabilitation exercises, bathing, measuring body temperature and blood pressure, and so on), according to the needs of individual elders. These have yet to include the hours of support services, such as meals delivery, household cleaning, counselling, escort and respite services.

In addition, the responsible social workers will consult the health care professionals and para-medical professionals taking care of the elders, their family members and the elders themselves to regularly or at least annually review the service hours and nature, so as to cater for the needs of every single elder.

MR LEUNG KWOK-HUNG (in Cantonese): *President, messages of importance would be appreciated while words of nonsense should be dropped. The main reply of the Secretary was quite long, although this question is in fact a very simple one.*

The Secretary indicated in part (a) of the main reply that 6 267 elders are waiting for government-subsidized nursing home places. Among them, 1 838 elders are living in the community, which means that they do not have anyone to take care of them. Not being able to attain its objectives, the Government has to rely on out-reach teams or service centers to take care of these elderly people. Besides, 3 726 elders are living in residential care homes for the elderly, which is the most affected area. As the number of elderly who passed away while waiting for subsidized nursing home places has been increasing each year, I would like to ask the Secretary whether he would, as the Secretary, strive for more resources from the Chief Executive to ensure that elderly people who are currently, or would in future be, on the waiting list obtain places in residential institutions provided by the Government within 12 months? Does he have this in mind? Furthermore, has he calculated the amount needed? He could address the Council on this so that we could allocate the required funds.

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, I would like to thank Mr LEUNG for raising this supplementary question. In fact,

we understand, comprehend and are concerned about the tight supply of nursing home places. In my main reply, I have explained that in recent years, we have a new policy aiming to increase nursing home places on an annual basis, and more resources would also be injected this year. You can see from the main reply that we have plans for increasing contract residential care homes for the elderly each year, and even for expanding the original residential care homes for the elderly to allow for flexible dealing with the matter. Looking at the figures, in 2003-2004, only some 1 500 nursing home places were available, but with the increase over these few years, nursing home places have been increased by one third to the current figure of 2 086. Mr LEUNG, we will keep up with our efforts and we fully understand that pressure exists, we will address the problem squarely in the face. However, I would like to point out that not all elderly people have a need to live in nursing home. Even if they have not been allocated a nursing home place, as I have mentioned in my main reply, 60% of them have received subsidies for different kinds of services such as household and community support services, and private residential care home for the elderly is certainly just a transition. Currently, 60% of the elderly people are receiving different kinds of subsidized services provided by the Government.

PRESIDENT (in Cantonese): Mr LEUNG, which part of your supplementary question has still not been answered?

MR LEUNG KWOK-HUNG (in Cantonese): *I am asking the Secretary whether he intends to suggest to the Chief Executive*

PRESIDENT (in Cantonese): You are asking the Secretary whether he had asked the Chief Executive to allocate more resources.

MR LEUNG KWOK-HUNG (in Cantonese): *That is correct; however, the Secretary just has not answered. What he said amounted merely to pointless gasbag speeches, just like the "learned Doctor" who intended to buy a donkey had scribbled a three-paged contract, but still has not written the crucial word*

"donkey" on it. While the public are queuing up for rice served with barbecued pork and chicken, the Secretary only provides them with congee. Nevertheless, the Government is deemed to have provided the public with food.

PRESIDENT (in Cantonese): Mr LEUNG, please do not express any views. Secretary, please answer.

MR LEUNG KWOK-HUNG (in Cantonese): *I had not expressed any view, I am only asking the Secretary to give a better reply.*

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, we would certainly continue with our efforts to strive and seek for more resources in the Budget every year with a view to providing better services by expediting the speed of services and increasing the number.

PRESIDENT (in Cantonese): More than 16 minutes have been spent on this question. Since there are 10 Members waiting to raise questions, I would like to ask Members to be as concise as possible in asking questions.

MR CHEUNG KWOK-CHE (in Cantonese): *The Secretary has raised many proposals, but we are of the view that even though those proposals were completed, the number on the current waiting list might still not be met. However, the most important thing is that the industry is currently undergoing transformation from a general institution operation to operation by care-and-attention home and nursing home. Yet, with transformation having been in progress for over two years, only one out of the 70 homes or so applying for transformation was approved of the engineering contract, with construction work currently in progress. The remaining 90% are still having their applications processed, and seem to be lingering at a "push and pull" stage.*

Though some of the institutional homes have undergone transformation as scheduled, contracts have yet to be awarded by the Government as at today,

causing them an inability to attain formal transformation to be out of the way. I would like to ask the Secretary whether is the failure of institutional homes to be transformed into nursing homes or care-and-attention homes the cause for the decrease in number of elders on the waiting list? At the present stage, are we subjecting elders living at institution homes to hardship? I would like the Secretary to reply why the transformation process is so slow.

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, I would like to thank Mr CHEUNG for the question. Transformation of institutional homes is indeed one of our major work, for a lot of home places could be offered in future. I would like to share with you a figure: transformation work has begun with 62 out of the current 75 institutional homes, that is, 62 of them have started the process. Certainly, transformation is required to go through a process, and as we all know, it would not be something immediate, but I got a figure which is extremely useful, that is, currently, 3 800 places have successfully been transformed through this process. We would continue to exert and step up our efforts in this area. Upon completion of the entire project, 6 248 places could be provided. Hence, Mr CHEUNG, we would tightly control the timing. For the purpose of transformation, some elderly homes have to have their structures or indoor partitions altered, or to wait for plan approval. Apart from catering for HD's requirements, we have to follow up on a lot of issues as well. For the written question which you raised on 14 January, I have stated in my reply that we agreed to tighten control on the schedule and expedite the speed on procedural matters.

MS CYD HO (in Cantonese): *In the past five years, 7 640 elderly had passed away during the waiting period. This figure causes extreme infuriation. The Government has time and again told us that population of the elderly would increase sharply from the current 12% to 30%, hence they have been exerting tremendous efforts in promoting health care financing. I would like to ask the Government whether or not any corresponding planning in elderly care services has been made? Has the Government extended its plan to 2030 to cater for our ageing population? Why is it that the Government is quick in collecting money but slow in spending it? Why does the Government fail to save lives that are*

ailing or are dying? Why does the Government still feel dignified to collect taxes?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): I would like to thank Ms HO for asking the question. Allow me to make use of this opportunity to explain why it is inevitable that a certain number of elderly would fail to wait for institutional home places. We have to understand the underlying factors and the lacking in balance of demand and supply, from which tension arises. The first factor is the rapid ageing of our population, which we all know too well. The second concerns the average life expectancy, the latest figure for the male population in Hong Kong is 79.4 years of age, rendering it to rank second globally (Iceland ranks first), while the figure for the female population is 85.5 years of age, ranking it just next to Japan. You can imagine that the figures in our population are rather large. Besides, one point worth mentioning is that in allocating home places for the elderly on the waiting list, decisions are based solely on their health status instead of on any financial condition. This point is of paramount importance. Thirdly, some elderly may be asking for institutional homes that are, for example, close to their family members, thereby prolonging their waiting time. However, solution has been applied to the problem. We fully comprehend the urgency of the problem, so we would exert effort in procedural and planning matters. On a long-term basis, the Elderly Commission is currently re-assessing the planning for elderly-care with studies conducted by a tertiary institution. It is anticipated that results from the studies would be available in the middle of the year. Upon analysis of the results, we would bring the conclusion to the Panel on Welfare Services and share it with Members.

PRESIDENT (in Cantonese): Just like the elders who waited in vain for care-and-attention places, Members waiting for their turn to raise questions may end up not being able to get the chance. *(Laughter)* Now that 21 minutes have passed, I would allow a Member to raise the last supplementary question.

MR WONG SING-CHI (in Cantonese): *I had thought that I have no chance to raise my question. In paragraph three of part (b) of the Secretary's main reply, it was stated that in 2003-2004, elderly home places increased from 1 574 to*

2 086, representing an increase of 33%. This appears to be a big increase, but as seen from the figures of the Social Welfare Department as listed in Head 170 of the Budget, there is no increase in the nursing homes. To identify any increase, it is only those private residential care homes that participated in the Enhanced Bought Place Scheme could be said to have gained some increases up to 500 places. Could the Secretary clarify whether the number of the bought places were included in the number of nursing home places? If calculation is made this way, the number of places would amount to over 10 000. Hence, the percentage of increase is a mere 5% and not 33 %. Did the Secretary intend to mislead us with these figures, to make us feel that much had been done by the Government? If the 33% target which we currently strive for is to be attained, at least 3 000 places have to be added to make it reasonable. Could the Secretary add 3 000 places to attain the objective of 33% that he mentioned?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): We would clarify this point in our replies to Members' questions on the Budget. We have explained in the main reply that since the current operation is in the form of contract RCHEs, the figure would therefore be reflected in the figures for RCHEs. We have not confused the figures, the important thing is that those are nursing home places. They are at present provided through RCHEs, so the figures would be reflected here. We would clearly address this point in our reply to Members' questions on the Budget.

MR WONG SING-CHI (in Cantonese): *President, the Secretary said he would give a reply at a later stage to the question I raise today. Is it because he is not too sure about it now, so he has refused to answer my supplementary question? My supplementary question is very clear.*

PRESIDENT (in Cantonese): Mr WONG Sing-chi, I believe your supplementary question is very clear.

MR WONG SING-CHI (in Cantonese): *The information he provided did not show clearly that there was an increase.*

PRESIDENT (in Cantonese): Your supplementary question is very clear, and I heard that the Secretary has replied. Secretary, could you repeat once?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): My reply is indeed very clear as well. He pointed out that he had raised a question about the Budget, which we would give a written reply at a later stage. This is certainly what we have to do. As to my reply today, we provide the figure on the basis of places in contract RCHEs rather than on nursing home places. That is, the nature and the residential places are the same, only that the mode of operation through which the places are provided has become the issue. Thus, the figure of 33% for the overall increase is correct.

PRESIDENT (in Cantonese): I believe Members could raise further questions on the case in the special meeting of the Finance Committee.

PRESIDENT (in Cantonese): The second question.

Undergraduate Degree Programme in Veterinary Science Offered by Local Universities

2. **MR TAM YIU-CHUNG** (in Cantonese): *President, given that Veterinary Officers play an important role in public health and food safety, but the number of registered veterinary surgeons in Hong Kong is small and the Government has also encountered difficulties in recruiting and retaining Veterinary Officers, will the Government inform this Council whether it knows which local universities currently intend to offer undergraduate degree programmes in veterinary science and the latest progress of the relevant preparatory work; and whether the University Grants Committee (UGC) has any plan to provide funding for institutions to offer such programmes; if it has such a plan, of the relevant details, such as in which year such programmes will be offered as well as the number of institutions and places to be funded; if it has no plan, the reasons for that?*

SECRETARY FOR EDUCATION (in Cantonese): President, under the normal procedure, the UGC considers proposals from its funded institutions for introducing new publicly-funded programmes in the context of the triennial academic development planning exercise. Each funding cycle starts with the issue of letters to the institutions to convey broad policy guidelines and parameters set by the Government (including the indicative student number targets and specific manpower requirements). Taking such parameters into consideration, institutions will prepare their triennial Academic Development Proposals (ADPs) with detailed justification and information for the UGC's consideration.

Institutions which intend to introduce new publicly-funded programmes should demonstrate that there is a future demand for the programmes concerned (from students and employers), there is a need to have such programmes in Hong Kong and at that particular institution and that the institution has the capabilities and capacities to deliver the programme at high quality. The UGC will scrutinize the ADPs and consider the overall interest of the Hong Kong community before submitting its funding recommendations. Institutions will be closely engaged in the process.

In the latest academic development planning exercise for the 2009-2010 to 2011-2012 triennium, the UGC has not received any application from its funded institutions for starting new publicly-funded degree programmes on veterinary sciences, and therefore has no plan to provide funding for such in the triennium.

As regards possible plans by UGC-funded institutions for veterinary sciences, we understand that the City University of Hong Kong has recently initiated informal discussions with the UGC on the university's latest aspirations for setting up a veterinary medical school, but such discussions are at a very early stage.

As regards self-financing degree programmes, we are aware that The Hong Kong Polytechnic University (PolyU) has started or will start offering, in collaboration with the Royal Veterinary College (RVC) of the University of London, non-credit-based subjects collectively known as "Foundation Studies in Veterinary Nursing" in November 2008 and March 2009 respectively. We understand that PolyU is now actively working with RVC on plans to launch a

self-financed four-year joint Bachelor of Science (Honours) programme in Veterinary Nursing.

MR TAM YIU-CHUNG (in Cantonese): *President, I would like to ask the Secretary if the Government is of the view that there is a great and pressing demand for veterinary personnel in Hong Kong? Has the Government made any assessment and estimation on the manpower demand for Veterinary Officers in Hong Kong? What is the current shortfall in Veterinary Officers in Hong Kong, and what will the situation be like after five years' time?*

SECRETARY FOR EDUCATION (in Cantonese): Thanks to the Member for raising this question. The nature of different veterinarian positions definitely varies. On the whole, our veterinarians mainly cater for the livestock rearing trade and the caring of small animals, and different organizations in Hong Kong actually have different needs in this respect. The major employer of Hong Kong veterinarians includes the Agriculture, Fisheries and Conservation Department (AFCD) which is responsible for policy implementation and food safety. In addition, we also have veterinarians working with the Hong Kong Jockey Club and the Hong Kong Ocean Park, plus those who are taking care of small animals in most of the veterinary clinics in Hong Kong. In general, different veterinarians face different supply and demand problems. Regarding their relevant positions in the Civil Service, we are currently having a recruitment exercise for Veterinary Officers.

MR TAM YIU-CHUNG (in Cantonese): *The Secretary has not mentioned shortfall. Is there actually a shortfall? It seems that he has not given us a clear picture.*

SECRETARY FOR EDUCATION (in Cantonese): Thanks to the Member for raising this question. As far as we understand, Hong Kong has sufficient veterinarians for the caring of small animals. As I just said, the AFCD and government organizations are actively recruiting Veterinary Officers. Apart from supply, there is also the issue of remuneration for them. Therefore, the Standing Commission on Civil Service Salaries and Conditions of Service has

recently studied the matter to see how the recruitment conditions for Veterinary Officers can be improved in order to meet the Government's demand for Veterinary Officers.

MR WONG YUNG-KAN (in Cantonese): *President, to tie in the importance attached to food safety at the moment, demand for veterinarians is growing. I remember when the Centre for Food Safety created the position of Veterinary Officer, we advised the Government on how Veterinary Officers should be recruited and whether it should consider running its own veterinarian courses. At present, there is no recognized veterinarian college in the Asian region and the qualifications awarded by our nation are not even recognized in some places. I would like to ask the Government whether it has considered setting up a veterinarian testing centre or college for Hong Kong and China in order to obtain international recognition?*

SECRETARY FOR EDUCATION (in Cantonese): Thanks to the Member for posing this question. When considering whether the overall supply of veterinarians in Hong Kong is sufficient for meeting policy need, apart from considering training our own veterinarians, we will also study if there are other channels. Judging from the current supply of veterinarians in Hong Kong, a total of 40 overseas training institutions meet the requirement of the Veterinary Surgeons Board (VSB) and veterinarians who have undergone training in these institutions can be registered in Hong Kong. Since there are really vacancies for Veterinary Officers in the last few years within the Civil Service, we have drawn up plans to encourage youth in Hong Kong who are interested in this field to study abroad. The Government will also provide scholarships and the Agricultural Products Scholarship Fund to encourage local students who have an interest in this regard to study overseas. This is the short-term solution for the supply of government Veterinary Officers.

In the long run, is there a need for Hong Kong to establish a local veterinary college, or can that veterinary college in Hong Kong meet the need for veterinarians within the region? I think we need to consider the fact that no matter whether a veterinary college is to be set up or not, some prerequisites must first be met, including whether the place has a strong agricultural industry to provide veterinarians with the opportunity to practise. We also have to discuss

with the various institutions and ask them to submit the ADPs with full justifications before we can consider whether or not to subsidize development in this field.

PRESIDENT (in Cantonese): Mr WONG Yung-kan, which part of your supplementary has not been answered?

MR WONG YUNG-KAN (in Cantonese): *I asked the Secretary if he would further consider establishing a veterinary college. The Secretary said there was no need at the moment, when will there be a need then? Could he tell me when will it be evident that there is this need?*

PRESIDENT (in Cantonese): I believe this is not part of your supplementary just now, and I clearly heard that the Secretary has replied.

MR WONG YUNG-KAN (in Cantonese): *If not, I will repeat my earlier supplementary.*

Having listened to the Secretary's reply, he has not mentioned clearly if there is the need. He simply said youth would be encouraged to study abroad. If they are to study overseas, where should they go?

PRESIDENT (in Cantonese): I heard that the Secretary has replied to your supplementary. I will ask the Secretary if he has anything to add.

SECRETARY FOR EDUCATION (in Cantonese): Maybe I should supplement briefly. Our prime consideration is whether Hong Kong has sufficient veterinarians. As regards our qualification list, just as I mentioned earlier, at the moment, there are 40 recognized institutions in the United States, Britain, Ireland, Australia and Canada. The VSB is launching a three-year comparative study of veterinarian qualifications to see if further recognition can be given to institutions

in more places, for example, mainland China and the European Union countries and look into whether the qualifications of the veterinarians trained by them meet Hong Kong's requirements.

MS CYD HO (in Cantonese): *The main question discussed public health and food safety which in fact is a cross-policy bureau and cross-district matter. Would the Secretary consider extending the factors taken into account by the UGC at present regarding the ADPs to the PRD in general, instead of confining to the needs of Hong Kong?*

SECRETARY FOR EDUCATION (in Cantonese): Thanks to the Member for this question. In society, veterinarians really have different functions and our primary concern is the needs of Hong Kong. As an education hub, is Hong Kong ready to supply veterinary personnel trained in the region? I said earlier that based on overseas experience, the establishment of a veterinary college has to fulfil certain prerequisites, one of them being the presence of a strong agricultural industry in the country with a large-scale veterinary college, then, large animals will be available for veterinarians to acquire clinical experience. Hong Kong is really devoid of such conditions, but we will look into how institutions interested in this respect would support the courses which they are keen to launch. Upon receipt of the plans, we of course will consider in detail.

MS CYD HO (in Cantonese): *The Secretary has not replied clearly whether the assessment factors will be extended to cover the PRD instead of simply considering local needs because food safety is a cross-boundary matter, involving not only Hong Kong.*

SECRETARY FOR EDUCATION (in Cantonese): Allow me to supplement. When considering the proposals for academic development submitted by the institutions, we do not only consider the needs of Hong Kong. The Member is right. As an education hub, we will also consider if regions outside Hong Kong actually have such needs as well. However, while considering needs, we will also have to consider the conditions of supply.

MRS REGINA IP (in Cantonese): *The Secretary pursued his studies in North America, he should thus know that not every university in North America has a veterinary college, only a handful of them have veterinary colleges and they actually are located in the agricultural area with large-scale livestock rearing ground.*

As regards the environment in Hong Kong, the veterinarians mainly take care of small animals or the fishes in the Ocean Park. Does the Secretary agree that if precious resources are used in setting up veterinary colleges — in order to churn out good results, students have to take Pre-med courses, for example, biology and chemistry, then spend another few years to learn the cross-breeding of ox and large sheep and the knowledge for hastening parturition — in relation to our precious resources, this is purely a waste. We should target at boosting education for our undergraduates, or developing some specialized institutions to tie in with Hong Kong's edges, for example, film college. Does the Secretary agree?

SECRETARY FOR EDUCATION (in Cantonese): The Member is right. I also agree that in other countries (including the United States), not every state has a veterinary college. As far as I understand, in the United States, there is only one veterinary college for almost every two states. For the veterinary college to be successful, certain specific factors really exist. As I have mentioned them earlier, I will not repeat.

If institutions are interested in providing these courses, they can discuss with the UGC. In considering such plans for academic development, we will take into account the basket of factors which I mentioned earlier, including whether there is this need in Hong Kong. Some Members even queried earlier that as an education hub, do we have such a need? When considering these factors, we will definitely consider the priorities for the social resources in general. When society lacks such objective conditions, it is worth discussing and considering whether public money should be spent on training veterinarians.

MS AUDREY EU (in Cantonese): *President, when the Secretary answered the supplementary of Mrs Regina IP, he said he agreed with what she said, hinting that it is not necessary for Hong Kong to consider deploying resources in this*

regard. President, I would like to follow up the crux of the supplementaries raised earlier by Mr TAM Yiu-chung and Ms Cyd HO.

We often discuss the risk of cross-contamination between animals and human and the WHO has reminded us on this. Therefore, I would like to ask the Secretary, in view of the fact that zoology is not just about veterinary science, has the SAR Government carried out any assessment on manpower demand in this respect? This is the original supplementary of Mr TAM Yiu-chung.

Ms Cyd HO's supplementary is similar, that is, when considering such matters, should we not just have Hong Kong in mind, and include the PRD as well? Just now, the Secretary always stressed that Hong Kong is a small place, and without agriculture, when it comes to food or disease contamination, Hong Kong actually is closely knitted with the PRD. Since only the Under Secretary of the Education Bureau is attending this meeting today, with no officials from the public health domain, I would like to ask him to tell the Legislative Council on behalf of the SAR Government that regarding cross-contamination between animals and human in respect of public health, has the SAR Government assessed the PRD's demand for such personnel? What measures are there to train the personnel required to handle a serious problem in the future which we have seen now?

SECRETARY FOR EDUCATION (in Cantonese): Thanks to the Member for this question. We will surely review the demand for veterinarians in Hong Kong now and then. We all know that apart from having veterinarians to take care of the well being of animals, food health is also very important. The Government understands this. The Food and Health Bureau already has relevant policies in place and will conduct reviews from time to time. I think this in fact involves two levels.

First is our demand for veterinarians. We do have a demand for veterinarians. Second, how do we find them? These are two separate issues. To me, the second issue brought up by Members today is whether Hong Kong has plans to train our own veterinarians. In this connection, I have said that consideration must be given to the overall factors, for example, can we train our local personnel? If not, do we have other means to bring in such personnel to

Hong Kong to provide service to us? I mentioned briefly that apart from reviewing whether the recognized standard can be extended to veterinarians trained on the Mainland and in the European Union countries so that they can be recognized in Hong Kong, we also proactively provide some scholarships for Hong Kong youth to pursue their studies.

I agree that Hong Kong should now and then pay attention to this issue, and the Policy Bureaux concerned have made considerations in this respect. However, our focus today is on whether Hong Kong should train its own veterinarians. I hope that the reply I gave earlier can give Members an idea.

PRESIDENT (in Cantonese): Ms EU, which part of your supplementary has not been answered?

MS AUDREY EU (in Cantonese): *The Secretary has not answered my supplementary. I enquired about an assessment on manpower demand in the future, and I did not just ask about the SAR Government. The Secretary over and again stressed that today's discussion is on whether the SAR Government should train its own personnel, but my supplementary has blended Mr TAM Yiu-chung's supplementary with that of Ms Cyd HO, that is, has the SAR Government and the PRD conducted an assessment of the demand for zoology personnel (not just veterinary personnel) for a certain period in the future, say five years? This question is raised having regard to public health and cross-contamination between animals and human.*

PRESIDENT (in Cantonese): Secretary, Ms EU asked about an assessment of demand for personnel.

SECRETARY FOR EDUCATION (in Cantonese): I will reflect the Member's concern, apart from the demand for local veterinarians, about the overall demand for veterinarians within the region to the relevant Policy Bureau (that is, the Food and Health Bureau) and ask them to reply to the Member's question. (Appendix I)

PRESIDENT (in Cantonese): This Council has spent 20 minutes on this question. The last supplementary.

DR PRISCILLA LEUNG (in Cantonese): *As I understand it, mainland China does not have systematic veterinary colleges or courses. If Hong Kong can establish a veterinary college, can we provide, apart from the PRD, Hong Kong professionals for the overall region of the Mainland, Hong Kong as well as Macao, while at the same time create a new industry, new job opportunities and research directions? I wish the Secretary can give us information on the existing condition of veterinary research on the Mainland because as far as I understand, Hong Kong*

PRESIDENT (in Cantonese): Dr LEUNG, please be concise when asking your supplementary. Secretary, please reply.

SECRETARY FOR EDUCATION (in Cantonese): According to our understanding, what the Member said is correct. At the moment, mainland China has not done much academic research on veterinary science. As I know it, the veterinary trade in Hong Kong has been having exchanges with their mainland counterparts. I said earlier that the VSB in Hong Kong is conducting a study to compare one another's qualifications and is assessing whether the veterinary level of the training received on mainland China can be recognized in Hong Kong.

Another question raised by the Member is if Hong Kong is to train its own veterinarians, can we train the relevant personnel for the region (including mainland China)? It is correct in making this comment but we must consider whether Hong Kong is in a position to run such courses.

DR PRISCILLA LEUNG (in Cantonese): *I would like to follow up*

PRESIDENT (in Cantonese): Dr LEUNG, Members are not to follow up their supplementary questions.

PRESIDENT (in Cantonese): Third question.

Construction of Community Halls and Civic Centres

3. **MR IP KWOK-HIM** (in Cantonese): *President, it is learnt that a number of proposals made over a decade ago by District Councils (DCs) (including Sham Shui Po and Tai Po DCs) to build community halls or civic centres in their districts have so far not been implemented, and many incumbent Members of such DCs have expressed strong dissatisfaction with the matter. In this connection, will the Government inform this Council of:*

- (a) *the current utilization rates of various types of venues in community halls and civic centres, and the respective percentages of users of such venues who are not residents of the districts concerned;*
- (b) *the locations and other details of the community halls and civic centres planned to be built in the coming five years, and on what considerations the authorities' decisions to build were based; and*
- (c) *the locations and other details of the community halls and civic centres which have been proposed by DCs but have yet to be endorsed by the authorities, and the reasons why the authorities have not yet endorsed the construction of such facilities?*

SECRETARY FOR HOME AFFAIRS (in Cantonese): President,

- (a) The Leisure and Cultural Services Department (LCSD) manages a total of 13 purpose-built performing arts venues. Major venues include the Hong Kong City Hall, Hong Kong Cultural Centre, Sha Tin Town Hall, Tsuen Wan Town Hall, Tuen Mun Town Hall, Kwai Tsing Theatre, Yuen Long Theatre and Ko Shan Theatre. Smaller venues include the Sai Wan Ho Civic Centre, Sheung Wan Civic Centre, Ngau Chi Wan Civic Centre, Tai Po Civic Centre and North District Town Hall. Apart from these 13 performing arts venues, the Hong Kong Coliseum and Queen Elizabeth Stadium managed by the LCSD are multi-purpose venues which also cater for cultural/entertainment performances and community functions.

The average utilization rates of these facilities over the past three years were 92% in 2006-2007, 93% in 2007-2008 and 93% in 2008-2009. Information on the utilization rates of individual venues over the past three years has already been distributed to Members. Please refer to Annex I.

At present, there is a total of 51 community halls and 38 community centres managed by the Home Affairs Department (HAD). Since 1 January 2008, District Councils have been involved in the management of district facilities, including community halls/centres. With the provision of multi-purpose halls, conference rooms, meeting rooms and dressing rooms, community halls/centres are also suitable for staging small-scale performances. The average utilization rates of the multi-purpose halls over the past three years were 76% in 2006, 75% in 2007 and 75% in 2008. The utilization rates of various community halls/centres in the past three years are set out at Annex II.

As performing arts venues and community halls/centres are open for use by all public organizations, statistics on "non-local" users of these venues are not available.

(b) and (c)

The LCSD and the HAD have been keeping a close watch on the demand for and provision of performing arts and community hall facilities. As the provision and operation of performing arts venues involve heavy capital investment and long-term commitment of resources, the Government must prudently take into consideration a number of relevant factors in the planning of new performing arts facilities to ensure effective utilization of resources. They include the availability and rate of utilization of existing facilities in the territory, overall planning of the district, views of the cultural sector, needs of the community at large, related cultural policies, and so on.

The West Kowloon Cultural District (WKCD) under planning will provide dedicated performing arts facilities in various sizes and for different purposes to serve the public in the West Kowloon region (including Sham Shui Po). The Recommendation Report of the

Consultative Committee on the Core Arts and Cultural Facilities of the WKCD (CC Report) proposed that 15 performing arts venues of different sizes serving different art forms, a new and forward-looking cultural institution with museum functions (temporarily called "M+") which focuses on 20th-21st century visual culture, an exhibition centre and piazza areas should be provided in the WKCD. The WKCD Authority will take into account the recommendations of the CC Report in preparing the Development Plan for the WKCD.

Apart from the WKCD, new government performing arts venues under planning include a Cross-District Community Cultural Centre in Kwun Tong, a new Annex Building for Ko Shan Theatre in Hung Hom and a Xiqu activity centre to be converted from Yau Ma Tei Theatre. For details, please refer to Annex III.

Performing arts facilities of the LCSD are open for use by all sectors of the community and the general public. The Government has to take into prudent consideration various factors in the planning of new facilities to ensure proper use of resources. We also have to take into account the progress of local public works programmes. Details of the performing arts venue proposals with no confirmed timetable for construction or yet to be endorsed after review are set out at Annex IV.

In accordance with the Hong Kong Planning Standards and Guidelines (HKPSG), community halls are provided on need basis. In determining the need, factors such as population, local characteristics, community aspirations and utilization rates of community halls in the vicinity would be taken into consideration.

Presently, eight new community halls are under construction and planning for another five is actively pursued by the Government, and the details are listed in Annex V. Six projects proposed by District Councils are yet to be endorsed either for insufficient justifications to support the proposals in accordance with the HKPSG or for the need to tie in with local planning and development. A list of these proposed projects is attached at Annex VI.

We share the local concern for the provision of performing arts and community hall facilities in the community and shall keep a close watch on local needs and development in our regular review for these facilities.

Annex I

Utilization Rates of the 15 Civic Centres
under the Leisure and Cultural Services Department
from 2006-2007 to 2008-2009

<i>Venue</i>	<i>Facilities</i>	<i>Utilization Rate*</i>		
		<i>2006-2007</i>	<i>2007-2008</i>	<i>2008-2009[#]</i>
1. Hong Kong Cultural Centre	Concert Hall	100%	100%	100%
	Grand Theatre	100%	100%	100%
	Studio Theatre	100%	100%	100%
2. Hong Kong City Hall	Concert Hall	100%	98%	99%
	Theatre	97%	100%	98%
3. Hong Kong Coliseum		99%	99%	99%
4. Elizabeth Stadium [@]		91%	95%	86%
5. Ko Shan Theatre		98%	97%	97%
6. Ngau Chi Wan Civic Centre		86%	94%	91%
7. Sai Wan Ho Civic Centre		100%	100%	99%
8. Sheung Wan Civic Centre		91%	97%	93%
9. Tsuen Wan Town Hall		90%	91%	89%
10. Tuen Mun Town Hall		80%	77%	82%
11. North District Town Hall		59%	59%	69%
12. Tai Po Civic Centre		95%	92%	93%
13. Sha Tin Town Hall		97%	97%	97%
14. Kwai Tsing Theatre		99%	98%	99%
15. Yuen Long Theatre		74%	74%	79%
Average		92%	93%	93%

Notes:

* Utilization rate based on the number of days used over the total number of days available, excluding maintenance of venue.

@ Maintenance works conducted for Elizabeth Stadium from January to June 2008.

Estimated figure.

Annex II

Utilization Rate of Multi-purpose Halls
in Community Halls/Centres (2006-2008)

<i>District</i>	<i>Name of CC/CH</i>	<i>Utilization Rate (%)</i>		
		<i>2006</i>	<i>2007</i>	<i>2008</i>
Central & Western	Sai Ying Pun CH	54.4	59.3	49.0
Eastern	Hing Wah CH	63.9	56.4	68.1
	Yue Wan CH	62.0	61.8	63.5
	Causeway Bay CC	70.8	72.2	72.0
	Aldrich Bay CH	62.6	62.1	63.8
	Quarry Bay CH	72.8	72.3	77.3
Southern	Lei Tung CH	52.7	61.0	67.8
	South Horizon NCC	60.7	57.5	58.7
	Ap Lei Chau CH	65.2	74.4	73.9
	Wah Kwai CC	70.4	73.9	67.9
	Stanley CH	21.9	53.9	51.1
Wan Chai	Leighton Hill CH	57.8	53.4	54.0
Kwun Tong	Lam Tin (W) ECC	47.2	32.1	37.5
	Sau Mau Ping (C) ECC	74.2	61.4	56.7
	Kwun Tong CC	83.2	70.4	64.8
	Lok Wah ECC	92.9	78.5	79.6
	Shun Lee ECC	73.8	50.6	53.9
	Sai Tso Wan NCC	64.9	57.1	60.8
	Kai Yip CH	79.6	69.0	71.3
	Lam Tin (E) CH	66.6	62.9	68.3
Sham Shui Po	Tai Hang Tung CC	69.7	68.1	72.9
	Pak Tin CH	83.7	80.8	78.7
	Shek Kip Mei CH	81.7	82.6	82.8
	Cheung Sha Wan CC	72.6	69.3	66.4
	Nam Cheong DCC	81.0	77.0	76.7
	Lai Kok CH	€	65.4	72.9
	Lai Chi Kok CH	74.3	67.0	67.6
Wong Tai Sin	Wong Tai Sin CC	91.6	93.3	86.0
	Choi Wan ECC	72.9	75.2	71.1
	Chuk Yuen ECC	87.3	85.2	76.8
	Fung Tak ECC	84.9	88.6	90.3
	Tze Wan Shan CH	78.2	59.7	77.0
	Tze Wan Shan (S) ECC	89.4	76.7	76.0

<i>District</i>	<i>Name of CC/CH</i>	<i>Utilization Rate (%)</i>		
		<i>2006</i>	<i>2007</i>	<i>2008</i>
Yau Tsim Mong	Mong Kok CH	74.6	75.2	76.0
	Henry G. Leong CC	€	43.6	50.4
Kwai Tsing	Kwai Fong CH	86.3	86.0	87.6
	Tsing Yi Estate CH	88.6	91.0	90.0
	Lai King CH	54.0	58.1	64.0
	Tai Wo Hau ECC	79.5	76.0	69.9
	Cheung Hang CH	83.9	83.8	83.4
	Kwai Shing CH	39.1	57.5	52.8
	Cheung Fat ECC	75.3	75.0	66.9
	Shek Lei CH	68.5	71.2	66.1
	Cheung Ching ECC	73.5	75.6	78.3
North	Sha Tau Kok CH	24.9	20.1	25.9
	Ta Kwu Ling CH	22.9	28.4	27.9
	Cheung Wah CH	71.1	71.3	73.8
	Luen Wo Hui CH	64.3	68.6	70.5
Sai Kung	Tsui Lam CH	65.4	67.4	66.2
	Kin Choi CH	80.5	89.8	92.5
	King Lam NCC	83.7	90.2	90.1
	Sheung Tak CH	83.2	89.6	93.4
	Sai Kung Town Hall	79.2	80.8	80.4
Sha Tin	Kwong Yuen CH	96.4	77.4	90.9
	Pok Hong CH	84.8	78.2	84.3
	Lek Yuen CH	86.6	80.4	80.4
	Hin Keng NCC	85.2	81.5	81.8
	Sha Kok CH	80.6	72.2	75.6
	Chun Shek CH	88.4	87.2	84.4
	Sun Tin Wai CH	87.4	85.3	85.9
	Wo Che CH	88.1	81.1	83.4
	Heng On ECC	92.7	90.8	93.2
	Lung Hang ECC	89.0	90.0	90.8
	Lee On CH	96.0	91.6	92.0
	Mei Tin CH	#	#	63.9
Tai Po	Fu Shin CH	83.6	90.3	94.5
	Tai Yuen CH	77.4	83.4	87.2
	Fu Heng NCC	91.5	91.6	95.0
	Tai Wo NCC	86.7	90.7	90.9
	Wan Tau Tong NCC	91.9	93.0	95.9
	Kwong Fuk CH	87.6	87.3	88.0
	Tai Po CC	82.1	84.6	86.6

<i>District</i>	<i>Name of CC/CH</i>	<i>Utilization Rate (%)</i>		
		<i>2006</i>	<i>2007</i>	<i>2008</i>
Tsuen Wan	Princess Alexandra CC	84.5	84.4	84.2
	Lei Muk Shue CH	79.7	82.6	80.8
	Shek Wai Kok CH	82.5	83.1	74.0
Tuen Mun	Tuen Mun Town Centre	84.2	85.8	78.9
	Shan King CH	79.6	79.9	89.4
	Tai Hing CH	71.0	79.3	79.5
	Kin Sang CH	96.7	91.2	88.4
	On Ting/Yau Oi CC	93.3	90.7	88.0
	Leung King ECC	91.4	90.9	92.0
	Butterfly Bay ECC	93.3	94.8	84.5
	Tseng Choi Street CH	#	65.8	66.8
Yuen Long	Tin Shui CC	88.1	86.7	84.8
	Long Ping CH	75.5	88.6	89.6
	Tin Yiu CC	86.3	83.5	77.7
	Tin Ching CH	#	59.1	75.1
Overall Average of Utilization Rate (%)		76.2	75.1	75.2

Notes:

Western DCC (C&W district) and North DCC (North district) are not included in this list since there is no multi-purpose hall.

€ indicates the CH/CC was closed for renovation/maintenance in this period.

indicates CH/CCs not yet open for public use.

Annex III

Works Projects of Performing Arts Venues under Planning

<i>Item No.</i>	<i>District</i>	<i>Project Title</i>	<i>Anticipated Completion Date</i>	<i>Estimated Project Cost</i>
1	YTM	The Conversion of Yau Ma Tei Theatre and Red Brick Building into Xiqu Activity Centre	Late 2011	\$180 million
2	KC	Construction of an Annex Building for the Ko Shan Theatre	Late 2012	\$733 million
3	KT	Cross District Community Cultural Centre in Kwun Tong	Early 2016	\$3,200 million

Annex IV

Performing arts venues
with no confirmed timetable for construction or yet to be endorsed

<i>Item No.</i>	<i>District</i>	<i>Proposed Location</i>
1	Tai Po	Plover Cove Road
2	North	Area 11A, Fan Ling
3	Island	Area 1, Tung Chung
4	Sham Shui Po	Sham Shui Po
5	Sai Kung	Area 67, Tseng Kwan O
6	South	Ex-Wong Chuk Hang Estate
7	Eastern	Ex-North Point Estate
8	Yuen Long	Tin Fai Road, Tin Shui Wai

Annex V

Works Projects of Community Hall Facilities under Construction/Planning

Works Projects under Construction

<i>Item No.</i>	<i>District</i>	<i>Project Title</i>	<i>Anticipated Completion Date</i>
1	SK	Tseung Kwan O Area 86	2009
2	Is	Indoor Recreation Centre, Community Hall cum Library in Area 17, Tung Chung, Lantau	2009
3	SSP	Government Complex at Mei Lai Road, Mei Foo, Lai Chi Kok	2009
4	TM	Joint-user Complex and Wholesale Fish Market in Area 44, Tuen Mun	2010
5	WTS	Community Hall and Integrated Service Centre at Tung Tau Estate Phase 9, Wong Tai Sin	2010
6	E	Siu Sai Wan Complex	2010
7	KT	Community Hall at Yau Tong Estate Redevelopment Phase 4	2011
8	SK	Tseung Kwan O Complex in Area 44, Tseung Kwan O	2011

Works Projects under Planning

<i>Item No.</i>	<i>District</i>	<i>Project Title</i>	<i>Anticipated Completion Date</i>
1	YL	Sports Centre and Community Hall in Area 101, Tin Shui Wai	2012
2	N	Joint-user Complex at Area 44, Fan Ling	2012
3	KC	Joint-user Complex at Bailey Street, To Kwa Wan Reclamation	2013
4	TM	Community Hall in the Housing Site at Area 18, Tuen Mun	2013
5	KC	Kai Tak Government Offices	To be confirmed

Annex VI

New Community Hall Facilities yet to be endorsed

<i>Item No.</i>	<i>District</i>	<i>Proposed Location</i>
1	Sham Shui Po	Tai Hang Tung
2	Eastern	Lei King Road
3	Tuen Mun	Tuen Mun Area 14
4	Sha Tin	Sha Tin Area 14B
5	Eastern	Ex-North Point Estate Site
6	Tuen Mun	Tuen Mun North

MR IP KWOK-HIM (in Cantonese): *The Secretary's reply mentioned about the utilization rates of the performing arts venues. In fact, we can also see that the utilization rates are very high. In the urban areas, they are over 90% while some venues even attained 100%. The Secretary's reply mentioned that if more of such facilities were to be built, the HKPSG has to be consulted, and a lot of factors had to be considered, such as population, local characteristics and community aspirations. As far as Annex IV is concerned, we find that these actually are proposals put forward by the DCs during the Municipal Council era, and have been processed as planned. However, the Government has yet to confirm whether they will be constructed. As such, how can this run in line with local characteristics and community aspirations? Every time when DC*

Members come to the Legislative Council to discuss with us, they would raise the related questions. How can they be satisfied? Now that the Secretary mentioned this kind of relationship while the utilization rates of the venues are already so high, why should the Government fail to satisfy the needs of the community, or how can it meet community aspirations and comply with local characteristics?

SECRETARY FOR HOME AFFAIRS (in Cantonese): The present utilization rates of civic centres and various types of performing arts venues in Hong Kong are indeed very high. Just because of such high utilization rates of the venues that it shows there is a very strong demand for them. This is the basic premise for developing the WKCD by the SAR Government. Due to the development of the Hong Kong economy, the cultural needs of the public will be enhanced and the demand for performing arts venues will be greatly increased. While developing the WKCD, the Government will consider the need for cultural facilities of various districts in a comprehensive way. However, we have to emphasize one point. The existence of civic centres in 18 districts does not mean to say that the civic centres only for the exclusive use of their respective districts. I shall cite an example. The Hong Kong City Hall, which was constructed long time ago, is a territory-wide facility. The various performing arts venues that I read out earlier are also territory-wide facilities. The venues which we plan to construct, for example, the new civic centre to be constructed in Kwun Tong, is also a cross-district facility which is not merely for use by residents in Kwun Tong District. In the foreseeable period, we do not intend to construct a civic centre for each of the 18 districts. Therefore, in regard to the aspirations of various districts, we have to take a comprehensive consideration depending on the performing arts facilities in the territory.

MR CHEUNG HOK-MING (in Cantonese): *The Secretary's main reply mentioned that there are 13 performing arts venues. Tai Po Civic Centre is one of them and its location is the hall of a government secondary school with makeshift seating arrangement. Its utilization rate is about 93%. The utilization rate of the six community halls is 95.3% and this is a very high rate. Local residents always want the Government to construct a new civic centre in Tai Po, but unfortunately, we were told by the Bureau yesterday that the project*

had been terminated and there would not be a new civic centre. In this connection, may I ask the Secretary, since the civic centre will not be constructed, will he consider providing an additional community centre in Tai Po District, and improving the existing makeshift situation of the Tai Po Civic Centre?

SECRETARY FOR HOME AFFAIRS (in Cantonese): I thank Honourable Member for this question. I know that Tai Po is a very active community, thus the utilization rate of the public area of Tai Po Community Hall is indeed very high. Just as Mr CHEUNG said, in Tai Po, a civic centre has long been merged with a secondary school and the area is used jointly. Mr CHEUNG may also be well aware of the recent message that since that school may cease operation in the future, this will provide a favourable condition for new development and an opportunity to improve the facilities of the existing civic centre. In regard to other existing community centres, for questions like whether there is a need to further increase the number, whether there are conditions to further increase the number, how can the piece of land be better utilized and so on, we will have to map out a plan. The existing community centres or halls would have a chance to have their facilities improved.

PRESIDENT (in Cantonese): Mr CHEUNG, which part of your supplementary has not been answered?

MR CHEUNG HOK-MING (in Cantonese): *President, I hope that the Secretary can address my question directly. At present, the patronage of the six community centres is already saturated, with a utilization rate hitting 95.5%. However, the seventh civic centre has failed to be constructed. Can the Government undertake to provide a community centre? I hope that he can answer this question.*

SECRETARY FOR HOME AFFAIRS (in Cantonese): President, for civic centres and community centres, we are basically considering two different types of usage, although they can be exchanged. Civic centres are primarily used to promote cultural and performing arts activities, while community centres can be

used by many local groups to organize activities. If the utilization rates of community centres are high, will there be a need to provide additional community centres? This is an item for consideration. As far as Eastern New Territories is concerned, shall we consider providing further performing arts facilities, namely facilities like civic centres? The Home Affairs Bureau already has a comprehensive consideration on the cultural and entertainment facilities and performing arts venues of Eastern New Territories. As regards whether they should be located in Tai Po or in other areas in Eastern New Territories, it is still subject to our careful consideration.

MR FREDERICK FUNG (in Cantonese): *President, in fact, during the Municipal Council era, the Administration had already undertaken to the Sham Shui Po DC that there would be a civic centre, and even the location had been identified. Nevertheless, recently, that is, after the reunification in 1997, this project was not mentioned and even the location was cancelled. My supplementary is: We see that the utilization rates of eight community centres in Sham Shui Po are rather high, and Sham Shui Po is one of the districts with high utilization rates for such facilities. I do not think that the newly planned community centre at Mei Lai Road, as the Government's plan suggests, can replace the originally proposed civic centre. I believe we are able to distinguish the differences between community centres and civic centres. Given the high utilization rates as mentioned above when the population sizes of East Kowloon and West Kowloon regions are similar, there are two civic centres in East Kowloon region while there is not even one in West Kowloon region. Why should the Government fail even to construct a civic centre up till now in West Kowloon region to provide performing arts facilities for the entire region?*

SECRETARY FOR HOME AFFAIRS (in Cantonese): President, we usually reckon that Sham Shui Po is included in West Kowloon region, that is, various groups and organizations bearing "West Kowloon" in their titles will normally serve Sham Shui Po as well. At present, the SAR Government does not have a plan to provide an additional civic centre in Sham Shui Po, because there are 15 facilities actively underway in the WKCD. The overall consideration is that the WKCD facilities can be closely connected and shared with neighbouring districts, including Yau Tsim Mong and Sham Shui Po Districts. Our primary

consideration is the implementation of the overall planning of the WKCD. After that, we will further consider the conditions of Sham Shui Po to see whether the construction of a Sham Shui Po Civic Centre is justified.

PRESIDENT (in Cantonese): Which part of your supplementary has not been answered?

MR FREDERICK FUNG (in Cantonese): *President, the Secretary has not given an answer. Because the civic centre and the WKCD are two different issues. At the beginning, the Secretary said that the WKCD provided cultural facilities for the entire territory. Civic centres are to serve local needs, while community centres are even smaller he did not answer why a civic centre could not be constructed in West Kowloon region.*

PRESIDENT (in Cantonese): I believe that the Secretary has already given an answer. Anyway, Secretary, do you have anything to add?

SECRETARY FOR HOME AFFAIRS (in Cantonese): Civic Centres are a kind of venues for performing arts. Actually, the WKCD will provide a large number of venues for performing arts.

DR PRISCILLA LEUNG (in Cantonese): *What I would like to ask the Secretary is: The main reply mentioned that the WKCD development could also provide a range of choices. However, in the old district of Sham Shui Po, even after the WKCD is developed, it is still difficult for some rather poor residents to use the WKCD facilities. To have a community hall with a seating capacity of 1 000 in Sham Shui Po is basically a dream of the local residents for more than a decade. We have visited the Sham Shui Po DC. When the DC Members came to the Legislative Council, they also strongly expressed this view. In this connection, may I ask the Secretary whether the dream of Sham Shui Po residents, namely to have a community hall with a seating capacity of 1 000, can come true?*

SECRETARY FOR HOME AFFAIRS (in Cantonese): President, we will discreetly consider this view. In other words, when planning on the civic centres, including the various venues for performing arts of the WKCD, we will consider whether the venue should have a seating capacity of 1 000, or whether it should be of a smaller size with a seating capacity of 300, or even be a "black box theatre". This is a kind of very detailed and professional consideration in the cultural and arts aspect. The size of a community hall for organizing activities should depend on the needs of the community and local activities. Therefore, in regard to the community centre or hall with a seating capacity of 1 000 as suggested by Dr LEUNG just now, we will consider it in detail.

PRESIDENT (in Cantonese): The last supplementary.

MR KAM NAI-WAI (in Cantonese): *President, in the main reply, the Secretary has in fact mentioned we could all see the high utilization rates of venues for performing arts. However, the Secretary always confuses territorial performing arts facilities and community performing arts facilities. In fact, we are very worried that the Government will put all resources into the WKCD, however, the demand of local residents for performing arts venues in their respective districts is also very large. Annex IV shows that there are eight performing arts venues with no confirmed timetable for construction. When can the Secretary confirm the timetable for constructing these performing arts venues which are obviously community-based? I notice that the Chinese and English headings of Annex IV are not consistent. The English heading is "..... no confirmed timetable for construction or yet to be endorsed", the wording of which is different from that of the Chinese heading. Is it that these proposed items do not have a timetable, or when will they have a timetable, or will they not be implemented?*

SECRETARY FOR HOME AFFAIRS (in Cantonese): President, when developing these facilities, we will normally take a comprehensive consideration on the amount of resources available at the specific time, the priority of using the resources available, as well as the main direction of the policy in cultural and art promotion at that time. Therefore, we will not rule out the possibility of not endorsing a certain item. We also know that these items were proposed by the public at different times.

PRESIDENT (in Cantonese): The fourth question.

Retrofitting of Automatic Platform Gates

4. **MR JAMES TO** (in Cantonese): *President, in the past three months, there were a number of accidents of passengers falling onto rail tracks while waiting for trains on the station platforms of the MTR Corporation Limited (MTRCL), and the stations involved have not been fitted with platform screen doors (PSDs) or automatic platform gates (APGs). In this connection, will the Government inform this Council whether:*

- (a) *the Government has assessed if the safety of the aforesaid passengers having been endangered, because some stations currently do not have PSDs or APGs fitted, constitutes an act of default under franchise as described in section 16(1)(a)(iii) of the Mass Transit Railway Ordinance (Cap. 556); if it has made the assessment; of the details; if it has not, the reasons for that; and whether the authorities will request, under section 28 of that Ordinance, the MTRCL to immediately retrofit PSDs or APGs in interest of safety at those stations which do not have such facilities; if they will, of the details; if not, the reasons for that;*
- (b) *the government representatives on the Board of MTRCL had raised at last year's Board meetings the immediate retrofitting of APGs so as to safeguard passenger safety; if they did, of the circumstances under which the requests were made; if not, the reasons for that, and whether the government representatives had requested the MTRCL to stop collecting from passengers or reduce the surcharge of \$0.1 per journey before the retrofitting works were completed; if so, of the details; and*
- (c) *the Government has deployed in-house staff or engaged overseas experts to review if the timetable for the APG retrofitting works submitted by the MTRCL and its explanation that at present APGs cannot be retrofitted at the stations of the East Rail Line and Ma On Shan Line (including the difficulties in such areas as retrofitting works and implementation) are reasonable; if it has, of the details; if*

not, the grounds for the Government to accept MTRCL's explanation?

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese):
President,

- (a) The design and safety measures of the railway station platforms of the MTRCL are in line with international practices and there is no safety problem. Any new railway projects and modification to major facilities need to be assessed and approved by the Electrical and Mechanical Services Department (EMSD) to ensure compliance with safety requirements before commencing operation. Therefore, the MTRCL has not breached the Mass Transit Railway Ordinance or the Operating Agreement.

Most advanced railway systems worldwide do not have APGs. Instead, most of these systems have implemented other measures to safeguard the safety of passengers awaiting trains at the platforms. Railway lines constructed recently, such as Taiwan High Speed Rail and the new Shepherd's Bush Station of London Overground, do not have APGs. The measures that the MTRCL have adopted are also comparable to those in other places. These measures include: (i) the yellow lines painted along platform edges to draw passengers' attention; (ii) broadcast of public announcements to advise passengers on approaching trains; (iii) installation of CCTV cameras at station platforms to facilitate platform monitoring; and (iv) the deployment of additional station staff and platform assistants during peak hours to manage passenger flow, provide assistance to passengers and maintain order.

We will continue to monitor the safety of our railway system to ensure that the railway corporation designs, constructs, operates and maintains the railway in compliance with safety requirements.

- (b) The Government has all along been conveying the community's requests to the MTRCL at MTRCL Board and other working levels. Moreover, representatives of the MTRCL attend from time to time

meetings of the Legislative Council to listen to Members' views and relay them to the Board.

The Government will continue to encourage the MTRCL to actively explore measures to further enhance railway safety.

Currently, the MTRCL collects 10 cents per Octopus MTR journey for the retrofitting of PSDs at its 30 underground stations. The retrofitting programme was already completed in 2006. The total cost of the programme of HK\$2 billion is equally shared between MTRCL and the passengers. For the latter case, the expenditure of HK\$1 billion was to be met through collecting 10 cents per Octopus trip from passengers. As the accumulated amount still falls short of the required amount of HK\$1 billion, the collection arrangement will continue until 2014 when the MTRCL estimates that the required amount will be collected in full.

- (c) Retrofitting of APGs at platforms of an operating railway line involves highly complicated works including major modifications to the platform structure, ventilation system and earthing protection system. Furthermore, works have to be carried out during the very tight non-operating hours (2 am to 5 am) at night so that disruption to railway service could be minimized. Since these platforms are at-grade or elevated, temporary mitigation measures need to be implemented every night to mitigate possible noise nuisance caused to nearby residents. After detailed examination, the EMSD agrees that the technical difficulties mentioned above will inevitably further reduce the time available for the retrofitting works every night.

On the other hand, the EMSD has also followed up with the MTRCL on the progress of the retrofitting programme. The MTRCL has completed the tendering process over the last few months and started the design of the retrofitting works as scheduled. The works programme involves the works of design, prototype on site testing, manufacturing and installation of APGs which the MTRCL has condensed as far as practicable, and will carry out some works in parallel, with a view to completing the project in 2012.

As regards retrofitting APGs on East Rail Line (including the Ma On Shan Line), the EMSD, after studying the situation at the platforms and the actual operation of the railway, agrees that for safety reason satisfactory mitigating measures will need to be put in place to address the inherent constraints of the platforms before installation of APGs can be considered. The platforms of some East Rail Line stations are more curved with wider platform gaps. Retrofitting APGs will cause sight line obstructions to wide platform gaps. Having considered the above, the MTRCL needs to explore the feasibility of the mechanical gap filler (MGF) system before considering retrofitting APGs to ensure the safety of its passengers. The MTRCL already commenced a trial on the MGF system in mid-2008.

During the site visit by the Legislative Council Panel on Transport Subcommittee on Matters relating to Railways in December last year, the MTRCL also explained to Members that a number of issues would need to be addressed when considering the retrofitting of APG at East Rail Line stations, including additional dwell time caused by the verification of MGF status required prior to train doors opening or train departure to ensure the MGFs are working properly, and the implication on train headways and signalling system, as well as the reinforcement of platform structure, and so on.

The MTRCL expects that the trial to further test the performance of the MGF system can commence next month in phases, and the full review will be completed by the end of this year.

We understand that Members would like to see an early completion of the project. The Government will continue to closely monitor the progress of the retrofitting works, in order that the works could be completed as early as possible while achieving the primary objective of ensuring safety.

MR JAMES TO (in Cantonese): *President, the Government's main reply seems to indicate that all advanced railway systems are not retrofitted with APGs, but*

will adopt alternative measures to safeguard passenger safety. However, from March 2008 up to the present, newspapers alone reported that there have been 17 cases of passengers falling onto rail tracks in Hong Kong, killing seven and injuring 10, and among them two were visually-impaired or blind persons. If the alternative measures taken could have prevented such accidents from happening, this is certainly not an act of default. However, if the measures taken, including those mentioned by you earlier, have failed to prevent such accidents from happening, what else could it be if this is not an act of default? How advanced is our system? Do those advanced railway systems which have adopted alternative measures instead of retrofitting APGs also record the same toll of seven deaths and 10 injuries each year?

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): The case pointed out by Mr TO just now, where waiting passengers fell onto rail tracks, is indeed pretty disturbing. But I must point out that, on the whole, the design of the platform is safe and complies with international standard.

The present issue is what can be done to improve ourselves so as to help the needy persons to better utilize the platforms safely. The MTRCL has therefore established sufficient channels to communicate with people with disabilities or the visually impaired, and the staff will render assistance to them when necessary.

The existing measures, including the introduction of tactile guide paths for the blind and broadcasting, can also help these needy people.

PRESIDENT (in Cantonese): Mr TO, which part of your supplementary question has not been answered?

MR JAMES TO (in Cantonese): *The Secretary has not replied whether the advanced railway systems mentioned by the Government recorded the same toll of seven deaths and 10 injuries each year.*

PRESIDENT (in Cantonese): Secretary, the supplementary question put by the Member is how our system compares with that of other countries.

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): We have yet to compile any concrete figures in comparison to other countries. However, according to some international studies on railway systems, Hong Kong's underground system is ranked first in the world and such ranking is internationally recognized and appraised.

MR ANDREW CHENG (in Cantonese): *President, the MTRCL has claimed time and again that its system is very advanced. But according to part (c) of the main reply, retrofitting of APGs at platforms involves highly complicated works. If the system is so advanced, I do not think the installation of PSDs is that complicated.*

President, man has already landed on the Moon and successfully established a space station. While the MTRCL claimed that the system is so advanced and efficient, retrofitting works of PSDs has nonetheless been undertaken for more than a decade. Now it even states that retrofitting APGs on East Rail Line would cause obstructions to sight, thereby jeopardizing the safety of passengers when they board. What kind of reasoning is this?

President, just as Mr TO has said earlier, year-on-year delays over the past decade have already took some forty to fifty human lives. Regarding the East Rail and Ma On Shan Lines, will the Secretary, instead of saying that a full review would not be completed until the end of 2009 and without making any promises, just as what she stated in the main reply, provide a more accurate timetable? We will be gravely disappointed if the Secretary still maintains that the MTR system is so advanced and has reached the highest international level. I hope that the Secretary will provide a timetable for the East Rail and Ma On Shan Lines. A timetable has already been set for the old stations, which is 2012, but none has been drawn up for those two rail lines. Why is it so?

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): Retrofitting works of PSDs is actually underway, and so far 30 underground

stations have been fitted with APGs. Furthermore, tendering exercise has also been completed and another eight platforms will be fitted with APGs.

Concerning the retrofitting of APGs at platforms of the East Rail Line as mentioned by Mr CHENG, I have pointed out in the main reply that insofar as the standard design of platform is concerned, retrofitting of APGs is actually not a common practice in the world. To resolve this problem, with particular reference to railways run by trains, which are not straight lines but have many bends — they are very common in overseas countries and that is why APGs are rarely found in train stations. The solution for this issue involves a technical problem, and that is the wide platform gaps created by the curved edge. Members of the Subcommittee on Matters Relating to Railways of the Panel on Transport who visited the stations in December last year should understand the technical problems involved.

These technical problems include the signalling system interface between the train and the platform, for the MGF plates will only protrude when the signal is confirmed, and the PSDs and train doors will open once the MPF plates are properly protruded. In that case, alighting passengers in the trains — just as many Members observed at that time — would have to wait for an additional 10-odd seconds. For those passengers who cannot wait to get off the train, they would find it hard to tolerate these 10-odd seconds more.

We therefore urge that the MTRCL should solve this problem by shortening the waiting time as far as possible to avoid affecting the train headways. This technical problem must be overcome in the first place to enable the MGFs to operate smoothly and safely, thereby ensuring the safety of boarding and alighting passengers in the presence of the MGFs.

PRESIDENT (in Cantonese): Which part of your supplementary question has not been answered?

MR ANDREW CHENG (in Cantonese): *President, the Secretary has not specifically answered my supplementary question. The most important point I wish to ask is*

PRESIDENT (in Cantonese): You mean timetable.

MR ANDREW CHENG (in Cantonese): *Right, about timetable. Will the Secretary stop telling me about the complicated works? How complicated is this? Okay?*

PRESIDENT (in Cantonese): Mr CHENG, your supplementary question is clear enough.

MR ANDREW CHENG (in Cantonese): *..... and what if you find out that no MGF can be installed on completion of the review? If you just keep on talking about the complexity, how can the problem be solved?*

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): President, I believe this involves a very important factor, and that is the safety of boarding and alighting passengers. This safety issue must be addressed before we can draw up a timetable. According to the present timetable, the full review will be completed by the end of this year, and that trials and comprehensive platform tests will commence in April (that is, next month). If by the middle of this year sufficient figures can be collected from these tests, a review will be conducted at the end of the year to consider the feasibility.

I hope that Members will not underestimate this problem as the MGF plates are pretty special, which are self-developed locally by drawing on overseas experiences. If the problem cannot be resolved such that the MGF plates cannot operate safely, the width, curvature and gap of the platforms will pose risks to boarding and alighting passengers.

MR FRED LI (in Cantonese): *President, my supplementary question is also related to timing. Secretary, insofar as the installation of PSDs is concerned, do you know that the Kwun Tong Line is MTRCL's oldest railway line, which was*

built 30 years ago. Today, there are three stations on the Kwun Tong Line, namely Kwun Tong Station, Ngau Tau Kok Station and Kowloon Bay Station, but they have yet to be fitted with PSDs. Residents in Kwun Tong mainly comprise the disadvantaged groups, people who are visually-impaired, as well as those having intellectual disabilities and using crutches. For these three stations, Secretary, just now you mentioned 2012, but can you tell us a more accurate timing? These three stations are the oldest with the longest history, why do they have to wait so long? Can you tell me when the installation work will commence?

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): Just as I have said in the main reply, the tendering process has completed. In this process, Members should note that the design itself is a very significant factor in future operation.

Among those eight stations, adjustments have to be made to the design and they are not homogeneous. So, on completion of the preliminary design between the first and early second quarter of this year, detailed design is expected to be completed between the middle of the second and the last quarter. This will be followed by prototype on site testing to test the practicability of the design, which will probably finish by the second quarter of next year. Since the APGs are produced on order rather than ready-made, production will not commence until an advance stage of prototype testing. At the same time, APGs will first be installed at the platform of Heng Fa Chuen Station on a trial basis in the third and fourth quarter of next year. Should the trial proved to be successful, full-scale installation works will commence and will be completed in 2011 and 2012. This is our original schedule as planned.

MR FRED LI (in Cantonese): *My supplementary question asks about the three stations on Kwun Tong Line, but the Secretary mentioned eight stations in response, including even Heng Fa Chuen Station. Are those three stations included? I hope that the Secretary will express this more clearly and advise if the installation works can be expedited.*

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): Why did I refrain from naming the stations where works will be undertaken except that of Heng Fa Chuen Station? Because the installation of APGs requires detailed design and interface of different station systems. Since we cannot prioritize the installation works before the contractors submit their detailed retrofitting plans, a decision could only be made when detailed design is ready between the middle of the second quarter and the fourth quarter.

PRESIDENT (in Cantonese): This Council has spent more than 20 minutes on this question.

PRESIDENT (in Cantonese): Fifth question.

Improving Design of Roads to Enhance Road Safety

5. **MR CHEUNG HOK-MING** (in Cantonese): *President, it has been reported that as there are problems with the design of quite a number of roads in Hong Kong, coupled with the factors of terrain and immediate surroundings, traffic accidents are prone to occur on those roads. For example, professional drivers have relayed to me that because of the sharp bend and steep decline at the Kowloon-bound section of Waterloo Road outside the Lion Rock Tunnel, vehicles often need to stop abruptly after the bend, or else they may hit the other vehicles waiting at the traffic lights not far away from the bend. In this connection, will the Government inform this Council:*

- (a) *of the number of traffic accidents which occurred at the road section in question and the resultant casualties in the past three years;*
- (b) *whether proper facilities will be provided at suitable locations at the road section in question (for example, at the bend) so that drivers will be able to know the road condition behind the bend as early as possible; and*

- (c) *of the number of road sections in Hong Kong with traffic lights not far off from sharp bends, and how many of them have been listed as traffic accident black spots; whether the authorities will review and improve the criteria for installing traffic lights at such road sections to enhance road safety?*

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese):

President, the design and construction of the roads, traffic signs and road markings in Hong Kong are designed and constructed in accordance with international standards. The Transport Department (TD) also improves traffic facilities and traffic management on an ongoing basis to further enhance road safety.

The geographical environment of the Kowloon-bound section of Waterloo Road outside the Lion Rock Tunnel is such that it can be divided into the upper and lower segments, each measuring about 300 m. The upper segment is an S-shape downslope segment running from Lung Cheung Road Park to the bend near Moonbeam Terrace. Anti-skid surfacing is provided for this segment. In addition, the TD has also erected at appropriate locations various traffic signs including "Slow", "Reduce Speed Now", "Steep Hill Downwards Ahead", "Use Low Gear" and "Turn Left Ahead", as well as a series of sharp deviation marking ranging 80-plus metres long to indicate the bend. The lower segment is slightly curved downslope, running from the bend near Moonbeam Terrace to Cornwall Street. It provides satisfactory sight distance along its entire length.

My reply to the three parts of Mr CHEUNG's question is as follows:

- (a) During the three years from 2006 to 2008, a total of nine traffic accidents took place on Waterloo Road southbound between Lung Cheung Road Park and Cornwall Street, inflicting minor injuries to one person in each case, and I wish to emphasize that these accidents only inflicted minor injuries.
- (b) As mentioned above, the upper segment of the road section running from Lung Cheung Road Park to the bend near Moonbeam Terrace

has been paved with anti-skid material. Traffic signs have been erected at suitable locations by the TD. The sight distance along the lower segment running from the outbend to Cornwall Street is good.

We consider that the existing traffic signs and road markings along the road section are sufficient to remind motorists of matters requiring their attention while driving, and to inform them of the specific road conditions along the way.

- (c) Since it is difficult to define "sharp bend" as mentioned by Mr CHEUNG, we adopt the shortest sight distance required under different driving speeds as the criteria. For example, the shortest sight distance required for a road section subject to a speed limit of 50 km per hour is 50 m, and that for a road section subject to a speed limit of 70 km per hour is 90 m. We have reviewed the 62 traffic accident black spots in Hong Kong and found no case of traffic accidents caused by insufficient sight distance at such spots.

Currently, there are about 1 760 sets of traffic lights throughout the territory. The sight distance of their locations generally meets the above requirement. If individual traffic light, due to geographical environment or other reasons, warrants advance warning far ahead, the TD will erect suitable traffic signs such as "Traffic Lights Ahead" or "Slow Down Now". The configurations of traffic lights and the design of related road facilities in Hong Kong are generally in line with those adopted by developed regions overseas.

According to the Road Users' Code, motorists should not follow other vehicles too closely and should always keep a two-second time gap with the vehicles in front. Before driving into a road bend, motorists should adjust to a safe speed if necessary in the light of the road conditions. By doing so, motorists will have sufficient time and distance to stop their vehicles properly before a traffic light, or awaiting vehicles or other obstacles that may appear after the bend for different reasons.

MR CHEUNG HOK-MING (in Cantonese): *President, the Secretary only provided some figures in part (c) of his main reply, but he did not answer how these substantial problems could be tackled. May I ask the Secretary, since such problems occurred at so many road sections, will the Government put some specific improvement measures in place? If so, what are they; if not, what will the situation be?*

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): As to traffic accident black spots or road sections where major traffic accidents or incidents have occurred, the staff of the TD will conduct onsite inspections to see if the causes of accidents are related to the road surface conditions or traffic signs, or to check if those traffic accident black spots where accidents frequently occur are actually caused by some special reasons, and whether or not they have any connection with road safety factors. As I have said in the main reply, as far as the relevant road sections are concerned, such as the road section in question, we can see that the TD has erected adequate traffic and warning signs. In fact, accidents are rare at this road section, for that reason, we consider that there are adequate facilities at that road section to alert motorists.

MR LAU WONG-FAT (in Cantonese): *President, given that the serious traffic accidents occurred at the relevant road sections frequently involve heavy vehicles, will the Government inform this Council whether it will consider, in the light of road safety, restricting certain types of heavy vehicles from using those road sections?*

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): Mr LAU, insofar as the section of Waterloo Road is concerned, in fact, its gradient is about 1:10, thus it is not that steep. For this reason, as far as the road section is concerned, there is no need to impose restrictions on heavy vehicles. However, we also know that as regards traffic accidents, for example, the case of Garden Road was rather special, that is, the heavy vehicle concerned should not use the road section, thus the driver of the relevant vehicle had in fact violated the traffic regulations at that time.

MR ANDREW CHENG (in Cantonese): *President, it is mentioned in part (c) of the main reply that there are more than 1 760 sets of traffic lights, in particular, it is mentioned that these traffic lights can only make some advance warnings far ahead and improve road safety, given that certain requirements in distance or environment are met. President, the TD used to conduct a research on count-down timers for traffic lights. May I ask the Secretary, with regard to this issue and the design of road facilities to ensure road safety as mentioned in the main question, will the Government keep on actively considering the installation of count-down timers for traffic lights, in particular at traffic accident black-spots, so that motorists can be better prepared in advance?*

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): In fact, the count-down timers mentioned earlier were for pedestrians, I do not know whether Mr CHENG is talking about the count-down timers for vehicles or any other thing, will the Member please clarify that.

MR ANDREW CHENG (in Cantonese): *President, before the Secretary assume the current post, according to my understanding, the Policy Bureau concerned has conducted a study on count-down timers for pedestrians, and apart from this, it has also studied the installation of count-down timers even for vehicles. My supplementary question is, does the Policy Bureau concerned has any specific timetable for conducting a research on the implementation of the design of the count-down timers for pedestrians, which has been studied in the past, together with a study on implementing the design for vehicles? That is what I mean.*

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): With regard to the count-down timers for vehicles, we may give consideration to this facility. However, I wish to remind Members of a situation that even if there are no count-down timers now, there are also cases of jumping red lights. Therefore, will such facilities, such as count-down timers, actually help to improve the traffic conditions or road safety after being installed? Or will it be just the opposite, that is, people will continue to jump red lights? As to this issue, we will take it into consideration when the study commences.

DR LAM TAI-FAI (in Cantonese): *President, this question that Mr CHEUNG Hok-ming raised is a good one, because I also use this road several times a week. I used this road in the 1990s' almost every day, so I know very well that this section of the road is rather dangerous. A lot of policy secretaries, even when they see that the Shing Mun River is filled with garbage, would say that the water quality of the River is up to standards. My supplementary question is very simple, I do not know whether the Secretary will consider sparing some time to conduct a site visit in person with Mr CHEUNG? In so doing, he will know the definition of sharp bends and whether facilities and traffic signs are adequate, or whether the signs are clear. This would be better than only providing us with figures. My supplementary question is very simple, I hope that the Secretary will spare some time to conduct a site inspection together with Members.*

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): I would like to thank Dr LAM for his suggestion. In fact, I often use this road as well. I also know that since this road section stretches from a higher altitude, that is the exit of the Lion Rock Tunnel, to the relatively flat section of the junction between Waterloo Road and Cornwall Street, and because of the relatively steep gradient, motorists in general would really take all measures to reduce speed and drive safely at this road section. The statistics on traffic accidents showed that actually only a few accidents had occurred in the past. Nine cases of traffic accidents over the past three years only involved minor injuries. Therefore, we can see that a lot of motorists will in fact slow down and drive carefully at the road section. In addition, we believe that the traffic signs and road markings are also adequate to alert motorists. Of course, if Dr LAM or Mr CHEUNG is interested in inviting me to conduct a site visit, I am also willing to do so.

MR IP KWOK-HIM (in Cantonese): *As Hong Kong is rather hilly, flat lands are scarce, thus it is very difficult for making road designs. However, as there are different designs and measures at different times. Let's take the Island Eastern Corridor (IEC) as an example, in fact some parts of IEC are inflicted with problems, and they are genuine traffic traps. Therefore, I would like to know if the Policy Bureau concerned has seriously considered what Dr LAM has also mentioned just now, that is, instead of simply looking at a single location, it needs to see if traffic lights or traffic signs at sharp bends on numerous road*

sections in Hong Kong are adequate. Or will the Policy Bureau concerned seek the views of regular road users, including taxi or truck drivers about the existing problems on the road surfaces, and will then make appropriate improvements, thereby reducing the frequency of accidents?

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): I would like to thank Mr IP for raising this supplementary. The suggestion put forward by Member is indeed useful, and the TD is also working on this. As to road sections plagued with traffic accidents, the TD will carry out surveys and studies and will make improvement measures accordingly to deal with the situation, including the erection of additional traffic lights or to conduct road improvement works, such as applying anti-skid materials, erecting central dividers and additional crash barriers. The TD will also improve pedestrian facilities, such as providing additional crossing facilities, erecting railings, widening the pavement, or improving signs to direct traffic, for example, adding traffic signs, road markings or pedestrian refuges and so on. In addition to examining traffic accident black spots, for a number of major accidents, colleagues of the TD will also take follow-up actions after conducting investigations on them.

MR IP KWOK-HIM (in Cantonese): *My supplementary question is whether the Administration will meet with professional drivers to conduct discussion regularly.*

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): Yes we have, for the taxi trade, minibus trade or even non-franchised bus trade, the TD has in fact regularly communicated with them for them to express their views. I also have the chance to discuss with friends from these trades, such as conducting discussions on the conditions of road surfaces. They have reflected on issues and expressed their views to me.

PRESIDENT (in Cantonese): The last oral question seeking an oral answer.

Promoting Green Lunch

6. **MISS TANYA CHAN** (in Cantonese): *President, in response to a Member's question on 7 November 2007, the Government advised that it had been encouraging schools to reduce the use of disposable lunch boxes through adopting a series of measures. In connection with the implementation of such measures and the target to promote further reduction in, and even completely stop, the use of disposable lunch boxes and cutlery in schools, will the Government inform this Council whether:*

- (a) it has reviewed the effectiveness of the various measures to promote green lunch in all primary schools in Hong Kong; if it has, of the details of the review outcome and follow-up actions; if it has not, whether it has any plan at present to conduct such a review; if it has plans, of the details; if it has no plan, the reasons for that;*
- (b) it has set an ultimate target for all aided schools (in particular primary schools) to completely stop using disposable lunch boxes and cutlery; if it has, of the specific plan and timetable for implementing such a target; if not, the reasons for that; and*
- (c) it will expeditiously take new concrete measures to encourage schools to reduce the use of disposable lunch boxes and cutlery immediately, such as allocating more resources to schools, so that schools can use reusable cutlery or adopt the practice of centralized lunch distribution, or requiring schools to take into account green considerations in choosing meal suppliers; if it will, of the details; if not, the reasons for that?*

SECRETARY FOR THE ENVIRONMENT (in Cantonese): President, I wish to thank Miss Tanya CHAN for raising this question.

- (a) All along the Government has promoted green lunch in schools territory-wide and encouraged schools to reduce the use of

disposable lunch boxes by formulating guidelines, holding talks, releasing promotional videos as well as funding environmental organizations to carry out promotional activities. Our rough estimate, based on data gathered from schools, lunch box suppliers and recyclers, is that the percentage of schools using disposable lunch boxes dropped from about 70% in 2004 to about 40% in 2007. To obtain more comprehensive data for further analysis on how schools were implementing green lunch, the Environmental Protection Department (EPD) conducted a thorough survey in mid-2008 covering over 1 200 primary and secondary schools across the territory. On the basis of the survey findings, we estimated that about 550 000 students lunched in schools in the territory. Among these students, 51% used reusable lunch boxes, 30% used recyclable lunch boxes, while only 19% used disposable lunch boxes, that is to say, they are probably paper or foam lunch boxes, and it has been reduced to less than 20%. Moreover, the 2008 survey indicated that out of the 52 suppliers identified, 38 (that is, 73%) offered lunch in reusable lunch boxes and 11 provided the more environmentally friendly central portioning for about 70 schools, as compared with only two lunch box suppliers providing reusable lunch boxes or central portioning in 2004.

As for the current practice with cutlery, lunch box suppliers usually provide a set of washable and reusable cutlery to every student at the beginning of a school term to reduce the use of disposable cutlery.

All in all, the Government's measures to promote green lunch in schools have begun to deliver results. The Government will keep under review the progress of related work. It will also collect updates from schools, lunch suppliers and recyclers, and assist schools to implement green lunch. The detailed information in this connection has been uploaded to a dedicated website called the Hong Kong Waste Reduction Website of the EPD, and in fact we have been updating them from time to time.

(b) and (c)

As to part (b) and (c) of Miss CHAN's question, the Government has issued guidelines to all primary and secondary schools in Hong Kong, including the EPD's "Guideline on How to Promote Green Lunch in Schools" and the Education Bureau's "Guidelines on Meal Arrangements in Schools", to recommend as well as to encourage schools to implement green lunch, incorporate green considerations into the criteria of selecting lunch suppliers, and include appropriate conditions in the contracts.

The figures in the preceding paragraphs have shown that more and more school have taken part in the green lunch programme, but for a school to adopt central portioning or use recyclable lunch boxes, it may have to make special arrangements in distribution of lunch, which may involve heating, *in situ* cooking or some cleaning equipment. In some cases, it may also need to pay a slightly higher price. Therefore the practice of green lunch must be approved and supported by the school management and parents before it can be implemented. The Government has through talks and promotional videos and websites to highlight in detail the benefits of central portioning and reusable lunch boxes as well as the drawbacks of disposable lunch boxes, so as to convince schools to make their choice in the light of their circumstances and the parents' aspirations.

The number of schools adopting central portioning is increasing. That said, we understand that schools adopting this practice may need to invest more on renovation works, canteen facilities, kitchen equipment, scullery and kitchenware. The Government is currently exploring the scope of the Environment and Conservation Fund (EC Fund) in subsidizing such works. We hope that the subsidy can further encourage schools to adopt central portioning. I also wish to take this opportunity to inform Members that we will probably discuss with the EC Fund in the short term on encouraging schools to apply for the funding by way of funding allocation, with a view to encouraging schools to centralize the distribution of lunch.

Moreover, schools can also apply to the EC Fund for subsidy to purchase electrical composters so that leftovers can be turned into soil conditioner to be used in school horticultural activities through the process. So far 15 applications to the Fund have been received and 13 of them approved.

MISS TANYA CHAN (in Cantonese): *President, just now the Secretary referred to two guidelines, one was the "Guideline on How to Promote Green Lunch in Schools" issued in 2007, and the other was the Education Bureau's "Guidelines on Meal Arrangements in Schools". The two guidelines are constantly being updated, but they have not stated clearly that the ultimate goal is for the complete abandonment of disposable lunch boxes. I have asked the Secretary in my main question whether any timetable was in place, and just now the Secretary has also answered that the green lunch scheme must be approved and supported by the school management and parents as the price of green lunch boxes are slightly higher than regular lunch boxes, therefore not all parents or schools would find it acceptable. However, I believe that these issues should be dealt with by an inter-departmental group, but only the Secretary for the Environment attended the meeting today. May I ask the Secretary whether he has discussed with Mr SUEN of the Education Bureau on the ultimate goals and timetables concerning the complete abandonment of disposable lunch boxes? As for new school buildings to be completed soon — the Secretary has also mentioned that due to the constraints of some of the old school buildings or school facilities, the goal might not be that easy to achieve — are newly completed school required to have the facilities to cope with the green lunch scheme, for example, central portioning, or the use of recyclable lunch boxes?*

In addition, regarding old school buildings, just now the Secretary mentioned the EC Fund. I know that the upper limit of the EC Fund is quite high, it also has a threshold of not exceeding \$500,000, in fact only because there are different approving authorities. Many schools have to make alterations to school facilities in order to meet the requirements of central portioning, and the costs often exceed \$500,000. Has the Secretary made special arrangements for schools to apply for the funding in an easier way?

PRESIDENT (in Cantonese): Miss CHAN, you have raised a number of supplementary questions, could you repeat the supplementary question you wish to ask?

MISS TANYA CHAN (in Cantonese): *Yes, President. May I ask whether there is a timetable for an inter-departmental group, so that the arrangement for abandoning the use of disposable lunch boxes in schools, no matter they are old or new, can be expedited?*

SECRETARY FOR THE ENVIRONMENT (in Cantonese): President, I wish to thank Miss CHAN for raising a series of supplementary questions. From the standpoint of the Environment Bureau — I believe the Education Bureau has the same idea — we certainly hope that schools can adopt the greenest method, especially when students have to take lunch in schools. If you ask me, I certainly hope that all schools can launch the green lunch scheme. There is in fact a great flexibility for green lunch. Some parents may prepare lunch boxes for their children, those are usually recyclable lunch boxes. I have also mentioned in the main reply earlier that in recent years, 70 schools have implemented central portioning. The benefits of central portioning are not limited to environmental protection purposes, there are also benefits in terms of hygiene and health as meals can be portioned according to individual needs, thus we can reduce wastage as well as the production of kitchen wastes. We are moving in this direction.

However, it is worth mentioning that perhaps Miss CHAN has hoped that we could achieve the goal in a single step, therefore she asked whether we could make it a mandatory requirement? This could be rather difficult because schools would contact their suppliers in accordance with their own supply contract. I think they can state the requirement clearly in the contract, as more and more schools have started to put that into practice, though there would be difference in the prices. For example, the price difference in general between lunch boxes used in central portioning and non-central portioning is about \$3, that is, the prices range from \$15 to \$18. Because of the price difference, as I said in the main reply earlier, it must be approved and supported by the school management and parents. For that reason, as highlighted in the webpages and a seminar held in the past, besides price differences, the central portioning practice is helpful to our health as well as environmental protection endeavour, and we hope that we can continue to encourage schools to implement the practice through this way.

As for facilities, what Miss CHAN said was correct. If a school is to implement central portioning, it needs more space to accommodate the facilities such as the setting up of a canteen. Therefore, if we are to achieve this goal,

dining areas in schools may have to be modified. In addition, in terms of facilities, efforts should be spent on certain kitchen facilities first, such as reheating, re-cooking or washing facilities and so on. Insofar as central partitioning-related facilities are concerned, we will consider in future whether we can subsidize schools through the EC Fund. We believe that we should give more thoughts in this regard, which is also in line with our current policy. However, if consequently, large-scale interior renovations are required, it may not be appropriate to provide subsidies through the EC Fund. However, this is the topic we are about to discuss. Since the Administration has allocated a large sum of money to the EC Fund in 2007 and 2008, so we hope that we will be able to do something in this regard. I hope this will answer Miss CHAN's supplementary question.

MR CHEUNG MAN-KWONG (in Cantonese): *President, the main reply shows that among 1 200 schools, only 70 have adopted central portioning, which only accounts for some 6% of the total. The figure is very low not only because of the price issue, but also because of school facilities, including the kitchen or cleaning facilities, which is also a decisive factor. Will the Government consider spending one year to conduct onsite inspection of the 1 200 schools, in order to understand whether they have the prerequisites and necessary space for the construction of additional kitchens and the implementation of central portioning? If so, the authorities can be able to co-operate with the Education Bureau to assist schools to carry out modification works, and then these schools may implement central portioning. Will the Secretary consider doing that, instead of only suggesting that they should make applications on their own?*

SECRETARY FOR THE ENVIRONMENT (in Cantonese): President, I wish to thank Mr CHEUNG Man-kwong for this supplementary question. As at present, of the 70 schools implementing central portioning, most of them are millennium schools because they have more space. I know that there are about 100 millennium schools in Hong Kong, and they would be able to meet the space requirements. However, as Mr CHEUNG has said just now, in addition to space, there are also other problems. For example, I have visited some of schools which have successfully implemented central portioning, they have obtained co-operation from the parents because they need additional manpower to implement central portioning. Some schools, which have performed better than

others, will send their staff to supervise the portioning work and urge school children not to waste their food. They did a good job in educating school children. In addition, the supplier which provides central portioning service will provide the manpower to clean up lunch boxes in school premises, thus reducing transportation costs, and the cutlery can also be reused. Therefore, if we are to implement central portioning, additional resources in terms of space and staff are needed.

From the standpoint of the Environment Bureau, we are willing to make use of the EC Fund as I have mentioned just now to subsidize schools to implement central portioning, but at the same time, consent from schools is also needed, or schools have to designate certain areas for implementing such work. Our colleagues will be glad to discuss with schools. If central portioning could be implemented under a common design, I think the EC Fund should be able to allocate more money, so that schools in Hong Kong may implement central portioning as far as possible.

MR CHEUNG MAN-KWONG (in Cantonese): *The key point in my supplementary question included timing. I have asked the Secretary whether he will spend one year to inspect all the schools with the Education Bureau, in order to see whether they meet the prerequisites in respect of implementing central portioning? If so, they may be able to implement central portioning successfully with the help and subsidies provided by the authorities. Only action such as this will be efficient, instead of a policy which nobody knows when it will be implemented.*

SECRETARY FOR THE ENVIRONMENT (in Cantonese): President, I understand Mr CHEUNG's supplementary question, and we are glad to do that. However, as to how we should give encouragement to schools, we have in fact organized many such talks in the past few years. But after all, it can only be achieved with the consent of the schools, because the circumstances of every school could be different. I believe more and more parents and students will be concerned about this issue, therefore we are happy to find a better way with the Education Bureau and schools, in order to continue promoting this kind of lunch which is both green and healthy.

MR ALAN LEONG (in Cantonese): *President, regarding the survey conducted in 2008 mentioned in part (a) in the Secretary's main reply, will he provide more details? What exactly are the reusable lunch boxes as mentioned by the Secretary? Perhaps I would understand the meaning of recyclable lunch boxes, they are made of materials which are easily degradable and re-constructible. Will the Secretary explain what do "reusable lunch boxes" and "recyclable lunch boxes" really mean?*

SECRETARY FOR THE ENVIRONMENT (in Cantonese): Regarding Mr LEONG's supplementary question, as to the 51% reusable lunch boxes mentioned in part (a) of the main reply, they include the lunch boxes used in central portioning and the lunch boxes brought back by students, and such are durable boxes which can be reused after washing. They are possibly made of plastic and can be firmly lidded. They are not those boxes which can be used only once, instead they can be used throughout the whole semester, or even the entire school year. As for the "recyclable lunch boxes", they are usually referred to plastic lunch boxes made of polypropylene. They can also be reused after being washed once, and just because they are made of plastic, so even after they are being disposed of, businessmen of the recycling trade would collect them for recycling, and would chop the lunch boxes into small plastic chips for recycling purpose. These two types of lunch boxes are not the ones such as styrofoam lunch boxes which worried us most. Therefore, the situation has already improved when compared with that a few years ago.

MR KAM NAI-WAI (in Cantonese): *President, the Secretary explained in part (a) of the main reply that disposable lunch boxes only accounted for 19%, and so the number has been substantially reduced, but actually, 100 000 disposable lunches boxes are used everyday. The figure is astounding. May I ask the Government, does it have any plans under the Product Eco-responsibility Ordinance (PERO), to bring these lunch boxes into the purview of PERO? The imposition of eco-responsibility means that the Government will apply levy on whoever continue using these lunch boxes, they will have to pay for it. Will the Government make use of this as an incentive in the hope that the 19% can be reduced to zero, so as to achieve the goal of no further use of these disposable lunch boxes by any one in schools?*

SECRETARY FOR THE ENVIRONMENT (in Cantonese): I wish to thank Mr KAM Nai-wai for his supplementary question. The Government has intended to promote waste reduction or increase the recycling rate in a holistic way through enactment of the PERO in last year, but we also have to consider whether we can solely rely on a single piece of legislation to fully include a certain type of product into its scope of regulation. With regard to lunch boxes, what we can see at present is, when compared with the circumstances in 2004 or 2006, and as far as we know, that the consumption of one-time disposable lunch boxes has indeed been reduced. Nevertheless, I definitely agree with what Mr KAM Nai-wai has said, 19% is not the most ideal scenario. We hope that even we have not achieved full implementation of central portioning for the time being, we may still encourage parents, students or schools to use reusable lunch boxes as far as possible, and then we should look for the second best by using recyclable lunch boxes. We will keep on working in this direction. As to whether we can by virtue of the PERO levy a surcharge on suppliers who sell disposable lunch boxes with a view to reducing the usage, I have to take into account the actual situation after the implementation before I can give a comprehensive reply. However, we are also making an effort during this period. Members have seen that in the past two years, we have been briefing schools, making recommendations to them and giving encouragement to them, and we have also hoped that we can offer assistance in future by way of providing subsidies. We are moving in such a direction to further advance towards the goal of green lunch.

PRESIDENT (in Cantonese): This Council has spent almost 21 minutes on this question, and the entire oral question session has lasted more than two hours. End of oral question time.

WRITTEN ANSWERS TO QUESTIONS

Rescue Operations for Hikers

7. **MR ABRAHAM SHEK** (in Chinese): *President, on 14 December 2008, a total of six hikers were injured in accidents at Mai Fan Teng and Tung Wan Shan in Sai Kung, and the Government Flying Service (GFS) had to send helicopters to rescue and transport them to hospital for treatment. In September of the same year, a man tripped and fell to his death from a cliff at Lion Rock, and his body*

had to be removed from the scene by a helicopter. In this connection, will the Government inform this Council:

- (a) of the respective person-times of firemen, ambulancemen, police officers and Civil Aid Service (CAS) members being deployed to rescue hikers, as well as the number of runs and the total flying hours of helicopters deployed, in each of the past three years;*
- (b) given the spate of hiking accidents in recent years, whether the Government has considered taking measures to enhance efforts in imparting to the public knowledge about safe hiking, with a view to reducing such accidents; if it has, of the details; if not, the reasons for that; and*
- (c) given that hikers often find themselves in danger because of inadequate experience, lack of safety knowledge or overexertion of their physical limits, whether the Government will consider issuing danger warnings to hikers by the Hong Kong Observatory (HKO) during inclement weather, and erecting warning signs at hiking trails in remote areas which are considered dangerous, so as to remind hikers that they should act according to their ability; if it will, of the details; if not, the reasons for that?*

SECRETARY FOR THE ENVIRONMENT (in Chinese): President, our reply to the three parts of the question is as follows:

- (a) Over the past three years, the person-times of firemen, ambulancemen, police officers and CAS members deployed to rescue hikers per year are as follows:

Person-times of firemen, ambulancemen, police officers and CAS members deployed

<i>Year</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>
Firemen	8 830	9 053	9 537
Ambulancemen	2 141	2 109	2 334
Police officers	1 319	1 530	1 730
CAS members	681	1 465	736

GFS

Over the past three years, the number of runs and total flying hours of the GFS helicopters to rescue hikers per year are as follows:

<i>Year</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>
No. of runs of helicopter	335	245	266
Flying hours	470	348	341

- (b) The Government attaches great importance to hiking safety and has disseminated information to the public to promote hiking safety by various means, including:
- (i) Publishing the Safety Hints for Hiking <http://www.afcd.gov.hk/parks/trails/Eng/hiking/hike_safety_e.htm>, a pamphlet with points to note and practical information for hikers to promote safe countryside trips.
 - (ii) Launching the HK Walkers Net <www.hkwalkers.net> which consolidates information on all trails managed by the Agriculture, Fisheries and Conservation Department (AFCD). Apart from safety tips and basic information on the trails such as the level of difficulty, maps and transportation, the webpage covers hiking skills to promote and enhance awareness of safe hiking. In addition, the webpage is linked to other hiking websites which provide information on notices of trail repair, mobile network coverage from the Office of the Telecommunications Authority (OFTA) and weather forecast by the HKO to facilitate the planning of hiking itinerary.
 - (iii) Promoting hiking safety by publishing books and pamphlets, producing announcements of public interest, organizing talks and constructing hiking practice trails.

The CAS also organizes activities regularly to promote mountaineering safety. To raise public awareness of safe hiking, the CAS held the "Mountaineering Safety Promotion Day 2008" at its headquarters on 25 and 26 October 2008. It was a joint effort of various government departments and voluntary agencies. A

number of mountaineering safety talks were arranged during the event to disseminate the essential safety messages to the public, and brochures containing comprehensive tips about safe mountaineering were distributed to the public for information. The event attracted about 10 000 participants. In 2008 the CAS organized 22 talks on mountaineering safety for schools and youth groups to enhance youngsters' knowledge of mountaineering safety. The events attracted about 10 000 youngsters and students. The CAS plans to launch "Mountaineering Safety Promotion Day" on 14 and 15 November 2009. It will also continue to organize mountaineering safety talks for schools and youth groups.

- (c) For the time being, the HKO has no plan to set up a system of danger warnings to hikers. The HKO has a webpage — "Weather Information for Hiking and Mountaineering" which provides such data as regional weather, rainfall, ultraviolet index and radar images. The HKO also provides the "Dial-a-Weather" service at 1 878 200 to make it easier for hikers to plan their itinerary and get weather updates. Moreover, through public education, the HKO reminds hikers to plan their itinerary carefully and make good preparations when a very hot or cold weather warning is in force. The public should consider cancelling outdoor activities if a thunderstorm, rainstorm or tropical cyclone warning is in force. The public should take weather factors into consideration when planning the itinerary and pay attention to changes in weather while hiking. Outdoor activities should be avoided in inclement weather.

The hiking trails managed by the AFCD provide a safe environment for countryside activities. The AFCD has set up over 300 warning signs close to creeks, bluffs and clusters of rocks along the trails to remind hikers to safeguard their own safety. To avoid accidents, they are reminded not to leave the trails and to avoid walking along the creeks or climbing up rocks.

The following facilities also serve to enhance hiking safety:

- (i) A mark of "You are here" is shown on the facilities (pavilions, message signs and bulletin boards) of the country parks and on the distance posts of the hiking trails to let hikers have a better

idea of their location, and tell the rescue agencies exactly where they are when seeking help.

- (ii) More than 90 emergency rescue hotlines are set up within our country parks for hikers to directly contact the police for assistance.
- (iii) The OFTA also strives to upgrade the mobile telephone network coverage so that users can seek help more easily.

Also, through different channels including announcements of public interest on TV and Internet, the AFCD reminds hikers to avoid dangers by having a comprehensive hiking plan, making good preparations, and safeguard their own safety as well as the safety of their companions by not overexerting their physical limits.

Trade Fairs Organized by Hong Kong Trade Development Council

8. **MRS REGINA IP** (in Chinese): *President, I have received a number of complaints alleging that there is role conflict in the Hong Kong Trade Development Council (TDC) being the manager of the Hong Kong Convention and Exhibition Centre (HKCEC) and an organizer of trade fairs (fair organizer). In this connection, will the Government inform this Council:*

- (a) *whether it has assessed if there is conflict of interest between the TDC's role as the manager of the HKCEC and as a fair organizer at the same time;*
- (b) *whether it knows how the TDC deals with situations where both the TDC and private fair organizers want to hire the HKCEC's venues for similar dates, including which party has priority;*
- (c) *whether it knows the current channels for exhibitors of the TDC's trade fairs and fair organizers hiring the HKCEC's venues to seek redress against the TDC's decisions and regulatory measures;*
- (d) *given that the TDC provides a subsidy of HK\$2,000 to each local exhibitor participating in its trade fairs held in 2009, whether the*

Commerce and Economic Development Bureau has assessed if such an initiative will result in private fair organizers losing their clients, and whether this violates the principle of fair competition and gives rise to monopoly;

- (e) whether it knows the current number of private fair organizers; and of the respective numbers and percentages of trade fairs organized last year by the TDC and private fair organizers;*
- (f) whether it knows the numbers of private fair organizers in cities such as Singapore and Shanghai as well as their aggregate market share; if the number or market share of private fair organizers in Hong Kong compares unfavourably with those in these cities, whether it has assessed the reasons for that and whether it is related to the anti-competitive conduct of the TDC; and*
- (g) whether it will consider bringing the operation of the TDC within the ambit of the fair competition law being drafted, to prevent monopolization in Hong Kong's trade fair industry and uphold the principle of free market operation of Hong Kong's economy?*

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Chinese): President, my reply is as follows:

- (a) The statutory function of the TDC is to promote Hong Kong's external trade, especially export trade. In this connection, organizing trade fairs has been one of the most effective ways for the TDC to fulfil this function. As regards the management of the HKCEC, the TDC has commissioned, through commercial arrangements, an independent professional management company, namely the Hong Kong Convention and Exhibition Centre (Management) Limited (HML), to manage and operate the HKCEC under prudent commercial principles. The HML has absolute discretion over the allocation of HKCEC venues, and the TDC will not interfere with its decisions. The two parties have clearly separated roles, with no conflict of interest.

- (b) As regards venue booking, the HML has a policy of giving priority to organizations or enterprises, including TDC and other fair organizers, which have regularly booked the same time slots for similar fairs over a period of time. Bookings for other fairs are generally dealt with on a first come, first served basis. Nevertheless, the HML will also take into account other factors, including the themes and space requirements of the fairs, and so on, and will try to avoid allowing fairs of a similar theme to be held at the HKCEC within a short period of time.
- (c) Exhibitors and fair organizers will need to discuss and agree on relevant contract terms governing their participation in fairs before the fairs are held. Should exhibitors and organizers have concerns over HML's decisions, the Government encourages them to resolve their differences through negotiations. In general, we will respect relevant parties' commercial decisions unless there are illegal activities involved.
- (d) With a view to facilitating local enterprises to continue to develop their business during the current economic downturn through participation in trade fairs, the TDC offers each local exhibitor participating in its trade fairs a HK\$2,000 cash coupon redeemable for the TDC's services. We cannot judge this as anti-competitive behaviour, nor could we prove that this would give rise to a monopolistic situation.
- (e) Apart from the TDC, there are over 20 other fair organizers in Hong Kong. In 2008, there were 22 trade fairs organized by the TDC, nine trade fairs co-organized by the TDC and other private-sector fair organizers, and 57 trade fairs organized by private-sector fair organizers. The number of trade fairs organized by the TDC accounted for 25% of the total 88 fairs.
- (f) We do not have the requested statistics. Since the mode of operation of the relevant markets in Singapore and Shanghai and the themes and target markets/buyers of the fairs held there are quite different from those of Hong Kong, we consider it inappropriate to make a direct comparison.

Since the opening of the HKCEC in 1988, TDC has been actively organizing trade fairs. Many of its fairs have now become one of the leading or largest sectoral fairs in the region or in the world.

The market structure of an industry is affected by the combination of a variety of factors. We cannot draw any conclusion solely on the basis of the number of fair organizers.

- (g) We are examining in detail the activities and scale of operation of the various statutory bodies in Hong Kong, including the TDC, to determine which of them should be brought under the ambit of the proposed competition law.

Water Supply to Remote Villages in the New Territories

9. **MR WONG YUNG-KAN** (in Chinese): *President, regarding the implementation of the scheme to supply water to remote villages in the New Territories, will the Government inform this Council:*

- (a) *of the current number of villages in the New Territories which still do not have supply of treated water, and when the Government plans to complete the entire water supply scheme for remote villages;*
- (b) *whether it has any plan to carry out water supply projects in Tung Lung Chau; if so, of the details; if not, the reasons for that; and*
- (c) *of the existing measures to ensure that villagers of remote villages have, before the water supply scheme is completed, access to potable water which meets hygienic standards?*

SECRETARY FOR DEVELOPMENT (in Chinese): President, the Government is unable to provide some remote villages with treated water because they are far away from the existing water supply systems. To extend the water supply systems to these villages will be very costly. Given the very low

population of these villages, cost-effectiveness is an important consideration to justify such extension works. Currently, the villagers get water from nearby streams or wells for potable use. To ensure that the water is suitable for drinking, relevant government departments monitor the water sources and conduct tests to verify water quality regularly.

My reply to the Honourable WONG's question is as follows:

- (a) Currently, 19 remote villages in the New Territories do not have supply of treated water. Upon consideration of the cost-effectiveness of water supply projects and the availability of nearby water sources for consumption by the villagers, the Water Supplies Department (WSD) has not set any schedule of supplying treated water to all these remote villages. The WSD, however, will continue to monitor the situation and will review at appropriate times the need for supplying treated water to the villages.
- (b) Tung Lung Chau with less than 20 residents is one of the 19 remote villages. It is more than one kilometre away from the existing water supply system. A submarine main will be required for supplying treated water. As mentioned in part (a), the WSD has no plan for the time being to extend treated water supply to Tung Lung Chau in view of the low cost-effectiveness of such extension works and the availability of nearby stream water for consumption by the villagers.
- (c) To ensure that water from the sources near the remote villages is suitable for consumption, the Food and Environmental Hygiene Department regularly monitors the water sources. It collects water samples once every three to four months for water quality tests by the WSD, once every three months for chemical analysis by the Government Laboratory and once every month for bacteriological examination by the Department of Health. All the test results over the past few years show that water from the streams or wells near the villages is potable if boiled.

Pirated Copies and Parallel-imported Copies of Copyright Works

10. **MR WONG TING-KWONG** (in Chinese): *President, under the Copyright Ordinance (Cap. 528), it is a criminal offence to deal in, or to import, otherwise than for private and domestic use, any parallel-imported copyright work into Hong Kong if the work has been published anywhere in the world for 15 months or less. It has been reported that in recent months, optical discs of films which are suspected to be illegal parallel-imported copies from the Mainland, and also optical discs of films sold as parallel-imported copies which are in fact high-quality pirated copies, are prevalent in the market. In this connection, will the Government inform this Council:*

- (a) of the respective quantities and total values of optical discs of films seized by the Customs and Excise Department (C&ED) since the aforesaid provision came into operation in July 2007, which were pirated copies and illegal parallel-imported copies, and how these figures compare with those before the provision came into operation;*
- (b) of the quantity, total value and places of origin of the optical discs of films seized by the C&ED last year, which were pirated copies sold as parallel-imported copies; and*
- (c) whether it has formulated measures to tackle the problem of illegal parallel-imported optical discs being prevalent in the market recently; if so, of the details; if not, the reasons for that?*

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Chinese): President, the Copyright (Amendment) Ordinance 2007 (the Amendment Ordinance) introduces certain changes to the regulatory regime for parallel-imported copyright works. Firstly, the Amendment Ordinance liberalizes some restrictions relating to parallel imports, including (a) exempting business end-users from civil and criminal liability for importing or possessing parallel-imported works under specified circumstances; and (b) shortening the criminal liability period for parallel imports from 18 months to 15. Secondly, it

introduces certain measures⁽¹⁾ to facilitate enforcement against illegal parallel imports. The relevant provisions came into force in July 2007.

My reply to parts (a) to (c) of the question is as follows:

- (a) The respective quantity and total value of optical discs of films seized by the C&ED from 2006 to February 2009, which were pirated or illegal parallel-imported copies, are given below:

<i>Year</i>	<i>Optical discs of films: Type and quantity seized</i>		<i>Total value (\$ million)</i>
	<i>Pirated optical discs of films (no. of discs)</i>	<i>Illegal parallel-imported optical discs of films (no. of discs)</i>	
2006	591 264	— ⁽²⁾	14.6
2007	2 375 672 ⁽³⁾	— ⁽²⁾	53.8
(January to June)	(1 673 672)		(36.3)
(July to December)	(702 000)		(17.5)
2008	959 610	225	23.5
2009	77 279	886	1.9
(up to February)			
Total	4 003 825	1 111	93.8

The number of reports from copyright owners or their licensed distributors about parallel-imported copies of optical discs of films has increased after the enforcement facilitation provisions in the Amendment Ordinance came into force in July 2007. The quantity

Notes:

- ⁽¹⁾ The following measures were introduced under the Amendment Ordinance to facilitate enforcement: (a) a presumption that any optical disc which does not bear a licensed manufacturer's code [Note: all optical discs made in Hong Kong bear such a code], or any copy of copyright work containing a label or mark restricting sales of the copy to places outside Hong Kong or indicating that the copy was made outside Hong Kong, will be presumed to be an imported copy; and (b) a new provision allowing copyright owners to testify, by way of an affidavit, that the copy, if made in Hong Kong, would have infringed copyright. The provision mentioned in (b) helps overseas copyright owners adduce evidence on parallel-imported optical discs of films, and alleviates their burden of having to appear personally in the courts of Hong Kong.
- ⁽²⁾ Before the introduction of the Amendment Ordinance, the prosecution has to prove the following elements for parallel-imported copies of copyright works: (a) the copy is imported into Hong Kong from other places; and (b) the copy, if made in Hong Kong, would have infringed copyright. These requirements presented difficulties in laying evidence before the court. Reports of parallel imports in the past were few and far apart. Hence, the introduction of the facilitation measures in 2007, as set out in note 1.
- ⁽³⁾ The quantity of optical discs of films seized in 2007 was higher because the C&ED cracked down in the first half of that year a criminal syndicate engaged in the storage and sale of pirated optical discs of films.

of such articles seized by the C&ED in enforcement actions has also increased accordingly.

(b) and (c)

Since the C&ED handles all seized pirated optical discs collectively, there is no separate figure for pirated optical discs of films being sold as parallel-imported ones. Recently, we note that some shops are selling pirated goods by passing them off as parallel imports, including pirated optical discs of films from the Mainland or neighbouring areas of Hong Kong as parallel-imported copies. The C&ED will work closely with the copyright owners, follow up on all complaints, and carry out intelligence-based enforcement actions (including interception of pirated optical discs at boundary control points to prevent them from being imported into Hong Kong) in combating commercial activities involving pirated or illegal parallel-imported optical discs.

Entry Requirements Applicable to Travellers of Hong Kong

11. **MR PAUL TSE** (in Chinese): *President, earlier on, several travellers of Hong Kong who intended to travel to Palau by air via transit in the Philippines were refused by the airline ground crew to check in for them, for the reason that the entry requirements of Palau had been changed. In this regard, I wrote to the Immigration Department (ImmD) to enquire. The ImmD replied that travellers who wished to go to Palau should enquire with the embassies/consulates of the Republic of Palau on their own. In this connection, will the Government inform this Council:*

- (a) *whether it has assessed if the ImmD has the responsibility to collect and make public the entry requirements imposed on holders of Hong Kong Special Administrative Region (HKSAR) passports by various countries/regions worldwide; if no assessment has been made, whether it will expeditiously conduct such an assessment;*
- (b) *whether it has assessed if the ImmD has the responsibility to clearly inform travellers of Hong Kong who wish to go to Palau or any other place of the details of their latest entry requirements and*

changes; if no assessment has been made, whether it will expeditiously conduct such an assessment; and

- (c) *whether it knows if the general policies and measures, adopted by the immigration authorities of the governments of European and American countries concerning clearly informing their nationals of the entry requirements imposed on them by other countries/regions, are the same as the ImmD's aforesaid style of work (that is, asking its nationals to make enquiries with the relevant embassies and consulates on their own)?*

SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS (in the absence of Secretary for Security) (in Chinese): President,

- (a) At present, 137 countries/territories have granted visa-free access or visa-on-arrival to HKSAR passport holders. Relevant information has been uploaded on the websites of the HKSAR Government, including the ImmD.

<<http://www.gov.hk/en/residents/immigration/traveldoc/hksarpassport/>> and <<http://www.immd.gov.hk/ehtml/topical.htm>>

The ImmD maintains close contact with immigration authorities of other places on the visa requirements for HKSAR passport holders visiting these places. Apart from uploading the information on the aforementioned websites, press releases to disseminate the latest updates are issued when necessary.

- (b) The ImmD received formal notification from authority of the Republic of Palau in late 1999 that HKSAR passport holders visiting the country do not need to apply for a visa beforehand, as they will be granted visa-on-arrival for a stay of 30 days. The HKSAR Government subsequently made public announcement on this and uploaded the information on the relevant government websites.

Recently, the ImmD received information from the travel industry that Palau has changed the entry requirements for HKSAR passport

holders visiting the country. As the HKSAR Government has not received any notification of the new visa requirement or arrangements from the Palau authority, the ImmD took the initiative to seek clarifications from the Palau authority in February this year. A reply is still awaited. In the interim, we have posted a remark in the relevant websites, advising travellers intending to visit Palau to check with the relevant authority on the entry requirements.

- (c) According to our information, countries in Europe and America adopt similar practice as the HKSAR Government in disseminating information on visa requirements. They would provide general information on entry requirements imposed on their nationals by other places through government websites. Furthermore, travellers are advised to approach the relevant foreign consulates in case they want to know more about the special circumstances of individual country or any detailed requirements. However, there are some countries which do not provide any information on visa requirements. They would just advise their nationals to enquire with the relevant foreign consulates direct.

Counterfeit \$10 Coins

12. **MR ALBERT CHAN** (in Chinese): *President, I have recently received complaints from quite a number of public light bus drivers that they received many counterfeit \$10 coins and therefore suffered huge economic loss. It is learnt that such counterfeit coins are of a very high degree of resemblance to genuine ones, making it difficult for the general public to tell if they are counterfeit coins. In this connection, will the Government inform this Council:*

- (a) *of the number of counterfeit \$10 coins seized last year;*
- (b) *of the existing measures to prevent such coins from circulation; and*
- (c) *whether it will reconsider the suggestion to stop issuing and progressively recalling \$10 coins and replace them with \$10 banknotes, in order to resolve the problem of counterfeit coins; if it will, of the details; if not, the reasons for that?*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Chinese): President,

- (a) In 2008, the police seized a total of 58 601 counterfeit \$10 coins.
- (b) The police has been liaising closely with the local banking industry as well as other relevant sectors (such as public transport operators), and law-enforcement agencies in the Mainland and overseas, and conducting prompt and targeted investigation through intelligence-led operations. The police will continue to spare no efforts in combating offences related to counterfeit Hong Kong coins.

In addition, banks will validate \$10 coins withdrawn from circulation in order to forestall the re-circulation of counterfeit coins.

- (c) According to the Hong Kong Monetary Authority (HKMA), the market demand for the \$10 coin as a means of exchange in day-to-day retail transactions has increased over the past few years, in particular in wet markets and other small-value transactions. The HKMA has no plan to withdraw the \$10 coins. It will continue to closely monitor the market situation so as to ensure that currencies issued can cater for the demand of the community.

Resumption of Land for a Public Purpose

13. **MR LEE WING-TAT** (in Chinese): *President, under the Lands Resumption Ordinance (Cap. 124), whenever the Chief Executive in Council (the Authority) decides that the resumption of any land is required for a public purpose, the Chief Executive may order the resumption thereof. In this connection, will the Government inform this Council:*

- (a) *whether the Authority made any decision under the aforesaid provision in the past 10 years to resume for a public purpose any private land which is within the precincts of country parks, designated special areas or marine parks, or on the list of priority sites identified for enhanced conservation by the Government, or of natural conservation value; if it had, of the details of each case;*

- (b) *of the details of each case of resumption of land in those categories in (a) which the Lands Department (LandsD) had considered proposing to the Authority in the past 10 years, including the factors considered in eventually putting forward the proposal or otherwise; and*
- (c) *whether it had uncovered in the past five years any case of people causing damage to a piece of land, which was not included in any outline zoning plan or development permission area plan but was of natural conservation value (for example, long abandoned agricultural land), as a means to urge the Authority to resume the land under the aforesaid provision; if it had, of the details of each case; if not, what measures the Government will take to prevent such a situation?*

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

(a) and (b)

On the basis of a search of the available records by the LandsD, in the past 10 years, private land within conservation area was resumed for a public purpose under the Lands Resumption Ordinance in the following cases:

- (i) it was decided on 10 April 2001 to resume the private agricultural land within the conservation area in Mai Po of Yuen Long for implementing village flood protection works by government departments concerned. The agricultural land resumed was about 9 873 sq m;
- (ii) it was decided on 30 April 2002 to resume the private agricultural land within the conservation area in San Tin of Yuen Long for implementing the Main Drainage Channels and Poldered Village Protection Schemes by government departments concerned. The agricultural land resumed was about 20 560 sq m; and

- (iii) it was decided on 21 October 2008 to resume the private agricultural land within the conservation Area in Shuen Wan of Tai Po for implementing the drainage improvement works in Shuen Wan by the Drainage Services Department. The agricultural land resumed was about 4 900 sq m.
- (c) In the past five years, the LandsD, the Planning Department, the Environmental Protection Department and the Agriculture, Fisheries and Conservation Department have not detected any case of people causing damage to private land in the aforesaid areas as a means to urge the Authority to resume their land. Should the LandsD discover any breaches of lease conditions in private land within the aforesaid areas, the LandsD would take appropriate action, including lease enforcement action in conjunction with the relevant departments.

Reusing Medical Instruments and Consumables Intended for Single Use

14. **DR JOSEPH LEE** (in Chinese): *President, in reply to my question on 2 February 2005, the Government said that the Hospital Authority (HA), through professional judgment and selection, considered that some medical instruments/consumables (MICs) which were labelled by their manufacturers for single use could be reused, after sterilization, safely in a limited manner. Moreover, it is learnt that to ensure the safety of patients, some countries have enacted legislation to regulate the procedure for the reuse of MICs for single use. In this connection, will the Government inform this Council whether it knows:*

- (a) *in respect of each year since 2005, the types of MICs reused in public hospitals and the respective times of reuse by their clinical departments (including the Anaesthesia, Medicine and Geriatrics, Neurosurgery, Oncology and Surgery departments);*
- (b) *the criteria adopted at present by the HA for selecting, among the various types of MICs labelled for single use by their manufacturers, the types of MICs which can be reused; and whether the HA had updated the criteria since 2005; and*

- (c) *how HA ensures that the guidelines and procedure for the reuse of MICs labelled for single use can safeguard the safety of patients?*

SECRETARY FOR FOOD AND HEALTH (in Chinese): President, there is no hard and fast rule on the single-use of medical device. According to the international practice, whether the medical device labelled by the manufacturers for single-use are only suitable for clinical use for once should be determined on the basis of risk assessment. As a matter of fact, every hospital under the HA has a dedicated department for decontaminating, cleansing and sterilizing medical devices. The HA has also put in place procedures, guidelines and standards to provide guidance to staff on the proper way of cleansing and sterilizing medical devices for protection of patient safety. In addition, staff responsible for the sterilization of medical devices and health care staff at the operating theatres will carry out inspection of medical devices (including those single-use devices (SUDs) that could be reused) before and after they are used. Devices detected to have problems will be discarded and will not be reused. My replies to various parts of the question are as follows:

- (a) SUDs are commonly used in operating theatres, endoscopy procedure rooms, X-ray examination rooms, and so on. The HA does not have statistics on the number of reuse of such devices.
- (b) Based on the guidelines of the Food and Drug Administration of the United States and the international Spaulding Classification for medical devices, the HA has classified the risks of reusing SUDs into five levels, that is, high risk, moderate-high risk, moderate risk, low risk and very low risk. The HA also issued internal guidelines in 2006 to ban the reuse of high-risk SUDs. It is also planning to gradually avoid the reuse of moderate-high risk SUDs.
- (c) Every hospital cluster under the HA has a dedicated team to monitor cluster's compliance with the guidelines on the cleansing and sterilization of medical device, and to ensure that its health care staff will not reuse high-risk SUDs. The teams will also conduct internal audits on a regular basis and report to the HA Head Office on risk assessment involving SUDs. In the light of these risk assessment, the HA Head Office and hospitals will instruct the health care staff to avoid reusing certain devices.

Fare Adjustments for Green Minibuses

15. **MR KAM NAI-WAI** (in Chinese): *President, it has been reported that in recent months, quite a number of green minibus (GMB) operators, which operate routes on Hong Kong Island, had applied to the Transport Department (TD) for fare increases and some had applied for increase of more than 10%; the procedure adopted by the TD for vetting and approving fare increase applications by GMB operators has long been criticized by people as lacking in transparency. In this connection, will the Government inform this Council:*

- (a) whether the TD had reviewed in the past two years the criteria for vetting and approving fare increase applications by GMB operators and its consultation mechanism;*
- (b) whether it has assessed if the fare adjustment mechanism for franchised bus companies, which allows fare to go upward and downward, is also applicable to GMBs;*
- (c) whether the TD had requested GMB operators to lower their fares in the past five years; if so, of the details of the GMB routes involved and the justifications for putting forward such requests; if not, the reasons for that; and*
- (d) given that a validity period is specified in the passenger service licences (PSLs) issued by the TD to GMB operators in respect of the routes concerned, whether the TD will approve applications by the operators for fare adjustments before the expiry of the validity periods; if so, of the reasons for that?*

SECRETARY FOR TRANSPORT AND HOUSING (in Chinese): President,

- (a) In assessing fare increase applications from GMB operators on a case by case basis, the TD takes into account a number of factors, including:
 - (i) financial conditions of GMB operators, including operating costs and revenue;

- (ii) service quality and service improvement plan;
- (iii) availability of other public transport services with similar routing and their respective fares; and
- (iv) public acceptability.

The TD also collects views of the local people through the District Offices before approving a fare increase application from a GMB operator.

The TD reviews the assessment criteria and consultation mechanism from time to time, taking into account views from the GMB trade and other concerned parties. The department considers the existing criteria for vetting and approving fare increase applications and the current consultation mechanism appropriate.

- (b) The existing GMB services involve operators of different scales of operation, and the routes they operate and the patronage are also different. It may not be suitable to introduce a standard fare adjustment formula for GMB services. In addition, the scales of operation and investment of GMB operators are significantly different from that of franchised bus companies. Hence it is not appropriate to apply the existing fare adjustment mechanism for franchised buses to GMBs.
- (c) According to the existing mechanism, fare adjustment applications are submitted by GMB operators to the TD having regard to their operating conditions. The TD would take into account operators' financial conditions, including operating costs and revenue, as well as service quality and public acceptability in assessing the applications. The TD would monitor closely the operating conditions of GMB operators, and would continue to encourage GMB operators to consider offering fare concessions, taking into account their operating and financial conditions, in order to alleviate passengers' burden of travelling expenses.

- (d) All operators providing GMB services must hold valid PSL. Before the expiry of the licence period, operators could apply to TD for extension of their PSLs. The TD would assess the applications taking into account factors such as operators' past performance. During the course of operation with valid PSLs, GMB operators may apply to the TD for fare adjustments having regard to their operating conditions. The TD would take into account operators' financial conditions, such as operating costs and revenue, as well as service quality and public acceptability in assessing these applications.

Drug Abuse Problems in Schools

16. **MS STARRY LEE** (in Chinese): *President, it has been reported that the findings of a survey conducted by two agencies which are specialized in helping students rehabilitate from drug addiction reveal that in almost a quarter of the 500 secondary schools in Hong Kong, there are students who have used drugs. In addition to those admitting mainly Band Three students, the schools involved include prestigious Anglo-Chinese secondary schools and girls' schools. There are also students who used and trafficked drugs in schools. The aforesaid are merely data of confirmed drug abusers, and it is believed that there are many more abusers who have not been exposed. Moreover, according to the data up to the end of 2007 from the Central Registry of Drug Abuse of the Narcotics Division (ND), the number of reported abusers aged below 21 had continued to rise for four consecutive years. In this connection, will the Government inform this Council of the following in each of the past three years:*

- (a) *the total number of cases of abusing and using drugs by students in schools handled by the police; and whether it knows the number of such cases handled by social welfare organizations;*
- (b) *the respective numbers of students who were prosecuted and convicted for drug trafficking in schools, and the penalty imposed on the convicted students; and*
- (c) *the Government's total expenditure on tackling drug abuse problems in schools, together with a breakdown of the figure?*

SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS (in the absence of Secretary for Security) (in Chinese): President,

- (a) The number of cases of drug abuse by students in schools handled by the police and the number of students involved in the past three years are as follows:

	<i>2006</i>	<i>2007</i>	<i>2008</i>
cases reported	4	18	15
students involved	14	37	24

The Social Welfare Department (SWD) has not kept statistics on the number of cases of drug abuse by students in schools handled by social welfare organizations.

- (b) The number of students who were prosecuted and convicted for drug trafficking in schools in the past three years is as follows:

	<i>2006</i>	<i>2007</i>	<i>2008</i>
cases reported	4	7	6
students prosecuted	2	10	1
students convicted	1	8	1

The sentences in general are probation order, and detention order enforced by the Correctional Services Department.

- (c) The Administration has attached great importance to tackling the drug abuse problem in schools. Our anti-drug efforts include three areas, namely preventive education, law enforcement, and treatment and rehabilitation.

On preventive education, the Education Bureau has incorporated anti-drug elements in both the school curriculum and other learning activities. It has also organized anti-drug seminars for teachers with the ND from time to time. The ND and the SWD have also arranged non-governmental organizations (NGOs) to provide drug education talks and activities for primary, secondary and international schools. The Hong Kong Jockey Club Drug InfoCentre of the ND at Admiralty received a total of some 40 000

students and disseminated anti-drug messages to them in the past three years.

To foster the healthy growth and development of the youth, the Student Health Service of the Department of Health (DH), including the Adolescent Health Programme, benefits students of about 710 primary and secondary schools. Besides, starting from the 2005-2006 school year, the Hong Kong Jockey Club Charities Trust has provided \$750 million funding to implement "Positive Adolescent Training through Holistic Social Programmes to Adulthood: A Jockey Club Youth Enhancement Scheme" in secondary schools. The scheme, jointly organized by Education Bureau, the SWD and five universities, aims to provide comprehensive training programmes for junior secondary students to promote their positive values. The topics include enhancing their resilience against adversities and ability to develop a sense of right and wrong. The above services and programmes are all aimed to facilitate the healthy development of the youth, thus helping them resist the temptation of drugs and other undesirable behaviours.

On law enforcement, the Police School Liaison Programme of the Hong Kong Police Force plays an important role in the co-ordination among the police, teachers, school social workers, school management and the community, and provides a platform to support anti-drug and fight crime efforts in schools. Crime prevention is one of the important areas of work. Dedicated police school liaison officers organize anti-drug and fight crime seminars in schools from time to time in collaboration with schools, the SWD, Education Bureau and NGOs. On crime detection and investigation, police districts and the Narcotics Bureau are committed to combating drug activities on campus or those involving students. They also work closely with police school liaison officers to deal with drug cases in schools and enhance communications with Education Bureau, schools, teachers, social workers and parents to nip the problem in the bud.

On treatment and rehabilitation, school staff and school social workers collaborate with counselling centres for psychotropic substance abusers, district youth outreaching social work teams, and overnight outreaching teams for young night drifters to identify

at-risk students and provide comprehensive counselling services, including referrals for appropriate treatment and rehabilitation services. Education Bureau has also prepared guidelines for schools to handle cases involving drug abuse.

To combat the youth drug abuse problem, the interdepartmental Task Force led by the Secretary for Justice set out holistic and sustainable strategies in its report released in November last year. In respect of strengthening preventive programmes in schools, Education Bureau, the ND, police, the DH, the SWD and other departments concerned are gearing up efforts in following four areas:

- (i) promote all schools to develop a school-based healthy school policy with an anti-drug element, having regard to the development needs of students, to foster an amicable learning environment;
- (ii) strengthen preventive education programmes and measures for students. Measures include reviewing and updating the school curriculum and arrangements for Other Learning Experiences, as well as providing more systematic anti-drug programmes for students of Primary Four and above;
- (iii) strengthen the support for schools. Starting from the 2008-2009 school year, we provide professional training to teachers to equip them with anti-drug knowledge. These include half-day on-site programmes for class and subject teachers, and two-day advanced programmes for guidance and discipline teachers, school social workers and key school personnel with disbursement of teaching relief grant. We are developing anti-drug resource kits for schools and will organize relevant training and seminars. To enhance home-school co-operation in the anti-drug cause, we are developing a resource kit for parents to help schools and parent-teacher associations plan and implement anti-drug programmes for parents. On the other hand, the Police School Liaison Programme is being strengthened to enhance the co-ordination among the police, schools, social workers and the community; and

- (iv) assist schools in the early identification of and provision of assistance to at-risk students, including timely referral and follow up of drug-related cases. In consultation with relevant stakeholders, Education Bureau, the ND, the SWD, the police and other relevant departments are working to revise relevant guidelines and protocols, with a view to building a good network of support and referral for students and taking timely and effective follow-up actions.

The abuse of popular psychotropic substances is hidden in nature. This includes the ease of consumption, lack of clear symptoms of addiction, and the prevalence of drug abuse at home, which together further complicate the drug abuse problems. We need to identify early hidden youth abusing drugs and help them receive treatment and rehabilitation services; we also need to let them know that drug abuse can be discovered and drugs are not to be experimented with. We should therefore study mandatory and voluntary drug testing schemes.

Regarding the proposal for empowering law-enforcement officers to require persons who are reasonably suspected of abusing drugs to receive a drug test, the ND will work out a specific proposal striking a balance among aspects such as human rights, privacy and youth protection, and initiate a public consultation exercise later this year.

On the proposal for voluntary school-based drug testing, the ND plans to commission experts to conduct a research study this year, covering the following areas:

- First, conduct in-depth research on the experiences and details regarding the implementation of voluntary school-based drug testing in schools overseas and international schools in Hong Kong.
- Second, study pertinent issues requiring attention and ways to address such issues if voluntary school-based drug testing is to be implemented in local schools, including privacy, possible stigmatization, costs of the scheme, and support and referral services required.

- Third, consult local schools, the education sector, the social welfare sector, and other stakeholders with a view to gauging their concerns and requests.
- Lastly, recommend one or more concrete, feasible schemes, covering relevant aspects such as arrangements, procedures, resources, support measures, and so on.

We hope to work with a number of representative schools in Hong Kong to run a pilot project in 2010 following the recommended scheme(s). Having regard to practical operational experiences, we will refine and promote the scheme(s) for general adoption by local schools.

To implement the above new initiatives, the Administration has allocated additional resources since the 2008-2009 financial year for setting up a dedicated anti-drug education team in Education Bureau to take forward and co-ordinate the work, offering professional training for teachers, disbursing teaching relief grant, enhancing drug education, and adding 27 posts of police school liaison officers.

For the work above, the expenditure of major items that involved anti-drug efforts in schools in the past three years is as follows (\$ million):

	2006-2007	2007-2008	2008-2009
Anti-drug talks and activities for students	6.5	6.5	7.3
Anti-drug work supporting schools and teachers, including professional training	0.9	1.1	2.3
Student Health Service (part related to anti-drug work)	0.3	1.6	2.1
Police School Liaison Programme	16.4	16.4	19.4
School social work service	198.5	209.6	227.5
Total	222.6	235.2	258.6

The production of the anti-drug resource kits for schools and parents and the implementation of related training programmes were supported by the Beat Drugs Fund with a total provision of about \$2.9 million. We also plan to make use of the Beat Drugs Fund to support the research study on voluntary school-based drug testing.

The other programmes involving anti-drug efforts on campus are integral parts of wider areas of work of various bureaux and departments in education and general anti-drug work. Examples include the curriculum development, guidance and discipline services, and work of the Regional Education Offices of Education Bureau; the outreaching social work teams as well as drug treatment and rehabilitation services subvented by the SWD; crime detection and investigation work of the police, and so on. We have not kept separate records on the breakdown of the expenditure with specific regard to anti-drug efforts in schools.

Implementation of Energy Saving Measures in Government Buildings

17. **MR CHAN HAK-KAN** (in Chinese): *President, regarding the implementation of energy-saving measures in government buildings, will the Government inform this Council:*

- (a) *as the Government has indicated that it will endeavour to make the new Central Government Complex (CGC) at Tamar, which is under construction, "one of the Government's greenest complexes", whether the Government will set specific energy-saving targets for the CGC; if it will, of the details; if not, the reasons for that;*
- (b) *given that the authorities have indicated that they will use various energy-saving facilities in the CGC, but the CGC will not be completed until 2011, whether the authorities will, in the light of the latest developments in energy efficient technologies, review from time to time the types of energy-saving facilities to be used in the CGC before its completion;*
- (c) *whether it has assessed if the overall electricity consumption of the relevant offices of various Policy Bureaux and departments will be*

reduced after they move to the CGC; if the assessment result is in the affirmative, of the rate of reduction; if the assessment result is in the negative, the reasons for that; and

- (d) *given that various Policy Bureaux and departments had implemented energy-saving programmes and set specific electricity saving targets during the financial years from 2003-2004 to 2006-2007, whether at present the Government will consider launching similar programmes; if it will, of the details; if not, the reasons for that?*

CHIEF SECRETARY FOR ADMINISTRATION (in Chinese): President,

- (a) We will assess the environmental performance of the Tamar Development Project from a comprehensive and holistic perspective. It is our requirement that the Project should achieve the highest grade (that is, the Platinum grade) under the Hong Kong Building Environmental Assessment Method (BEAM) of the HK-BEAM Society.

The Hong Kong BEAM, which defines the performance criteria for a range of sustainability issues relating to the planning, design, construction, commissioning, management, operation and maintenance of the buildings, is used to assess the performance of buildings in the following aspects:

- (i) hygiene, health, comfort and amenity;
- (ii) land use, site impacts and transport;
- (iii) use of materials, recycling and waste management;
- (iv) water quality, conservation and recycling; and
- (v) energy efficiency, conservation and management.

Buildings awarded the Platinum grade means that their overall performance in various aspects has reached the "Excellent" level.

After commissioning, the Government will conduct a carbon audit on the CGC and implement an emission reduction campaign to further reduce its greenhouse gas emission.

- (b) The Tamar Development Project is an environmentally sustainable project, incorporating a number of environmentally-friendly measures and energy-saving building services features (including energy efficient and renewable energy installations). As it is a design-and-build contract, the scope for changing the design is fairly limited. However, we will continue to consider the possibility of incorporating more energy-saving facilities in the project having regard to the development in energy-saving technologies provided that the overall programme is not affected and no extra funding needs to be sought.
- (c) Apart from adopting various green measures and energy-saving building services options in design, we will proactively implement internal management measures to enhance the energy efficiency of our offices after we move into the CGC. However, the electricity consumption of a government department depends on many factors, including the design of the host building, the fitting-out of the office, its mode of operation, and so on. Since there is vast difference in terms of design, fitting-out and mode of operation between the buildings where the government departments are currently accommodated, it is difficult to have an accurate comparable assessment of the change in electricity consumption of the Policy Bureaux and departments concerned after they move into the CGC.
- (d) We have been promoting energy conservation in government buildings. In this year's Budget, the Government proposes to allocate an additional \$130 million to carry out works to enhance energy efficiency of government buildings and public facilities. The Government will also allocate about \$450 million to take the lead in the next two years to install energy efficient lighting systems, retrofit plumbing with water saving devices and incorporate energy efficient features in air-conditioning, elevator and escalator systems in government buildings. We plan to adopt a comprehensive target-based environmental performance framework for government buildings. Targets on various aspects of environmental

performance (including targets for energy conservation) will be set to promote environmental performance of the Government.

People with Autism

18. **MR CHEUNG KWOK-CHE** (in Chinese): *President, regarding people with autism, will the Government inform this Council:*

- (a) *of the current number and age distribution of people with autism, and the morbidity rate of autism among new born babies;*
- (b) *whether there is any existing mechanism for early identification of toddlers with autism; if so, of the details; if not, whether it will set up such a mechanism;*
- (c) *of the details of the existing services specifically provided for people with autism by government departments and non-governmental organizations (NGOs), and whether improvements will be made to such services; and*
- (d) *as the United Nations designated last year the 2nd of April of every year as the "World Autism Awareness Day", whether the Government will organize related activities on that day, so as to enhance public awareness of autism?*

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

- (a) According to the "Special Topics Report No. 48 — Persons with disabilities and chronic diseases" published by the Census and Statistics Department in 2008, it is estimated that there are about 3 800 persons with autism in Hong Kong and their age distribution is as follows:

<i>Age group</i>	<i>Number of autistic persons</i>
Below 15	2 500
15 to 29	900
30 or above	300
Total	3 800

As autism will not be diagnosed among new born babies, figures on the incidence rate of autism will not normally be compiled for this age group.

- (b) To allow early identification of varied health and social needs of children aged zero to five, and to provide them and their families with necessary services, the Administration has launched the Comprehensive Child Development Service (CCDS) in July 2005. Under the CCDS, which is co-ordinated by the Labour and Welfare Bureau, children and parents in need will be provided with comprehensive support services through enhanced co-ordination and collaboration among the Education Bureau, the Department of Health (DH), the Social Welfare Department (SWD) and the Hospital Authority (HA).

A "Development and Behaviour Management of Pre-primary Children — A Resource Kit for Teachers" has been prepared by the DH, the Education Bureau and the SWD, and is distributed to all pre-primary institutions with a view to giving them a better understanding on children development and enabling them to identify common childhood developmental problems. Currently, upon identifying children who might require assistance, the pre-primary institutions will refer them to the Maternal and Child Health Centres (MCHCs) for further assessment under the referral and feedback system of the CCDS. The MCHCs will conduct initial assessment and arrange children with possible developmental disorders (including autism) to receive timely intervention services from the appropriate service providers such as the Child Assessment Centres (CACs) of the DH, specialist services of the HA, NGOs, schools, and so on. The assessment teams of the CACs of the DH will provide comprehensive assessment for these children on various aspects including their physical ability, intellectual ability, language ability, perception, social skills, and so on. The Child and Adolescent Psychiatric Service of the HA also provides assessment and diagnostic services for children and adolescent with possible developmental disorder.

In addition, the MCHCs have established a Developmental Surveillance Scheme for children from birth to the age of five. The

Scheme offers parents a wide range of information, giving them a better understanding of children's development at various stages and circumstances requiring their special attention, thus enabling them to monitor the development of their children and identify possible developmental disorders in collaboration with the medical staff more effectively. Besides, interviews with the parents will be arranged by the MCHCs at specific ages of the children for monitoring their development in various areas, such as their gross and fine motor, language and communication, social behaviour and play, self-care, vision and hearing, and so on.

- (c) Upon identifying cases of autism, the CACs of the DH will recommend and arrange suitable rehabilitation services for the children concerned, and introduce to parents of these children community rehabilitation schemes and training courses. The CACs will also invite parents to participate in counselling services, talks and workshops.

The Child and Adolescent Psychiatric Service of the HA will, according to the conditions of the children and adolescent with autism, provide them with appropriate treatment, such as arranging them to receive psychiatric out-patient services or day-hospital care services.

Besides, taking reference from specialists' assessment and recommendation, and subject to parents' consent, the Education Bureau will arrange children with special educational needs to be placed in ordinary or special schools and provide the schools with extra resources and subsidy for supporting these children. If necessary, relevant professional workers of the Education Bureau, including educational psychologists and special education support officers, will render professional assistance to the schools concerned. They would work with the teachers and parents concerned on the appropriate support strategies and review the progress of students regularly and comprehensively. To further enhance teachers' professional capacity in supporting students with special educational needs, the Education Bureau has formulated a five-year teacher professional development framework, providing training courses for teachers of ordinary and special schools. The Education Bureau

has also produced various teaching and learning materials for use by teachers, school guidance personnel and parents, with the aim of helping them provide teaching and guidance to students with autism.

In addition, the SWD provides a series of rehabilitation services through NGOs to persons with autism to meet their needs at different stages of their lives. These rehabilitation services, including pre-school training services, vocational rehabilitation services, residential services and community support services, help persons with autism develop their physical and intellectual capabilities for integration into society. For example, the pre-school training services of the SWD will help children with autism up to the age of six develop their physical and psychological abilities, and to enhance their social skills. Persons with autism aged 15 or above could apply for suitable vocational rehabilitation services, and participate in the activities and personal development programmes offered by the 16 District Support Centres for Persons with Disabilities located throughout the territory, as well as obtaining various kinds of care and support services catering to their needs. These District Support Centres also provide support for parents to help them relieve their stress in taking care of family members with autism.

As for employment support, the Selective Placement Division of the Labour Department (LD) provides personalized employment services for persons with autism, with a view to helping to place them in open employment thus facilitating their integration into the community. Depending on the ability, character and interest of job seekers with autism, placement officers of the Selective Placement Division will provide them with suitable employment counselling, job matching and referral, and post-employment follow-up services. Furthermore, the Skills Centres of the Vocational Training Council also provide persons with autism with vocational training and support services, including vocational counselling, social work service, occupational therapy, care services, and so on.

- (d) The Education Bureau has been enhancing public understanding of autism through various means. The Education Bureau has joined hands with the Castle Peak Hospital, NGOs and parents associations to organize the "Hong Kong Autism Awareness Week", aiming to

promote public understanding and acceptance of autistic persons. To tie in with the "World Autism Awareness Day" on 2nd April this year, the Education Bureau has planned a series of promotion activities, including the publication of a teaching package in February this year on "Mind-read II: Teaching Children with Autism to Understand and Manage Emotions" for use by primary school teachers and parents. The Education Bureau is also going to organize in April a sharing session on the pilot project of "ILAUGH Social Thinking Training Programme" in collaboration with The Chinese University of Hong Kong and the Caritas Rehabilitation Services, and a seminar on "Supporting Students with Autism Spectrum Disorder/Asperger Syndrome Integrating into Local Ordinary Primary Schools" in collaboration with the Spastics Association of Hong Kong.

As regards promoting the integration of persons with disabilities into society, the Labour and Welfare Bureau subsidizes various government departments and NGOs in organizing public education programmes every year, aiming to enhance public understanding and acceptance of persons with disabilities, including autistic persons. The Selective Placement Division of the LD also organizes public education and publicity activities to promote public understanding and acceptance of people with disabilities, with a view to enhancing their employment opportunities.

In addition, the Child Assessment Service of the DH has been organizing different publicity activities for enhancing public knowledge and understanding on various major developmental disorders (including autism). Apart from producing public education pamphlets and fact sheets on different developmental disorders, the DH also endeavours to promote public awareness of these problems through the website <www.dhcas.gov.hk>, television programmes, thematic exhibitions, and so on.

Impact of Climate Change

19. **MR FREDERICK FUNG** (in Chinese): *President, it has been reported that both the United Nations Environment Programme 2008 Annual Report and*

the World Bank's overview of the Latin America region released early this year pointed out that global climate would approach its critical point for climate change in the coming few years, and that the speed for global climate change would be faster than what had been expected in the 2007 Report of the Intergovernmental Panel on Climate Change (IPCC). Moreover, the Carnegie Institution for Science of the United States also advised that the increase in emissions of carbon dioxide had reached a rate of 3.5% each year since 2000, which was 0.9 percentage point higher than the emissions of the 1990s, and that the speed of increase was also faster than what had been expected by the IPCC. It is learnt that the Hong Kong Observatory recorded a mean temperature of 20.5°C in February this year in Hong Kong, which was the warmest February in 125 years, reflecting a long-term warming trend in Hong Kong, and extreme weather conditions (such as strong winds, heavy rains, high temperature and low temperature) would be more frequent. In this connection, will the Government inform this Council:

- (a) of the work achievement of the Interdepartmental Working Group on Climate Change (IWGCC) led by the Environmental Protection Department (EPD) since its establishment; of the latest work progress of the Consultancy Study on Climate Change which was steered by the IWGCC and commenced work in 2008; and*
- (b) whether it will, in response to the aforesaid circumstances, review afresh the various greenhouse gas (GHG) emissions reduction measures which are being implemented and adopt more ambitious emission reduction measures (including setting a target for reduction in GHG emissions and a target proportion of the electricity to be generated from renewable energy); if it will not, of the reasons for that?*

SECRETARY FOR THE ENVIRONMENT (in Chinese): President,

- (a) The Administration established an IWGCC under the lead of EPD to strengthen co-ordination of government efforts in tackling climate change. It comprises representatives from five bureaux and 16 departments. The IWGCC is steering the consultancy study being carried out on climate change in Hong Kong. It had provided

comments and suggestions on various tasks of the study, including the GHG emission inventory compilation methodologies and on vulnerability assessment. In addition, the IWGCC reviewed tasks undertaken by individual departments in combating climate change; and exchanged information on the latest development of the issue at international discussions. It has also co-ordinated departments' participation in climate change efforts of international organizations, such as Asia-Pacific Economic Co-operation (APEC) and C40 Cities Climate Leadership Group, so as to learn overseas experience and to share outcome of our work; as well as promulgation of information related to climate change.

In March 2008, the EPD appointed ERM-Hong Kong, Ltd. to conduct "A Study of Climate Change in Hong Kong". The consultancy study would review and update the local inventories of GHG emissions and removals; project the future trends in GHG emissions under different scenarios; characterize the impacts of climate change in Hong Kong; and evaluate and recommend additional strategies and measures to further reduce GHG emissions as well as to adapt to climate change. In conducting the study, the consultants had carried out three stakeholder engagement workshops respectively in July to December 2008 to collect views on adaptation to and mitigating climate change. Ideas and comments will also be sought on the preliminary findings and recommendations in the course of study later this year. The whole consultancy study is expected to complete at the end of the year.

- (b) The Government attaches great importance to the need to take effective actions to cope with the impact of climate change and mitigate GHG emissions. While Hong Kong is not obliged under the Kyoto Protocol to set any GHG emission reduction targets, we are committed to the course. We pledged along with other APEC economies in 2007 to reduce our energy intensity of at least 25% by 2030 (with 2005 as the base year).

In his latest 2008-2009 policy address, the Chief Executive set out the policy objective of promoting a low carbon economy based on low energy consumption and low pollution to meet the challenge of

climate change. A string of initiatives are being implemented, including:

- signing of a Memorandum of Understanding with the National Energy Administration on the continuous supply of nuclear electricity and natural gas to Hong Kong in the next two decades;
- introducing legislative proposal on mandatory implementation of the Building Energy Codes in 2009;
- engaging the business sector to conduct carbon audit for over 100 buildings in this year;
- reserving \$450 million under the Environment and Conservation Fund to subsidize building owners to conduct energy-cum-carbon audits and energy efficiency improvement projects in buildings;
- promoting environmental protection and energy conservation in government buildings to further encourage energy conservation, including setting targets in various environmental aspects for new government buildings;
- reviewing the scope of application of the Building (Energy Efficiency) Regulation and the overall thermal transfer value standard of buildings, with a view to improving the energy performance of buildings;
- preparing amendments to the Energy Efficiency (Labelling of Products) Ordinance for the second phase of the Mandatory Energy Efficiency Labelling Scheme;
- planning to implement a district cooling system in the Kai Tak Development;
- studying the need to restrict the sale of incandescent light bulbs; and

- assessing the problem of energy wastage of external lighting, studying the feasibility of tackling the problem through legislation, and so on.

Upon completion of the aforementioned consultancy study on climate change, the Government will consider the different recommendations made in the study report on enhancing our efforts to adapt to and mitigate climate change.

As regards the use of renewable energy, the new Scheme of Control Agreements of the two power companies have put in place provisions to encourage the power companies to adopt more usage of renewable energy and to invest in renewable energy facilities. The power companies have also formulated unified arrangements for connection to electricity grids so as to provide backup power to Hong Kong customers who have installed grid-connected renewable energy power systems. The Electrical and Mechanical Services Department has also published various information pamphlets and guidance notes to promote the use of renewable energy.

Control of Transboundary Movements of Hazardous Wastes

20. **MS EMILY LAU** (in Chinese): *President, in a programme broadcast in November last year by the Columbia Broadcast System (CBS) of the United States, it was reported that each year toxic electronic wastes were smuggled in containers by thousands of vessels from United States to Hong Kong to be stored and transported subsequently to the town of Guiyu in Shantou City, where local residents used primitive methods to extract metals contained in such wastes. Regarding the authorities' reply to my question on 10 December last year concerning the above situation, will the executive authorities inform this Council:*

- (a) *as the authorities advised that the storage sites for the electronic wastes mentioned in the said programme were clustered mainly in the remote areas in northern New Territories, whether they know if the electronic wastes stored in those sites have been transported to the town of Guiyu for unlawful processing, and whether they have traced the whereabouts of the electronic wastes in question, apart*

from deploying staff to conduct inspections of those sites; if they have, of the details; if not, the reasons for that;

- (b) as the authorities advised that the Environmental Protection Department (EPD) had completed 197 prosecution cases in the past three years from 2006 to October 2008, of the types of electronic wastes, countries to which such wastes were exported, trial results and penalties imposed on the convicted person(s) in respect of each case;*
- (c) as the authorities replied that the EPD was then instituting prosecution against the offender related to the containers mentioned in the said programme, of the latest progress and details of this case; and*
- (d) of the number of containers returned to the countries of export in the past three years because they carried electronic wastes which had been imported illegally, and the countries of export involved?*

SECRETARY FOR THE ENVIRONMENT (in Chinese): President, in recent years, the issue of transboundary movements of electronic wastes has raised various concerns in the international community. As a major transshipment port in the Asia-Pacific region, Hong Kong also faces the problem of illegal inflow and transshipment of hazardous electronic wastes. To meet this challenge, the Government of the Hong Kong Special Administrative Region (including mainly the EPD, the Customs and Excise Department and the Hong Kong Police Force) has strengthened relevant import and export controls jointly with overseas control authorities to combat illegal transboundary movements of hazardous electronic wastes.

Our reply to the above question is as follows:

- (a) To keep track of illegal activities and support enforcement actions, the EPD collects intelligence on the storage and movements of waste through various channels and conducts inspections at suspicious sites within Hong Kong on a regular basis. From the year 2006 to 2008, the EPD conducted over 900 inspections at suspicious storage sites, and launched 13 raids jointly with other law-enforcement agencies on those sites involving illegal activities. On control over illegal

export of hazardous electronic wastes, the EPD completed in the same period of time 37 prosecutions with 11 defendants sentenced to immediate imprisonment from two to five months. The information collected from such cases indicates that most of these wastes are smuggled into the Southern China, but the exact destination cannot be ascertained.

- (b) Amongst the 197 prosecutions completed from January 2006 to October 2008 as mentioned in our reply of 10 December 2008, 138 convictions were achieved, the details of which are listed below:

<i>Countries of Export</i>	<i>No. of Convictions</i>	<i>Types of Hazardous Wastes</i>	<i>Total Fines and Other Penalties</i>
Japan	31	Batteries and cathode ray tubes	\$860,400
The United States	26	Batteries and cathode ray tubes	\$710,000
Canada	14	Batteries and cathode ray tubes	\$353,000
Republic of Korea	10	Batteries and cathode ray tubes	\$330,000 and a community service order for 180 hours was made
Ghana	7	Batteries	\$75,000
United Arab Emirates	6	Batteries and cathode ray tubes	\$160,000
Other places (see Note (1) for details)	44	Batteries and cathode ray tubes	\$949,000

Note:

- (1) Twenty-four places including Guatemala, Malaysia, Singapore, Italy, and so on, were involved; each with less than six related convictions.

- (c) Regarding the containers illegally imported from the United States as mentioned in the CBS broadcast, the company concerned was prosecuted by the EPD under the Waste Disposal Ordinance and was convicted and fined \$10,000 by the court in January 2009.

- (d) From the year 2006 to 2008, 291 imported shipments containing controlled electronic wastes were returned to the countries of export. The table below shows the number of shipments and the countries of export:

<i>Countries of Export</i>	<i>Number of Returned Illegally Imported Shipments (Note(2)) (Number of Containers)</i>
The United States	110(140)
Japan	34 (39)
Canada	20 (30)
Vietnam	13 (45)
Australia	11 (15)
United Arab Emirates	11 (13)
Other places (See Note (3) for details)	92(139)

Notes:

- (2) Some shipments involved more than one container.
- (3) Forty places including Guatemala, Algeria, Malaysia, the Philippines, Singapore, and so on, were involved; each with less than eight related shipments.

MOTIONS

PRESIDENT (in Cantonese): Motions. Proposed resolution under the Matrimonial Causes Ordinance to approve the Matrimonial Causes (Fees) (Amendment) Rules 2009.

I now call upon the Chief Secretary for Administration to speak and move his motion.

PROPOSED RESOLUTION UNDER THE MATRIMONIAL CAUSES ORDINANCE

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): President, I move that the resolution standing in my name on the Agenda be passed. This

motion aims to seek the approval of the Legislative Council for the Matrimonial Causes (Fees) (Amendment) Rules 2009 made by the Chief Judge of High Court under the Matrimonial Causes Ordinance.

At present, the taxation procedure under the Rules of the High Court and Rules of the District Court shall apply to matrimonial proceedings. Under the Civil Justice Reform, the taxation procedure was revised in 2008 to facilitate early settlement and to deter inflation of the amount claimed under a bill of costs. The Matrimonial Causes (Fees) (Amendment) Rules 2009, which are consequential legislative amendments in nature, aim to prescribe the relevant fees required for the application of the revised taxation procedure to matrimonial proceedings.

I invite Members to approve the resolution. Thank you.

The Chief Secretary for Administration moved the following motion:

"RESOLVED that the Matrimonial Causes (Fees) (Amendment) Rules 2009, made by the Chief Judge on 24 February 2009, be approved."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by the Chief Secretary for Administration 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 and that is: That the motion moved by the Chief Secretary for Administration 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 of the Members present. I declare the motion passed.

PRESIDENT (in Cantonese): Proposed resolution under the Public Finance Ordinance.

I now call upon the Secretary for Financial Services and the Treasury to speak and move his motion.

PROPOSED RESOLUTION UNDER THE PUBLIC FINANCE ORDINANCE

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President, I move that the first motion under my name be passed.

The purpose of this motion is to seek funds on account to enable the Government to carry on its services between the start of the financial year on 1 April 2009 and the enactment of the Appropriation Ordinance 2009. This is a long established and essential procedure.

In response to Members' comments on last year's resolution, we have made some changes to the arrangements for the resolution this year. First, we have scheduled this motion to be moved at least two weeks after the announcement of the Budget, in order to allow more time for Members to examine the resolution. Second, in respect of Subhead 689 and Subhead 789 Additional Commitments, we are seeking funds on account only on a need basis for the coming months, instead of on the basis of the full-year provisions for the two subheads. We presented these changes to the Panel on Financial Affairs in December 2008 and have obtained the Panel's support.

We have determined the funds on account sought under each subhead in accordance with the fourth paragraph of the resolution, by reference to the relevant provisions shown in the 2009-2010 Estimates of Expenditure.

Incorporating the requirements at subhead level, the initial amount of funds on account under each head is provided in the form of a footnote to this speech. Prior to the enactment of the Appropriation Ordinance 2009, the aggregate amount of funds on account is \$61,075,637,000.

Subject to the above aggregate amount not being exceeded, the resolution enables the Financial Secretary to vary the funds on account in respect of any subhead, but these variations must not cause an excess over the amount of provision entered for that subhead in the 2009-2010 Estimates of Expenditure. To increase transparency, we have earlier undertaken to submit reports to the Finance Committee of the Legislative Council in case the Financial Secretary has exercised this authority to meet necessary requirements. We also consulted the Panel on Financial Affairs on this reporting arrangement in December 2008. The Panel did not object to the arrangement.

At its meeting on 27 February, the House Committee of the Legislative Council decided to set up a Subcommittee to study the resolution. The Subcommittee met on 5 March, during which the Administration explained the details of this year's resolution. I am very grateful to Ms Emily LAU, the chairman of the Subcommittee, and other members of the Subcommittee for their support for the motion to be moved today.

The vote on account will be subsumed upon the enactment of the Appropriation Ordinance 2009.

President, I beg to move.

Footnote

<i>Head of Expenditure</i>	<i>Amount shown in the Estimates \$'000</i>	<i>Initial amount of funds on account \$'000</i>
21 Chief Executive's Office	84,507	16,902
22 Agriculture, Fisheries and Conservation Department.....	930,068	246,047
25 Architectural Services Department	1,521,318	304,264

<i>Head of Expenditure</i>	<i>Amount shown in the Estimates \$'000</i>	<i>Initial amount of funds on account \$'000</i>
24 Audit Commission	122,364	24,473
23 Auxiliary Medical Service	70,154	15,862
82 Buildings Department	890,638	179,443
26 Census and Statistics Department	553,424	111,441
27 Civil Aid Service	82,067	16,790
28 Civil Aviation Department	712,824	142,565
33 Civil Engineering and Development Department	2,115,033	424,023
30 Correctional Services Department	2,698,592	556,604
31 Customs and Excise Department	2,485,416	590,491
37 Department of Health	4,120,690	1,036,133
92 Department of Justice	1,004,363	202,209
39 Drainage Services Department	1,769,653	382,866
42 Electrical and Mechanical Services Department	463,722	254,729
44 Environmental Protection Department	3,202,669	1,414,457
45 Fire Services Department	3,801,080	1,031,744
49 Food and Environmental Hygiene Department	4,453,871	936,957
46 General Expenses of the Civil Service	3,007,718	777,635
166 Government Flying Service	275,591	128,820
48 Government Laboratory	319,449	96,712
59 Government Logistics Department	486,498	195,113
51 Government Property Agency	1,828,181	376,734
143 Government Secretariat: Civil Service Bureau	417,851	83,811
152 Government Secretariat: Commerce and Economic Development Bureau (Commerce, Industry and Tourism Branch)	1,221,053	320,126
55 Government Secretariat: Commerce and Economic Development Bureau (Communications and Technology Branch)	66,300	13,260
144 Government Secretariat: Constitutional and Mainland Affairs Bureau	465,160	157,816

<i>Head of Expenditure</i>	<i>Amount shown in the Estimates \$'000</i>	<i>Initial amount of funds on account \$'000</i>
138 Government Secretariat: Development Bureau (Planning and Lands Branch).....	308,957	221,792
159 Government Secretariat: Development Bureau (Works Branch).....	239,041	50,489
156 Government Secretariat: Education Bureau.....	39,361,534	8,838,849
137 Government Secretariat: Environment Bureau.....	70,246	23,674
148 Government Secretariat: Financial Services and the Treasury Bureau (Financial Services Branch).....	140,218	28,332
147 Government Secretariat: Financial Services and the Treasury Bureau (The Treasury Branch).....	4,893,429	4,738,686
139 Government Secretariat: Food and Health Bureau (Food Branch)	97,459	19,492
140 Government Secretariat: Food and Health Bureau (Health Branch).....	33,387,074	7,287,383
53 Government Secretariat: Home Affairs Bureau.....	1,340,002	298,096
155 Government Secretariat: Innovation and Technology Commission.....	518,516	188,815
141 Government Secretariat: Labour and Welfare Bureau.....	569,440	164,152
47 Government Secretariat: Office of the Government Chief Information Officer.....	655,842	131,169
142 Government Secretariat: Offices of the Chief Secretary for Administration and the Financial Secretary	521,144	107,551
96 Government Secretariat: Overseas Economic and Trade Offices	314,701	71,181
151 Government Secretariat: Security Bureau.....	172,625	40,021
158 Government Secretariat: Transport and Housing Bureau (Transport Branch)	134,537	27,807
60 Highways Department.....	2,228,180	447,358

<i>Head of Expenditure</i>	<i>Amount shown in the Estimates \$'000</i>	<i>Initial amount of funds on account \$'000</i>
63 Home Affairs Department	1,625,816	374,414
168 Hong Kong Observatory.....	220,491	47,987
122 Hong Kong Police Force	12,573,067	2,682,366
62 Housing Department.....	130,531	26,107
70 Immigration Department	2,876,801	579,657
72 Independent Commission Against Corruption	808,148	161,630
121 Independent Police Complaints Council	28,283	7,163
74 Information Services Department.....	379,335	75,867
76 Inland Revenue Department	1,276,595	255,319
78 Intellectual Property Department.....	98,261	19,653
79 Invest Hong Kong.....	111,562	56,313
174 Joint Secretariat for the Advisory Bodies on Civil Service and Judicial Salaries and Conditions of Service	27,271	5,455
80 Judiciary.....	1,118,507	245,795
90 Labour Department.....	1,134,197	352,187
91 Lands Department.....	1,793,888	361,173
94 Legal Aid Department	752,482	150,497
112 Legislative Council Commission.....	407,454	85,387
95 Leisure and Cultural Services Department....	5,426,130	1,254,578
100 Marine Department.....	960,879	220,215
106 Miscellaneous Services.....	9,594,408	1,276,351*
114 Office of The Ombudsman	90,272	18,055
116 Official Receiver's Office	140,854	28,579
120 Pensions	17,582,620	3,532,779
118 Planning Department	485,532	110,807
136 Public Service Commission.....	17,090	3,418
160 Radio Television Hong Kong	507,957	137,416
162 Rating and Valuation Department	403,124	80,699
163 Registration and Electoral Office	78,444	15,689
169 Secretariat, Commissioner on Interception of Communications and Surveillance	12,843	2,569
170 Social Welfare Department	39,105,111	10,614,700
173 Student Financial Assistance Agency.....	3,905,839	1,248,171

<i>Head of Expenditure</i>	<i>Amount shown in the Estimates \$'000</i>	<i>Initial amount of funds on account \$'000</i>
180 Television and Entertainment Licensing Authority	191,132	82,995
181 Trade and Industry Department	581,080	364,895
186 Transport Department	1,216,175	313,549
188 Treasury	336,131	67,227
190 University Grants Committee	11,645,763	2,329,153
194 Water Supplies Department	5,755,418	1,154,748
	<u>247,522,690</u>	<u>61,066,437</u>
184 Transfers to Funds	15,409,200	9,200
	<u>262,931,890</u>	<u>61,075,637</u>
Total	<u><u>262,931,890</u></u>	<u><u>61,075,637</u></u>

Note:

- * The initial amount of funds on account under Head 106 includes \$1,000,000,000 under subhead 789 Additional commitments for expected contribution to MPF accounts and for contingency.

The Secretary for Financial Services and the Treasury moved the following motion:

"RESOLVED that –

1. Authority is hereby given for a sum not exceeding \$61,075,637,000 to be charged on the general revenue for expenditure on the services of the Government in respect of the financial year commencing on 1 April 2009.
2. Subject to this Resolution, the sum so charged may be expended against the heads of expenditure as shown in the Estimates of Expenditure 2009-10 laid before the Legislative Council on 25 February 2009 or, where the Estimates are changed under the provisions of the Public Finance

Ordinance (Cap. 2) as applied by section 7(2) of that Ordinance, as shown in the Estimates as so changed.

3. Expenditure in respect of any head of expenditure shall not exceed the aggregate of the amounts authorized by paragraph 4 to be expended in respect of the subheads in that head of expenditure.
4. Expenditure in respect of each subhead in a head of expenditure shall not exceed –
 - (a) in the case of an Operating Account Recurrent subhead of expenditure, an amount equivalent to –
 - (i) except where the subhead is listed in Schedule 1 to this Resolution, 20% of the provision shown in the Estimates in respect of that subhead;
 - (ii) where the subhead is listed in Schedule 1 to this Resolution, the percentage of the provision shown in the Estimates in respect of that subhead that is specified in that Schedule in relation to that subhead; and
 - (b) in the case of an Operating Account Non-Recurrent subhead of expenditure or a Capital Account subhead of expenditure, an amount equivalent to –
 - (i) except where the subhead is listed in Schedule 2 to this Resolution, 100% of the provision shown in the Estimates in respect of that subhead;
 - (ii) where the subhead is listed in Schedule 2 to this Resolution, the amount that is specified in that Schedule in relation to that subhead,

or such other amount, not exceeding an amount equivalent to 100% of the provision shown in the Estimates in respect of that subhead, as may in any case be approved by the Financial Secretary.

SCHEDULE 1

[para. 4(a)]

	Head of Expenditure		Subhead	Percentage of provision shown in Estimates
46	General Expenses of the Civil Service	013	Personal allowances	40
59	Government Logistics Department	225	Traffic Accident Victims Assistance Scheme – levies	100
90	Labour Department	280	Contribution to the Occupational Safety and Health Council	30
		295	Contribution to the Occupational Deafness Compensation Board	30
106	Miscellaneous Services	284	Compensation	40
120	Pensions	021	Ex gratia pensions, awards and allowances	50
		026	Employees' compensation, injury, incapacity and death related payments and expenses	50
152	Government Secretariat: Commerce and Economic Development Bureau (Commerce, Industry and Tourism Branch)	000	Operational expenses	25
155	Government Secretariat: Innovation and Technology Commission	000	Operational expenses	25

Head of Expenditure		Subhead		Percentage of provision shown in Estimates
170	Social Welfare Department	157	Assistance for patients and their families	100
		176	Criminal and law enforcement injuries compensation	25
		177	Emergency relief	100
		179	Comprehensive social security assistance scheme	30
		180	Social security allowance scheme	30

SCHEDULE 2

[para. 4(b)]

Head of Expenditure		Subhead		Amount \$
106	Miscellaneous Services	689	Additional commitments	0
		789	Additional commitments	1,000,000,000
184	Transfers to Funds	984	Payment to the Capital Works Reserve Fund	0
		988	Payment to the Loan Fund	0"

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by the Secretary for Financial Services and the Treasury 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 and that is: That the motion moved by the Secretary for Financial Services and the Treasury 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 of the Members present. I declare the motion passed.

PRESIDENT (in Cantonese): Proposed resolution under the Motor Vehicles (First Registration Tax) Ordinance.

I now call upon the Secretary for Financial Services and the Treasury to speak and move his motion.

PROPOSED RESOLUTION UNDER THE MOTOR VEHICLES (FIRST REGISTRATION TAX) ORDINANCE

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President, I move that the second motion under my name be passed to extend the first registration tax exemption for electric vehicles for another five years, that is, for the deadline for exemption be extended from 31 March this year to 31 March 2014.

In the 1994-1995 Budget, we announced our proposal to exempt electric vehicles from the first registration tax for a period of three years. The aim of this measure was to encourage the use of the more environmentally-friendly electric vehicles.

Thereafter, extensions were proposed to, and passed by the Legislative Council four times respectively in 1997-1998, 2000-2001, 2003-2004 and 2006-2007. The current exemption will expire at end of March this year. To continue to promote the use of electric vehicles by the public, the Financial Secretary has proposed in the 2009-2010 Budget to extend the exemption for a further five years up to 31 March 2014.

I now introduce the resolution under Section 5(4) of the Motor Vehicles (First Registration Tax) Ordinance to implement the aforesaid measure.

President, I move that the resolution be passed. I hope that Members can support the resolution.

The Secretary for Financial Services and the Treasury moved the following motion:

"RESOLVED that the Resolution made and passed by the Legislative Council on 14 May 1997 and published in the Gazette as Legal Notice No. 237 of 1997, as amended –

- (a) by section 3 of the Revenue (No. 2) Ordinance 2000 (27 of 2000);
- (b) by the Resolution made and passed by the Legislative Council on 19 March 2003 and published in the Gazette as Legal Notice No. 77 of 2003; and
- (c) by the Resolution made and passed by the Legislative Council on 8 March 2006 and published in the Gazette as Legal Notice No. 53 of 2006,

be amended by repealing "2009" and substituting "2014"."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by the Secretary for Financial Services and the Treasury be passed.

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

MS AUDREY EU (in Cantonese): President, last year, on 12 July 2008, when this Council was scrutinizing the resolution with the aim of waiving the diesel duty under the Dutiable Commodities Ordinance, I have suggested that, to alleviate the impact of oil prices on people's livelihood and the air pollution at roadside, we should make reference to London and set up recharging points (known as Juice Point in London) for electric vehicles (EVs) at car parks or along the road.

On 26 November 2008, I raised a question relating to EVs. The Government said at that time, as a result of exempting EVs from First Registration Tax, there was a total of 31 newly registered EVs over a period of three years and the tax forgone was \$105,000.

In December 2008, in the Civic Party's proposals submitted to the Financial Secretary in relation to the Budget, it was pointed out that, as the effect brought by the exemption of First Registration Tax for EVs was slight, the Government should provide more effective financial incentives and ancillary facilities to encourage the use of EVs.

On 11 February 2009, that is, this year, I also pointed out in my newspaper column that, the exemption of First Registration Tax in fact could not be the sole initiative adopted to break the bottleneck in the promotion of using EVs. We must therefore consider providing other facilities and strategies, such as recharging network and so on.

President, why do I have to refer to so many issues? It is because our Secretaries will sometimes criticize new Members for being suddenly democratic, or accusing other new Members of suddenly pro-Cantonese operas. President, that is why I have to recap on these past incidents relating to EVs, lest I should be regarded as suddenly in support of EVs.

President, actually, our officials, on hearing the proposals of some Members, no matter whether they are new Members or Members who just begin to take interest in the subject, should not have regarded them as being suddenly interested in a particular topic. The most important thing is whether there is substance in their views, if so, such views should be taken on board.

President, the policy of exempting EVs from First Registration Tax could be dated back to 1 April 1994. It was introduced by Sir Macleod, our Financial Secretary in the colonial era. The policy was meant to be implemented for three years and renewable every three years. Until now, the policy has prevailed with the come and go of our Financial Secretaries, including Donald TSANG, Antony LEUNG, Henry TANG and John TSANG.

This tax concession has a history of as long as 15 years, how effective is it? How many EVs can we see?

In its written reply to my question in November last year, the Administration indicated that there were 31 newly registered EVs in Hong Kong in the past three financial years. The First Registration Tax forgone was \$105,000. As shown in the Administration's written reply to a question raised in the Legislative Council on 22 March 2006, EVs account for about 0.012% of the total number of vehicles in Hong Kong.

According to the above data, the effectiveness of the tax exemption for EVs is very low, how then is it possible to implement the policy of reducing roadside pollution? We can see that the effect of the policy is insignificant.

In fact, technically speaking, we certainly understand that the operation of EVs relies on batteries. The biggest problem lies in the travel range. Our technology is not advanced enough for electric minibuses or taxis to travel around in Hong Kong. In a trial conducted a few years ago, it was found that EVs required recharging for every 30 to 50 kilometres. As such, they could not meet the demand of minibuses and taxis.

Nevertheless, as far as private EVs are concerned, there has been a breakthrough in the travel range in recent years. Vehicles can now run up to 100 to 200 kilometres after every recharging. Also, from recent reports in newspaper and TV programmes, it can be seen that recharging technology is

improving. It takes much shorter time for EVs to be recharged. As I just said, there are Juice Points in London, and different models of EVs are available in the United States, Japan and Europe. In the United States, they have Tesla, in Japan, iMiEV of Mitsubishi, and in Norway, Think.

EVs are also manufactured in Hong Kong, that is, MyCar. The vehicles, manufactured in Dongguan, are sold to the United Kingdom and the mainland China. Ironically, while we have developed these EVs, they cannot be used in Hong Kong. The reason is our legislation does not apply to EVs, or in other words, these vehicles are not applicable for the purpose of our legislation. We can see that there is a need for the Government to work harder in this aspect.

In a paper recently given to the Subcommittee on Improving Air Quality under the Panel on Environmental Affairs, the Government mentioned that the cost of using EVs was very high. A total of \$4.3 billion would be needed to promote the use of hybrid energy motivated vehicles and electric vehicles. After reading this paper, I was a bit baffled. How come we need as much as \$4.3 billion? Is there a lot of "water" in this? In the United Kingdom, the cost for setting up a Juice Point is around 3,300 sterling pounds, which amounts to about 30,000 Hong Kong dollars. I cannot calculate why we need so much money. President, we are going to have a meeting at 8.30 tomorrow morning to find out how the Government can help to improve our air quality. Do we really need to spend so much money? We will continue with the discussion tomorrow.

However, in the recent Budget, the Government mentioned that it would consider setting up recharging points at car parks. There are 14 multi-storey government car parks. Car parks have been provided in the Government Secretariat, the Legislative Council, a lot of schools and private premises. I have met experts in this area. According to them, parking metres on roadside can be easily converted into recharging points. All we need is some adjustments, and technically it is absolutely feasible.

President, the Civic Party will very proactively support the Government's work in promoting the use of EVs. We feel that a lot more can be done. Apart from exempting the First Registration Tax, would it be possible to consider offering EVs using the tunnels a concession or waiver on the tolls? Besides, the Civic Party has suggested a lot of other measures.

President, the Civic Party is in support of this resolution, and we hope that the Government can introduce other policies to promote the use of EVs without delay.

Thank you, President.

MR CHAN HAK-KAN (in Cantonese): President, I speak on behalf of the DAB in support of today's motion.

The air pollution problem in Hong Kong is getting very serious and the public is most concerned about the exhaust gas emitted by vehicles on the road. As Ms Audrey EU just said, though the Government has exempted electric vehicles (EVs) from First Registration Tax over the past three years, only 31 EVs are registered or benefited from this policy. As we can see, tax concession alone may not be able to promote the extensive use of EVs. We opine that this financial incentive is not adequate.

Certainly, the Financial Secretary did mention in the Budget that recharging facilities would be provided at some public and private car parks. This is a positive follow-up measure in the right direction. However, I would like to highlight another area of concern. As vehicle owners, we are very concerned about the lacking in transparency of fuel prices, as well as their "increasing quick and reducing slow" phenomenon. We are worried that the electricity tariff for charging up EVs would be particularly high at private or public car parks. As such, we believe that the Government should discuss with private car parks or operators in the provision of these facilities, and work out the level of electricity prices for recharging, such as pegging them to the tariffs for domestic use. If this is the case, the price will be more transparent and motorists can be ensured that they will not be charged exorbitantly for the electricity.

President, if I want to purchase an electric vehicle, I may have to consider other factors, such as its price and the availability of maintenance services. I am aware that a hybrid energy motivated vehicle was being purchased by the Legislative Council Secretariat lately, but found that it is bound to use battery sold by the original manufacturer. Hence, I wonder if any replacement environmental-friendly batteries are available in the market. As far as I know, these batteries are very expensive, costing up to over \$50,000 each. As a vehicle owner, if the battery has gone flat, I need to spend another \$50,000 for a new battery in order to get the vehicle serviceable. This will be another factor I

need to take into consideration. Therefore, I am of the view that when launching the promotion of EVs, ancillary facilities and other factors should be carefully considered. I believe that if the Government can fully take into account the areas I mentioned just now, it will enhance promotion on the use of EVs and contribute positively to the improvement of our air quality.

According to a recent press report, The Hong Kong Polytechnic University, in collaboration with a local company, developed a type of EVs some years ago. The vehicle has been displayed in international auto shows. This shows that in terms of development in the car industry, Hong Kong does not compare unfavourably with other places. President, I remember back in 2005, when the Financial Secretary was the then Secretary for Commerce, Industry and Technology, he has announced the setting up of a research and development (R&D) centre for automotive parts and accessory systems. I am not sure if this R&D centre is still in existence, but I hear nothing about it. However, I think it can certainly play an active role today. On the technical level, it can certainly provide positive advice and technical assistance in promoting the use of EVs. If the Government can offer a little more help in the areas of legislation and marketing, I think EVs should have an even better competitive edge in the market.

President, before EVs become popular, I hope the Government would take into consideration the actual situation in Hong Kong and continue waiving the First Registration Tax for hybrid energy motivated vehicles. It should be taken as a short-term initiative to encourage owners of private cars and commercial vehicles to switch to purchasing environmental-friendly vehicles available in the market, with a view to replacing pre-Euro vehicles of older models and which emit more exhaust gas.

President, I so submit.

MS MIRIAM LAU (in Cantonese): President, electric vehicles (EVs) are hardly anything new in Hong Kong. In as early as April 1994, the Government has started to encourage car owners to purchase EVs by offering exemption on the First Registration Tax, with a view to promoting environmental-friendly vehicles. Unfortunately, it has been 15 years since then and EVs are still a minority in Hong Kong.

As shown from the figures of the Transport Department — just now my colleagues said they were the figures in the past three years — as a matter of fact, up till now, there are all together 97 EVs registered in Hong Kong, ultimately, there are only 97 of them, and among them, only 19 are private vehicles. In terms of percentage, they only take up less than 0.005% of the 420 000 registered vehicles in Hong Kong. It can therefore be seen that the Government has obviously failed in promoting the use of EVs.

Certainly, the Government proposed in the Budget to actively develop EVs and promote their wider use by further extending the tax exemption period in one go for five years to 2014. The Liberal Party very much welcomes this move. However, tax concession alone is basically insufficient in bringing about the development of EVs. More importantly, the Government should adopt co-ordinating measures, so as to offer facilitation in the launching of EVs in the market.

As far as I remember, the Liberal Party has all along been in support of EVs. It has been more than a decade since they first started doing so. About 10 years ago, in an attempt to respond to the Government's call, the transport industry promoted the use of EVs. A few electric minibuses were introduced in a trial programme. They were intended to be widely used by the minibus industry if their trial operation was proved successful. However, the trial was a failure and the electric minibuses encountered quite a number of difficulties. I have been involved in the trial programme, and I did pay attention to its development in various areas. Yet, I found that the Government was not at all positive in helping the trade to overcome the difficulties, which in turn brought a silent ending to the trial programme. From this example, we can see that the Government, apart from tax concession, has not done anything on the technical front to provide support in promoting the use of EVs, and is therefore incapable of solving any problem encountered.

Besides, as Ms EU just mentioned, eight to 10 years ago, we encountered some technical difficulties — like what I said before. However, as a matter of fact, two years ago, The Hong Kong Polytechnic University successfully developed a type of EVs called MyCar in Hong Kong in collaboration with a manufacture. It was a success as the cars could be put on the market. According to the manufacturer, the selling price of a MyCar vehicle is quite cheap, about \$80,000 to \$90,000 each, apart from that, the fuel cost is even more affordable. In Hong Kong, the cost for driving a petrol vehicle is 91 cents per kilometre, while for an electric vehicle such as MyCar, only 10 cents would be

needed, which is only one tenth of that required for a petrol vehicle. More importantly, battery technology for this new model has greatly enhanced the travel range, for instance, the vehicle can run as far as 120 kilometres after each re-charging, and the return trip between Central and the airport is but 90 kilometres.

These features indicate that the locally developed MyCar compares favourably with products from abroad. The only issue lies in whether or not we can develop it on our own. Moreover, it is reported that a few hundred of MyCars were sold to the market in Europe and the United Kingdom where it has become a popular model. However, ironically, though the car is so good and was 100% locally developed, this Hong Kong brand vehicle is prohibited from running on the roads in Hong Kong. As the vehicle falls into the category of "microcar", it has inferior horsepower and its speed is not comparable with private cars in general, so the Transport Department refuses to issue licence to MyCar on the grounds that it fails to meet the provision stipulated in the Road Traffic Regulations relating to the construction of private vehicles.

It is certainly true that the Transport Department should have strict requirements on the specification of vehicles. However, if the registration of EVs has been dealt with in such a bureaucratic and rigid manner, then this highly innovative and locally made vehicle could only be downgraded to be a toy. It would also deal a heavy blow to the manufactures who are interested in developing new car, creating additional hurdles to EVs to enter the local market.

Moreover, the Government had indicated that it would introduce a new model of EVs as early as possible. Yet, it was reported that the Japanese Motor Manufacturer, with whom the Government signed a Memorandum of Understanding, stated that the new model of EVs could only be massively manufactured and imported in 2012 the earliest. Though we have before our eyes a readily made product which is mature in technology, the Government does not give it a chance even to launch a trial on the road. Can this be logically acceptable? I hope the Government would consider carefully if this is the appropriate approach.

The Liberal Party is of the view that the Government should grasp this opportunity to proactively discuss with relevant manufacturers and learn from the experience of countries abroad. We should also make reference to the practice of other countries, for instance, these microcars are allowed to run in some cities

in other countries, on condition that they are prohibited from using certain highways. The most important thing is, the Government should endeavour to provide the public with an affordable and environmental-friendly alternative, and take an important step forward in advancing the popularity of the EV industry in Hong Kong.

For instance, there may be some difficulties for these microcars to travel on the Tolo Highway. As such, though they should be prohibited from using the Tolo Highway, they are perfectly suitable for housewives making a trip to supermarkets. In this regard, should the Government at least give such vehicles a chance?

On the other hand, adequate supporting measures are essential for the promotion of EVs. As mentioned in the Budget, the Government would examine the feasibility of providing re-charging facilities in government multi-story car parks and explore ways of encouraging the business sector, including property developers and private car park operators, to set up such facilities. This would be a very good start, nonetheless, we must ensure that these measures are appropriate and offer genuine convenience to car owners, so that we can pave the way for the introduction of EVs.

President, I so submit.

MR KAM NAI-WAI (in Cantonese): President, many colleagues have just mentioned that this tax exemption has been granted for more than ten years but only 97 electric vehicles were in used in Hong Kong. Everybody feels that this is very saddening.

We are not talking about technology. Of course, we know that there are still many limitations technically. But the real problem is that our Government is always aiming for ambitious goals that it cannot deliver. The Government's presumption is that with the provision of tax exemption, people will make use of these facilities and equipment. However, if the Government is really trying to improve Hong Kong's air quality, particularly from the perspective of assistance that may be provided to the car industry, it should consider the matter from the angle of the industry and the consumer so that more Hong Kong people will switch to electric vehicles. I think it will be a hopeless case if the Government is only offering tax incentive to achieve this goal.

Nonetheless, when I check through some previous records just now, I notice that it was either the Chief Executive or the Financial Secretary who had talked about the setting up of a steering committee to study the wider use of electric vehicles in Hong Kong in this year's Budget. This committee plans to study the use of electric vehicles from the perspectives of economic development, town planning, industry, technology, environmental protection, transport and so on. I can see that the Government would invariably feel a headache when it is going to set up these steering committees because it is just how the Government generally behaves. If we really want to know more about the use of electric vehicles in Hong Kong, such as the case of MyCar which many colleagues have just mentioned, we can simply allow MyCar to come into Hong Kong. Do we need all these committees to study the matter before such a decision can be made? If the Government allows MyCar to run on trial in Hong Kong, we will then see how it performs. Do we really need a steering committee to carry out so many studies before we can allow MyCar to run on trial in Hong Kong? Is this not the adverse consequences resulting from a bloated Government and a very bureaucratic structure?

The Democratic Party will certainly support the proposed extension of the tax exemption, and we will support it wholeheartedly. But we also want certain commitments from the Government. I think we can no longer tolerate the situation in which cars developed by Hong Kong people are used in places all over the world except in Hong Kong. Some Members have said that it is sarcastic. I find it embarrassing to see such a situation in Hong Kong. I think it is better for us not to tell others that Hong Kong is setting up a steering committee to study the matter because the whole thing is so ridiculous. We always say Hong Kong is an international city but that is just what really happened.

Of course, apart from tax incentive, the Government should consider whether other forms of support can be provided, such as the provision of land for the industry that has just been mentioned. I hope the Secretary for Financial Services and the Treasury will go back and consider whether tax benefits can be offered to enterprises in respect of the expenses incurred for research and development, as well as the land used for the manufacturing of electric vehicles in Hong Kong. Of course, there are other practical issues involved such as the provision of charging stations for electric vehicles that has been raised just now. I think it is surely inadequate if charging stations are to be provided in

government buildings only. The Government should work harder to bring the matter forward and see whether more land can be made available for these facilities. In addition to MyCar from Hong Kong, the development of electric vehicle technology has become more mature in many places around the world. I am aware that the Government has said earlier that it will work with a manufacturer to introduce some electric vehicles into Hong Kong. I believe there will be increasing research and development into electric vehicle technology around the world, so we must plan ahead for the provision of more supporting facilities so as to ensure that we will not lag behind in this area.

Hence, I call upon the Government to expedite its work after this Council supports the passage of this tax exemption today. In fact, our pace is more than ten years behind already. Apart from tax incentives, other supporting facilities are required so that more electric vehicles can be brought into Hong Kong, which will then help improve our air quality and environment. Thank you, President.

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

MR ALBERT CHAN (in Cantonese): President, I am certain that the Legislative Council will pass today's resolution unanimously without a hitch. But what next? What is the meaning of passing this resolution? The reality is that as we are discussing this resolution and looking back into the development of electric vehicles in Hong Kong, many Members can only let out a long sigh.

Talking about history, President, I remembered that before Hong Kong's reunification, the then Secretaries of the Government had led us on a site visit to Hongkong Electric's power plant in Lamma Island to test-drive an electric vehicle. It was just like yesterday but ten odd years have passed already. President, I was also there at the site visit to test-drive the vehicle.

At that time, there were many discussions as to whether the trial would be successful. But President, that was some thirteen or fourteen years ago. The focus of discussion then was whether the Government should take the lead in the use of such vehicles if the trial proved successful. The view then was that the Government has set its headquarter at a number of places and they could be suitable locations for trial, more space would be available for the charging of

batteries, and the relevant facilities could be housed in the government buildings. Most of the time, the vehicle fleet in the Government headquarters was used to make short-haul trips between fixed locations from A to B; and when the senior officials attended meetings, they would usually take at least three hours. Hence, the electric vehicles could be charged during that period.

In fact, it would be effective if the Government can take the lead and introduce electric vehicles to its fleet. Such a move does not even involve any tax exemption or deduction. But has the Government used any electric vehicle in its fleet? I have no idea, but I do not recall hearing anything about the Government fleet using electric vehicles anyway. Our Government is always big in words and small in action. It is the same old story as the environmental levy of plastic shopping bag. While the Government is seeking to impose a levy of 50 cents for each plastic bag given out by the department stores, it is wasting a shockingly large amount of plastic bags itself. It is a classic case of the Government saying one thing and doing another. The policy address is just self talk from the Chief Executive and no government department is taking heed to what he said. Directives from the Chief Executive are nothing but a load of crap. Maybe this is just the symbol of a "loser" is and also what a "loser" is about.

If the use of electric vehicles is feasible technically, should it not be the Government's responsibility to take the lead and conduct trials? The whole thing just shows what a mess the government departments are in; the left hand does not know what the right hand is up to; the left leg wants to go this way, the right leg opts for the other way while the head looks to the west as if everything is disoriented. Various departments are disorganized and unco-ordinated. The Government is as confused as ever. When the government fleet is due for replacement, has the Environment Bureau been consulted as to whether the new vehicles to be procured have any environmental features, or whether any electric vehicles are available? Well, that is certainly not the case. Which car do the senior officials eventually choose for replacement? It is a BMW, is it not? It is a luxury car that would be looked for, their concern is not for the environment.

Notwithstanding the passage of today's resolution, it is still a load of crap because the government departments are so unco-ordinated. In fact, can the Government at least try to identify some vehicles in its fleet mainly used for short-haul trips and conduct a trial by switching them to electric ones?

Meanwhile, there have also been suggestions as to whether electric vehicles could be used to provide public transport services. The reason was that public transport service providers, particularly green minibuses and franchised buses, are the busiest only in the peak hours when the full fleet had to be up and running. But after these two hours of peak period, the vehicles would take turn to provide services. Of course, the Secretary was not in this position then. Well, I do not even know if you were in Hong Kong at that time. But the Government had in fact considered it feasible to conduct a trial for the use of electric vehicles on certain routes run by franchised buses and green minibuses, provided that there were suitable locations en route for the provision of charging facilities. At that time, the discussion was just about electric vehicles. We had not even started to consider the use of minibuses or taxis powered by liquefied petroleum gas (LPG), the issue under discussion then was only electric vehicles. Now, we have introduced LPG minibuses and taxis, but where are the electric vehicles?

I think our discussion today about this ordinance and the tax exemption merely serves to give the Government an opportunity to put on a show for the public about its concern for the environment. It is at most only a show, a symbolic gesture with no substance. If the high levels of the Government are really serious about the matter, the senior officials should direct their responsible departments to at least acquire a definite number of electric vehicles in their fleet. If the trial is successful, more vehicles could be introduced gradually. It is imperative that the Government should formulate a work plan to take concrete actions. Otherwise, we will have achieved nothing even after ten odd years of discussion. The Government is claiming that colossal effort has been made to bring us a blue sky, but ultimately its effort is at best hapless and feeble.

President, discussion about this issue has become stale. Many Members have stated their support for the resolution. But I have no idea what they are supporting. Are they supporting some high-sounding lies and big empty talk, or outright nonsense that have been perpetuated for more than 10 years? Therefore, if the Secretary is not talking about nonsense — and I will no longer stand any nonsense from the Secretary — I hope he can make some commitments today and state clearly when the Government will take the lead to introduce electric vehicles to its fleet. Even the Secretary is starting to lose faith in what he has said. I hope he can check through the minutes and papers of previous meetings and take note of the factors that have been considered by the

Government in the past. Otherwise, if a new secretary comes along, he might just ignore everything and try to start from scratch again. If that is the case, we will only end up with nothing but scratch. The citizens of Hong Kong are still the ones to suffer because exhaust gas will just keep coming from petrol vehicles including those in the government fleet.

President, my guess is that we will still be discussing the same resolution in 10 years' time. Let us wait and see if my guess will come true.

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

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): If not, I now call upon the Secretary for Financial Services and the Treasury to reply. This debate will come to a close after the Secretary for Financial Services and the Treasury has replied.

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President, I wish to thank Members for their views on and support for the use of electric vehicles in Hong Kong. I will convey your views on the relevant environmental issues, as well as the use of electric vehicles on roads to the Environment Bureau and the Transport Department for their consideration and follow up. As Members have pointed out, the extension of the deadline for exemption of first vehicle registration tax is but one measure from the Government to promote the wider use of electric vehicles in Hong Kong. We will also need to consider measures to encourage car dealers to import more models of electric vehicles into Hong Kong, and to provide adequate charging facilities in urban areas to facilitate drivers of electric vehicles.

Many Members have highlighted that in order to promote the wider use of electric vehicles in Hong Kong, there is a need for more supporting facilities and greater promotional efforts. The provision of such facilities will require inter-departmental co-operation and cross-policy co-ordination. As such, the Financial Secretary has announced in the 2009-2010 Budget that a steering committee would be set up under his leadership to study the wider use of electric vehicles in Hong Kong. This committee will carry out in-depth studies from the

perspectives of economic development, town planning, industry, technology, environmental protection and transport. The committee will also take into account views from Members and different sectors of the society when formulating its recommendations.

I hope Members will support this resolution. Thank you, President.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by the Secretary for Financial Services and the Treasury be passed. Will those in favour please raise their hands?

(Members raise 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. Two motions with no legislative effect. I have accepted the recommendations of the House Committee: that is, the movers of these motions each may speak, including reply, up to 15 minutes, and have another five minutes to speak on the amendments; the movers of amendments each may speak up to 10 minutes; and other Members each may speak up to seven minutes. I am obliged to direct any Member speaking in excess of the specified time to discontinue.

PRESIDENT (in Cantonese): First motion: Comprehensively reviewing the role and functions of the University Grants Committee.

PRESIDENT (in Cantonese): Members who wish to speak in the debate on the motion will please press the "Request to speak" button.

I now call upon Prof Patrick LAU to speak and move his motion.

COMPREHENSIVELY REVIEWING THE ROLE AND FUNCTIONS OF THE UNIVERSITY GRANTS COMMITTEE

PROF PATRICK LAU (in Cantonese): President, I move that the motion, as printed on the Agenda, be passed.

President, before you leave the Chair, I would like to say that you and I have been serving in the education sector for many years, so we must be very much concerned about the development of education in Hong Kong. Moreover, the only resource we have in Hong Kong is talents. Under the trend of globalization, the creative industries will become an important pillar of our economy, and the training of talents will thus become even more important. However, Honourable colleagues who are concerned about education will know that the development of education in Hong Kong has all long been dominated by the business sector and Administrative Officers. Have the views of academics from universities ever been given any weight? So, over the 31 years I have been teaching in the University of Hong Kong (HKU), though I have derived satisfaction from the opportunity I am offered to teach students who have subsequently made achievements, I have after all failed to influence the education policy. Fortunately, I have been elected to the Legislative Council to serve the public and today I have the opportunity to move the motion. I hope that with the expression of all kinds of views in a debate, the Government will be impelled to comprehensively review the role and functions of the non-statutory University Grants Committee (UGC) as soon as possible, with a view to optimizing the local education policy and reinforcing the strength of Hong Kong in becoming the education hub of Asia.

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

I have to thank the seven colleagues for proposing amendments to my motion which have enriched the content of the original motion. Some of the

views may fetch beyond the terms of reference of the UGC, but since the objective of my original motion is to clarify the role and positioning of the UGC, views from different perspectives are thus worthy reference. Actually, the Chairman of the UGC, Mrs Laura M CHA, admitted in an interview with the *Hong Kong Economic Journal Monthly* that the role of the UGC was somehow ambiguous, and she added that if the public considered the existence of the UGC unnecessary, she would put up no defence.

To reflect the views of stakeholders more accurately, I have consulted a number of university presidents and academic staff of their response to the motion. I have to thank them for their positive responses and replies, which include views ranging from being moderate to radical. They have made such valuable suggestions and proposals with foresight which have a significant bearing on the development of universities in Hong Kong. In short, they in general consider that the role of the UGC must be clearly defined, its transparency enhanced and the functions of the UGC reformed.

First of all, I would like to cite some remarks with representativeness. Presidents of universities agree that debates in the Legislative Council will be conducive to the enhancement of the existing funding mechanism and the quality of university education. President of the City University of Hong Kong (CityU), Prof Way KUO, pointed out that the existing role of the UGC as the gatekeeper had failed to bring the potential of local universities into full play. The President of The Hong Kong Institute of Education (HKIEd), Anthony CHEUNG, considered that the real competition should be between local universities and overseas universities however, since the 1990s, the UGC had been emphasizing the competition among local universities, which was an unfavourable condition for consolidating the soft strength for academic researches in Hong Kong. The Federation of Hong Kong Higher Education Staff Associations, the association to which I previously belonged, pointed out direct that striving for reform of the UGC had been one of their targets over the years all along, the UGC had only been communicating with the senior staff of universities and distancing itself from the general staff. It had become a bureaucratic organization holding supreme power on a high pedestal. Dr Joseph LEE Heung-wing of the Hong Kong Polytechnic University Staff Association criticized fiercely that the UGC, on the excuse of being accountable in spending public money, was indeed exercising microscopic control over universities and intervening academic freedom by introducing the RAE to assess universities according to the citation rate of academic articles of their academic staff by

leading international periodicals in the United States. Recently, the approach of result-oriented education was introduced, making university education more like factory production. Academic staff of the HKU criticized the UGC for committing seven sins in adopting black-box operation, practising cronyism and a member of one of the subject panels having been complained for plagiarism.

Deputy President, the UGC, an organization full of colonial features, has been open to continual criticisms over the years, particularly on its cost-effectiveness. The operating expenses of the UGC amount to \$60 million, of which nearly \$30 million are spent on salary. Many countries overseas have already abolished their similar structures. The United Kingdom is one of these examples. Twenty years ago, Mrs Margaret THATCHER abolished the structure on the grounds that it was superfluous and a waste of resources. Many former commonwealth countries, such as New Zealand, Singapore, Canada — Canada has not adopted this structure — and Australia have abolished their university grant committees and little impact has been caused on the management of universities. As a result, some people have proposed the abolition of the UGC, so that the Government may provide funding to institutions direct. I am a member of the Council of The Open University of Hong Kong. I know perfectly clear how we can do a better job. Why should a buffer structure adopted during the colonial era be preserved?

I have consulted the views of university presidents, academic staff, former colleagues and friends, and they all said that even if the UGC was not dissolved, its role and functions should be reformed to facilitate universities in pursuing development in the light of their respective specialties, thereby enhancing the overall competitiveness of local universities. Hence, in paragraph (a) of the motion, I propose that the Government should seize the opportunity of the "334" academic structure reform to strengthen the supporting role of the UGC. This is meant to prepare for the increase in the number of university students and the switch of university education from three years to four years, and to assist universities to cope in a short time with the software demand like the recruitment of additional staff and adjustment of course structure, as well as hardware demand like the construction of campus facilities. It is particularly so for the year when Form Six students under the new academic structure and Form Seven students under the old academic structure are simultaneously promoted to universities. It is most imperative that the quality of university education be enhanced continuously.

Deputy President, I hope that the academic structure reform will not only foster the interface with mainstream universities, but also promote co-operation in the research field. The UGC should assist universities to each bring their respective strengths into full play and develop their advantages with local characteristics, with a view to attracting opportunities of overseas co-operation. Therefore, in paragraph (b) of the motion, I propose that the existing mechanism for approving research funding should be improved to ensure the healthy development of academic studies and scientific research without overlooking the balance between theoretical studies and application.

Deputy President, the existing procedures for funding approval is criticized for its lack of transparency. Members of the approving authority only meet once or twice a year to decide the number of undergraduate and postgraduate places to be funded in the eight universities, where an appeal mechanism has not been put in place. It gives one an impression of black-box operation. People cannot help querying whether the members concerned can examine thoroughly the detailed development plans submitted by various institutions at meetings held within a short period of two weeks.

Moreover, is the 75% funding for teaching and 25% funding for research adequate? This issue has been open to query over the years. Though the funding for research has now been increased, the distribution of such funding has not yet been clearly defined. The fairness of the distribution is still open to question. The most important question is what criteria are adopted as the yardstick. At present, the salary of a university professor, Deputy President, may be lower than that of a Political Assistant, who may only be a fresh graduate. This shows how much weight the Government has attached to the development of education. You do not have to raise your eyebrows, Deputy President, it is the fact, for I used to be a professor. If it does want to develop education, nurture talents or encourage them to stay, it is a question that warrants deep thoughts by the Government.

The funding for research has drawn much criticism, for the emphasis has been placed on quantity rather than quality. Too much emphasis is placed on the number of times a research article is published in specified international periodicals, to the neglect of the benefits that research results can bring to Hong Kong society. Actually, by disregarding practice and application, the Government will not only undermine the creativity of scientific research, but also let slip many good opportunities. Many Members, as well as the Deputy

President, mentioned earlier a number of examples related to "MyCar", hence, I will not repeat them here.

The funding arrangement adopted by the UGC has made the management of universities focus too much on research results and overlook the quality of teaching. Take the CityU as an example. It is obviously a university that focuses on application, but for the sake of raising its world ranking, the university has to step up its research work. It even plans to cut the number of staff below the rank of assistant professor, and all tutorial classes will thus be taught by postgraduates lacking teaching experience. It begs worries about the quality of undergraduate education being affected. Moreover, some teaching staff members of famous universities have complained that the decisions of promotion and pay rise are vested in the hands of the management in the minority. Some academic staff members who fail to get funding for research are pressurized to increase their research items, as a result, they are forced to cut the time they can spend on class preparation.

The major objective of universities in striving for more funding for research is to increase their resources. For this reason, in paragraph (c) of the motion, I urge the UGC to increase funding so that more undergraduate places can be provided. I have to emphasize that I do not oppose the UGC drawing up overall development plans for universities, including the scope of courses to be organized, but I consider that at least 20% or more places should be reserved for the universities concerned to exercise their discretion. Moreover, a two-way upward communication channel should be introduced, and it should discuss with institutions their admission arrangements. It is most important that the arrangements can dovetail with the different visions of the universities concerned, offering flexibility to universities instead of imposing standardized regulation that fail to take into account the different characteristics of various universities.

Therefore, in paragraph (d) of the motion, I emphasize that the development of campuses should be promoted under the principle of university autonomy. The fiercest criticism of the UGC is that its regulation is too microscopic and too tight, and that the procedures concerned are too ossified and bureaucratic, which has impeded the development of universities. Let me cite a simple example to illustrate this point. As an architect, I know clearly that construction projects funded by the UGC will at least take six to seven years to complete. But for other construction projects not funded by the UGC, the lead time of the projects can be reduced by half. The additional time required is spent on arguments relating to some trivial issues. For projects valued at several

hundred million dollars, the UGC will express concern even about such details as door handles and door locks.

There is another problem, that is, many computation methods are unfair. For instance, why is the Department of Dentistry granted three to four times more funding than the Department of Architecture? The area of libraries in different universities will only take into the account the number of students of a university but not its history. Members must all know that the HKU, which has a history of more than a hundred years, has a large collection of books, and it is rather unrealistic for other universities to try to be on a par with it. Therefore, universities with stronger fund-raising capabilities would rather fund the projects themselves, but the problem is that it is not easy to identify suitable sites in the urban area. The universities have thus proposed to me to seek assistance from the UGC, urging the Government to allocate certain sites for such purposes, as well as carrying out the public consultation and feasibility studies required. This arrangement is much better, which spares the universities of doing such advance preparatory work. However, the plan that has been approved by a number of departments may eventually be rejected by the UGC. Hence, the process has to start all over again. After several rounds, the project will be delayed for several years, and yet the date of the commencement of the project cannot be fixed.

Deputy President, the UGC has turned down the application of the HKIEd for upgrading as a university. However, the reason for the UGC turning down the application should be attributed to the failure of the UGC in granting them funds to admit postgraduate students in the past. Besides, self-assessed accreditation is restricted to specified subjects. All these convey an impression that someone who ties up your hands is complaining why you have your hands tied. Hence, if the UGC is to continue to play as the intermediary between universities and the Government, I think a reform is essential.

I so submit. Thank you, Deputy President.

Prof Patrick LAU moved the following motion: (Translation)

"That, as the international trend is that more and more countries, including the United Kingdom, New Zealand, Singapore, etc, have abolished their university grants committee mechanism, this Council urges the Government to comprehensively review the role and functions of the University Grants Committee of Hong Kong, with a view to optimizing

the academic quality of local universities as well as the quality of their scientific researches, including:

- (a) complementing the switch to the "334" academic structure, fostering the interface between local universities and the top universities in the world, and strengthening mutual academic exchange and co-operation in scientific researches;
- (b) improving the mechanism for approving research funding, abandoning the vetting criterion of giving emphasis to quantity rather than quality, ensuring academic freedom, and promoting research studies which meet the needs of the local community;
- (c) allocating more funds to provide subsidized undergraduate places and for the universities to determine the intake of associate degree graduates and the number of undergraduate places that need to be substantially increased after the academic structure reform; and
- (d) promoting the development and construction of campuses under the principle of university autonomy, and developing Hong Kong into the education hub of Asia."

DEPUTY PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Prof Patrick LAU be passed.

DEPUTY PRESIDENT (in Cantonese): Seven Members intend to move amendments to this motion. This Council will now proceed to a joint debate on the motion and the seven amendments.

I will call upon Mr Paul CHAN to speak first, to be followed by Mr CHEUNG Man-kwong, Ms Starry LEE, Miss Tanya CHAN, Mr WONG Yuk-man, Mrs Regina IP and Dr PAN Pey-chyou; but no amendments are to be moved at this stage.

MR PAUL CHAN (in Cantonese): Deputy President, according to the webpage of the University Grants Committee (UGC), the UGC is a non-statutory advisory body responsible for advising the Government on the development and funding of

institutions of higher education. The UGC seeks to promote responsible understanding between institutions, the Government and all sectors in the community and mediate between institutions and the Administration over matters pertaining to higher education.

The main function of the UGC is to offer impartial expert advice to the Government on the strategic development and resource requirements of higher education. The UGC has to determine precise grant recommendations in the light of the level of funding that can be made available. At the same time, the UGC also provides institutions with advice, having regard to international standards and practice.

Among its 24 members, nine are academics from overseas countries (they account for approximately 40%) and seven are those from Hong Kong. In the light of this, members from the academia constitute two thirds of the total number of members. For that reason, it can be said that the UGC enjoys a certain degree of independence and professionalism in terms of composition. Since the information concerned is set out in its website, I will not go into details here. As for the original motion and the amendments, I will express my views on them later in the meeting. At present, allow me to talk about my amendment first.

Deputy President, in late November 2007, the Government proposed to launch the fourth round of the Matching Grant Scheme (MGS) to match private donations secured by tertiary institutions, in the hope of continuously encouraging members from various sectors of the community to make generous donations to institutions of higher education, thereby cultivating in the community a philanthropic culture in support of the development of education.

According to the documents submitted by the Government that year, in the first three rounds of the MGS, 600 donations, each of which amounted to more than \$1 million, were secured and this constitutes some 80% of the total amount of private donations. On the other hand, more than 20 000 donations, each of which accounted for less than \$1 million, were also obtained. In addition, in January this year, the UGC noted in the discussion on the effectiveness of the fourth round of the MGS that the 10 tertiary institutions had secured private donations which made up a total sum of more than \$2 billion. For that reason, the matching funding of \$1 billion earmarked by the Government had been matched in full amount. Subsequent to the financial tsunami, the performance of institutions in securing donations actually remains quite good.

It is proposed in my amendment that a fifth round of the MGS be launched, so as to build on the spirit of this scheme and continuously encourage universities to raise funding from the community and their alumni, thereby strengthening the connection between universities and the community and cultivating in the community a philanthropic culture in support of the development of university education.

At the end of last year, the press has reported that in view of the uncertain economic outlook, the Government might call a halt to the new round of the MGS. If this is true, such a move purportedly to be taken by the Government is actually very short-sighted. When it comes to the priority in allocating resources, I am also of the view that this move is stupid. Take the effectiveness of the previous round (that is, the fourth round) of the MGS as an example, it is absolutely worthwhile for the Government to give out \$1 billion in return for donations of \$2 billion made by members of the community. In addition, if the Government can make slight adjustments to the details of the scheme, this can probably bring about a greater leveraging effect. What is there against such an action?

The uncertain economic outlook of Hong Kong is worrying. Although this is the reality, this does not mean that the enthusiasm and ability of the community and alumni to make donations to universities will be lost forever. Recently, I heard the President of a university complain bitterly that the economic downturn had caused difficulties to fund-raising. Nevertheless, in my view, it is precisely at this moment that the Government can render assistance to universities through the MGS, thereby offering greater incentive to individuals in society who are interested in making donations.

Furthermore, investing in education means investing for the future. Despite the fact that the Government has all along emphasized the importance of education, it is a pity that the total expenditure on education proposed in this year's Budget has been reduced by 23.1% in substance. Does the reduction imply that no further round of the MGS will be launched? Will this scheme be brought to an end from then on?

In addition, when we take a look at the situation in such developed countries as Britain and the United States, some of their outstanding universities share one thing in common, that is, they have a wide donation network that extends to their alumni. Those universities have even accumulated funds amounting to several tens of billion dollars, which serve to support their

continuous development. If tertiary institutions in Hong Kong are to reach the first-class level in the world, they cannot rely completely on the Government for resources and support, neither should they become detached or withdrawn from society. The Government should implement appropriate policies, including the MGS, so as to promote connection and collaboration between universities and the community.

For that reason, I indeed cannot see any reason why the Government should allegedly call a halt to the MGS. I opine that the Government can consider making adjustments to the details of the scheme, for example, adjusting the matching rate or extending the application period of the next round of the MGS for 18 or even 24 months, with a view to allowing a greater flexibility in terms of time for institutions to raise funding, thereby enabling the fine culture of donating to the field of education to thrive in Hong Kong continuously.

Now, I wish to express my views on the original motion and the amendments proposed by several Members. First, I agree with the original motion proposed by Prof Patrick LAU, which relates to comprehensively reviewing the role and functions of the UGC. In my view, it is incorrect for the Secretary for Education to make such a remark in a meeting of the previous Legislative Session that the Government has no plan to conduct the relevant review for the time being.

The UGC was established in the former British Hong Kong era, with a view to keeping a distance between universities and the Government, thereby ensuring academic freedom and institutional autonomy. However, according to a study conducted by the Legislative Council Secretariat, Britain and New Zealand had abolished their respective UGCs prior to the reunification of Hong Kong. The UGC in the former, Britain was replaced by the statutory Higher Education Funding Council for England while that in the latter, New Zealand was substituted by the Tertiary Education Commission. This report was completed at the end of 2007 and I believe that many of the Members present in this Chamber are aware of the details thereof. For that reason, I am not prepared to quote from it. Nevertheless, by virtue of this report, I only wish to raise the question of whether or not the present UGC in Hong Kong, a product built on the British model, should continue its operation under the existing mode, given that its place of origin has already witnessed a change in this regard. In my view, the Government is obliged to conduct a comprehensive and thorough review.

As for the amendments proposed by Ms Starry LEE and Miss Tanya CHAN, I had already agreed with some of the contents during the motion debate on "Actively implementing complementary policies for the Framework for Development and Reform Planning for Pearl River Delta Region" and that on "Raising the limit of university places for publicly-funded bachelor's degree programmes" in earlier meetings of this Council. Mrs Regina IP proposes one point in her amendment, that is, to ensure that universities will not, as enterprises do, set increasing income as their objective. I believe that she is referring to the situation in which universities should not indiscriminately offer programmes charging high tuition fees and pay no heed to their basic mission, that is, to provide quality programmes so as to nurture our talents. Point (e) in Dr PAN Pey-chyou's amendment is raised for the purpose of encouraging members from various sectors of the community to make donations to universities. I agree with all the abovementioned views.

Mr CHEUNG Man-kwong proposes in his amendment that a mechanism independent of the Government be established to impartially handle disputes over the allocation of resources among institutions as well as complaints from teaching and non-teaching staff of the institutions. I reckon that this is a suggestion worthy of careful consideration.

Finally, I wish to urge the Government to adopt an open attitude and listen to different views in reviewing the role, functions and abolition or otherwise of the UGC. For example, it is proposed in the Report of the Commission of Inquiry on Allegations relating to The Hong Kong Institute of Education released in 2007 that a board independent of the Government and under the co-ordination of the UGC be established, so as to serve as a buffer between The Hong Kong Institute of Education and the Government in the course of communication. In addition, the Panel on Education of the previous Legislative Session had also invited academic staff of the UGC-funded institutions and educational bodies to express their views on the governance structure, the redress system and complaint mechanism of the institutions concerned. Some of the recommendations, for example, establishing an independent inter-institutional redress mechanism and extending the purview of the Office of the Ombudsman, are worthy of the Administration's careful consideration.

Deputy President, I so submit.

MR CHEUNG MAN-KWONG (in Cantonese): Deputy President, there are countless examples to indicate that the University Grants Committee (UGC) has lost its effectiveness. Nominally, it functions as a bridge and firewall between the Government and universities. In reality, however, it has degenerated into a puppet and bouncer of the Government. It manipulates institutions through financial means and is even biased in favour of senior officials' intervention in institutional autonomy and suppression of academic freedom. In this way, the UGC lives up to its name of putting universities "Under Government's Control."

The UGC emphasizes that it "possesses neither statutory power nor administrative power" and is only responsible for allocating funds to institutions and advising the Government on the development of higher education. However, the UGC actually possesses magnificent power: Sometimes, it flaunts its clout and withholds funding and university places for institutions upon the Government's instruction, so as to ensure that institutions are "obedient"; sometimes, it helps the tyrant in his evil-doing and spares no effort in satisfying senior officials' desire for a merger of institutions. However, when it comes to the request raised by members of the academic staff for the establishment of an impartial and reasonable redress mechanism, the UGC just stays aloof. No wonder Dr Alice LAM LEE Kiu-yue, former Chairman of the UGC, remarked that she represented both the Government and the institutions.

It is a well known fact that the UGC dances to the Government's tune: After Prof Arthur LI had adopted a courteous means of issuing an ultimatum on the merger before resorting to force, Dr Alice LAM LEE Kiu-yue stated pointblank that a timetable for the merger had already been drawn up. She even criticized members of the academic staff and urged them not to bend their efforts only to protecting their "rice bowls"; when the Government proposed to slash university funding, she concurred with the Government saying that there must be room for so doing; when the Government proposed to withdraw the subsidies provided to associate degree programmes, she said she did not want to see the Government afford infinitely expenses that were not very necessary. Moreover, insider information on the controversy involving The Hong Kong Institute of Education (HKIEd) indicates that the UGC, upon Mrs Fanny LAW FAN Chiu-fun's instruction, attempted to obtain academics' research data. Prof Arthur LI could even amend documents of the UGC by deceiving his superiors and keeping his subordinates in the dark. The existence of a line of subordination between the Education Bureau and the UGC is obvious to the public.

Biased in support of the Government, the UGC interferes with institutional autonomy and academic freedom and stirs up conflicts and internal debates among institutions. Such a situation arises not only from Dr Alice LAM LEE Kiu-yue's slip of the tongue but also from the fact that the UGC exists only in name and has lost its effectiveness. Therefore, I request that a review of the abolition or otherwise of the UGC be conducted because members of the academic staff of universities have already had enough. There is the query of whether or not an unpopular organization that humiliates decent people should be tolerated and be left to continually assist the Government in interfering with the affairs of institutions? The Audit Commission must conduct a value-for-money audit on the UGC, which possesses an annual funding of tens of billion dollars and entails an annual expenditure of some \$60 million.

All along, the UGC possesses great powers in funding and decision-making. Institutions may not lodge appeals while the public have no way to monitor the operation of the UGC. Take the incident concerning the retitling of the HKIEd as an example, the UGC positioned the HKIEd as a teaching-oriented institution specializing in teacher training. For that reason, it refused to allocate any research postgraduate places to the HKIEd and rejected the HKIEd's proposal of introducing double-degree programmes. However, it was also on this ground that the UGC refused to accept the HKIEd's proposal of retitling. It can be said that the UGC is behaving both as God and the devil. This incident reflects the misfortune of the HKIEd and also the unfairness of the system.

The UGC is responsible for the allocation of funding. However, it has never kept abreast of the times and conducted any review of, or made any adjustment to, the practice of calculating on a unit cost basis the amount of funding to be allocated to various academic subjects offered by institutions, the allocation of research postgraduate places, the funding mechanism in which emphasis is placed on research work and neglecting teaching, and the practice of focusing on the publication of theses in overseas academic journals while belittling local research work. This has resulted in a polarized allocation of financial resources among institutions and dominates the direction of university education. This situation is even unfair to newly established institutions. The UGC has all along remained oblivious to the annual quota of subsidized year-one university places which caps at 14 500. In fact, this number is outdated. Has the UGC kept abreast of the times and discharged its duty diligently when it comes to offering professional advice to the Government on matters relating to

the access to university education for students of the relevant age cohort, so that the nightmare of the great leap forward in associate degree education will not recur and the vicious competition among private institutions, creating the history of over-emphasizing on quantity and neglecting quality will not be repeated in future?

However, even whether or not the UGC is neutral has become a question. It comprises overseas academics and individuals from the business sector and local universities, who are all appointed by the Government. However, members who belong to various institutions may first give priority on safeguarding the interests of their respective institutions while those who come from the business sector may have numerous matters to attend to every day. Coupled with the fact that overseas academics are not familiar with the situation in Hong Kong, matters pertaining to the daily operation of the UGC, recommendations and decision-making are eventually left with the Secretary-General of the UGC. That said, the UGC Secretariat is a government department and the appraisal report of the Secretary-General of the UGC is countersigned by the Permanent Secretary for Education. You can see from such an arrangement that they are not independent of each other, but there exists a line of command, that is, a superior-subordinate relationship, between them. Take a look at the situation in Britain and New Zealand and we can see that their funding agencies for higher education all operate at an arm's length from their governments, so as to avoid the situation in which officials would give funding orders that may impact on institutions.

The UGC cannot challenge the Education Bureau as it is constrained by an administrative directive. For that reason, the saying that the UGC is impartial and independent only amounts to empty talk. However, the UGC still revels in the present situation. In relation to the suggestion raised by the Commission of Inquiry on Allegations relating to The Hong Kong Institute of Education that it is the most important to establish a board independent of the Government consisting only of individuals trusted and respected by higher education institutions to handle disputes and appeals between institutions and the Government on funding and policy, Mrs Laura CHA May Lung, Chairman of the UGC, equivocated but admitted that she had not discussed this matter with the eight UGC-funded institutions, neither did she agree with the necessity of setting up another mechanism. However, she said at the same time that if the Government and society recognized such a necessity, the UGC would accept it.

Actually, members of the academic staff of universities lobby for the establishment of an independent redress mechanism precisely for the purpose of upholding academic freedom and realizing institutional autonomy. Members of the teaching staff and students belonging to various institutions request to nominate representatives to the UGC, so as to promote the development of education and participate in the decision-making process. This is a justifiable and reasonable request. Why does Mrs Laura CHA May Lung stay aloof from this and turn a blind eye to their discontent? The UGC should not remain indifferent to this matter, but should give a clear account to them and the public.

Deputy President, institutional autonomy and academic freedom are very important to universities. Apart from Article 137 of the Basic Law, which stipulates that educational institutions of all kinds may retain their autonomy and enjoy academic freedom, only The Hong Kong University of Science and Technology among the eight institutions has mentioned words to this effect in its employment agreements offered to its teaching staff. For that reason, the notions of institutional autonomy and academic freedom should be expressly written into the law and the legislation for the institutions concerned. Only doing so can afford the most concrete safeguard.

Deputy President, the UGC in Hong Kong was established in 1965, and reference had been made to the British model in terms of composition and functions. Now that a lot of changes have taken place in the world with the passage of time, the systems akin to the UGC in various countries have been abolished. Britain, which had provided a model for Hong Kong to follow, abolished its UGC in 1988. In Britain, under the higher education system, the Higher Education Funding Council for England (HEFCE) and the Quality Assurance Agency for Higher Education (QAA) are respectively responsible for funding and assessment. The former is an independent department established by the Ministry of Education while the latter is a unit housed under the Universities of the United Kingdom. Upholding the principle of academic autonomy, the QAA is subordinate to the British academia, with Presidents from various universities participating in academic monitoring over its operation.

If the UGC continues to follow only the Government's instruction; if it continues to adhere to its perfunctory funding practice; if it continues to exercise its governance by maintaining the authority of the management of various institutions instead of listening to the voices of the academic staff and students; and if it fails to carry out reform, it will sooner or later be abolished. Dr Alice LAM LEE Kiu-yue had warned institutions that their funding would be reduced

by 10% as a penalty if they did not play their respective roles faithfully. This is our UGC. However, today, if the UGC continues to fail in the performance of its duty diligently and loses its functions, it and its secretariat should deserve penalty and even abolition. This piece of advice is worthy of its serious consideration and a warning should be given today. It is hoped that the UGC will mind its behaviour.

Deputy President, I so submit.

MS STARRY LEE (in Cantonese): Deputy President, if you ask a member of the public what the role of the University Grants Committee (UGC) is, most people would say that they do not quite understand. However, if the same question is put to people working in tertiary institutions or management staff of such institutions, they would express varying degrees of grievances against the UGC.

According to our understanding, the most important role of the UGC is to allocate resources granted by the Administration. However, how should the allocation be made and how is it going to make everyone happy? It seems that it is unable to make sure that the needs of all institutions are satisfied. To be fair, it is very difficult to share the pie evenly and please everybody, I will not put all the blames on the UGC.

On the contrary, it is my personal opinion that the Education Bureau should bear the responsibilities to quite an extent. It has all along been the policy objective of the Administration to provide 14 500 undergraduate places annually and no change has been made over the past decade. Just as the saying goes, even the cleverest housewife cannot cook a meal without rice, the UGC can only re-allocate the resources it received from the Administration. There are also historical factors in the allocation of resources. Even its Chairman, Mrs Laura CHA, admitted that under the present system, inevitably those who were given more in the past could get more, while those who were given less would get less. As the number of students in tertiary institutions with longer history is usually greater, they would be allocated more resources. For this reason, if they want to offer new courses, they can easily do so by redeploying their existing resources. However, for new institutions, it would not be as easy.

Hence, if we are seriously considering the allocation of more resources to institutions for their re-positioning, apart from reviewing the role of the UGC, we

also have to go along with the times and re-examine the restrictive provision of 14 500 subsidized undergraduate places as imposed by the Education Bureau. In fact, on this issue, I have elaborated my views in the previous motion debate I moved, so I will not go on talking about it here.

If Hong Kong wants to become a knowledge-based economy, the development direction of our higher education will play an important role. Whether Hong Kong can succeed in becoming an upcoming knowledge-based economy, the quality and quantity of graduates nurtured by our tertiary institutions are also crucial factors. Who is going to determine the development direction of our tertiary institutions? Who is going to take the lead in developing Hong Kong into an education hub? Who is going to monitor the use of public funds? Should it be the Education Bureau, the UGC or the tertiary institutions themselves?

In the course of discussions with these tertiary institutions, we fully understand that the present operation mode of the UGC did give rise to a lot of controversies. As such, the DAB is indeed in favour of comprehensively reviewing the role and functions of the UGC.

Members of the UGC are appointed by the Government. They join the UGC in their personal capacity. I hope they can help us monitor the use of public funds to fulfil the expectation of taxpayers. Besides, the UGC best knows the operation of the institutions. As it is not part of the Administration, it should therefore not have its hands tied. Through contacts with institutions, it should ask the Administration to provide institutions with more room for development, or to lead institutions to position themselves in the area of regional education. The work it can do should be to ask the Government for additional subsidies for university places, and it should also play the role of an initiator, leading our institutions in the development of Hong Kong into a regional education hub.

From the website of the UGC, I can see that it has some working objectives. The first one is to oversee the deployment of funds for the strategic development of the higher education sector. We can appreciate its working objective as such. It also has other working objectives, but establishing Hong Kong as the education hub of the region is not among one of them. Such is only mentioned somewhere in the website.

I have tried to check out the relevant work from the website of the UGC, only to find that the relevant plans or strategies for facilitating Hong Kong to be an education hub for the region and beyond could actually be seen in the FAQs section. Yet, the answer to these questions astounded me greatly. From the content uploaded on the website, I am quite sure that the work in this area is far from adequate, let me share this with you. It is pointed out that, to further develop Hong Kong into a regional education hub, the Chief Executive announced in the 2007 policy address the following measures to attract outstanding non-local students to study and work in Hong Kong. While saying that the initiatives listed in the policy address were very much welcomed by the UGC, it totally ignored the role it could play in this regard.

Thus, in regard to promoting Hong Kong into an education hub and further exporting our education industry, there is actually a lot of room for improvement for the UGC to promote its role. Apart from being responsible for fund allocation, it should also act as an initiator.

As we always say, there is a need for Hong Kong to develop diversified industries. The education industry brings in important revenue for different countries all over the world. For our education industry, we also have to leverage on the Motherland and engage ourselves globally. This is a critical time for taking up work in this area. That is also why I move an amendment to the original motion. Consequent to the Outline of the Plan for the Reform and Development of the Pearl River Delta (PRD) promulgated earlier by the National Development and Reform Commission, the restriction on Hong Kong in establishing tertiary institutions on the mainland has been relaxed. In general, by virtue of the policy, tertiary institutions in Hong Kong can play a more significant role in the development of higher education in the PRD Region and the policy also helps to strengthen the co-operation of education institutions between Hong Kong and the mainland.

The DAB is of the opinion that, as the funds allocation organization of tertiary institutions in Hong Kong, the UGC should actively tie in with the plan for development in the PRD Region, in order to optimize the role of institutions in the region in nurturing talents with high qualification and in the area of scientific research.

As a matter of fact, Mrs Laura CHA, Chairman of the UGC, indicated in an interview that members of the UGC comprised mainland scholars, and she believed that there would be further development in the relation between tertiary

institutions in Hong Kong and the Mainland. However, instead of being allocated by the Central Authorities, each institution can make its own decision. Mrs CHA also hoped that scientific research could go beyond Lo Wu, since Hong Kong is so small, and we should not just set our eyes on the local scene. There is a need for help from the Government to bring about breakthroughs. Apart from the help from the Government — the Government after all is the Government, and many a time, it would have its hands tied up when it tries to work — I think the UGC can play a more important role in this respect.

As such, we expect that in the upcoming review, the UGC can actively consider funding our tertiary institutions to establish higher education institutions in the PRD Region on their own or in collaboration with mainland organizations, and to provide support and facilitation in the area of scientific research.

In the face of challenges brought about by globalization and the rapid growth of the Mainland, if local tertiary institutions confine their positioning to developing education industry in Hong Kong, there may be considerable restriction in our future development. Therefore, we must position beyond Hong Kong, so that our education industry can successfully become an important industry, and can attract top talents from all over the world to pursue their studies in Hong Kong.

In regard to today's motion, in addition to my amendment, six other Members also move amendments. This reflects the hope of Members for the UGC to play a more active role.

Mr CHEUNG Man-kwong's amendment proposes the lifting of the ceiling of providing 14 500 first-year undergraduate places, I give my full support. However, as to the proposal of "there must be participation of teacher and student representatives from the institution in the decision-making process of promoting the institution's development and allocating resources", I am not convinced. It would be quite difficult to have the participation of teacher and student representatives from the eight institutions and consensus from all of them to make a decision. Nevertheless, as we are conducting a review on the UGC, I think we can have open discussions on the views proposed in his amendment. However, the DAB will abstain when voting on this amendment.

As for Mr WONG Yuk-man's amendment which proposes abolishing the existing funding mechanism and replacing it with a body independent of the Government, the DAB is opposed to it. As the review has yet to complete, it

will be too early to replace the UGC with a new mechanism. Besides, if we look at development elsewhere, though different forms of UGC might have been scraped, since a lot of public resources are deployed in higher education, there would inevitably still be various levels of restriction (*The buzzer sounded*)

DEPUTY PRESIDENT (in Cantonese): Ms Starry LEE, speaking time is up.

MS STARRY LEE (in Cantonese): Thank you, Deputy President.

MISS TANYA CHAN (in Cantonese): Deputy President, the University Grants Committee (UGC) was established in 1965. Based on the British model, it was responsible for advising the Government on the development and funding of universities. It can be described as a "firewall" between the Government and universities for ensuring that politics will not affect the autonomy of universities and academic freedom. Even the Basic Law has provided for the protection of academic freedom and freedom of expression. It is our constitutional responsibility to uphold academic freedom, and this is also the basis of our discussions today.

A short while ago, Prof Patrick LAU, Mr Paul CHAN and Mr CHEUNG Man-kwong have variously cited the example of the abolition of the university grants committee mechanism in the United Kingdom. In fact, this is done in the United Kingdom because the mechanism has failed to play its "buffer" role. In other words, in reviewing the role and functions of the UGC today, we should examine whether it can play its "buffer" role effectively.

I dare not say that the UGC today is beyond cure, but it would be a gross deception to say that it is very fit. If we still fail to apply the appropriate remedy to the case, the UGC may undergo pathological changes in the future, and it may become a malignant tumour in the university education system. Both Prof Patrick LAU and Mr CHEUNG Man-kwong have just discussed the abolition or otherwise of the UGC, and I agree very much with their views. So, the first point in my amendment is about reviewing the effectiveness of the work of the UGC over the years and taking suitable follow-up actions.

The objective of my proposal is to conduct a detailed physical examination before deciding on the kinds of medicines for curing our university education

system. After our review, it may only need two injections and to take vitamin tablets for a few days. However, it may need a major operation to remove the whole tumour or even to perform tissue or organ replacement. But, a comprehensive examination or review is utterly important.

Specifically, in the course of the examination, I suggest that we should examine the terms of reference of the UGC under the premise of safeguarding the freedom of institutions, academic freedom and freedom of expression. Should it be a government department as it is at present, or should it become a statutory body? How should its composition be? What relationship should be maintained between the Government and institutions? All these issues should be discussed.

Deputy President, having talked about the principles, I would turn to the more specific amendment proposals. The first point is about research funding. In vetting research funding applications, the UGC and the universities have generally acted in a snobbish manner, or there is a situation whereby non-experts are leading the experts, which should be rectified at once. They have acted in a snobbish manner because they would concentrate the research funding on the focal issues within a certain period of time. Or, when the Government proposes the development of certain industries, the applications related to the industries will be "just like fish in water", and all the applications will be successful. Nevertheless, for some subjects that take longer to obtain results or are less popular, and even the humanities that have great importance in terms of social values and culture, they may get very little funding despite a lot of explaining or arguing. In that case, how can the scientific researches and academic studies in Hong Kong be done well and to achieve the scene of "a hundred flowers blossoming"?

Having non-experts leading the experts is another problem. Let me talk first about the composition of the UGC. In 1990, its Chairman was the banker, Mr Antony LEUNG; in 1998, Dr Edgar CHENG, who was succeeded by Dr Alice LAM less than a year later; and Mrs Laura CHA has been Chairman since 2007. Why are the universities in Hong Kong managed by bankers or lawyers? Have they conducted any researches? How much do they understand about researches? That is not only the case in respect of management; it is also the case even in respect of people responsible for research funding vetting. I have heard from quite a number of friends from the academic sector that many people responsible for research funding vetting may not have comprehensive understanding of the academic fields to which the projects subject to funding

approval belong. During the vetting process of the applications, the applicants are required to give explanations and make clarifications; and at times the applications are simply not approved because those responsible do not understand the subject matters well. For some cases where the applicants know the senior management well, the vetting process will be more lax. This encourages a "shoe-shine" culture, which is definitely regrettable for the academic sector. This is precisely why we must reform the current system of research funding vetting and get rid of the abnormal situation whereby non-experts are leading the experts.

Having talked about the vetting of research funding applications, I would like to turn to the issue of undergraduate places. I have touched upon this issue many times since I became a Legislative Council Member. Nevertheless, Secretary SUEN is not present today, and we have all along failed to get a positive and welcoming answer, so the issue should be raised today. Actually, the restrictive cap of "18% of the relevant age cohort may enrol in publicly-funded undergraduate programmes" is still there, and "14 500 first-year undergraduate places" as just mentioned by Ms Starry LEE is another restrictive cap. These restrictive caps restrain university education in Hong Kong. When we set this target 10 years ago, our industrial structure and the demand for human resources at that time was very different from those today. Should we remain unchanged and continue to stick to this target?

Under the JUPAS programme last year, 17 000 students met the minimum entry requirements of universities; but, surprisingly, some 5 000 students were rejected and failed to be admitted to universities, which was the highest number throughout the years. While the trades and industries alleged that there was a shortage of human resources, there are so many students who failed to enter universities, why? This kind of mismatch really caused students, parents, schools and teachers to be very disappointed.

Many industries such as the scientific research and accounting sectors hope that more places could be offered by universities for the training of more manpower resources for them. Nonetheless, in the face of the rigid requirement of 14 500 first-year undergraduate places, adding places in one department would mean reducing places in another department. Ms Starry LEE has just talked about blood and bone; we would really see how things could be mutilated beyond recognition in those cases. If universities really want to do so, the first hit may be the humanities, for economic results could not be obtained quickly. If things are allowed to continue this way, will the development of human resources

training and academic ecology be wholesome? Thus, a review of the number of subsidized undergraduate places is of the first importance.

Deputy President, at present, private companies and the Government alike attach great importance to corporate governance, and the bi-yearly value-for-money audit reports published by the Audit Department frequently examine the corporate governance standard of different departments. I think this is equally important to universities, thus, I think that we must present the issue today for discussion. What the UGC will become in the future would be crucial to the university education system.

When Prof Patrick LAU made his remarks a short while ago, he placed great emphasis on institutional autonomy and found it necessary to conduct a review on the UGC. Yet, I wish to say that, if the universities are not well governed, they will just use institutional autonomy as a shield and become obsessed with the "mountain stronghold" mentality and authoritarianism while engaging in activities that infringe on academic freedom, which is absolutely not a blessing for the academic sector.

I believe that most academics in Hong Kong are sincerely devoted to academic research and they would impart knowledge extensively. All of them are committed scholars and quite a few possess the strength of character similar to that of the former president of the Peking University, CAI Yuanpei. Nonetheless, in recent years, we have witnessed a lot of storms inside universities: the conflicts between the university management and teaching staff, and between the universities and the students. Hence, the development of university education must be found its base on a comprehensive corporate governance system.

Insofar as corporate governance is concerned, checks and balances should come first. For sure, we do not want the Government to extend an invisible hand through the funding mechanism and the UGC, influencing the decision-making processes and autonomy of universities. Likewise, we cannot allow universities to become independent kingdoms. The university management can possess almost absolute powers in the universities; "power tends to corrupt" and the lack of sufficient checks and balances would turn universities into places where academic freedom is suppressed. That is precisely why I suggest that, while reviewing the role of the UGC, the Government should strive to enhance the corporate governance standard of universities and the transparency

of university operation, and even introduce into universities more democratic and liberal management systems.

Deputy President, the university education system, the future role and functions of the UGC, the funding system for education institutions, and university governance are extremely important to the protection of academic freedom and institutional autonomy. Whether Hong Kong can establish a wholesome and diversified academic and research environment, and promote itself as a regional and even international education hub depends on whether or not we can maintain this cornerstone of academic freedom.

I so submit, Deputy President.

MR WONG YUK-MAN (in Cantonese): Deputy President, I am very thankful to Prof Patrick LAU for proposing this motion today. I have served as a lecturer in an institution of higher education for more than 10 years, and today, as a Legislative Council Member, I am also a member of the Panel on Education; I am thus very much concerned about higher education.

In fact, for a very long time in the past, I widely criticized the higher education in Hong Kong. One of the most important criticisms was that the University Grants Committee (UGC) was a "tumour". For this reason, I have proposed an amendment to today's motion of "Comprehensively reviewing the role and functions of the University Grants Committee".

I have been a Legislative Council Member for half a year but I am not quite interested in making amendments. On each occasion, as a ritual, Members propose amendments for the sake of proposing amendments. I do not want to do so but I have proposed an amendment for the sake of proposing an amendment this time. However, I have made a rather concrete suggestion, that is, abolishing the UGC and establishing a mechanism independent of the Government. Some have asked what kind of mechanism would be independent. A mechanism would be independent if it is not governed by the Government. It only needs to go through a democratic process for such a mechanism to be established in a university. This so-called UGC is basically an ice-cold machine, or a funding machine. Apart from these features, behind the scene, it is basically following the Government's instructions most of the time as some Members have already said. Hence, I am going to make the following points.

First, the function of the UGC as a barrier has entirely gone. Its original objective is to set up a barrier to ward off the direct involvement of universities in the political game of wrestling with the Government. Yet, for many years in the past, we saw that the UGC has failed to give play to its barrier function, and it had even become a spokesman of the Government. Mr CHEUNG Man-kwong just said that it was "a hatchet man", which is a bit excessive. It is still paid, but as a spokesman, it is bad enough, right? It was originally designed to be a barrier or a firewall, but it has become a spokesman. Its barrier function has gone entirely.

An Honourable Member has just referred to CAI Yuanpei; he is really praising the university presidents to show favour. The chief education officers of universities (祭酒) should behave like clear streams, but the chief education officers of our universities are like foul streams rather than clear streams. They were appointed to public office by the Government and in the past, some of them became advisors on Hong Kong affairs, right? University presidents have degenerated into political hangers-on. The chief education officers of our universities have degenerated into political hangers-on. Moreover, has the matching system precisely necessitated the currying of favour with and crawling to rich persons on the part of a university president? Buddy, he is a university president, right? He is known as the chief education officer of a university. Please look up the meaning of 祭酒 (ji jiu) in books. He should have a high position but he has ultimately degenerated into a political hanger-on. The existence of the UGC have made into a bigger mess, right? There is going to be a structural switch in 2012; the Panel concerned will have discussions about public works expenditures, and the matter will be referred to the Public Works Subcommittee and then the Finance Committee. Although we, Honourable Members, seemed awe-inspiring, the motion will certainly be passed and we are just going through the ritual process and given a chance to make absurd arguments, right?

Prof Patrick LAU has commented from the angle of an architect, saying that there seemed to be a discrepancy in the construction of the hostel, somewhere a flyover has not been built. But what is the use in making such comments? In the end, funding would be approved and the UGC, substantially the Government, will make the decision, right? Hence, its barrier function has gone entirely.

Moreover, the act of allowing material gains to take command is actually an insult to refinement. CHEUNG Man-kwong has just talked about refinement being dragged in the dust. This is a case of allowing material gains to take command, which is an insult to refinement. A university should impart

knowledge and build up moral qualities. However, the university management has shown us that it is basically led by the Government's command, right? Their currying favour with rich persons really infuriated us. As lecturers, they should be giving lectures, but are the lecturers today really giving lecturing? If the lecturers today do not know how to curry favour with other people, they may be ousted from their lecturer posts any time, right? Thus, we have discussed self-financing university courses for long, and the parties have debated the issue at the last meeting of the Panel on Education. Sometimes, I cannot help sighing; all of them are expert scholars with doctoral degrees, right? They have undergone strenuous training and have attained high academic qualifications; some of them have received university education in the United States. Yet, what the parties had been involved in was a row in the Legislative Council Chamber; one party represented the management and another party represented the teaching staff; the two parties were just involved in severe arguments. Was that an insult to refinement? What was that for? After all, they are going for a means of living. Having studied so hard, they eventually have to go for a means of living, right? The Registrars and Vice Presidents are also going for a means of living. The teaching staff are staging resistances when being suppressed, are they not going for a means of living as well? Why is it that even the moral quality of superior intellectuals has been twisted under this distorted system? Sometimes, when I see some university presidents, I would look up to them with esteem, for example, I bowed non-stopped to Prof Paul CHU, President of The Hong Kong University of Science and Technology, when I meet him because I think he has the poise of a university president. However, when the university president came here and saw me, he said: "Honourable WONG Yuk-man, please offer help." This is really an insult to refinement, buddy, right?

Losing its function as a barrier and allowing material gains to take command, while the chief education officers of the universities have degenerated into political hanger-ons, under such circumstances, should the system still be sustained? Therefore, I am very thankful to Patrick LAU today though I do not always agree with many of his views. Nonetheless, I have already been thinking about this motion for some time. Buddy, do you allow it not to close down and get the sack? Please take a look; the former chairmen have all come from the commercial sector and all the members studied science or commercial subjects. Did any of them study humanities? No wonder the universities are scrapping some departments, and they no longer have history, philosophy and arts departments; or, these departments will have to charge very high tuition fees; how can they be affordable? To be frank, it is actually too late for us to discuss this system today.

An Honourable Member has asked me today if the amendment proposing the abolition of the UGC was too extreme. What about abolishing it and establishing another one? That must be established through democratic procedures, right? The stakeholders must have the rights to speak, who would inevitably be the teaching staff of universities and students. What is the objective of education? It must be student-based, all other mechanisms and things are but tools and means, only students are the targets. Nurturing talents, imparting knowledge while at the same time building up moral quality, promoting civil society development and social progress; all these are dependent on higher education, right? All means serve this end. If these means and mechanisms are unfeasible or problematic, they should be removed like tumours. Hence, I advocate the abolition of the UGC and the establishment of another independent mechanism. That is to say, apart from funding, we should defend academic freedom and university autonomy so that university teaching staff will regard lecturing or serving in universities as professions to be pursued with lofty aspirations (志業), not just jobs.

This is how I often think, and that is why I worked in private tertiary institutions as a poor teacher for more than 10 years. I gladly endured the hardship because I considered it a profession to be pursued with lofty aspirations. As our teachers of the former generation taught us, regardless of whether we were reporters or lecturers, we should have the poise of education workers, that is, "wealth and power cannot corrupt them, poverty cannot sway their principles and threats cannot make them bend". Yet, nowadays, this fund allocation system, that is, the university funding system, makes it impossible for lecturers to maintain their independent moral quality. People frequently blame us for teaching students the wrong things, which drove me mad. I hope they would come up with a new term. Buddy, have we taught the students the wrong things? The students are taught by them, by family members and schools, not by us. Some have said: "Yuk-man, how are we going to teach students when you behave like this?" It would even be better if you do not teach them. So, just tell me, under such a system, how painful it would really be for those university lecturers who cannot achieve their aspirations.

I support all the amendments proposed by other Honourable Members. I only oppose one point in the amendment of my senior, Mr Paul CHAN which says: "establishing a Fifth Matching Grant Scheme, continuing to encourage universities to raise funds from the community and their alumni, strengthening the link between universities and the community". The UGC opined that its one and major meritorious achievement is the matching grant, but this has eventually

given rise to the disparity between the rich and the poor. The rich have become richer while the poor have become poorer. See how painstakingly the Lingnan University has worked for this so-called matching cap of \$45 million, buddy, but it has got the least amount of money. What kind of a system is that, buddy? The system has taken the lead in creating disparity between the rich and the poor among institutions. Thus, I am going to vote against the amendment of Mr Paul CHAN. The three of us from the League of Social Democrats have already decided to vote against it. We support other amendments and the original motion. Thank you, Deputy President.

MRS REGINA IP (in Cantonese): I am very grateful to Prof Patrick LAU for proposing this motion, for it allows us to debate the development of university education which is an important topic. Of course, I am no match for Prof Patrick LAU and Mr WONG Yuk-man because they have experience in teaching tertiary institutions ranging from 10 or more years to 30 years. Actually, I have also worked as a teaching assistant before but I was only teaching Cantonese and Putonghua to Americans in a university in the United States, for example, teaching them how to say "I like noodles with beef", (*Laughter*) and I cannot be compared to Prof LAU and Mr WONG. However, throughout the 50 years of my life — excuse me, actually almost 60 years — nine years were spent on university studies, and I studied in four universities in the United Kingdom, the United States and Asia. That is why I also have strong views on university education.

Before our debate, I was lucky to secure chances to talk to some UGC members, consequently, I would like to make a few points which are about the functions of universities. Concerning the functions of universities, besides the very obvious function of providing higher education and teaching students properly, a very important function of universities is the creation of knowledge. Humanities and science subjects alike are dependent on the sustained independence of universities. With the expertise of academics, university researches produce knowledge that is very important to the future development of the human race; such may not be immediately needed but universities should play a pioneer role. For instance, when we wake up, we may not need to worry about whether the earth would be hit by an asteroid. But we need scientists to research on the origins of the earth and the human race; if the earth is really hit by an asteroid, how are we going to find another planet to live on, or how should we rebuild our planet? Or, when the global warming phenomenon continues, how should we respond to it and how should we handle it? All these things have to

be studied by university academics who need to isolate from society and maintain their independence when they engage in researches that they considered necessary.

Apart from science subjects, the humanities subjects are very important. We should constantly update our perspectives on history, culture and civilization so that we can do much better in terms of holistic education. Thus, I strongly support the opinion of Mr WONG Yuk-man. Owing to resources issues or purely from a commercial angle, our universities have overlooked the basic Arts and Science subjects. Very few students would take these subjects; the University of Hong Kong no longer has a history department, instead it only has a history group, which is a great pity. In fact, none of the first-rate universities would overlook the basic Arts and Science subjects. That is the reason for me to propose my amendment.

On the other hand, I have talked to some UGC members and they also agree that, first, the UGC today is not only responsible for fund allocation, for discussions have also been made about university development and the division of labour among universities. Therefore, one of its members told me that the UGC should be renamed as the UDC, that is, the University Development Committee, whereas Mr CHEUNG Man-kwong and Mr WONG Yuk-man think that it should be renamed as "Under Democracy Control". Nevertheless, those who have worked on the development of universities know that the division of labour among universities is essential. Taking the United States as an example, some universities, for example, the Stanford University has taken an aggressive approach; it industrialized the fruits of its scientific research and regarded this function as its mission. Hence, the Stanford University has made great contributions towards the creation of the Silicon Valley.

Furthermore, some universities, for example, the Princeton University does not have specialized programmes; it does not have specialized programmes in medicine, law or commerce. Its mission is to provide good education for undergraduates; it practices small-class teaching and attaches great importance to basic attainment in Arts and Science subjects. As a matter of fact, the universities in Hong Kong also have a similar division of labour. Only a few of our universities offer comprehensive education and possess the competence in scientific research. About The Hong Kong Polytechnic University (PolyU) and the City University of Hong Kong (CityU), I do not mean to offend them; since they were previously polytechnics, they have organized courses sensibly. In fact, the PolyU and the CityU are very successful and they lay particular

emphasis on vocational and technical training. From the Education Bureau's reply to Mr TAM Yiu-chung's question, we know that the PolyU will provide honours degree courses on animal care; these are practical courses which meet the need for animal care in Hong Kong.

Of course, we also have The Hong Kong University of Science and Technology (HKUST); Prof Paul CHU, President of the HKUST, has wanted to establish the Institute for Advanced Study, hoping that it will dovetail with the world in respect of the most advanced scientific researches. I very much agree with him on this point. What I do not agree is that universities emphasize too much on profit making. Many universities would organize continuing education courses which are the most profitable. When we discuss the levy for foreign domestic helper, some Honourable Members said that some universities which are supreme institutes of education also offered retraining courses since organizing continuing education and retraining courses could bring profits.

In addition, many universities would like to become education hubs. Actually, the universities in the United Kingdom and the United States seldom refer to themselves as education hubs, and they are just practicing the division of labour. If the education institutions wish to admit more mainland or international students so as to enhance the synergy effect and broaden students' perspectives, I would very much agree with this. Two weeks ago, I visited the engineering department of The Chinese University of Hong Kong and the Vice-Chancellor told me that Hong Kong students were under immense pressure because mainland students were smart and diligent. At sight, the names of many award-winning students would indicate that they are from the Mainland. If absorbing these talents would enhance competition and stimulate local students to make greater efforts to attain higher standards, I would totally agree with it. Yet, our most important target should not be nurturing talents from the Pearl River Delta (PRD). That is why I have doubts about the amendment proposed by Ms Starry LEE. I believe that may not be her original intention, and her original intention should have been to enhance the synergy effect instead of using the resources of Hong Kong taxpayers to build some universities or institutions specially for the training of talents from the PRD on the Mainland. I trust that we will go against the objectives of our education and will have done a disservice to our taxpayers that way.

In connection with an oral question a while ago, someone deployed by a university president has asked if I supported the establishment of a department of

veterinary medicine in the CityU. I oppose it because there is no agriculture or agricultural policy in Hong Kong. Considering the labour force in Hong Kong, I fail to see how many university graduates would be interested in organizing farms in Gaoming or Sanshui on the Mainland. I have a girlfriend in the United States who is a beauty and a graduate from the College of Veterinary Medicine at Cornell University. It is a large-scale, world-class college of veterinary medicine of very high standard. The students are required to complete Physics and Chemistry subjects before taking the relevant courses which would last for several years, just like medical doctors. This lady told me that she regretted taking a veterinary course because she could not dress up in beautiful clothes after the completion of her studies and she would only wear a white gown everyday working as a veterinary. In the United States, she has to attend to the delivery, breeding and breed improvement of animals in horse farms and cattle farms, so she could not find a boyfriend. She has very high academic qualifications and her present boyfriend is a fireman. Though she does not think that a fireman is not a good match, she really finds him not too suitable for her.

In a city like Hong Kong, there is a need for our university students to think twice before taking up the appointment as trainees on the Mainland because it would really be painstaking. If we establish a department of veterinary medicine in Hong Kong, how many Hong Kong students with aspirations of joining the agricultural industry on the Mainland would we be able to nurture? If we establish a department, be it veterinary medicine or another kind of department, the ultimate objective would merely be nurturing PRD students, and I think this will go against the objective of our university development. On the contrary, if we are going to build an institute for films or an institute for design and arts on the valuable land in Hong Kong in the future — in Lok Ma Chau or New Territories North — to intensify cultural exchanges between Hong Kong and the Mainland, to create new brands or new culture, as well as to intensify economic, academic and cultural exchanges, I will find it very agreeable.

Lastly, what I am going to say is that, I do not favour the full democratization of the development of the universities or of its funding bodies because we do not want this committee to become a venue for different interest groups to lobby for their interests. I think this committee must sufficiently maintain its independence and be forward looking, and has long-term plans for our social and cognitive development.

I so submit. Thank you, Deputy President.

DEPUTY PRESIDENT (in Cantonese): Ms Starry LEE, do you wish to clarify what you just said?

MS STARRY LEE (in Cantonese): Yes, that is right, because Mrs Regina IP has referred to what I have said. I wish to clarify that I have proposed the amendment mainly because I think that various institutions in Hong Kong should co-ordinate with the development of the PRD when determining their positioning jointly, and this is not using the education resources of Hong Kong for the training of mainland undergraduates. Thank you, Deputy President.

DR PAN PEY-CHYOU (in Cantonese): Before starting my speech, I would like to declare interest first. I am a Clinical Associate Professor (Honorary) in the Department of Psychiatry of The Chinese University of Hong Kong (CUHK).

I have the opportunity to listen to the remarkable speeches of many colleagues just now and I am deeply benefitted. As the mover of the last amendment, I think one advantage I gain is that I can listen to other movers' speeches.

In the course of thinking about the role of the University Grants Committee (UGC), an image came to my mind: I find that the composition of the UGC truly reflects the characteristics of an organization set up by a British-ruled Government. It keeps a low profile. As many colleagues said, it is a non-statutory organization without any executive power, but its powers are enormous. This reminds people of the Prime Minister's Office at 10 Downing Street in the United Kingdom.

Many people who have been to London have also visited that place. The Prime Minister's Office at 10 Downing Street is just like an ordinary house. From outside, it has neighbouring houses numbered 9 and 11. However, people who know the truth say that other than those at 10 Downing Street, no one actually lives on that street. Besides, there are large cellars and tunnels underground. Superficially, it is a very plain and simple organization, but it actually carries important functions.

I will not go into detail about the functions of the UGC, as it indeed is playing the role as a bridge in co-ordinating various tertiary institutions, taking care of their development, funding and research work. Its main duty is to give

advice to the Government. But as we all know, its advice to the Government actually carries considerable weight.

To acquire an understanding on the importance of the UGC, I would like to draw an analogy. I want to tell Members that he who acts as a gardener is responsible for taking care of the garden. I have such kind of experience as I have served as an amateur gardener for many years. In the garden, we see various kinds of flowers, plants and trees, and each one of them has its specific needs: sunlight, water, fertilizers. And the fully grown flowers and plants will have their characteristic shapes and patterns. A good gardener is industrious. He will apply fertilizers, irrigate and trim the plants. He has two purposes in mind. First, he has to be accountable and responsible to each and every plant. He has to make sure that each plant can be healthily grown and can present their most beautiful form. Second, he has to be accountable to the entire garden. In his mind, there is a blue-print. He has to make sure that the flowers, plants and trees would reflect nicely on one another so that the garden looks prettier. If he is a good gardener, we will be able to see a very nicely trimmed and cultivated garden with reds and greens, with plants in gradational colours.

I think this analogy can appropriately apply to the role of the UGC, as our universities are in fact mostly funded by public resources. Actually, public resources are limited. Our tax revenue and tax rate are very low. How can we fully utilize public resources so that the universities in Hong Kong can be better developed? This is actually a very difficult role. A moment ago, we could hear different arguments from many colleagues. And we also know that tertiary institutions have many grievances. After all, it is not easy to take the role as master.

On the one hand, the UGC has to promote the development of each university according to its own characteristics, so that it can develop healthily. On the other hand, the UGC also has to consider that for university education in Hong Kong as a whole, there has to be reasonable division of labour. Any unnecessary overlapping of roles should be avoided. Only in this way can the universities in Hong Kong sustain deeper and greater development in various academic areas.

Although the role of the UGC has aroused many controversies, I think that over the years, it can, by and large, play its role and discharge its duties, and has more or less safeguarded academic freedom — even though not fully, it has safeguarded a part. However, we have to look ahead. Since reunification with the Motherland, Hong Kong is no longer a colony. We are now one of the most

advanced cities of our country. In such an advanced city, universities naturally have to take up a more important role. Then, we have to see how the UGC can play this role.

First of all, let us look if there are any inadequacies in the existing tertiary or university education, and I think there are four. The first inadequacy is funding too stringent. Since the funding of most tertiary institutions is from the Government, this single source will constrain the resources of universities. As a result, the universities in Hong Kong are unable to attract certain internationally renowned scholars to teach in Hong Kong by offering them very high salaries, and this also hinders the universities in Hong Kong from climbing up the echelon to be the first-class universities in the world. Similar problems also occur in other countries, and the United Kingdom is one such example. Over the past few years, this issue has been under heated debate in the United Kingdom, as a lot of its scholars have crossed the Atlantic Ocean to teach and settle down in the United States at the other end. Why is that so? It is because there are a lot of private universities in the United States. Apart from having many endowment or development funds, some universities even set up enterprises. Therefore, these universities are financially very sound, and can thus employ the best scholars.

The second inadequacy is academic imbalance. It is undeniable that the universities in Hong Kong are presently inclined to professional sectors, especially medicine, engineering, law and so on. Much importance has been attached to business studies but subjects like humanities, art and literature are weighed down, and even pure science is also neglected. What is the consequence? Our students, as a result, are very narrow-visioned, they are inadequate insofar as knowledge and qualities are concerned, are very pragmatic but low in creativity. Their language ability has also been very much criticized.

The third inadequacy is there is not enough room for the development of the universities. As many colleagues just pointed out, the UGC has been too restrictive in the development of universities, thus affecting the academic freedom of universities. There is no need for me to elaborate on this aspect. One very good example is the hindrance suffered from the Hong Kong Institute of Education (HKIEd) which applied for upgrading to the status of a university, as mentioned by Members earlier. The other example is: Why does Hong Kong only allow for two comprehensive universities? Why are the other universities not taking a bigger role? I think it is necessary to conduct a more in-depth discussion.

The fourth inadequacy is the uneven distribution of academic research funding. Taking the distribution of research grants for 2007-2008 as an example, we can see that universities of the first strata, namely The CUHK, the University of Hong Kong and The Hong Kong University of Science and Technology, could respectively obtain over or nearly \$100 million of research grants. For the City University of Hong Kong, the Hong Kong Baptist University and The Hong Kong Polytechnic University, they could respectively obtain about a few ten million dollars or even below this amount. The Lingnan University could only get \$2 million. What about the HKIEd? It could get nothing. All these figures amount to a mere \$400 million. Therefore, as far as research subsidy in Hong Kong is concerned, it is both limited and unevenly distributed.

Under such circumstances, we suggest that the functions of the UGC should be strengthened and improvements are needed. First of all, the number of members should be increased and the community base should be broadened. We suggest that its members should come from different sectors, for example, the labour sector, as this sector is concerned about issues like manpower, development of human resources and employment. We also suggest including members from the cultural sector, artists and literati, so as to widen the spectrum of the UGC. We also suggest the inclusion of student representatives. Because students are the users, and they can take up a bridging role within the Committee between the UGC and students outside the Committee.

Besides, we also suggest enhancing the functions of the UGC so that it can assist universities in exploring new resources and in developing a pluralistic mode of funding. We think that the UGC can propel the society forward and to encourage subsidizing universities (*The buzzer sounded*)

DEPUTY PRESIDENT (in Cantonese): Your speaking time is up.

DR PAN PEY-CHYOU (in Cantonese): to become a fashion. Thank you, Deputy President.

SECRETARY FOR EDUCATION (in Cantonese): Deputy President, first of all, I thank Members for their concern about tertiary education.

I believe Members agree that tertiary education is crucial to the long-term development of Hong Kong. The Government injects over \$11 billion of recurrent funding into various tertiary institutions every year. Moreover, we also provide other one-off grants, including the \$18 billion allocated for the Research Endowment Fund this year and other grants for the expenses of several works projects. The percentage of students taking publicly-funded places for undergraduate programmes has increased from about 2.2% of the corresponding age group in the early 1980s to about 20% now. While the quantity of publicly-funded places has been substantially increased, the teaching and research quality of various tertiary institutions has also made a big stride forward. And the University Grants Committee (UGC) has played a very crucial role in the process.

Established in 1965, the UGC provides independent, impartial and professional advice to the Government in respect of funding and development of local tertiary education. More specifically, the principal responsibilities of UGC include distributing places and recurrent grants to tertiary institutions in accordance with their academic development proposals submitted, and providing advice on publicly-funded works projects to assist their academic and overall development. In addition, the UGC monitors whether grants allocated to publicly-funded institutions are well spent, so as to ensure that the academic standards of these institutions are maintained at a desirable level, and it also tenders proposals to the Government concerning future strategic development of the tertiary education sector.

(THE PRESIDENT resumed the Chair)

The UGC is the bridge between tertiary institutions, society and the Government. The Government is charged with the duty to formulate education policy and provide resources to support tertiary education development. The UGC on the one hand has to secure resources for tertiary institutions and implement policies, and on the other, it has to probe the needs of the entire society and reflect them to the institution. In order to discharge these duties, the UGC must establish sound communication channels with the Government and the institutions so as to offer advice to and solicit views from them. As an intermediary between the institutions and the Government, the UGC acts as an important buffer to protect academic freedom and institutional autonomy, while ensuring that the institutions are held socially responsible and that public money

is well spent because their right of operation and funding received are granted by society.

In discharging its duties, the UGC has to exercise wholesome judgment to balance views among different stakeholders. To this end, the UGC must rely on the professional judgment of its members. Members of the UGC include distinguished overseas and local scholars and tertiary educationists as well as outstanding community leaders in Hong Kong, who are invited to join the UGC to provide independent views because of their personal capacity.

All along, the UGC has played its crucial role competently. The academic and research development of Hong Kong's tertiary institutions in recent years are well noted by all. For instance, in 2008, three Hong Kong universities were ranked among the top 50 universities in the World University Rankings by the Times Higher Education Supplement; and several business management programmes also score high in different rankings. While the efforts of these institutions and their members play a part in attaining these achievements, the contribution of UGC is also indispensable. In fact, in the absence of the UGC acting as the bridge between the institutions and the Government, the Government will have to perform its functions. For instance, the Government shall have to directly allocate resources for tertiary institutions, scrutinize their research proposals and implement quality assurance, and so on. In other words, the Government will substantially increase its direct control on tertiary institutions. We do not think that this is the road Hong Kong should take. In fact, academic freedom and institutional autonomy are our core values. It is very important that there is a committee independent of the Government to focus on proper management of tertiary education resources and safeguard these core values.

It has been mentioned just now that many places have already abolished their UGCs and thus we should also review the situation in Hong Kong or even establish another organization to replace the UGC. Every place has to tailor a mechanism according to its individual situation, which can meet its needs and goals and reflect its specific policy and executive background. We note that some places (such as the United Kingdom and New Zealand) have established another intermediary university grants institution after abolishing their UGCs under another name, and their background for such abolition was that they needed to strengthen their government's role in planning and monitoring their tertiary education. Here, I wish to further emphasize that insofar as Hong Kong is concerned, we do not think that society wishes us to strengthen control on Hong

Kong's tertiary education, and as a matter of fact, we do not have such an intention.

President, we fully recognize that as society progresses, there is a need for the UGC to progress with the times. While consolidating its strengths, the UGC also has to improve on its weaknesses. We will carefully consider Members' views and ensure that the work of the UGC can meet social expectation while continually safeguarding academic freedom and strengthening the competitiveness of Hong Kong's tertiary education.

Apart from the structure and functions of the UGC, Members have also expounded their views on the overall development of tertiary education. I will respond to these views in details in my speech during the next round.

President, I so submit.

MR LEE CHEUK-YAN (in Cantonese): When I heard Under Secretary Kenneth CHEN singing praises of the UGC on behalf of the Government just now, I knew right away that the UGC should be scrapped, for I can tell that the organ is really "Under Government's Control". Given the fervour of the control, and the determination to allow the control to continue, the Government would certainly continue to heap praises on the UGC. It is most absurd that the Secretary should heap praises on the UGC for its role in defending academic freedom. Members should still recall the occurrence of several sensational incidents involving academic freedom in the territory. With regard to the incident involving Robert CHUNG and the storm over the Hong Kong Institute of Education (HKIEd), has the UGC made any fair comment? I have never seen the UGC defending Hong Kong's academic freedom. On the contrary, it has merely sought to defend the Government's reputation and control, and has never done anything else.

Insofar as the recent storm over the HKIEd is concerned, though we all know that the HKIEd lost the legal battle, the judge made it very clear that there was no problem for senior officials to talk with academics; however, he admitted and pointed out that a "chilling effect" might appear during discussions with senior officials. Regarding academic freedom, what worries us most is the problem of the "chilling effect". I have absolutely no confidence for the UGC if it were tasked with defending academic freedom.

Secondly, concerning the recent launch by the Government of yet another UGC scheme, I have no idea whether or not the UGC has expressed any views on

the scheme, though the former might say that it has nothing to do with the latter. What is this UGC scheme all about? It stands for the University Graduate Cheap Scheme, which is actually a \$4,000 internship scheme. I am wondering whether this \$4,000 internship scheme should be considered as having fallen into the ambit of education. This is why I wish to ask Under Secretary Kenneth CHEN whether this new UGC scheme is part of the Education Bureau's programme and whether it has been discussed by the UGC. The Under Secretary would definitely deny having discussed this scheme on the ground that it was not part of the Education Bureau's programme, but somehow it has been glamorized as an internship scheme. If it is so, it should be considered as having fallen into the ambit of education, and yet it has not been discussed by the UGC — I can say for certain that it is definitely not a brainchild of the UGC because it is actually a very cheap scheme.

As the scheme was not conceived by the UGC, did it express any views when the scheme was conceived by the Government? Has the genuine UGC expressed any views on the University Graduate Cheap Scheme? Definitely not. If the scheme is taken to have fallen into the ambit of education, why did the UGC refrain from uttering a word? If the UGC is not of the opinion that the internship scheme falls into the ambit of education, it should point out that the scheme is not at all beneficial or helpful to education. All of the Government's existing policies are in fact terribly chaotic.

The Government pointed out earlier in the meeting that it has no intention to further tighten its grip on higher education, contrary to the practice of overseas countries where education is directly controlled by the governments. First, the governments of overseas countries are at least elected by the people, which means that the popularly elected government would have to step down at any time should anything go wrong. But this is not the case with Hong Kong. The Hong Kong Government said that it has no intention to further control education because there is simply no need to do so. There is absolutely no need to exercise further control as control is already adequate. I find this remark of the Secretary perfectly correct. President, in my opinion, the role played by the UGC is useless. When it comes to making genuine efforts to protect academic freedom and developing university education in Hong Kong, it is simply controlled by the Government.

Recently, the UGC has been requested to appear before the Legislative Council to tender an explanation, but what it has said was completely futile. I am talking about the establishment of an inter-institutional complaints mechanism

for the relevant teaching staff and students as mentioned by Mr CHEUNG Man-kwong. At the last meeting of the Panel on Education, as described by Mr WONG Yuk-man a while ago, disputes erupted between unions on one side and the Heads of Universities Committee on the other side over whether the complaints mechanism in universities is fair. In the opinion of the unions which represented the teaching staff, the complaints mechanism is simply not fair. When teaching staff feel aggrieved or suppressed, there is nowhere they can go to lodge their complaints. While this is not only an employment issue, this is also an issue concerning academic freedom. As there is no channel for complaints to be lodged, they have requested for the establishment of an inter-institutional complaints mechanism. In spite of this, the UGC continued to talk rubbish, saying it would convey these views to the universities and it had been told by universities that every institution would improve its own complaints mechanism. But the point is that the UGC has the authority for it is responsible for distributing resources. Things will be completely different if it is willing to make a request to the institutions for the setting up of an inter-institutional complaints mechanism. But yet it has failed to make any indication. Obviously, it is because the Government does not want to see the establishment of such a mechanism. As the UGC is controlled by the Government and will act as servant to the Government forever, it will naturally choose not to discuss this issue.

President, there is another incident which I find very offending and beyond my imagination please let me have a look when you draft your speech next time because the remark made by you was really offending. Could you guess which remark I was referring to? It was the one concerning the 2.25% recorded in the last century, that is, the '80s. I was wondering if I had got it wrong. You were telling me that the ratio of university graduates in the '80s was 2.25%, but now it stood at a remarkable rate of 20%. Buddy, I really have to address you as "Buddy", similar to what "Long Hair" did. How could you draw an analogy with the last century when Hong Kong was just a fishing village? Even if all university students, standing at 2.25% in the previous century, ended up becoming veterinary surgeons, and that only one university would suffice, how could you still be talking about the last century? Have I got it wrong? We are now talking about this century. Given the current trend towards a knowledge-based economy, 20% is already too low. Over the past two decades, the number of university places, which is currently standing at 14 500, has remained unchanged. Could changes be made to truly develop Hong Kong into a knowledge-based economy? Despite the fact that this topic had been discussed in this Council for countless times, we were invariably told by Bureau

Directors that it was not opportune for a review to be conducted whenever this topic was brought up. I wonder when could a review be conducted. Would we have to wait until the next century before a review could be conducted? I am very disappointed. Education in Hong Kong is too incredibly backward. Thank you, President.

DR SAMSON TAM (in Cantonese): President, the motion moved by Prof Patrick LAU today is "Comprehensively reviewing the role and functions of the University Grants Committee" and I believe it is absolutely necessary to do so. It is also now opportune time for a review to be conducted because I think that as all of us can see, the Hong Kong economy is undergoing a restructuring and the development of higher education is definitely an important aspect in the grooming of talents for Hong Kong in the future. The subject today has prompted me to explore a deeper issue, namely, the development of education in Hong Kong as a whole. What road should Hong Kong take in developing education? What is the greatest difficulty facing education in Hong Kong at present?

Judging from the wording of the original motion, the ultimate aim of Prof LAU in moving this motion today is to upgrade the quality of learning and research in Hong Kong, including fostering the interface between local universities and top universities in the world, improving the mechanism for approving research funding, providing more university places, developing Hong Kong into the education hub of Asia, and so on. I reckon that although it is important to review the role and functions of the University Grants Committee of Hong Kong (UGC), the Education Bureau, I hope, can also formulate a long-term development strategy.

What sort of development strategy does higher education in Hong Kong need? How should Hong Kong position itself in the region? If we look at the present situation in Hong Kong, it can be seen that although the size of Hong Kong is small, there are eight subsidized education institutions and all universities have their own special characteristics. They have also inherited the Western mode of education, so to some extent, it is possible for them to converge with the universities worldwide, and all these characteristics are absent in the education institutions on the Mainland and in the Pearl River Delta Region. Now that Hong Kong possesses these characteristics, and also with the advantages it gained, what role can it play?

According to the information of the Chinese Ministry of Education, in 2006, there were a total of 1 867 ordinary tertiary institutions on the Mainland and the number of undergraduates of the universities stood at some 3.774 million, whereas the numbers of master of philosophy candidates and doctorate candidates were only 342 000 and 56 000 respectively. In contrast, the advantage gained by Hong Kong is that it can attract talents to enrol into postgraduate programmes in Hong Kong as the number of doctorate places of philosophy on the Mainland is inadequate.

In recent years, we can also see that local universities have indeed attracted quite a large number of mainland students to take their postgraduate programmes here and on account of this, local students have even acquired the feeling that they have been deprived of these places. However, with regard to the number of postgraduate students, the number of overseas postgraduate students in proportion to the total is still a far cry from that of top universities in the world. This means that the graduate schools of local universities still have a long way to go on the road to internationalization.

President, in fact, we all believe that in order to do something well, determination is indispensable. Taking The Hong Kong University of Science and Technology (HKUST) as an example, it can be said that it is a marvel. Although it has been established just for a short span of 20 years, it has already made very outstanding achievements. In particular, its Master of Business Administration (Executive) (EMBA) programme has often been rated as the top one in global ratings and many students from various countries have been attracted to enrol into it. Therefore, I believe that if there is the will to do a good job in this regard, the universities in Hong Kong can be operated satisfactorily. For this reason, the President of the HKUST, Prof Paul CHU, is very confident that the HKUST can provide leadership to the tertiary institutions in Hong Kong in joint development and in establishing a top-notch graduate school in the Asia-Pacific region. I believe that if local universities have such an aspiration, the ball is in the Government's court to show its resolve by committing adequate resources. I believe that local universities are absolutely capable of attracting more students from various countries to Hong Kong. What complementary measures can the SAR Government take in this regard?

The key to whether local tertiary education, in particular, graduate schools, can become a focal educational hub in the region lies in whether our policies can complement such a development and whether the resources are adequate. In order to tie in with the development of a knowledge-based economy, the Government has the responsibility to strive to train various kinds of professionals,

including increasing the proportion of postgraduates to undergraduates. Doing so would broaden the horizon of students and raise their academic qualifications. To take the University of Hong Kong as an example, the proportion of postgraduates to undergraduates is 1 to 3. However, very often, the proportion of postgraduates to undergraduates in some top universities in the world is almost 1 to 1. Obviously, there is a great deal of room for improvement in this regard in the development of local graduate schools. Therefore, I hope the Government can examine this matter seriously and allocate additional resources, so that local universities can offer a greater number of postgraduates places, so as to nurture more quality people to complement the future development of Hong Kong.

Finally, today, a number of Members have proposed some amendments but I wish to respond in particular to the Fifth Matching Grant Scheme proposed by Mr Paul CHAN. Although many members of the business sector say that they are often asked by universities to make donations, I believe that if the business sector can become involved, this will enable universities to secure more resources, so I think it is worthwhile to promote this trend. As regards Ms Starry LEE's proposal to support Hong Kong's universities in co-operating with education institutions in the mainland and collaborate with them in conducting research, I will give my support. Mrs Regina IP proposes that we must examine the promotion of knowledge creation as well as new and high technology, and this is in line with what I have all along advocated. Hence, I hope the Government can give us a positive response and embark on a review of the role and functions of the UGC as soon as possible, as so doing can bring about continuous improvements in tertiary education in Hong Kong.

President, I so submit.

MR LEUNG YIU-CHUNG (in Cantonese): President, just now, a number of Members have joined in one accord to thank Prof Patrick LAU for moving this motion today. In fact, I also thank him sincerely for moving this motion today, as Members can have the chance to hold a discussion. I am not merely following other people's examples in voicing my thanks, rather, I really want to thank him from the bottom of my heart.

What is the main reason for me to say so? Because as the Under Secretary said, the University Grants Committee of Hong Kong (UGC) has by now a history of several decades since its establishment in the last century. Unfortunately, in the past several decades, we have never heard of any intention

on the part of the Government to conduct a review of the structure, role and even functions of the UGC. Ever since the first day I became a Member of the Legislative Council, I have hardly ever heard the Government saying whether or not it is necessary to discuss or change the structure and functions of the UGC. It has not even raised such matters. For this reason, I think it is indeed very good for Prof Patrick LAU to propose this motion, so that we can have the opportunity to discuss these issues. At least, it is possible for us to raise these issues.

Of course, just now, I heard the Under Secretary talking about the functions and role of the UGC and it seems it has never occurred to him that its functions or role has to be changed. However, at least, in our discussion today, having listened to the comments made by various Honourable colleagues just now, I found that most of them have levelled a great deal of criticisms at the UGC. I hope the Under Secretary can listen carefully to our views and on going back, conduct a fundamental review of the UGC having regard to the debate today to see if it is necessary to abolish it, as some Honourable colleagues maintained; and even if it is not to be abolished, it has to be reformed. I consider it necessary to do so.

President, why do I say so? Because as a number of Honourable colleagues have pointed out just now, the greatest problem with the UGC lies in the fact that the professionals are controlled by laymen. This problem is a very serious one and many Honourable colleagues have already pointed this out, so I am not going to discuss this problem any further.

However, on another front, what is even more important is the image of the UGC. Why do I say so? Because it conveys an image of independence. It allocates funds to universities and appears to be very neutral, not subject to any control. However, this is exactly where the problem lies. The Under Secretary has already explained just now that in fact, the UGC has a function or role, that is, it has to bid for funds from the Government. In this light, the problem becomes like this: In allocating funds to universities, it does not use its own money to do so, instead, it has to bid for funds from the Government and then allocate the funds. This is where the greatest problem lies, that is, it has to bid for funds from the Government. That means the Government can either provide the funds or it can refuse to do so. Furthermore, it can give a little more or a little less. This is where the problem lies. As a result, this organization is independent in outlook, but in reality, it is not. On the face of it, it is autonomous, but in reality, it has none.

For this reason, it gives us the impression that it is only a framework that is neither fish nor fowl and one that is crying up wine and selling vinegar, in short, it cannot be defined clearly. This being so, if we take one step backwards, we may as well have Secretary Michael SUEN or the Education Bureau take charge of the fund allocation. Why is it necessary to put up a shielding façade?

Of course, President, in fact, it is not my wish to see the Government allocating funds directly because if that would be the case, the problem of so-called control or influence on the autonomy of the universities will surely occur. For this reason, I support Mr WONG Yuk-man's proposal that there should be an autonomous and independent body. Of course, the members in this body should not be appointed but should be returned through democratic elections, so that they will have accountability. Moreover, the operation of this body must also have transparency, so that its recipients, apart from expressing their opinions, will also have an accountable relationship with it. Otherwise, if the situation will be the same as the present one, I think it would be pointless.

President, in the past, we have discussed these issues with academics over and over again. In fact, it is really miserable to be an academic nowadays. Why are academics so miserable? Because apart from fulfilling their teaching responsibilities and imparting knowledge, academics would find it even more important to publish their own publications. To universities, this is even more important. That means academics must have their own development and conduct their own research.

Unfortunately, it is now very difficult for university lecturers to publish their own publications and conduct their own research. Why? Because they often have to follow the objectives of their universities, and what are the objectives of their universities? Universities have to follow the objectives of the UGC. For this reason, therefore, very often, if they want to conduct research, for example, to study subjects that are not regarded as important internationally, such as the ecology of a specific area, the problems of a local community or a social problem, these universities would tell them not to conduct such studies because doing so has not effect and does not serve the purpose of raising the status of a university. In the future, it will not be possible to obtain funds, so no research should be conducted into such kinds of subject.

Hence, the case has made some scholars feel very frustrated because they cannot give full play to their own strengths by conducting such research. This will really stifle the development of some scholars. In view of this, insofar as

this area is concerned, I think that this situation will really cause hindrance to academic freedom. Therefore, in this regard, I hope this situation will not persist and the development of universities will not be stymied.

In addition, just now, many Honourable colleagues have raised another issue which I also wish to lobby for very much, that is, I hope that universities can seize this opportunity of switching to the "334" academic structure by complementing such a development with an increase in the number of university places, so that more young people can have the opportunity to receive tertiary education. It is only by doing so that we can provide benefits to the future knowledge-based economy of Hong Kong.

When we talk about the development of a knowledge-based economy nowadays, we find that we do not have enough talents. Instead, we have to constantly talk about allowing more professionals and talents to come to Hong Kong. This is such a big disgrace. Since so many universities claim that they are world-class, why are we so short of professionals and talents and have to import talents through the relevant schemes instead? What we should do is to focus our attention on doing a good job in this area. We should no longer rely on others, as I believe this is not right.

President, I so submit.

MR WONG SING-CHI (in Cantonese): President, up to now, the University Grants Committee of Hong Kong (UGC) has a history of 43 years since its establishment. Its main function is to offer advice to the Government on the development and financial needs of higher education in Hong Kong, including making recommendations on the overall student number targets and conducting assessment exercises on the level of funding for research purpose within an institution.

However, since 1998, the UGC has locked the number of first year undergraduate places for tertiary institutions in Hong Kong at 14 500 places each year, which is equivalent to about 18% of the people in the relevant age cohort, without ever making any adjustment in response to the demand for talents with tertiary education qualifications arising from social development and progress ever since. That means taking into account the 1994-1995 academic year, for more than 13 years, the number of publicly-funded places for first-year places for undergraduate programmes has remained unchanged. President, 13 years is not

a short period of time. The overall direction of the social and economic changes in Hong Kong for over a decade has been that of a transition from the mainly labour-intensive economy of the past to a knowledge-based economy and anyone can readily say something like this. The requirements of many jobs have also been raised to that of a first degree level. To many families, it is virtually a basic requirement for their children to complete a university programme.

May I ask if the UGC and the Government, in refusing to review and adjust the student number target for subsidized first-year university places for more than a decade, have failed to keep up with the times? As Ms Emily LAU says, "This is really over the top!" As the saying goes, without making progress means one is lagging behind, so how should the training of human resources in Hong Kong possibly remain unaffected? Human resources are very important to Hong Kong. To lock the number of first-year subsidized undergraduate places at 14 500 is really very frustrating to Hong Kong people!

If we look around at other developed regions in Asia, according to the information of the Ministry of Education of Singapore, in 2007, the university cohort participation rate of the relevant age cohort admitted to publicly-funded universities was about 23.5% and the gross enrolment ratio in the Mainland in 2007 was also as high as 23%. That means in that year, among people aged between 18 and 22, 23% of them were receiving tertiary education nationwide. According to the information published by the Organization for Economic Cooperation and Development, the net entry rate of Australia in 2005 was 82% and the proportion of people of a synthetic age cohort who entered the tertiary level of education was more than 80%. In comparison, if we look at the present state of economic development and needs of Hong Kong, would Members think that the student number target of 18% for subsidized university places is too low? I hope the Secretary will re-examine this issue thoroughly.

The Democratic Party has always demanded that the UGC review this target of 18% or 14 500 places, so as to enable more young people of the relevant age cohort to obtain the opportunity to receive university education, thereby raising their education standard, in addition to acquiring the right interpersonal skills and sense of values in life through a rich and diverse university education experience, in order to benefit from a whole-man education and better equip themselves before working in society or conducting further research, thereby contributing to society in various domains.

The Democratic Party has also repeatedly urged that when the Government examines the abolition or otherwise of the UGC, it should raise the ceiling of first-year subsidized university places without delay, as well as increasing the numbers of second-year and third-year subsidized university places, so as to enable more young people who meet university entry requirements or who have completed their sub-degree programmes with satisfactory academic results to be admitted into universities, so that talents for Hong Kong can be nurtured and the drain of talents from Hong Kong avoided.

Another important function of the UGC is to allocate \$600 million in research funding each year to various tertiary institutions for the purpose of carrying out research projects. In the future, the allocation of funds to various tertiary institutions will be made through the "Research Endowment Fund" established at the end of last year.

In 2007, the Panel on Education of the Legislative Council invited the public to raise their concerns on the subject of academic freedom and institutional autonomy. Some members of the public pointed out that the grants of the UGC included a performance and role related element, which was closely related to the performance of a role by an institution as delineated by the UGC. This element was increased from 2% of the grants to 10% and such a funding arrangement became a penalty measure that enabled the UGC to steer the development of universities.

For example, an application to the Quality Education Fund for funding for a project in which Dr Anita POON Yuk-kang of the Hong Kong Baptist University served as an adviser was rejected because of her critical comments on school-based management published in the press. Members can refer to the minutes of the meeting at that time for the details.

A view was also expressed in the same meeting that under the Research Assessment Exercise conducted by UGC, research projects undertaken by institutions were assessed on the basis of commercial, economic and social science criteria. The mission of some institutions, such as that of the Hong Kong Institute of Education (HKIEd), was at variance with such criteria. This had made it difficult for HKIEd to bid for research grants. For the purpose of enhancing the chance of publication of research in international journals and of applications for grants, the subjects of research often focused on international

issues rather than local issues. Such phenomenon had affected academic freedom and was detrimental to the research development of universities. Criticisms such as emphasis on quantity rather than quality of research work within institutions and the absence of an appeal mechanism over grants and funding were also voiced. All these can be found in the minutes of the meeting concerned.

Early last year, the UGC established a working group to review the mechanism for approving research funding, which had been in use for many years, with a view to improving the existing mechanism for the allocation of funds. The Democratic Party urges the UGC to study carefully the criticisms about the research funding allocation mechanism of the UGC voiced by the public and make recommendations on improvement measures as soon as possible, including the abolition of the vetting mechanism that emphasizes quantity rather than quality, so that more quality research projects suited to local development can be conducted, and so that it can also be ensured that academic freedom will not be hindered.

I so submit.

MR TOMMY CHEUNG (in Cantonese): President, universities are the talent banks of society and also one of the driving forces of social progress, innovation and industrial development. The Liberal Party believes that it is necessary for tertiary education institutions to have autonomy in order for them to enjoy academic freedom and give full play to their strengths.

However, the funding for universities in Hong Kong mainly comes from the funds allocated by the Government. If no appropriate intermediary body is established to serve as a buffer between universities and the Government, it will be difficult to uphold the autonomy of these subsidized education institutions. The Liberal Party holds that the University Grants Committee of Hong Kong (UGC) can precisely play the role of a neutral intermediary between the Government and the universities, such that a balance between autonomy for universities and social expectations is maintained. However, in view of the constant changes in the international situation, social expectations and even in the needs of education institutions, the Liberal Party holds that it is now opportune time for a comprehensive review to be conducted on the composition, ambit, role

and status of the UGC, so that this "intermediary" can play its role better and perform a more positive facilitating function.

President, the original motion requests that when reviewing the role and functions of the UGC, particular attention should be paid to how the switch to the "334" academic structure can be complemented, how the mechanism for approving research funding can be improved, how the number of subsidized undergraduate places be increased and the participation of education institutions in the development and construction of campuses be promoted. The Liberal Party hopes that when conducting a review, the authorities will make reference to all these demands. In the following, I will focus on talking about the views of the Liberal Party in such areas as research funding, the number of university places and the recurrent expenses for universities.

The Liberal Party holds that the research undertaken by education institutions is in fact closely related to the development of the business sector, various industries and the economy because if universities do a good job in research, this will be conducive to propelling Hong Kong towards a knowledge-based economy. As pointed out in the Director of Audit's Report No. 41 of October, 2003, many of the research projects and output had "much relevance" to commerce and industry. However, only a very small number of the members in the 12 research assessment panels responsible for approving research funding under the UGC represent the "users", that is, the business sector. I suggest that the UGC broaden the user representation in the relevant assessment panels, in order to include more representatives from the business sector.

It is a pity that despite the passage of five years, this situation has not changed. In 2007-2008, all 136 members in the four specialist subject panels under the Research Grants Councils responsible for approving research funding allocations came from the academic sector and there was not a single representative from the business sector.

Hence, the Liberal Party hopes that when the authorities review the composition of the UGC, in particular, when appointing members of the assessment panels responsible for approving fund allocation, they can allow more representatives of the "users" to participate in the panels, so as to enable the fund allocation mechanism, in particular, the funding of scientific research, to cater more closely to the actual needs of the economy.

On the number of university places and funding, of course, the Liberal Party hopes that the Government can commit more resources. However, the reality is that ultimately, public funds are limited. For this reason, we have all along proposed that the Government adopt a two-pronged approach by simultaneously increasing the number of subsidized university places appropriately while at the same time vigorously encourage the investment of private funds in tertiary education through such measures as encouraging more private donations and promoting the development of private universities, so that more resources can be sought for universities on the one hand and adequate opportunities for further studies can be provided to people aspiring to studying in universities on the other.

In fact, since the Shue Yan University succeeded in being upgraded to the status of a university in 2006, many education organizations are actively making preparations to establish private universities. The Hong Kong Community College under The Hong Kong Polytechnic University has also said that it will strive to be upgraded to a private university. The 27-year-old Hang Seng School of Commerce, which frequently produced students scoring top grades in the Advanced Level Examination, also plans to formally transform itself into a private university in 2012. The results of the Fourth Matching Grant Scheme published yesterday are even more encouraging. In the midst of the financial tsunami, the 10 education institutions bucked the economic trend by raising a record \$2.1 billion. Together with the nearly \$1 billion in matching grant provided by the Government, they would have received a total of \$3.1 billion.

Since various parties have plans to develop private degree programmes and no effort has been spared in making donations to universities, it is really necessary for the authorities to expand the ambit of the UGC by commissioning it to conduct a study on the development of private universities in Hong Kong and the raising of private donations, and to make policy recommendations to the Government, so as to assist in the planning of more private universities and collecting private donations in Hong Kong. Such a measure will enable private universities to contribute towards promoting Hong Kong as an education hub in Asia, thereby enhancing the quality of human resources in Hong Kong.

President, concerning the amendments, as I said just now, the Liberal Party supports the Government's measures to encourage private investments in higher education. For this reason, we will support the amendment proposed by Mr Paul CHAN, which requests the authorities to establish a Fifth Matching Grant Scheme. We will also support a similar amendment proposed by Dr PAN

Pey-chyou. We also hope that the authorities can turn this greatly popular scheme into a standing arrangement.

In addition, the Liberal Party also supports the supplementary amendments proposed by Ms Starry LEE, Mrs Regina IP and Miss Tanya CHAN to the original motion.

Although the Liberal Party agrees that there is scope for the UGC to conduct a review and make improvements, we do not think that any major problem in the operation of the UGC has arisen, so much so that the issue of its abolition or otherwise has to be broached. For this reason, the Liberal Party does not support the amendment proposed by Mr WONG Yuk-man. As regards Mr CHEUNG Man-kwong's amendment, the Liberal Party supports scrapping the provision ceiling of 14 500 first-year undergraduate places each year. However, President, we have reservation about items (e) and (f) in his amendment.

President, I so submit.

DR PRISCILLA LEUNG (in Cantonese): The motion today mentioned how to review the role of the UGC in the education system in Hong Kong. I find it very regrettable as we cannot see any person-in-charge of the UGC listening to our views on the public gallery today.

I have dealt with various committees under the UGC since 1995. First of all, I would like to declare that I have been teaching at the School of Law in the City University of Hong Kong for 18 years. Thus, I have a thorough understanding of how funding is approved by the UGC and what grievances the teaching staff have. I have longed for an opportunity to move a motion in the Legislative Council, so that I can change my role as a victim to someone who can help the victims. Today, I eventually have a chance to discuss the role of the UGC in the capacity of a Member of the Legislative Council. Another kind of feeling swells in me.

President, education forms the foundation of a country, and lives only can influence lives. As we always say, "It will take ten years to grow a tree and a hundred years to educate a man". Mr Tommy CHEUNG has mentioned just now that the membership of the UGC is lacking in representation from the commercial sector. However, after checking the record, I found that Ms Laura CHA is in fact an outstanding personnel from the commercial sector. Why do

members of the education sector have great grievances whenever we talk about the UGC?

After sending out an email last Wednesday, I have received a lot of emails and sarcastic slogans, which thus filled up my mailbox. These emails are not just coming from a certain level of the teaching staff, but from all teaching staff who belong to different institutions and levels, ranging from the management to the front line, and even Members from different political parties. Today, after listening to the opinions collected by them, we find that their observation is, in fact, the same. Why is it so? Why has the UGC, which is supposed to act as a firewall, become an unwelcomed institution today? I earnestly hope that the Government can open its ears and listen to our heartfelt wishes today.

As the old saying goes, "Even when the tree desires to stand still, the wind does not stop". I remember that since 1997, we have heard from different universities that we should stop operating those programmes with no market value, including the Department of History, Department of Music and Department of Philosophy. Although the closing down of these departments will not directly affect the programme I am teaching, as I think, basically, the Department of Law has quite a high market value, I am still very upset when I see my colleagues who are teaching in these departments. Education is not running a factory, thus, we should not assess the existence or otherwise of some departments solely on their market value.

Although I have been teaching in a university for 18 years, frankly speaking, I do not quite understand the operation of the UGC. However, two experiences have made this an exception. The first time was that in 1995, I applied for the translation of the Chinese law into English. I had thought over this idea for a long time and it was such a chance that came once in a blue moon. Yet, the UGC refused support on the ground that Chinese affairs were out of its scope of funding. This is the first time. At that time, I wanted to ask if there was any mechanism for appeal.

The second time was that in the year before last, when we proposed to conduct a research on the judicial collaboration among the three places in the Taiwan Strait, in which many researches in Asia were mentioned. These researches are very important in the Asian region now. However, the same answer was given, and it was said that many overseas experts considered this not an aspect which should warrant international concern. What does this reveal? Funding is approved by the UGC which is formed by a group of overseas

academics who neither understand the problems in Hong Kong nor encourage researches — I have even received some facsimile messages which showed that many scholars also found that these people have a very strong pro-foreign tendency, such that they look down upon researchers or fellows in Hong Kong — and after the funding decision is made, there is no mechanism for lodging appeal at all.

Yesterday, I consulted the former President CHEN Kwan-yiu, who has already retired, on the serious problems currently existing in the UGC. He mentioned the Research Grants Council under the UGC, which is responsible for allocating research funds. Some of its members have been in office for more than ten years. Frankly speaking, my colleagues at the university have never imagined that some UGC members can have such a long term of office. One third of them are overseas academics. They all express that they have never taken anything first-class before, so they would find themselves rather high up when they come to Hong Kong. How about the academics in Hong Kong?

However, what makes me even more unhappy is that since Prof Patrick LAU has proposed this motion, I heard that the Vice-Chancellor of The Chinese University of Hong Kong (CUHK) — who is now an Executive Council Member — has sent letters to the management levels of various universities, urging them to support the UGC as being a very good system. We feel outraged about this. We would perhaps feel better if he has not done so. Why has he done this? What message does Vice-Chancellor Lawrence LAU, being an Executive Council Member, want to convey? If those university presidents and the management do not support the UGC, would the relevant institutions have to pay for it? This makes the teaching staff of all the institutions very angry.

This Chart has been given to me by a colleague from The CUHK and some colleagues from The Hong Kong University of Science and Technology (HKUST). They requested me to point out that Vice-Chancellor Arthur LI had made some mismatches at that time and thus earned the nickname of "tsar". In fact, the university staff did not like to describe people with such names. As far as I remember, the nickname of "tsar" was given by the incumbent Vice-Chancellor of the Baptist University to Vice-Chancellor Arthur LI (the then Secretary).

I have received many complaint letters from a number of departments, amongst them the teaching staff from the University of Hong Kong alleged that

no mechanism for appeal was in place; the staff of HKUST pointed out that a dean has infringed others' copyright but could still remain in the post as dean; and the staff of The CUHK complained that the Dean of the Faculty of Law has been guilty of racial discrimination. However, the UGC simply turns a blind eye to all these complaints.

When we are discussing how to review the UGC system, why is the Government so keen to secure our support for the UGC? I only consider that the UGC should conduct a reform, and it is time for it to do so. Good advice may not sound pleasing, but if reform is still not implemented at this time, it will only bring about more grumblings.

PRESIDENT (in Cantonese): Your speaking time is up.

DR PRISCILLA LEUNG (in Cantonese): Thank you, President.

MR IP WAI-MING (in Cantonese): President, when talking about tertiary education, I am a layman, but I still want to express my personal feelings.

What kind of education should tertiary education be? To me, tertiary education is very simple, it is teaching people how to think and learn, as after their graduation and throughout their whole life, it is very important for students to know how to think and learn. Regrettably, very often, we find that tertiary education in Hong Kong has only laid its emphasis on vocational education, consequently, many university students in Hong Kong are severely criticized by the public or employers. In fact, what is wrong with our tertiary education? What has been done by the UGC? We always have such queries in our mind.

We hope that, through discussion, some reforms can be implemented in the system, and we do not hope to hear the Government making up excuses, saying that the UGC system is very good, to the neglect of the opinions put forth by Honourable colleagues today. In fact, we consider that this is an opportunity for the "334" academic structure reform, which would enable us to improve tertiary education by reviewing the existing system as a whole. In our view, changing university programmes from three years to four years is not only a matter of duration of the programmes, but also a chance to give room for teachers and

students of universities to learn better and think more. For example, some universities have advised that in future they will include reading of classics as compulsory courses under the "334" academic structure. In fact, such courses have already been offered by many universities overseas or in the Mainland (such as Boston University and Fu Dan University). Therefore, we hope that in future, universities in Hong Kong will also provide more and more similar kinds of programmes or programmes teaching students how to think.

We hope that, with the opportunity brought about by the "334" academic structure, there will be more exchanges with top universities overseas, so as to further stimulate local teachers and students to come up with some innovative thinking, which will not only improve the programmes offered by universities, but also make more contributions to the economy and social development of Hong Kong. Therefore, we agree to Dr PAN Pey-chyou's amendment, hoping that in the promotion of our teaching, we can have more exchanges with universities overseas, especially those prestigious ones.

As for funding of academic researches, many Honourable Members have pointed out a lot of problems just now. Although I am a layman, I also want to share with you something which I learnt from the mass media. A British journal has ranked a list of universities in the world. Several universities in Hong Kong have also ranked within the top 100. According to such results, our performance should be quite good. However, if we read the findings thoroughly, we will see that our universities are inferior to other universities in a certain aspect. It can be noted from the findings that research results of our universities are seldom quoted by other universities, which shows that the originality and quality of researches conducted in Hong Kong are not satisfactory enough. In this regard, I think both the Education Bureau and the UGC should take this into account.

In the year 2007-2008, 37% of the research plans succeeded in securing funding, but the funds so granted only accounts for 25% of the amount originally applied for, which is around \$0.48 billion only. Of course, those research plans may have been rejected because of their quality. However, from these two sets of figures, we can get the message that in granting funds, the UGC prefers large-scale research plans to small scale ones. I hope the authorities can explain the reasons behind. Is it that they are worried about shouldering the executive responsibilities, as a result of which they dare not grant funds to some innovative plans which bear greater risks of failure?

As for funding, apart from the questions mentioned just now, we feel that the subject is also a matter of concern. We note from the distribution of projects which received subsidies this year that more than half of the projects in engineering and natural science have secured funding, with a successful percentage of 65% and 50% respectively. The percentage of biology and medicine is 30%, but that of humanities, social science and commerce is only 27%. The total number of approved cases in engineering, natural science, biology and medicine is 700, whilst that for humanities, social science and commerce is only 176, forming a ratio of 4 to 1. We reckon that this is due to the fact that in vetting applications for research funds, the Government has put too much emphasis on natural science and applied science but neglected humanities. We hope that the Government can provide us with an explanation on this or pay more attention in this regard.

In fact, we find that both humanities and social science are very important, as they are crucial in enhancing the quality of the Government's governance and that of the public in Hong Kong, as well as influential in creating a good civil society. Is it that the Government considers research results of humanities are very often not applicable, consequently causing it to be reluctant in granting funds for such researches? Many people point out that the quality of people in Hong Kong is not proportionate to its economic development. We believe that this is closely related to the situation mentioned above, for it sparked off a vicious cycle and hindered the development of humanities and social science in Hong Kong. Therefore, we hope that the Government can attach more importance to researches in humanities and social science, and increase funding in this regard, so as to enhance the quality of the public.

President, I so submit.

MR CHEUNG KWOK-CHE (in Cantonese): President, Prof Patrick LAU proposed the motion on "Comprehensively reviewing the role and functions of the University Grants Committee" today and seven Members have proposed their amendments, showing that various political parties and independent Members are very concerned about universities and tertiary education in Hong Kong.

Today, the role and functions of the University Grants Committee (UGC) are to be reviewed. Earlier on, several Honourable Members have covered a lot of profound knowledge and penetrating insight for a thorough analysis of the

UGC, and many examples are also given. I would like to take this opportunity to share and discuss with you from another perspective, that is, the UGC should extend its functions and subsidize the associate degree programmes. Therefore, the Government should likewise allocate more resources to assist the overall development.

In fact, associate degree students are those who have been deserted by tertiary education. The UGC has never considered subsidizing the associate degree programmes. Being self-financed, students have to pay more than \$100,000 to complete their studies.

In 2007-2008 academic year, there are 20 education institutions operating associate degree programmes, offering more than 300 courses. Teachers' qualifications of many programmes are very much varied. Students are very puzzled when enrolling for these programmes, and some may even find that they cannot obtain recognized qualifications after completing such programmes, which result in a waste of money and time for no reason at all. As such, the Government should tighten its regulation against institutions which operate associate degree programmes and provide them with reasonable subsidies, so as to ensure that their graduates are up to standard and be recognized by the Council for Academic Accreditation.

In fact, many associate degree graduates aspire to continue their studies. They enrolled for the associate degree programmes at the outset solely because there are not enough undergraduate places. In 2008-2009 academic year, only 1 927 articulation places in Year Two are offered by the universities, but the number of associate degree graduates is as many as 30 000. How big a chance do they have to pursue their studies?

As a matter of fact, the emergence of the associate degree was due to a statement made by the former Chief Executive TUNG Chee-hwa who advocated that the prevalence rate of tertiary education in Hong Kong should be as high as 60%. Therefore, the Government should have a responsibility towards associate degree students, and should not just leave them alone. In order to enhance the possibility for associate degree graduates to pursue their studies, the Government should allocate more resources for universities to operate articulation programmes for bachelor's degree, so as to remove the cap of providing only 14 500 bachelor's degree places each year.

In fact, today, I make this speech on behalf of associate degree students, as they have no chance to bring up their request in this Council. Today, I would like to express my gratitude to Prof Patrick LAU for giving me this opportunity to voice out their hardships. Although I know that we may not have the chance to conduct a review upon completion of our discussion today, or have the chance to provide subsidies to associate degree students upon completion of such a review, I believe that if the Government does not listen to our views, the responsibility will fall entirely on it.

President, I so submit.

MS CYD HO (in Cantonese): President, the role of the University Grants Committee (UGC) should be an impartial intermediary acting as a buffer to ensure that the provision of higher education is free from political pressures on the one hand, and that the independence and autonomy of the academia is safeguarded on the other hand. Moreover, it should be ensured that public funds have been put into proper use. But as indicated in the report of a review conducted by Lord Sutherland, Vice-Chancellor of the University of Edinburgh (the Report) which was commissioned by the former Education and Manpower Bureau in 2002, this intermediary role has changed.

At that time, the Report was published in response to the former Chief Executive TUNG Chee-hwa's call to increase the rate of admission for school-aged students in post-secondary education to 60%. The Report's recommendations included the increased provision of associate degree places and the creation of community colleges. There was also a possibility for an expansion in the role of the UGC. Paragraph 2.14 of the Report states, "this could be achieved by strengthening (the UGC's) role in strategic planning and policy development, so as to advise and steer the degree awarding sector." President, the word here is "steer". It is very clear from this piece of writing that the UGC would start to interfere with the development of the universities. Put this in the context of what is happening right now, evidently strong views have been expressed by the UGC and the Education Bureau in respect of the division of labour among our universities. We can see that the UGC objects to the proposal concerning the retitling of The Hong Kong Institute of Education (HKIED) as a university and it is against HKIED's proposal to extend its curriculum. This is hindrance to HKIED's development.

Yet, what is more worrying is that the UGC has become a subsidiary of the Education Bureau. Former Secretary for Education and Manpower Dr Arthur LI could order the Secretary-General of the UGC Mr STONE to assist him in the preparation of a paper proposing a merger between HKIEd and The Chinese University of Hong Kong, while government officials have abused their powers and stepped over the line. However, the Secretary-General of the UGC has been shown to be in want of independence for he could be ordered around by government officials. Under such circumstances, how can we have any confidence in the independence of the UGC?

In fact, we should, before looking into the role of the UGC, re-define the core social functions of university education, which is, that university education should provide deeper thinking as well as farther and wider vision to the society and the people. At the same time, it should be ensured that cultural achievements of the human race would be handed down to future generations. Any review of the UGC's role must tie in with these basic objectives of university education. But unfortunately, university education has become more and more commercialized and market-oriented. At present, the UGC's vision is already very very narrow indeed. A case in point relates to the question we raise today about the City University's plan to offer degree programmes in veterinary science. While the UGC is only concerned about the training need of Hong Kong's labour market, no thought has been given to the need across the border, let alone the need for veterinarians nationwide. What about possible co-operation between education institutions of Hong Kong and the Mainland to bring about higher levels of scientific research and development and to upgrade the academic level of veterinary science? No consideration has been given to any of these aspects. The UGC is only concerned about Hong Kong's need for veterinarians, and whether the Agricultural and Fisheries Department has any difficulty in recruiting veterinarians. How can we talk about an international perspective when we do not even have a cross-border perspective? If the UGC's vision is only limited to local labour market needs, how can we have any confidence in the UGC?

Moreover, the UGC has all along failed to perform its role in monitoring the social accountability of higher education institutions, neither can it discharge its role of safeguarding academic freedom. In the past ten years, many higher education institutions have come before the Legislative Council time and time again to complain about matters relating to employment conditions for staff.

The City University and the HKIEd are our usual visitors. The Chinese University of Hong Kong, the University of Hong Kong, the Hong Kong Baptist University and The Hong Kong Polytechnic University have all brought in their own cases. Almost none of the institutions is spared. We at the Legislative Council know clearly that we should not interfere with the independence and autonomy of the universities, but unfortunately their staff have no other means to redress their grievances. Consequently, many intellectuals have no choice but to make use of this venue of open meetings of the Legislative Council to arouse public opinion about their plight and to create social pressure in the hope that the management of the universities would respond with a certain sense of social accountability. Why do the intellectuals choose to come out in public to fight for their employment conditions? It is simply because the UGC has never been able to undertake its role properly and safeguard their rights.

The root of the problem can be traced back to the financial turmoil when the Government had to curtail funding for the universities. The universities then, without any democratic consultation, embarked on a series of measures on retrenchment and wage reductions. Unilateral decisions by the management as such gave rise to a bootlicking culture in the universities. Teaching staff who are not sociable, in particular those who dare to stand up against injustice or dare to retort when confronting the management, would instantly become a target of "the cut".

The UGC has failed to do what it should have done. In the past 10 years, the UGC has made no genuine efforts to establish a fair and impartial mechanism to handle these complaints. Instead, it has let the management of the universities to disguise as white knights of the teaching staff and hide behind the pretext of safeguarding academic freedom in order to circumvent any challenges against their executive powers. In this aspect, the UGC has absolutely been guilty of dereliction of duty.

President, when reviewing the functions and role of the UGC, the Government must ensure that the UGC should, in addition to the creation of knowledge and the perpetuity of our cultural heritage as I have just mentioned, work towards the following objectives in respect of the future development of our university education, taking them as an integral part of its functions. First, to popularize higher education by the provision of more places and keep tuition fees down. Second, to encourage more academic researches on local values. Third,

to set up a fair and impartial inter-institutional redress mechanism independent of individual institutions so as to safeguard academic freedom.

To achieve these objectives, the UGC must never become an appendage to the Executive Authorities. But do we have to part and parcel transplant the same system from England and New Zealand? I would have reservation about this because the governments of these two countries are elected by universal suffrage. Their people can trust their governments in the exercise of delegated authority. But we do not have such a pre-condition in Hong Kong. Therefore, I support the inclusion of certain elements of democratic elections in the new organization to cause it to be socially accountable by virtue of the system it is elected.

The reality is that not only is the UGC being subjected to political pressures. Even Vice-chancellors of the universities have also been recruited into the executive machinery of the Government. As a result, political pressures have been more direct. As university education is the main thrust of promoting social development and progress, we simply have no time to waste for this urgent review.

I support the original motion and all the proposed amendments. Thank you, President.

DR MARGARET NG: President, the University Grants Committee (UGC) was established for a crucial function: to act as a buffer between the Government and the universities, so that academic freedom may be safeguarded from political pressure, while proper accountability is given for the use of public funds.

However, to achieve this purpose, members of the UGC must appreciate their important role. The government officials must act with proper self-restraint. In recent years, the conduct of the UGC has increasingly led Members of this Council to wonder whether, instead of acting as a buffer, the UGC is being used as a conduit of government pressure.

Academics have expressed great concern that government pressure is becoming pervasive and intrusive, against which they have come to feel altogether helpless.

The incident of the Hong Kong Institute of Education a few years ago is a case in which pressure and resistance came to a head. It casts a long shadow. Last week, the Court of First Instance handed down its judgment granting an application for judicial review by the Government against the findings of the Commission of Inquiry (Commission) appointed by the Chief Executive himself to look into the incident. Perhaps wholly unanticipated by the learned Judge, the judgment has been misconstrued and misused by government officials and misunderstood by the press, and is likely to spark off new fears and open old wounds.

It is imperative for us to read and analyse the judgment with great care if mischief is not to be done to academic freedom.

Mr BELOFF, Q C, for the Government has applied for judicial review because, he said, the Commission has laid down a "prohibitive principle against senior government officials complaining or protesting to an academic", and this (I quote) "constitutes a restriction of the senior civil servant's freedom of expression and communication of ideas."(unquote). He said that (I quote) "such a principle would also have a 'chilling effect' on such officials, deterring them from exercising their freedom of expression to academics and, importantly, limiting the range of acceptable dealings between these officials and academics."(unquote) He wants the Court to declare that this was wrong.

As an alternative, he asks the Court to say that the Commission has not laid down any principle for government officials to follow.

First of all, it should be pointed out that the judgment has not questioned, let alone overturned, the findings of the Commission. It would be surprising if it did, since the Commission's findings were findings of fact, having heard the witnesses directly. The Court in fact took great trouble to explain that it does not criticize the Commission's findings.

One of the findings of the Commission, quoted by the learned Judge in the judgment, was that Mrs Fanny LAW's direct approaches to Mr IP, taking into account factual matters specific to those circumstances, (I quote) "amounted to an improper interference of a 'political' nature" (unquote) with Mr IP's right to academic freedom.

The judgment did not seek to overturn or revisit the findings of the Commission, but simply to clarify what the Commission did find. At the concluding part of the judgment, the Court said that (I quote) "to suggest that senior public administrators and academics should never be able to privately engage in robust debate over matters of opinion and policy, the one criticizing the other" (unquote) is just to misunderstand the Commission.

The learned Judge has, moreover, drawn this line between "robust debate" and "interference" (I quote),

"In our judgment, to be interference what is required, on an objective assessment, is that it must be implicit in the whole manner of the approach and its circumstances that it contains a threat of sanction against the institution of which the academic is a faculty member or the academic himself and that it is a threat from a person who is in a position of authority, with the power, actual or ostensible, to bring about the imposition of that sanction." (unquote)

Since the Court did not find the Commission to be wrong in any way, it may be more appropriate for the Court not to grant the Government's application, but just let the judgment "speak for itself".

President, it is unfortunate that the judgment will not result in restoring faith and confidence in mutual trust and respect between the Government and the academia. Dialogue between them is likely to continue to be under a severe "chilling effect" which is mutual.

In these circumstances, the UGC's proper functioning is all the more important. I do not believe that the right thing to do is simply to scrap the UGC. This is likely to result in naked interference and oppression by the Government. The better answer must be a thorough, critical re-examination and review of the UGC.

I so submit.

DR JOSEPH LEE (in Cantonese): The topic under discussion today concerns the work of the University Grants Committee (UGC). I was worried that I could not return in time to say a few words because, first, I teach in the university. But

it is fortunate that I do not teach in an UGC-funded institution. I am not sure whether The Open University of Hong Kong (OUHK) should be termed lucky or otherwise. It is not funded by the UGC. Honestly speaking, the original intention of the UGC is good. I have just had a look at the UGC's website in order to get to know its work, because I am afraid that I may get it wrong, lest that it has actually been making efforts, and it is only that I have forgotten what these efforts are. The policy set down in the brief introduction of the UGC's website is a very good one. Briefly, the policy comprises five objectives — the promotion of the level of the higher education sector in Hong Kong to international standards and the provision of quality manpower training. There are five objectives altogether.

The scope of its work is very wide, including funding, academic development, quality assurance, capital works, research and other projects. But I only want to focus on several points. As a university teacher, I feel that the university in which I teach will say to me, "Joseph LEE, the semester is coming to an end and results will be released shortly. Please take stock of what you have taught, the research projects you have undertaken and the research funding you have received this year." Prof LAU will know, and other Members have also mentioned, that if a university is funded by the UGC, the UGC would also ask for the RAE results. Actually, the RAE is something very good. In the context of the Hospital Authority, "RAE" stands for "Resource Allocation Exercise". But in the case of the UGC, "RAE" means "Research Assessment Exercise", a way of gauging a university teacher's research productivity in the year under assessment. This system attempts to quantify the academic research conducted by university teachers, but it ignores the factor of quality. This has led to heated discussions on whether we should accord priority to quantifying achievements in teaching and academic research, or whether we should ask for quality. In other words, this is a discussion on subjectiveness and objectivity. I am not going to dwell on detailed discussions on this aspect here.

However, the UGC's funding practice of relying on the RAE as a means of assessing the merits and standards of a university's productivity has created very big problems for the universities. For example, my academic discipline is Philosophy and I have made many efforts and great achievements in the field of Philosophy, only that I may not find any "impact factor", that is, publishing papers that can earn very high scores, as there are not too many such kind of publications in this field. In contrast, the field of Architecture is quite different, for the efforts made can be easily quantified in many projects. Some colleagues

would even conduct certain scientific researches, such as the making of robots or other tangible products. Hence, such cases have given rise to unfair situation, and have led to unnecessary competition within our universities. Is the RAE a sound indicator that can fully achieve the UGC's objectives and enable local universities to attain international standards? I have doubts about this, because such has never been reviewed, or perhaps this has not been done satisfactorily.

I notice that all the amendments to the motion today have similar viewpoints, that is, the UGC should review the existing mechanism. Some Members even advocate the abolition of the UGC and ask the Government to take over its work.

Apart from the UGC's current funding practice of using the RAE as a means of assessing a university's performance and determining the allocation of resources, we must still ask whether the resources currently allocated by the UGC can meet the needs of society. With regard to this, I really have a big question in mind. In the case of nursing, for example, it is fortunate that the OUHK, where I teach, does not have to rely on the UGC for funding support. But even so, I have still done something. I once wrote a letter to the UGC — on the psychiatric nursing degree programme offered by the OUHK, which is the only one of its kind in Hong Kong. I told the UGC that there was a demand for such a programme in Hong Kong, so it should consider the possibility of providing the programme with funding. This was of course wishful thinking on my part, and there was actually no chance of receiving the requested funding support. But I still wanted to tell the UGC that there was already an institution in Hong Kong which provided training in psychiatric nursing. The UGC's reply was very simple, revealing that — it did not know anything about our case, and it did not see any need for Hong Kong to provide such funding for the time being. I could not help asking, "Is it saying that Hong Kong does not need any psychiatric nurses?" Very strangely, however, the UGC all of a sudden allocated funding to one of the seven universities under it for the provision of 30 additional psychiatric nursing places this year. This is simply a duplication of efforts, isn't it? What does the UGC take account of when exercising its authority of funding the creation of academic programmes, social demand or its own wishes? I have so far failed to see which one is the case, because there is no transparency at all. Therefore, RAE aside, the UGC is obligated to make the overall mechanism for university funding transparent. This is something it should have done.

Third, the existing mechanism of the UGC is very amazing. Why do I say it is amazing? When it comes to university funding I am sorry that I must once again talk about my profession, the nursing profession, which has been experiencing a rather acute manpower shortage and it is imperative to provide more training places. When it comes to the provision of additional places, the UGC will invariably say, "That's alright. In that case, The Chinese University of Hong Kong can offer 50 more places, and the University of Hong Kong and The Hong Kong Polytechnic University can also each offer 50 places." But it must be noted that there will not be any additional funding. The universities concerned must negotiate among themselves. For instance, it may thus be necessary for the Physiotherapy Department to reduce its number of places by 50 or the Department of Optometry to reduce its places by 20. But the point is, no university would be willing to do so. What happened in the end? Disputes among academic departments arose. Whether or not ultimately there would be additional funding for the various disciplines to increase their places to meet social demand will be quite a separate issue.

Basically, I support the motion and all the amendments. But I think that the UGC should seriously review and examine whether its work over the past 10 years can genuinely provide Hong Kong with any help. First, has it been able to help local university teachers attain international academic standards? Second, can the funding mechanism really help satisfy the demands of different social sectors for university graduates? I hope the UGC can consider these two points seriously. Thank you, President.

MR RONNY TONG (in Cantonese): President, Article 137 of the Basic Law stipulates that "Educational institutions of all kinds may retain their autonomy and enjoy academic freedom". President, what does enjoying academic freedom mean? Today, many Honourable colleagues have aired various views and some Honourable colleagues even think that the UGC should be abolished because it is very dangerous to interfere with academic freedom through financial control.

President, of course, there is the likelihood for a system to be abused no matter how good it is, not to mention a bad one. However, why is a system subject to abuse? This is because often, in some cases, the financial situation or the funds allocation system would give some officials or the Government the chance to interfere with academic freedom in various ways. President, many people may ask what does interference mean. What can be regarded as

interference? Is it intimidation, direction, persuasion or insinuation? President, I think the recent furore at the Hong Kong Institute of Education is an excellent example in the negative sense. Under the pretext of seeking clarification on a legal principle, the Government applied to the Court for a judicial review and after the judicial review, it abused the judgment by using it in private as the excuse or so-called justification to vindicate a former government official. In fact, this action is highly inappropriate in procedure and also veiled the issue relating to the meaning of interference with academic freedom, so much so that it was impossible for the public to discern clearly.

President, first, I will explain the issue of the abuse of legal procedure. Put it simply, generally speaking, a judicial review is for requesting the Court to give its judgment on a serious mistake in procedure or legal principle, instead of allowing some people, including the Government, to seek vindication on a judgment relating to certain facts or even to overturn the judgment on certain facts. Just now, Dr Margaret NG has already explained this very clearly but many Hong Kong people still have difficulty in understanding this. Precisely because of the difficulty in understanding this, the Government was able to exploit it to its advantage by making use of the judgment as the justification to vindicate a former senior official.

President, a judicial review should still less be used by the Government to decide on the so-called matters of principle. I have said just now that a judicial review only deals with procedural issues. Since it is designed to deal with procedural issues, matters of principle should not be covered. As for what can be regarded as matters of principle and interference with academic freedom, President, Hong Kong people could all see these clearly in this furore relating to the HKIEd. I believe everyone has a good idea of whether there was interference with academic freedom or not. No matter how profound or unfathomable the judgment prepared by the judge is, the facts cannot be changed.

President, I think that any attempt to change the thinking of the listener is interference. President, a very good example of this can be found in the Council Chamber yesterday. Mrs KWOK was giving evidence before the Select Committee investigating the matters relating to Mr LEUNG Chin-man. One of the matters arousing concern was that a certain government department had raised a question, in response to which Mrs KWOK wrote a letter to ask, "Everybody has agreed, so in asking this question, are you against it or for it?" Superficially, she could justifiably claim that it was only a question, not an attempt to influence

other people's position. However, to the listener, this would constitute a kind of intangible pressure and the pressure emerged from the fact that all other colleagues thought that there was no problem. In that case, should this department insist, stand up and say that a problem does exist? Had it insisted that there was a problem, it would have to provide sufficient grounds, but was that not inviting trouble? President, the said behaviour would have already interfered with the decisions made by an ordinary person.

If we consider such an example in the context of government funding for university education, it would require no feat of imagination to see that the same remarks can constitute very serious interference. There is no need to say explicitly, "You have got to know what to do. If you oppose the merger, you will have to bear the consequences." This is no need to make it too explicit at all. As Mrs KWOK said last evening, "Everyone has agreed, so why do you oppose it? Can you explain if this is really an objection or purely an expression of opinion?" President, this kind of persuasive remark may appear totally irrelevant. However, if it is made by someone who has the say over funding or has the opportunity to influence and control the financial lifelines, this will constitute a kind of interference.

President, the system of the UGC is not bad *per se*. The question is whether such a system should be in the form of an intermediary and independent body that separates the administration of the Government from the administration of the education sector, so that the issue of funding will not directly affect the goals of the universities in education. Only in this way can genuine academic freedom be defended. President, I hope the SAR Government will ponder this aspect deeply.

MR TAM YIU-CHUNG (in Cantonese): President, the higher education sector in Hong Kong has witnessed very drastic changes over the past 10 years. To begin with, higher education in Hong Kong is no longer elitist. The rate of participation in higher education has risen from 18% of the relevant age groups as set down in the early 1990s to the current 68%. Apart from first degree places, there are also large numbers of associate degree places. Higher education in Hong Kong is now universal, based on a hierarchy of higher education programmes. Second, the various higher education institutions have all been striving incessantly to enhance their research capability, in a bid to compete with their international counterparts. The competition among local institution is very

keen. Third, additional government funding is spent mainly on fundamental education, with the result that institutions of higher education must adapt their internal mechanism continuously to make the best use of available resources. Faced with all these enormous changes, can the University Grants Committee (UGC) serve the desired purpose of helping institutions of higher education in their quest for excellence? This is exactly the issue we want to explore today.

In recent years, the wider community has levelled many criticisms against the UGC. Such views can be grouped under two major levels. The first is about the actual operation of the UGC. It is generally held that the UGC's regulation has been much too tight and strict. The UGC wants to have a say in all matters, internal and external, big and small, related to institutions of higher education. Since the authority of funding is in the hands of the UGC, practically everything is linked with funding considerations and funding amounts. Under this mode of operation, the attitudes and career prospects of academic staff are all shaped by the UGC's various targets and indicators. For example, there is the criticism that under the rules of the game adopted by the UGC over the past decade, emphasis is laid on research rather than teaching. And, the research achievement of a university is assessed in terms of the number of articles that appear in predominantly English-language periodicals, or in terms of the number of times their articles are cited. As a result, the concern of all is just the quantity of published articles. Therefore, the system not only fails to give full play to the potentials of universities and their academic staff, but has also stifled them.

The second level concerns the role played by the UGC. The UGC is concerned only about the running of institutions, ignoring the overall development of the higher education sector in Hong Kong. Many people hold the view that the UGC's failure to play its proper role is closely related to its composition. Roughly one third of the UGC's members are coming from outside Hong Kong, and most of its working groups are chaired by such members. Visiting members from outside Hong Kong practically play a leading role in setting the UGC's direction of work. For this reason, the room for local members to set the agenda of work is constrained to a certain extent. In this way, it is difficult for them to initiate discussions on how they think the overall higher education sector in Hong Kong should develop. On the other hand, although members from outside Hong Kong are distinguished university presidents or academics, it is hard to expect them to take the place of local people in formulating a development direction for the higher education sector in Hong Kong. The result is that the UGC can only remain in the role of managing the

institutions, thus failing to discharge the duty of formulating a direction for the development of local higher education.

At the beginning of today's meeting, I have asked an oral question in which I urged the UGC to actively assist institutions in establishing undergraduate degree programmes in veterinary science, so as to promote the development of Hong Kong into a centre of animal treatment in Asia, one which can contribute to the enhancement of food safety and public health in the region, including the Mainland. My proposal was not supported by Mrs Regina IP, but we still hope that the UGC can proactively explore this matter. We hope that it can examine the overall trend in our neighbouring places, especially the fundamental changes taking place in the Mainland. It must then put forward concrete objectives and proposals for the local higher education sector and formulate a funding policy required for their implementation. But the reality is that the UGC has been concentrating solely on the internal management of institutions. For example, over the past few years, although the UGC has advocated the merging of local institutions as a means of adding to their strength, it has still adhered to the traditional funding mechanism in terms of operation. In the end, therefore, the various institutions have no alternative but to forget all about co-operation, and instead compete against one another. It is thus impossible to materialize the UGC's policy objective. Some institutions have even commented publicly that the UGC is unable to address their pressing concerns. In a word, what institutions expect in their development is one thing, and what the UGC requires is quite another.

Therefore, we should conduct a comprehensive review of the role and functions of the UGC. I believe that this is the consensus in the debate today. I also believe that this is also the undertaking of its new Chairman. In any case, the policy on higher education in Hong Kong should no longer be restricted to the allocation of funding. Emphasis must be placed on how to make strategic and policy options on the basis of available resources. Accordingly, the set-up and composition of the UGC must be altered.

It will take time for us to review the UGC's role and functions and make the required changes. But I think that in the meantime, the Government must adopt all possible means to first increase the number of undergraduate degree places. The Democratic Alliance for the Better and Progress of Hong Kong has actually made several proposals on this issue. The Secretary for Education has admitted that due to the shortage of places, some 5 000 to 6 000 students every

year are unable to enter university despite their being able to fulfil the entrance requirements. This is a great loss of manpower for Hong Kong. Therefore, the efforts of increasing undergraduate degree places should not be hindered by any review of the UGC's role and functions.

I so submit. Thank you, President.

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

MR LEUNG KWOK-HUNG (in Cantonese): President, any review of university education in Hong Kong must depend on how the Government treats university students.

Three days ago, I took part in a parade staged by university students. One of the slogans we chanted was "\$4,000 allowed for U-grads, the SAR Government is insane". The SAR Government has been vowing President, Members all know that right after the reunification, "Uncle TUNG" took it as his priority to improve education in Hong Kong. He appointed a whole bunch of people for the purpose, hoping to change Hong Kong's education system. Ten years have passed, only conventional rules have been followed. And, even Antony LEUNG has disappeared. Antony LEUNG has switched to the business of private equity investment funds, and he has caused the State to lose several billion dollars. He was appointed to reform the education system, but coming from a background of speculation on foreign exchanges, he was extremely arrogant. The only thing that mattered to him was foreign exchange, and profit was the only yardstick he used. Actually, if we disregard the root cause of the problem and simply focus on the tool, we will never get to well understand the whole problem at all. The University Grants Committee (UGC) is just a tool. The Government has taken out an entity, maybe it has simply made use of it to avoid criticisms, or maybe it wants to reform the bureaucracy, but whichever the case may be, the purpose must be having a body of persons to review the education system independently and handle the allocation of funding.

We must find out how the Government perceives education. Mr Tommy CHEUNG said something very interesting just now. He questioned why the end-users, that is, those people in the industrial, commercial and economic sectors, are not given a role to play. I just wonder whether he is in his right mind. Have we ever seen any rich people who are interested in studying?

They will only donate money for constructing teaching blocks, a building named after LI Ka-shing, for example. It has never occurred to me that they are end-users. I have always thought that students and parents are end-users. Actually, rich people all disdain to study in local universities. Many people I know of have already sent their children overseas when they were in primary or secondary school. I have repeatedly asked the Secretaries of Departments and Bureau Directors whether their children are studying in local universities. No one has ever dared to raise their hands. I do not think that their hands are affected by rheumatism anyway. Frankly speaking, these are all "bullshit", all "nonsense". On the one hand, discussions are held on how we should review university education in Hong Kong, but on the other hand, rich people simply have no faith in Hong Kong's university education, and they all go to foreign countries to receive education.

This year marks the 90th anniversary of the May Fourth Movement and also the 20th anniversary of the 4 June Incident. What can we notice if Hong Kong's education system and university funding are judged against the themes of the May Fourth Movement — Mr Democracy and Mr Science? Is there any scientific basis? Is there any scientific basis for the methodology of university funding in Hong Kong? All is just about cost savings and efficiency. In other words, it is always thought that it will be fine if \$1 of government expenses can yield a return of \$1.2, so much the better if the return is \$1.5, and can even termed wonderful if the return can be \$2. Our university education system is plagued with defects, but just now Mr TAM Yiu-chung has still described as very satisfactory, saying that the participation rate has increased from 18% to roughly 50% to 60%. He is probably not in his right mind too, so he has gone out to take his medicine. Is this what we called university education? How can one still talk about university education when associate degree-holders cannot proceed to first degree programmes? All is nothing but a project to show the Government's achievements and to promote its image. Even if it is not a shoddy construction project, it is not much better anyway. The "royalist" party is always there to exalt the Government for whatever it does. There is really nothing we can do. He was appointed to the Elderly Commission by "Ah TUNG", and he is such a loyal brother of Antony LEUNG. He is appointed and blessed by the Emperor.

What is the problem that we are facing with? If we look at other countries comparable to Hong Kong in terms of Gross Domestic Product (GDP) and internationally accepted standards of humanity, we will see that the proportion of our expenditure on tertiary education in our GDP is the lowest. When compared with our rival, Singapore, we lose by 1 to 2, meaning that when Singapore spends

\$2, we only spend \$1. Am I correct? And, we are also no match for Japan, and when compared with South Korea, we are also lagging behind. So, what more can we say? Therefore, the whole problem is that the Government is reluctant to invest more money in bettering the overall education system and enhancing the capability of our society. I am talking about the capability of a nation, measured in terms of the cultural and intellectual standards of individuals. The Government does not have any such concept, and it only focuses on how much one can earn. Don't be silly. It will be very silly of one to ask how much Albert EINSTEIN could earn. He was on the verge of pauperism. Under our existing system, he will not even be qualified for receiving education, not to mention teaching. We of course know that a rich man established an institution named Princeton and put him in charge, so he did not need to teach any more. This is what our education system is all about.

Furthermore, there is another problem, a political problem. Ours is a semi-authoritarian government which does not have the need to be returned by elections. As a result, such a government will never allow our institutions of higher education to be turned into bases of government critics or candid opinions. The May Fourth Movement was against the Northern Warlords only, but it was nonetheless suppressed. However, the university presidents at that time still stood up for the students. The President of the Beijing University at that time said, "Don't arrest my students. Just arrest me if you want to arrest anyone." CHEN Duxiu was the Dean of the Arts Faculty at that time. But the "nine heads" of our universities now has not dared to make even a single utterance on the issue of universal suffrage. How can they set an example for their students? What they have set can only be very bad examples. The misery torturing us now is that the heads of education institutions have failed to personally state the civilized standards of humanity upheld by the whole world. Thank you, President.

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

DR RAYMOND HO (in Cantonese): President, before I discuss the motion topic today, I have to make a declaration of interest. I was formerly the Council Chairman of the City Polytechnic of Hong Kong and the City University of Hong Kong (CityU). I am now a member of the Court of the CityU.

President, the University Grants Committee (UGC) was established in 1965 and was then charged with the main responsibility of playing an intermediary role in meeting the development and financial needs of the University of Hong Kong and The Chinese University of Hong Kong, providing advice to the Government whenever necessary. Over the past four decades or so, in line with Hong Kong's rapid economic progress, many changes have occurred to the local higher education sector. Many institutions have been upgraded to university status. The number of higher education institutions funded by the UGC has increased to eight by now.

All along, the public have looked upon the UGC as a rather bureaucratic organization lacking in transparency. The many negative comments and severe criticisms expressed by Members during the discussion today can all testify to such a perception. The reason is that Members all question whether the UGC has in fact been operating as a government department. The UGC has been rigidly adhering to the funding ceiling for the provision of 14 500 first-year undergraduate places a year by the Government. It will do whatever the Government wants it to do, so it can be said that it is no longer playing any intermediary role. Besides, the UGC's supervision on higher education institutions is also much too harsh. According to some Members, its approach is simply one of micro management, which is not conducive to the development of academic freedom and absolutely bears a difference to public expectations.

In view of the changing social role of higher education institutions, the ever-increasing demand for university places and the upcoming implementation of the "334" academic structure, the Government should review the role and functions of the UGC as a matter of urgency and introduce fundamental improvements or even reforms whenever necessary. It is worth mentioning that the UGC was actually modelled after the British system at its inception. However, such a mechanism has already been abolished in Britain itself. There are certainly some justifications for the abolition, so Hong Kong should also make appropriate adjustments to the mechanism concerned in response to its own needs of higher education development. Of course, in so doing, we must take account of Hong Kong's unique circumstances, rather than following totally the practices of Britain and other countries. At the same time, efforts should be made as much as possible to cope with several major considerations as follows.

For instance, since the building of a knowledge-based economy will be the main development trend in our society in future, the demand for local university

places will only increase. Owing to the transformation of Hong Kong's academic structure and associate degree-holders' demand for top-up degree programmes, the annual quota of 14 500 government-funded first-year undergraduate places is already unable to cope and cater for the actual needs of society. A review is thus called for.

The funding policy for the institutions of higher education must be fair, open and impartial. Institutions with a long history should not be treated more favourably than others. There must be equal opportunities for all, and the development of other institutions must not be impeded. The reason is that all institutions are different in terms of historical backgrounds and development directions. I shall come back to this point later. All institutions must enjoy the maximum degree of autonomy in curriculum design, governance, financial operation, programme operation and admission requirements (for both local and non-local students). This will be beneficial not only to academic development but also to the development of Hong Kong as a whole.

As a matter of fact, all institutions of higher education have their own objectives and missions. Therefore, they should enjoy autonomy and flexibility in all the areas mentioned above, so that they can manifest their uniqueness and develop themselves into world-class universities. I remember that at the time when the City Polytechnic of Hong Kong was just upgraded to university status and renamed the City University of Hong Kong, the then Governor told me that it must follow exactly the same path as the other institution (that is, the Polytechnic of Hong Kong, which had already been upgraded and renamed The Polytechnic University of Hong Kong). He said that both institutes were the same and no changes should be made. I raised objection at that time, explaining that the historical backgrounds of all universities are different. I told him that all universities are not the same in terms of academic teams, expertise, programme provision, admission requirements and even parent expectations. I said that I could accept only one commonality: the ratio of degree places to non-degree places, which was pitched at 65:35. I told him that this was the only point I was prepared to accept, and not any others. He did not raise any objection to my viewpoint. It has now turned out that the two universities have managed to develop very soundly, with each of them following its own direction. It can be said that with their different approaches, they can both satisfy the needs of students, parents and society as a whole. Having said that, I must add that certainly the validity of my viewpoint can only be determined by the society.

In order to enhance governance, higher education institutions should also make their decision-making process more transparent and increase the representation of teachers and students in the governing framework. The report on higher education in Hong Kong published in March 2002, the UGC report (that is, the Sutherland Report), also makes the following recommendation: "the governing body of each university carry out a review of the fitness for purpose of its governance and management structures". When I put forward the City University of Hong Kong (Amendment) Bill 2006 in the Legislative Council in 2006, I recommended the reduction of the number of University Council members from 37 to 20, the addition of one representative elected from among the academic staff and one representative elected from among graduate students as well as the appointment of Chairman of the Convocation as a member of the University Council. I think balanced participation is desirable. I hope that following this debate and after listening to Members' opinions, the Government can expeditiously conduct a comprehensive review of the role and functions of the UGC. I believe that this will also be conducive to the overall development of our society. Thank you, President.

MR ABRAHAM SHEK: President, sorry, I was just writing my speech.

President, today's motion debate on the UGC has far-reaching effects on the direction and quality of university education, and on the development of Hong Kong as a Chinese international city. The production of quality university graduates rests with the universities. That is a fact, but unfortunately, the type of university education rests with the UGC for it controls the funding and through such, it decides on what to teach, where to teach and how to teach. In other words, it decides on the hardware and software of what constitute university education.

The Secretary in his initial speech talked about the role, the fine role and the good work of the UGC, and the UGC as a buffer between the Government and the universities. As a defender of the treasured values of academic freedom, academic excellence, academic creativity and also good research, has the UGC played its role and effectively carried out its function? It is not for you to judge. It is for Hong Kong to judge and for Hong Kong to make judgment on how it works. If you have listened to the criticisms and the suggestions raised in this Chamber, you should be ashamed that you have not delivered the UGC and its role to play. We are not here to criticize Laura CHA and her group of men and

women, for they have dedicated themselves within the narrow ambit of what they are supposed to do. They have given time and efforts to play their role. Now is the time that the UGC be viewed as obsolete. It is not catching up with the times and it is time that we reformed the UGC, so that it can act as an agent between the Government and the universities in delivering what constitute good education.

What actually is good education? So far, if you look at the graduates of these last 10 years, on whom we have been investing billions and billions of dollars, much much more than what had been spent on education during the British colonial days, have we achieved the values of good education? Ask yourself. You might be a product of that good education. I do not know where you were educated. Overseas? Thank you. But then, we have a lot of good local graduates who actually are not only products of just universities, but are also products of good family training.

What constitute good university education? So far, you look at Hong Kong's universities, they have produced a lot of good graduates. Those graduates may not be educated men. Those graduates are technocrats, doctors, engineers, surveyors, architects, but are they really educated men, receiving the good education they are supposed to receive? In ancient China, the Confucian values of what made a good education were that they must learn "六藝" — the six arts — the practice of ancient Chinese culture, rites, music, archery, charity and mathematics. It was an all-round education. Have our universities under the UGC been able to provide a good, all-round education to our graduates? We have failed. We might have reformed now with this "334". It is better late than never. Has the UGC been awoken to this fact that it is not producing the type of educated men which we have been looking for, and not providing the type of quality education which Hong Kong is supposed to have as a special administrative city?

Mr Secretary, I think what we are asking for is not the abolition of the UGC. We are asking the Government to look into how to reform the UGC — take the UGC out of the micro-management of the universities, return academic freedom to the universities, return academic excellence to the work of the experts who run the universities, not those people who hide behind the UGC, including the Government. We look forward to a better education for our children and our grand-children. We hope that one day, the Government can wake up to the fact that it cannot hide under the umbrella of the UGC, as the British had done in the past. They had a purpose, they wanted to control education. This is not the

purpose of this Government. The purpose of this Government is to produce good educated men, and I urge the Government to look into itself, to reform the UGC, so that it can produce good quality education which we all deserve.

Thank you, President.

MR ALBERT CHAN (in Cantonese): President, I have left Hong Kong to study abroad after I completed Secondary Four. All my university degrees are gained from overseas universities. When I return to Hong Kong, I have taught in the Hong Kong Shue Yan College for a very short period of time.

All these years, I have a big question about some of the universities in Hong Kong. Every year, hundreds of millions of dollars are invested in university education in Hong Kong. That means we should be having a healthy and high quality education system in Hong Kong. But why in so many years, respectable literati from Hong Kong are so few and far between. It seems that they are all scholars who came to Hong Kong from the Mainland after 1949. When talking about the literate, only these scholars are being named, and there are really very few literati who are nurtured in Hong Kong. Great works that are still being revered today were written by old scholars such as Mr QIAN Mu (錢穆), Mr TANG Junyi (唐君毅) and Mr XU Fuguan (徐復觀). Recent academic works that are regarded to be up to literary standard, especially in Chinese literature and philosophical theories, are also few and far between, if indeed there is any.

I believe that the emergence of this phenomenon must have a direct relationship with the funding arrangements of the University Grants Committee (UGC) and the Government. As many Members have pointed out, although not as serious as government officials covering up for each other, the UGC's funding arrangements have already given rise to the prevalence of benefit bestowal, small-circle activities, buddy-buddy culture, the exchange of favours, and so on, within the universities. Many vice-chancellors are just political swindlers or opportunists (and I will mention no names here). One of these people has also served as a Legislative Councillor but his political stand and political orientation are just typical of a political opportunist. If that is what the vice-chancellors are like, how can the universities under their leadership develop and nurture respectable literati? Some Members have made reference to Mr CAI Yuanpei but I think this comparison has just made people shiver.

President, the funding arrangements of the UGC have made the universities become money-minded. This is the root of decadence. The universities are so money-oriented that they would even change the names of faculties and name them after those tycoons donating big cheques. The name of a faculty signifies its tradition and its strength of character. If a faculty is named after a tycoon, what then is its tradition? This is complete nonsense. It is the same story for buildings. Buildings are named after tycoons, now that the university faculties are named after the tycoons. Are they the underlings of the tycoons or servants of the tycoons? All such behaviour is money driven. The Government also seems to encourage the UGC's actions, thereby causing the whole education system to become so absurd.

If such a module does not change, it would be nothing short of a miracle for our universities to develop or nurture literati who strengthen in their characters. The strange thing is that with so much resources put into our education, we often see cases where renowned academics with origin from Hong Kong relocated to Hong Kong from overseas countries. Why do we lose these precious human resources in the first place? May be it is because they do not have confidence in Hong Kong. Children of all senior officials responsible for the policy area of education receive overseas education. When senior officials of the Government are on training, they will go to Harvard University and not the Hong Kong University (HKU) or The Chinese University of Hong Kong (CUHK). Why do they fawn on foreign powers like this? Why are Hong Kong's government officials trained by Harvard, and not by HKU, The CUHK or The Hong Kong University of Science and Technology? It just shows that even the Government does not think our universities are good enough, then why does it still talk about developing institutions of higher education?

President, another issue is about the establishment of a fair system to handle complaints from the staff. Many teaching and general staff of these institutions have called for an independent inter-institutional complaints system. Some years ago, for some reasons unknown, the universities have delinked their staff salaries from the civil service pay system. As a result, the universities have turned into kingdoms of self-rule plagued by small-circle activities, benefit transfers and buddy-buddy culture. Those who are close to the vice-chancellors would have many promotion opportunities and become high-flyers to responsible posts. But those who dare to speak the ugly truth might be fired or passed over for promotion. Hence, it is very important to establish an independent system.

Moreover, there is the issue about the source of postgraduate students which I have formerly talked about in this Chamber. At present, graduate schools of our universities are packed with students from the Mainland. In some graduate schools, some 80% to 90% of the students are from the Mainland. I am not discriminating against mainland students but there is no reason why most places of Hong Kong's postgraduate studies should be taken up by mainland students. What about those Hong Kong students who want to pursue further studies? Many would go to Taiwan for their studies. We can see that this is also related to the policies and measures adopted by the UGC.

President, I have just now talked about the strength of character of the literati. We at the League of Social Democrats are out-and-out followers of social democracy, and there are many like us in the universities. When I was studying abroad, I noticed that many universities would clearly say that in the department of political science or even other departments, there would be a fraction of left-wing lecturers with Marxists ideas and maybe there would be another fraction of lecturers who are conservatists. Political affinities are clear and distinct. But this is a taboo in the universities in Hong Kong. Teaching staff who have leftist ideas would dare not say so openly. When I talked to them, they said that it was just not possible to do so and they were afraid that they might even lose their jobs. It just shows how great that fear is. Some may be Marxists when they were students themselves, but when they are teaching, they dare say nothing about Karl Marx. I think it is very saddening to witness this loss of academic freedom in Hong Kong.

So, if the Education Bureau does not take this matter seriously, it is simply nonsense to talk about the freedom of education in Hong Kong. Our education system would only serve to create a pack of pathetic bootlickers.

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

MS AUDREY EU (in Cantonese): President, I heard that today in this Chamber Members of the democratic or opposition camps as well as the pro-establishment or pro-government parties have unanimously agreed that a review, and even a comprehensive review, should be conducted on the system of the University Grants Committee (UGC), or the "Under Government's Control" as described by CHEUNG Man-kwong. The reason is that it has actually failed to play the role

as it should, that of acting as the buffer between the universities and the Government; and it has also failed to play its crucial role of safeguarding academic freedom.

In fact, all are well aware that the survival of universities relies on government funding. In Hong Kong, this is a very important source of financial resources. Unlike overseas where people would give donations to universities and big foundations are being operated, universities in Hong Kong does not have this tradition, hence they have to rely on government funding. It is easy for the Government to exert some measures of control when allocating the funding. Thus, as far as Hong Kong is concerned, the role of UGC becomes particularly important in safeguarding academic freedom. This is my ninth year as a Legislative Council Member. This Council often discusses issues concerning the universities, however, the discussions were sometimes horrifying. Why? Because on the one hand the accusations levelled by the tertiary staff were very serious and one would become very worried after listening to them, but on the other hand, only the Secretary-General of the UGC would come to attend this meeting, but the university deans would never be seen coming here; and discussions held in the meetings were repetitive like coming from the same mould. You will be worried about the university students after listening to those problems.

President, today, many Members mentioned the problems of the UGC and I do not wish to repeat them here. However, what I wish to say is that, as Members may have noted, the protection of academic freedom has been widely reported recently because of the judicial review arising from the recent incident relating to the Hong Kong Institute of Education. And the judgment made by Mr Justice HARTMANN has also aroused much misunderstanding and concern. President, I thus wish to take the opportunity of this debate on reviewing the role of the UGC today to talk about this judgment.

President, after the release of the judgment, it was widely reported that Mrs Fanny LAW was vindicated. In other words, the Education Bureau has won the case. Academic freedom may lead to a "chilling effect". We, the Civic Party, received many letters and emails from scholars asking what had happened and what this judgment was about. President, I would like to read out paragraph 77 of Mr Justice HARTMANN's formal judgment, "For the reasons given in this judgment, clarifying an important point of law, we therefore grant the application for judicial review. As for a remedy, in our view, any form of declaratory relief

would be overly cumbersome. As Mr BELOFF envisaged, we prefer to let this judgment speak for itself." Mr BELOFF represented the Education Bureau. In other words, while Mr Justice accepted the application for judicial review by the Education Bureau, he said that he would not offer any relief or succour because he simply did not think that it was necessary to make a declaration, for doing so was redundant. In fact, all along, I think it was superfluous for the Education Bureau to initiate a judicial review. Then what did the Education Bureau say its intention was? It was the wish of the Education Department to prove what academic freedom and university autonomy were. President, I never think that the Court can help lay down a definition, say for academic freedom. In fact, the academia has many definitions for the term and there is no need for me to read them out because they have been widely reported in the newspaper. How could the Court be resorted to help provide a definition for academic freedom or university autonomy? The Court is a place for judgment of facts and uncovering of truth. In fact, at the first hearing, the Commission of Inquiry has already found the truth. As to what Mrs Fanny LAW had said at that time and what she had said to Prof MOK, to Mr IP Kin-yuen and to Prof CHENG Yin-cheong, Mr Justice HARTMANN simply has not repudiated any of them. He did not say, "Judging from the facts, the previous judge has made a wrong judgment. Mrs LAW has not made such a remark." No, this is not the case. But rather, he said that the academia, or even senior government officials, are not confined in ivory towers, so there could be robust debates, and such would not become impediments to academic freedom. Mr Justice HARTMAN only said no such remarks had been made at the Commission of Inquiry, so we should not think that because the Commission of Inquiry has made remarks about the existence of academic freedom or academic autonomy, then the senior officials are not allowed to have freedom of speech or would have their freedom affected. He said that the Commission of Inquiry has not made such remarks. This is the extent of clarification that Mr Justice HARTMANN has made.

However, recently, many academic articles have clearly pointed out that rather than engaging in robust rebates, the priority task of senior officials should be lending their ears. In fact, the same goes for the UGC. It should act as an impartial buffer among universities and convince tertiary staff that there is no black-box operation within universities.

President, having integrated and listened to the views in these articles and the feedbacks in society, coupled with the many views opined by Members today, the Civic Party will certainly support the original motion today, and we hope that

the Government will expeditiously review the role of the UGC. Today, we will support the original motion and all the amendments except that proposed by Mr WONG Yuk-man. As he proposed in his amendment to abolish the UGC without conducting a prior review, I think it may be a little too aggressive. Thus, we will abstain from voting on Mr WONG Yuk-man's amendment.

Thank you, President.

MRS SOPHIE LEUNG (in Cantonese): President, I must first apologize for my coarse voice today. When I think of our university students, when I see that there are so many amendments to the motion today, President, I must admit that I cannot quite understand why Members nowadays are so fond of putting forward amendments. If they really have so many points to make, they should instead put forward their own motions, right? It is now only March, but the Christmas tree is already full of tinsels. This is a very odd phenomenon in this legislature. But all these do not matter anyway, because the important thing is that all of us are concerned about our young people.

President, for a decade or so, I have been in frequent communication with university students. Not only this, I also run a workshop, and I frequently spend time with university students, in the hope of changing their mindsets. Even if the education system is unsatisfactory, life must still go on. Even if their teachers or parents may not be able to teach them how to live a proper life, they must still try actively to live out the colours of the 21st century. This is what our workshop aims to do.

However, President, it is a pity that a decade or so ago, when I asked some university students I was sitting in front of some 30 university students at that time, and I asked how many of them would prepare for their classes. It was some 10 years ago, and at least four or five out of the 30 students answered in the affirmative. But this is no longer the case nowadays. Why? The reason is that neither their universities nor their professors have asked them to do so. I am very sad at hearing this answer. Over the past decade or so, we have kept increasing our resource investment, but at the same time, more and more students have dropped out from the system. Why? The fact is that our increasing concern for them has led them to think that they can just stand there with folded arms. In case they fail to understand their lessons, they will put the blame on their teachers and professors. But what efforts have they made themselves? Speaking of independence, why are students still unable to stand on their own feet

despite all the efforts of society to teach them how to practise such a right? Why must we give them so many things, treating them like "golden baskets"? In society, we try every possible means to protect them. But they still adopt a "couldn't-care-less" attitude towards their studies. Another example is job-seeking. Even now, I still have to teach university students how they should attend interviews and look for jobs. And, I must still ask them, "Do you think you can succeed in finding a job after attending one or two interviews?" They know nothing about themselves, and nothing about inter-personal relationship skills. Why? A couple of days ago, I saw a television strip named "Tram Man". What does it mean? This means a man who spends all the time on the computer, a man who does not know how to communicate with others. Why is it so?

President, having worked in this aspect for seven years, I am now utterly disappointed by university students. So, I have decided to make an earlier start and target on younger students, that is, secondary students. This year, I will be able to help 2 500 secondary students in remote areas. What help do I give them mainly? I seek to kindle their positive attitude and help them improve their inter-personal relationship skills. Some students are from Band 3 schools. As a result, after half a year, the students concerned could really stand up to talk eloquently. Having attended the workshop for a continuous period of three months, what is the deepest impression they have? Before that, they would not stand up voluntarily to speak their minds. Even when they were asked to do so, they would only prevaricate. But after attending the workshop, ultimately they are willing to step forward to speak their minds. I asked one of the students how his relationship with his folks had changed. He was still in tears when he finished, confiding that he now realized how difficult it was for his parents to fend for the family. He indicated that he could now understand that sometimes, when his parents lost their temper at home, they did not really want to pick on him. Rather, he explained, all was because he himself had not been amicable to his parents, so they were also curt with him. Hence, they were all curt with one another, speaking bluntly to each other, and so ending up in quarrels. He said that now at home, he would try to think of some topics of conversation to chat with his parents.

This is something very simple. If Sophie LEUNG can do it, anyone also can do it. But why are teachers unable to do so? The reason is that under our system, chiding is regarded as the means of getting things done. Chiding is the order of the day, and people all think that they can get what they want by being hostile. This attitude is evident in this legislature. This is a very good

example. When a Member makes a remark, we will all hasten to add 18 more. But this does not matter so much, because Hong Kong people are highly resilient and very good at reacting to different situations. I am very glad to see that there are some students on the Public Gallery. I think there should really be more "change agents" in our society, who should realize that "chiding and confrontation" is not to be encouraged. Rather, we must use our heads to think how we can change this society and the world. We must not think that chiding others, chiding government officials, is the only way to get things done. This should not be the case.

At this juncture, President, I still wish to refer to the original motion. Right at the beginning of the motion, we can see the expression "as the international trend is that more and more countries, including the United Kingdom, New Zealand, Singapore, and so on, have abolished their university grants committee mechanism", I just want to point out that But the information I have may also be wrong I have heard that the British Government actually questioned the efficacy of its former university grants committee, which was composed mainly of academics. It thought that such a composition was defective, because the university grants committee's relationship with universities was so close that it was impossible to engineer any changes to universities from the outside. Consequently, it established the Higher Education Funding Council for England (HEFCE), which has wider terms of reference than the former university grants committee. And, even the representatives of the Secretary of State for Education have a right to attend meetings of the HEFCE. In the case of New Zealand, its university grants committee was abolished under the Education Act 1989, which also provides that there shall be established a relevant department at the level of the central government. I think Members would know how to access all such information.

President, I so submit.

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

MR PAUL TSE (in Cantonese): Just now I was looking through this year's Budget, and I understood why so many colleagues were interested in speaking on this motion. As a matter of fact, education resources form the largest item of our budget expenditures, amounting to \$39.3 billion, which is far more than our medical and welfare expenditures. A moment ago, many colleagues, especially

those with legal background, exploited their respective means and made use of this opportunity to share with us the impact of a recent judgment from the Court of First Instance on the autonomy of education. Besides, many colleagues also mentioned how to maintain our education quality and the various aspects where reforms were needed. There is no need for me to go further about these.

However, I would like to talk about education with reference to part of my background and the aspect of my greater concern, namely from the angle of tourism. Very often, when you go overseas — I do not know whether you have such an experience — for example, when you go to the United Kingdom, you will visit Oxford and Cambridge Universities and look at their campuses. When visiting the United States, you will visit Princeton, Stanford and Harvard Universities, to have a glance at their environment. I believe that when tourists come to Hong Kong, not many of them would visit the school campuses of Hong Kong. Even if they would, I am afraid that they will find it very weird. They may wonder why the university campuses of Hong Kong seem to showcase the list of top 10 rich and famous people in Hong Kong, as this is the LI something tower, and that is the So-and-So building. All teaching blocks seem to be named after these people. What is even strange is that such names would occupy great spaces in that building, so much so that they just look like advertisements. When passing the cross-harbour tunnel, one can easily see these names as they occupy the most eye-catching spaces. One may wonder what the universities in Hong Kong are up to. Are they really so commercially or tycoon-oriented?

From such kind of atmosphere, I believe that the tertiary education of Hong Kong has long fallen, not due to political examination and political control, but has fallen to the commercial sector. I am afraid that it has been controlled by the commercial sector in Hong Kong too early and too deeply. If such atmosphere remained unchanged, I am afraid that when we talk about anything concerning education autonomy, it may just be a little waste of efforts.

I believe that many colleagues or public officers responsible for education, including our Under Secretary and Political Assistant — if I say anything incorrect, please correct me — have received education overseas. As to our Political Assistant, your father has been talking about you openly in a very delightful and happy manner. Because years ago, he made arrangements to have you admitted to the most popular and respectable school in the world. If our public officers have such a background and mindset, it is not unfavourable, however, when they are dealing with the education system of Hong Kong, how devoted will they be or how much could they share the sentiments of the public?

People at large in Hong Kong are unable to plan for their children as much as your honourable father did, or to plan much earlier for their next generation to be admitted to some so-called blue-chip universities. What exactly is our direction? I am afraid that many of my friends and colleagues who have professional background as doctors, lawyers or barristers that I met all these years in Hong Kong, are merely craftsmen of certain professions or trades. They have only spent a few years learning some subjects or skills to practise in certain professions. After quickly obtaining the licences concerned, they started working and earning money. They have never thought that there are many supporting theories or even a lot of general studies behind these subjects and professions which can help bring their professions into full play. It is not something merely about copying from their masters, doing what the books say and adhering to the procedures strictly. This is not education. This is no different from what a cobbler or an embroidery worker does, only that the knowledge they acquired is from a different kind of trade.

That is what is wrong with the education in Hong Kong. It has failed to provide sufficient general studies to students. No matter it is science or literature, it has completely failed to provide students with the foundation or opportunities to pursue any basic training or training on critical thinking and moral quality, absolutely nothing. Students only compete for the fastest way out, obtain their licences and start working. With an education system as such, I believe that if we cannot make any changes, by putting more efforts on the composition, vision and policies, to the University Grants Committee, I am afraid that we may not be able to change much of it merely by talking about funding.

President, I hope that some day — this may only be a dream — if tourists in Hong Kong are interested in going to the University of Hong Kong, The Chinese University of Hong Kong, The Hong Kong University of Science and Technology (listed in no particular order), in visiting their campuses, feeling their studying atmosphere and seeing their students, it will mean that the tertiary education of Hong Kong would have been termed successful by then. Otherwise, if it is just like the present — when people can only see the signboards, and meet our students who do not actually have the bearing becoming of university students, not to mention the strength of character, for they are totally devoid of their own characters and they always remain at the spoonfeeding stage — then I am afraid that the universities in Hong Kong will never gain any success. Thank you, President.

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

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): Prof Patrick LAU, you may now speak on the seven amendments. You may speak up to five minutes.

PROF PATRICK LAU (in Cantonese): President, I am very grateful to the seven Members who have enriched the discussion of my original motion. They have made a lot of proposals relating to the review of the UGC.

Several Members even said UGC stood for "Under Government's Control". Mr LEE Cheuk-yan made the most unusual remarks by naming it University Graduate Cheap Scheme. Whether or not it has any credit control or what kind of a control is that? This is where our controversy lies.

I have attended a very valuable lesson today. Although this lesson took three and a half hours, I think it is worthwhile for Members to lend their ears. I do not know whether the Secretary and his political assistant, or members of the UGC have listened to our views, but I think the remarks of Members are very to the point. They are paying keen attention to this matter actually for one cause — because everybody cares about education. You and I are concerned with the development in this regard.

To various issues, they would of course put forth their political views. I find it a good sign. As we still recall, regarding the development of the West Kowloon, just because we were united, the subject was discussed once again in this Council. Why would not the review of the UGC be discussed once again? I hope we can discuss in this area

PRESIDENT (in Cantonese): Prof LAU, I wish to remind you, you should speak on the amendments at this stage.

PROF PATRICK LAU (in Cantonese): Fine. As Mr Paul CHAN is an accountant, his amendment is of course money-oriented. Just as mentioned by

several Members earlier, would it be possible for the name of donators be craved in a smaller size on structures? I agree with doing so.

Mr CHEUNG Man-kwong raised a number of issues in education. For the incident involving the Hong Kong Institute of Education, for instance, whether an independent body should be set up for teachers or staff to lodge their complaints? His proposals are targeted at answering all these issues.

Ms Starry LEE made proposals on raising the ceiling of undergraduate places, increasing the number of such places and the way to implement higher education in the region.

I appreciate very much the ideas put forward by Miss Tanya CHAN. Now she acted not as a barrister but as a doctor. She conducted a body check for the UGC to determine whether or not it should undergo a plastic surgery or have its existing mode changed. I think it is the right approach. We cannot only emphasize on shoe-shining culture to the neglect of humanities subject. All these should be looked into.

As regards Mr WONG Yuk-man, he saw the same problem as I did, only that his observation may even be deeper. For instance, the function as a barrier, or the policy of utilitarianism, should these be the concerns of our education or political sectors? Most importantly, he spoke my mind by saying that teachers should have high aspirations for their work.

Mrs Regina IP reminded us of the need to focus on whole-man education and not just on the commercial side. I surely agree with her in this regard. She queried whether or not our universities were given too much democracy. In fact, such conflicts could be balanced against one another.

When the shortage of money does not work, but even money does not work and democracy is not feasible, what are we going to do under such circumstances? I think the example quoted by Dr PAN Pey-chyou is quite good. He used gardening as illustration and indicated that every plant in the garden has its own characteristics. This is also in line with my idea in architecture. However, he said this was not an easy thing to do for this city cannot be so monotonous. Different space is required and the development of our scientific research also requires different domains.

President, apart from the seven Members who have proposed amendments, other colleagues have also put forward a variety of their views. I know that later I may not have time to respond to their questions. However, all in all, I hope to make a conclusion after listening to the Under Secretary's response. Thank you, President.

SECRETARY FOR EDUCATION (in Cantonese): To start with, President, I would like to thank Honourable Members for expressing their valuable views on different areas of higher education today. I will give a specific reply as follows.

The first area is related to the roles and functions of the UGC. As I have briefly discussed the UGC's functions and contributions in the opening speech delivered earlier, I will not repeat them here. In order to give institutions and the public a better understanding of its functions, the UGC has implemented a number of initiatives in recent years and will continue to do so for enhanced transparency. For instance, information on the UGC's background, policy, Notes on Procedures and activities has been uploaded onto the UGC's homepage, and there are also plans to publish annual reports. For enhanced communication with the public, especially teaching staff and students of institutions, the Chairman and members of the UGC visited eight UGC-funded institutions last year and organized "Getting to Know the UGC" sessions to introduce to teaching staff and students the work of the UGC and listen to their views on the UGC. I believe they will continue to make efforts in this aspect. In addition, the UGC Chairman will meet with the media and publish press release after each UGC meetings to give the public an opportunity to get to know the topics discussed at the meetings held by the UGC.

Apart from giving the public a better understanding of its work, the UGC will also examine its own roles. For instance, the 2002 Higher Education Review and the 2009 Higher Education Review, which has just been commenced by the UGC, will, *inter alia*, examine the roles of the UGC. It is worth mentioning that the 2009 Higher Education Review, which is being conducted currently, will focus on studying a number of key areas, including some of the issues of concern raised by Honourable Members this afternoon, such as the vision and role of higher education in Hong Kong; the demand for and provision of higher education opportunities; quality assurance for higher education; research support strategy and research funding mechanism; and the position of higher education in Hong Kong in the context of globalization and the rapid

development of higher education in mainland China and the region. In examining these topics, the UGC will review its functions and roles as one of its major tasks. The review mentioned earlier is also expected to be completed by 2010.

As regards the composition of the UGC, it currently has 24 members (including the Chairman), with three-quarter of them being local and overseas accomplished academics and higher education administrators, and the remaining members being community leaders. None of the members are government officials. As all UGC members are appointed in their personal capacities, their independence is beyond question. Regarding the possible worries among the public that overseas members might not understand Hong Kong's situation, they have actually provided the UGC with an international perspective and objective opinions independent of the position of local institutions, thereby assisting us in grasping the world trends and maintaining the competitive edge of our higher education sector in the international community.

UGC members are committed to promoting the development of higher education in Hong Kong by contributing their precious time. In 2008, the UGC and its groups held a total of 28 meetings to hold in-depth discussions on a variety of matters relating to higher education.

Next I will turn to the issues raised by Members earlier concerning the different roles played by institutions and allocation of resources. Some Members are concerned that the allocation of resources by the UGC will affect the institutions' room for development. Different sectors actually have different views on how government funds should be allocated within the higher education system. On the one hand, there are some who hold that more resources should be allocated by the Government to certain selected areas or institutions to enable them to exploit their strengths in pursuing remarkable results in the international community; on the other, there are some who think that all areas within the system should be provided with funds considered by them to be appropriate so as to benefit all people receiving higher education.

It must be borne in mind that Hong Kong is very small, and it cannot allow excessive overlapping in higher education work. Under such circumstances, the UGC suggests that each institution should, having regard to its own strengths, play a unique role and fully exploit its advantages. Meanwhile, there should be

collaboration between institutions to form themselves into a closely integrated higher education system. Given the economic environment today, there is an even greater need for us to make effective use of public money for promoting the development and effectiveness of the entire sector.

In reviewing the role statements of UGC-funded institutions, the UGC has seriously considered the roles formulated by the institutions themselves for further development on this basis. The formulation of role statements is an advisory process rather than the imposition of requirements by the UGC on institutions. On the premise of respecting the strengths recognized by institutions themselves, this strategy allows institutions to engage in healthy competition and yet be able to exploits their own strengths, thereby avoiding excessive overlapping and ensuring that public money is well spent for the consolidation of the overall strengths of the higher education system.

As for the specific allocation of resources, the UGC will adhere to its position of being fair and impartial. I would like to emphasize that being impartial is not tantamount to providing funding to institutions in a uniform or standardized manner without breakdown. Instead, decisions catering to the needs of various institutions will be made objectively having regard to their programmes and categories of research projects.

In general, academic planning, which is conducted on a triennial basis, is strategic as well as interactive. During the process, the UGC will closely liaise with institutions. The proposals made by the UGC on funding matters are in no way top-down decisions. Instead, they are the results of dialogues between the UGC and individual institutions. Actually, with the approval of recurrent block grants, institutions enjoy enormous freedom in utilizing the funds they receive. This will not only ensure academic freedom and institutional autonomy, but also allow institutions to cope with changes flexibly. Certainly, the community expects institutions to make effective use of public money and be accountable for their decisions. For the purpose of improving the funding mechanism, the UGC has conducted a review of the mechanism with a view to putting the mechanism into implementation in the 2009-2012 triennium.

In assessing the academic development proposals presented by various institutions, the UGC will definitely take a non-discriminatory approach and, on the premise of academic levels, act in the interests of the well-being of students.

As the vision of the UGC is to ensure that the eight institutions play their distinctive roles having regard to their own strengths, it will assist the various institutions in fully exploiting their strengths.

Funding for teaching purposes represents 75% of the block grants provided to the UGC-funded sector. The calculation of funding is based on the student numbers, their study levels, mode of study and disciplines of study. The formulae of calculation for all the institutions are uniform. Meanwhile, in the area of research, in addition to universities with a long history, other institutions have also made remarkable achievements in their research work. Let me cite the three research projects led by the City University of Hong Kong (CityU) as an example. In 2008-2009, a total of \$16.2 million was approved by the Research Grants Council (RGC) of the UGC to assist the CityU in undertaking the studies, and the CityU also became the university receiving the greatest amount of funding and with the highest approval rate in making applications in the financial year.

Next I would like to say a few words on funding for teaching purposes. Some Members are particularly concerned about the fairness of allocation of funding for teaching purposes. Actually, some disciplines are more expensive than others because they require special equipment, laboratory or more staff time. For instance, the costs of medical subjects are particularly high. This is widely recognized by funding bodies all over the world.

The UGC will from time to time review the relative costs of different disciplines. After a recent comprehensive review, the UGC decided that, starting from the 2005-2008 triennium, the price group of Academic Programme Categories will be reduced from 17 to three, namely "Medicine & Dentistry", "Engineering & Laboratory Based Studies" and "Others". The UGC has also publicly revealed the relative cost weightings for the first time for enhanced transparency.

The price groups are formed according to the actual needs of different academic programmes, and there is absolutely no emphasis of scientific disciplines at the expense of arts subjects. For instance, "Arts, Design & Performing Arts" and "Engineering and Technology" belong to the same price group, while "Mathematical Sciences", "Computer Science", "Humanities" and "Law" fall into the same price group.

Next I would like to turn to the topic of research. Earlier on in the meeting, a number of Members proposed that the mechanism for approving research funding should be improved. I must say that the goal of the UGC to fund academic research is to assist institutions in striving for excellence, and giving emphasis to quantity rather than quality is definitely out of the question. Currently, research funding is allocated by the UGC through two major channels. The block grant funding is designed to ensure the existence of appropriate research infrastructure (such as academic staff, technical/support staff and equipment/resources) in institutions to facilitate research-informed teaching, and research itself. Research grants will also be allocated through the RGC on a competitive basis to allow pursuit of research projects of a larger size.

Research block grants are allocated primarily according to the performance of various institutions in research assessment. A peer review approach is currently adopted to assess the academic research papers submitted by institutions with a view to identifying research excellence. The Research Assessment Exercise was last conducted by the UGC in 2006 to further improve assessment work and spell out the requirements for research to meet the international standard of excellence. A working group under the UGC is currently discussing with the eight UGC-funded institutions the best approach to assess their research performance in the future. On the other hand, the allocation of research grants by the RGC on a competitive basis are assessed by the peer review mechanism in accordance with the academic merit of the research projects submitted by institutions before a funding decision is made.

The RGC's peer review mechanism is widely adopted by other international research funding bodies. The RGC has four subject panels, namely Physical Sciences Panel, Engineering Panel, Biology and Medicine Panel, and Humanities, Social Sciences and Business Studies Panel. Its 140-odd panel members include local and overseas academics from different disciplines. Being reputable academics, they can ensure academic freedom and fairness and impartiality in allocation of funds. In assessing the applications, panel members are requested to invite assessments from at least five external reviewers for each proposal, who are overseas experts in the related fields of the applications. The RGC will consider the Panel Chairmen's recommendations on the projects to be funded and amounts of funding before making the final decisions.

The RGC will assess research projects under different categories on a non-discriminatory basis. All research projects applied for funding will be

assessed professionally by the RGC's local and overseas experts on the basis of their academic quality. Research categories are definitely not the decisive factor.

Generally speaking, natural science research requires more resources for the procurement of equipment and employment of research assistants. In comparison, the most pressing need of Humanities research is the time of academics themselves. Therefore, a special grant is set up under the General Research Fund for relief teachers for Humanities projects with a view to freeing up the academics responsible for research projects, thereby enhancing support for the relevant research.

Next I would like to say a few words on research collaboration. Through its Joint Research Schemes, the RGC promotes collaboration and exchange in research between Hong Kong and the international community. The Schemes include joint research programmes with Germany, France, the National Natural Science Foundation of China and the Economic & Social Research Council in Britain. Furthermore, the Fulbright Hong Kong Scholar Programme has been launched to support Hong Kong scholars to undertake research in the United States.

Apart from the UGC-funded collaboration projects mentioned above, the eight UGC-funded institutions have also separately engaged in frequent academic exchange and research with academic and scientific research institutions all over the world, including the Mainland, in different fields and at different levels. For instance, institutions in Hong Kong have jointly established six State Key Laboratories with institutions on the Mainland.

Next I would like to turn to "theme based" research and public policy research. In order to enhance the policy research capacity of higher education institutions, the Government has decided to make an annual provision of \$20 million for four fiscal years starting from 2008-2009 to fund public policy research. Of the \$20 million allocated, \$10 million will be earmarked to support a new Strategic Public Policy Research Funding Scheme to encourage researchers to undertake longer-term public policy research projects and to focus research efforts on specific topics. This Scheme is particularly suitable for social science academics.

In addition, an \$18 billion research fund has recently been set up by the Government. It is envisaged that a maximum of \$200 million will be allocated per annum for selected theme-based research. We will set up a steering committee comprising representatives from the higher education sector, the Government and other sectors. The themes selected by the steering committee should be broad in nature and represent areas which are considered important for the long-term interest of Hong Kong. While areas in which our institutions currently enjoy research strengths will be a starting point, new areas which offer potential important breakthroughs will also be considered. The peer review mechanism, which is currently adopted by the RGC, will continue to apply. I believe the theme-based research will be able to respond to the community's aspiration for more Hong Kong-based research projects.

The Government is committed to encouraging academic research activities to enhance Hong Kong's long-term competitive edge. The establishment of the \$18 research fund not only represents the Government's major investment in the higher education sector, but also demonstrates the Government's steadfast support for research activities.

As for sources of funding, some Members proposed earlier that assistance should be offered to institutions in exploring other sources of funding, in addition to government assistance, with a view to encouraging various sectors to make donations to institutions. We agree that the capacity for raising funds by various institutions should be enhanced in order to explore different types of sources of funding for higher education. Therefore, the Government has, since 2003, launched a total of four matching grant schemes, with \$1 billion for each scheme, to provide matching grants for private donations raised by UGC-funded institutions. Of the extra \$10.8 billion raised by the eight UGC-funded institutions, \$3.9 billion is from the Government and nearly \$6.9 billion is from private donations. The launch of the matching grant schemes has enhanced Hong Kong's donation culture and the recognition of investment in education by the general public. As the matching grant schemes are not recurrent in nature, it is necessary for us to consider factors in all aspects to decide whether the scheme should continue to be implemented. In this respect, resources are a very important consideration. At the present stage, it is still not decided whether or not the fifth matching grant scheme should be launched.

I have the following response to the issue of increasing the number of publicly-funded places. Although the number of publicly-funded first-year

bachelor's degree places has remained unchanged in recent years, there have been increasing opportunities for students of the appropriate age group to receive higher education in other areas. In addition to publicly-funded and self-financed degree programmes, the higher education sector is currently providing public funds in different forms to finance senior year articulation places and self-financed bachelor's degree programmes. Representing more than 25% of the average population of the 17-20 age group, the places offered by these programmes offer more opportunities for people aspiring to pursue further studies to receive higher education. In addition, for the purpose of assisting the development of tertiary education institutions, a number of support schemes have also been launched. They include, for instance, the Land Grant Scheme to grant land at nominal premium in order to assist institutions in building purpose-built campuses; the Start-up Loan Scheme to provide interest-free loans, and the like; and assisting institutions in upgrading their quality and enhance students' learning experience. The Quality Enhancement Grant Scheme will support various projects or initiatives specifically designed to upgrade the quality of tertiary education.

To further increase the number of places for publicly-funded bachelor's degree programmes would involve a substantial amount of public resources. In considering whether or not there is a need for increasing the number of publicly-funded places, we must carefully examine the implications of the relevant proposals on the overall public finances, the extra teaching facilities and hostels required, and the impact on teaching and the quality of students.

A number of Members have proposed that the Government should support the development of institutions in the academic and research areas to tie in with Hong Kong's efforts to develop itself into an education hub. We very much agree with this view. Last year, the Government launched a series of initiatives to lure outstanding non-local students to pursue their studies in Hong Kong and stay here for employment after graduation. The initiatives taken include increasing the number of places for non-local students, provision of government scholarships, and relaxation of employment and immigration restrictions. We will continue to promote work in this regard jointly with the UGC.

Lastly, regarding bringing about improvements to governance and the complaint mechanism, some Members expressed their views on this earlier with the request for enhanced transparency of the operation of institutions and

handling of complaints from teaching staff in an impartial manner. Last year, we reported to the Panel on Education that various institutions have, in accordance with the recommendations made by the UGC in 2002, review their respective governance structures. Individual institutions, including the CityU and The Hong Kong University of Science and Technology, have also reviewed their legislation for the implementation of the review recommendations, including the revision of the composition of their Councils. Furthermore, various institutions, having regard to the request of the Panel on Education, have enhanced their transparency by, for instance, making the decisions made by their Councils known to the public and uploading the decisions onto their websites, and so on. We welcome continued efforts to be made by various institutions to enhance the transparency of governance and encourage continued communication and exchange between institutions and stakeholders for joint efforts to be made for the development of higher education.

As for such proposals as increasing academic exchange at the international level, student exchange activities and enhancing collaboration between local and mainland education institutions, we will support and complement the work of institutions on the premise that the autonomy of institutions will be maintained.

President, we can see from the amendments proposed by seven Members in this motion debate today and the speeches delivered by a number of Members that Members are very much concerned about the issue of high education. President, I am also very pleased to see that there is a group of students in the public gallery today — are they still there? They were still in the public gallery just now — I believe Members who expressed their views in this Chamber today do share the hope that the next generation can receive more quality university education. We will give serious consideration to Members' views and ensure that the work of the UGC can meet the aspiration of the community, continue to safeguard academic freedom and enhance the competitive edge of higher education in Hong Kong.

President, I so submit. Thank you.

PRESIDENT (in Cantonese): I now call upon Mr Paul CHAN to move his amendment to the motion.

MR PAUL CHAN (in Cantonese): President, I move that Prof Patrick LAU's motion be amended.

Mr Paul CHAN moved the following amendment: (Translation)

"To delete "as" after "That," and substitute with "following"; to delete "is" after "the international trend"; to add "establishing a Fifth Matching Grant Scheme, continuing to encourage universities to raise funds from the community and their alumni, strengthening the link between universities and the community, and cultivating within the community a philanthropic culture in support of the development of university education; (d)" after "(c)"; and to delete the original "(d)" and substitute with "(e)"."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mr Paul CHAN to Prof Patrick LAU's motion, be passed.

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

(Members raised their hands)

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

(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 CHEUNG Man-kwong, as Mr Paul CHAN's amendment has been passed, I have given leave for you to revise the terms of

your amendment, as set out in the paper which has been circularized to Members. When you move your revised amendment, you may speak up to three minutes to explain the revised terms in your amendment, but you may not repeat what you have already covered in your earlier speech. You may now move your revised amendment.

MR CHEUNG MAN-KWONG (in Cantonese): President, I move that Prof Patrick LAU's motion as amended by Mr Paul CHAN be further amended by my revised amendment.

Mr CHEUNG Man-kwong moved the following further amendment to Prof Patrick LAU's motion as amended by Mr Paul CHAN: (Translation)

"To add "; (f) comprehensively reviewing the abolition or otherwise of the University Grants Committee of Hong Kong; (g) raising the Government's target ceiling of providing 14 500 first-year undergraduate places annually; (h) there must be participation of teacher and student representatives from the institution in the decision making process of promoting the institution's development and allocating resources; and (i) establishing a mechanism independent of the Government to impartially handle disputes over the allocation of resources among institutions as well as complaints from teaching and non-teaching staff of the institutions, so as to ensure that the spirit of institutional autonomy and academic freedom can be realized" immediately before the full stop".

PRESIDENT (in Cantonese): I now propose the question to you and that is: That Mr CHEUNG Man-kwong's amendment to Prof Patrick LAU's motion as amended by Mr Paul CHAN 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.

(No hands raised)

Ms Starry LEE rose to claim a division.

PRESIDENT (in Cantonese): Ms Starry LEE has claimed a division. The division bell will ring for three minutes.

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

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

Functional Constituencies:

Dr Raymond HO, Dr Margaret NG, Mr CHEUNG Man-kwong, Dr Joseph LEE, Prof Patrick LAU, Dr LAM Tai-fai, Mr Paul CHAN, Mr CHAN Kin-por, Dr LEUNG Ka-lau, Mr CHEUNG Kwok-che, Mr Paul TSE and Dr Samson TAM voted for the amendment.

Mrs Sophie LEUNG, Dr Philip WONG, Mr WONG Yung-kan, Ms Miriam LAU, Mr Abraham SHEK, Mr Tommy CHEUNG, Mr Jeffrey LAM, Mr Andrew LEUNG, Mr WONG Ting-kwong, Mr IP Wai-ming, Mr IP Kwok-him and Dr PAN Pey-chyou abstained.

Geographical Constituencies:

Mr Albert HO, Mr LEE Cheuk-yan, Mr Fred LI, Mr James TO, Mr LEUNG Yiu-chung, Ms Emily LAU, Mr Andrew CHENG, Mr Albert CHAN, Mr Frederick FUNG, Ms Audrey EU, Mr LEE Wing-tat, Mr Alan LEONG, Mr

LEUNG Kwok-hung, Mr KAM Nai-wai, Ms Cyd HO, Miss Tanya CHAN, Dr Priscilla LEUNG, Mr WONG Sing-chi and Mr WONG Yuk-man voted for the amendment.

Mr CHAN Kam-lam, Mr LAU Kong-wah, Mr TAM Yiu-chung, Mr WONG Kwok-hing, Mr CHEUNG Hok-ming, Ms Starry LEE, Mr CHAN Hak-kan, Mr WONG Kwok-kin and Mrs Regina IP abstained.

THE PRESIDENT, Mr Jasper TSANG, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 24 were present, 12 were in favour of the amendment and 12 abstained; while among the Members returned by geographical constituencies through direct elections, 29 were present, 19 were in favour of the amendment and nine abstained. Since the question was not agreed by a majority of each of the two groups of Members present, he therefore declared that the amendment was negatived.

MS MIRIAM LAU (in Cantonese): President, I move that in the event of further divisions being claimed in respect of the motion on "Comprehensively reviewing the role and functions of the University Grants Committee" or any amendments thereto, this Council do proceed to each of such divisions immediately after the division bell has been rung for one minute.

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

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

(No Member indicated a wish to speak)

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

(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.

I order that in the event of further divisions being claimed in respect of the motion on "Comprehensively reviewing the role and functions of the University Grants Committee" or any amendments thereto, this Council do proceed to each of such divisions immediately after the division bell has been rung for one minute.

PRESIDENT (in Cantonese): Ms Starry LEE, as Mr Paul CHAN's amendment has been passed, I have given leave for you to revise the terms of your amendment, as set out in the paper which has been circularized to Members. When you move your revised amendment, you may speak up to three minutes to explain the revised terms in your amendment, but you may not repeat what you have already covered in your earlier speech. You may now move your revised amendment.

MS STARRY LEE (in Cantonese): President, I move that Prof Patrick LAU's motion as amended by Mr Paul CHAN be further amended by my revised amendment. As Mr Paul CHAN's amendment has been passed, item (v) of my amendment will be renumbered as item (vi). President, I have nothing to add.

Ms Starry LEE's further amendment to the motion as amended by Mr Paul CHAN is as follows: (Translation)

"To add "; and (f) supporting Hong Kong's universities to operate higher education institutions in the Pearl River Delta Region and collaborate with mainland education institutions in the area of scientific research, thereby enhancing the quality of these universities' scientific researches, so as to complement the development of Hong Kong into an education hub and nurture talents for the Pearl River Delta Region" immediately before the full stop."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That Ms Starry LEE's amendment to Prof Patrick LAU's motion as amended by Mr Paul CHAN 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)

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): Miss Tanya CHAN, as the amendments by Mr Paul CHAN and Ms Starry LEE have been passed, I have given leave for you to revise the terms of your amendment, as set out in the paper which has been circularized to Members. When you move your revised amendment, you may

speak up to three minutes to explain the revised terms in your amendment. You may now move your revised amendment.

MISS TANYA CHAN (in Cantonese): President, I move that Prof Patrick LAU's motion as amended by Mr Paul CHAN and Ms Starry LEE be further amended by my revised amendment.

Miss Tanya CHAN's further amendment to the motion as amended by Mr Paul CHAN and Ms Starry LEE is as follows: (Translation)

"To add "; (g) expeditiously reviewing the effectiveness of the work of the University Grants Committee and, based on the review results, examining the Committee's composition, structure, statutory status, mode of connection with the Government, powers and responsibilities, as well as its mode of regulation over various education institutions; (h) in vetting research funding applications, the University Grants Committee or the various education institutions should arrange for the vetting work to be carried out by persons with research experience in the academic fields for which the funding is applied; (i) reviewing the existing target that 18% of the relevant age cohort may enrol in publicly-funded undergraduate programmes; and (j) through various feasible ways, striving to enhance the corporate governance standard of publicly-funded education institutions and improve their administration, financial and human resources management systems, so as to strengthen the protection of academic freedom and enhance the transparency of the operation of the universities" immediately before the full stop."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That Miss Tanya CHAN's amendment to Prof Patrick LAU's motion as amended by Mr Paul CHAN and Ms Starry LEE 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.

(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 WONG Yuk-man, as the amendments by Mr Paul CHAN, Ms Starry LEE and Miss Tanya CHAN have been passed, I have given leave for you to revise the terms of your amendment. When you move your revised amendment, you may speak up to three minutes to explain the revised terms in your amendment, but you may not repeat what you have already covered in your earlier speech. You may now move your revised amendment.

MR WONG YUK-MAN (in Cantonese): President, I move that Prof Patrick LAU's motion as amended by Mr Paul CHAN, Ms Starry LEE and Miss Tanya CHAN be further amended by my revised amendment.

Mr WONG Yuk-man moved the following further amendment to Prof Patrick LAU's motion as amended by Mr Paul CHAN, Ms Starry LEE and Miss Tanya CHAN: (Translation)

"To add "; (k) abolishing the existing university funding mechanism and replacing it with a university funding body which is independent of the Government, transparent, open, widely represented and comprises community representatives and stakeholders, including the management of universities and representatives of university teaching and non-teaching staff as well as students, etc; (l) the mechanism for approving research funding should promote researches in humanities education, and also ensure that there will not be uneven distribution of resources among universities, and at the same time can impartially handle complaints from teaching and non-teaching staff, so that the spirit of academic freedom can

be realized; and (m) making the provision of training for local university students its primary objective, and enhancing student exchange between local universities and universities in the world under the premise of not jeopardizing education for local university students" immediately before the full stop."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That Mr WONG Yuk-man's amendment to Prof Patrick LAU's motion as amended by Mr Paul CHAN, Ms Starry LEE and Miss Tanya CHAN be passed.

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

(Members raised their hands)

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

(Members raised their hands)

Ms Starry LEE, Mr WONG Yuk-man and Mr Albert CHAN rose to claim a division.

PRESIDENT (in Cantonese): Three Members have claimed a division. *(Laughter)* The division bell will ring for one minute.

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

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

Functional Constituencies:

Dr Joseph LEE, Prof Patrick LAU, Mr CHEUNG Kwok-che and Mr Paul TSE voted for the amendment.

Mrs Sophie LEUNG, Dr Philip WONG, Mr WONG Yung-kan, Ms Miriam LAU, Mr Tommy CHEUNG, Mr Jeffrey LAM, Mr Andrew LEUNG, Mr WONG Ting-kwong, Mr Paul CHAN, Mr CHAN Kin-por, Dr LEUNG Ka-lau, Mr IP Kwok-him and Dr Samson TAM voted against the amendment.

Dr Raymond HO, Dr Margaret NG, Mr CHEUNG Man-kwong, Mr Abraham SHEK, Dr LAM Tai-fai, Mr IP Wai-ming and Dr PAN Pey-chyou abstained.

Geographical Constituencies:

Mr LEE Cheuk-yan, Mr LEUNG Yiu-chung, Mr Albert CHAN, Mr Frederick FUNG, Mr LEUNG Kwok-hung, Ms Cyd HO and Mr WONG Yuk-man voted for the amendment.

Mr CHAN Kam-lam, Mr LAU Kong-wah, Mr TAM Yiu-chung, Mr CHEUNG Hok-ming, Ms Starry LEE and CHAN Hak-kan voted against the amendment.

Mr Albert HO, Mr Fred LI, Mr James TO, Ms Emily LAU, Mr Andrew CHENG, Ms Audrey EU, Mr WONG Kwok-hing, Mr LEE Wing-tat, Mr Alan LEONG, Mr KAM Nai-wai, Miss Tanya CHAN, Dr Priscilla LEUNG, Mr WONG Sing-chi, Mr WONG Kwok-kin and Mrs Regina IP abstained.

THE PRESIDENT, Mr Jasper TSANG, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 24 were present, four were in favour of the amendment, 13 against it and seven abstained; while among the Members returned by geographical

constituencies through direct elections, 29 were present, seven were in favour of the amendment, six against it and 15 abstained. Since the question was not agreed by a majority of each of the two groups of Members present, he therefore declared that the amendment was negatived.

PRESIDENT (in Cantonese): Mrs Regina IP, as the amendments by Mr Paul CHAN, Ms Starry LEE and Miss Tanya CHAN have been passed, I have given leave for you to revise the terms of your amendment, as set out in the paper which has been circularized to Members. When you move your revised amendment, you may speak up to three minutes to explain the revised terms in your amendment. You may now move your revised amendment.

MRS REGINA IP (in Cantonese): President, I move that Prof Patrick LAU's motion as amended by Mr Paul CHAN, Ms Starry LEE and Miss Tanya CHAN, be further amended by my revised amendment.

Mrs Regina IP's further amendment to the motion as amended by Mr Paul CHAN, Ms Starry LEE and Miss Tanya CHAN: (Translation)

"To add "; (k) ensuring that universities will not, as enterprises do, set increasing income as their objective; (l) promoting knowledge creation, new and high technology as well as research studies which meet the needs of economic development; and (m) improving the teaching quality and curricula under the principle of giving priority consideration to nurturing local students, and broadening the international perspective of Hong Kong students" immediately before the full stop."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That Mrs Regina IP's amendment to Prof Patrick LAU's motion as amended by Mr Paul CHAN, Ms Starry LEE and Miss Tanya CHAN 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.

(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): Dr PAN Pey-chyou, as the amendments by Mr Paul CHAN, Ms Starry LEE, Miss Tanya CHAN and Mrs Regina IP have been passed, I have given leave for you to revise the terms of your amendment. When you move your revised amendment, you may speak up to three minutes to explain the revised terms in your amendment. You may now move your revised amendment.

DR PAN PEY-CHYOU (in Cantonese): President, I move that Prof Patrick LAU's motion as amended by Mr Paul CHAN, Ms Starry LEE, Miss Tanya CHAN and Mrs Regina IP be further amended by my revised amendment.

Dr PAN Pey-chyou moved the following further amendment to the motion as amended by Mr Paul CHAN, Ms Starry LEE, Miss Tanya CHAN and Mrs Regina IP: (Translation)

"To add "; (n) adjusting Hong Kong's current development strategy on higher education which has all along emphasized the scientific, commercial and professional disciplines, and giving greater weight to humanities to enable university students to have a more all-rounded perspective and scholastic achievement; and (o) assisting the various local universities in exploring other sources of income in addition to government funding, so that the universities can have more sufficient resources to develop their teaching and research work" immediately before the full stop."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That Dr PAN Pey-chyou's amendment to Prof Patrick LAU's motion as amended by Mr Paul CHAN, Ms Starry LEE, Miss Tanya CHAN and Mrs Regina IP 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.

(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): Prof Patrick LAU, you may now reply and you have two minutes five seconds. This debate will come to a close after Prof Patrick LAU has replied.

PROF PATRICK LAU (in Cantonese): President, we sustained gains and losses today. I have just listened to the detailed remarks made by the Under Secretary but there is really not much to be done; I am not sure if this is the fine-tuning policy of Secretary Michael SUEN.

In the light of what he said, I hope that some of the tasks could be carried out. However, he has touched upon areas such as research and expert confirmation. Many people have complained to me that, some research projects

although having been assessed as feasible by experts, they are not endorsed because of resources problems. This made me feel highly disappointed.

I want to make one point very clear, that is, the UGC really "under government's control"? After listening to the Under Secretary's remarks, I find that government control is really suspicious. The Secretary and the UGC Secretary-General both come from the Education Bureau, and I am not sure about their relationship.

In this connection, I would like to talk about one paragraph from an article that a professor has referred me to. It comes from the Record on the Subject of Education section of *The Book of Rites*: "According to the system of teaching nowadays, the masters hum over the tablets which they see before them, multiplying their questions. They speak of the learners' making rapid advances, and pay no regard to their reposing in what they have acquired. In what they lay on their learners they are not sincere, nor do they put forth all their ability in teaching them. What they inculcate is contrary to what is right, and the learners are disappointed in what they seek for. In such a case, the latter are distressed by their studies and hate their masters; they are embittered by the difficulties, and do not find any advantage from their labour. They may seem to finish their work, but they quickly give up its lessons. That no results are seen from their instructions: is it not owing to these defects?"

Actually, according to true teaching philosophy, if teaching methods employed are inappropriate, the true meaning of education is lost. Here, I hope the Government would understand the essence in the rationale, and I also hope that Honourable Members would continue to follow up the matter at the meetings of the Panel on Education of the Legislative Council. Thank you, President.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Prof Patrick LAU, as amended by Mr Paul CHAN, Ms Starry LEE, Miss Tanya CHAN, Mrs Regina IP and Dr PAN Pey-chyou, be passed.

PRESIDENT (in Cantonese): 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: Promoting the development of leisure agriculture and fishery trades.

PRESIDENT (in Cantonese): Members who wish to speak in the debate on the motion will please press the "Request to speak" button.

I now call upon Mr WONG Yung-kan to speak and move his motion.

PROMOTING THE DEVELOPMENT OF LEISURE AGRICULTURE AND FISHERY TRADES

MR WONG YUNG-KAN (in Cantonese): President, I move that the second motion under my name be passed.

President, some people say Hong Kong is a small place with a large population, thus making it not suitable for the development of the agriculture and fishery industry, and there are others who say that since the agriculture and fishery industry just accounts for less than 1% of Hong Kong's Gross Domestic Product (GDP), there is no need to preserve the industry. In fact, we really have to remember where we came from. Before the opening up of the city of Hong Kong, the place was only a fishing village, which included sailing boats, an image of which we can see on the television. When our last and previous generations came to Hong Kong, they also relied on the agriculture and fishery industry to provide for their living. In recent years, everyone is talking about heritage conservation and the need to preserve collective memory but I have not come

across anyone speaking about the agriculture and fishery industry in Hong Kong. They are really a little bit guilty of forgetting their origin.

Furthermore, the Government has all along failed to capitalize on the foundation of the industry for development. On the contrary, it has continuously been resorting to policies to pressure the industry. The dire situation that the poultry industry is facing today is a vivid example. Actually, since my election to the Legislative Council, I have the feeling that the Government only knows how to stifle those in the agriculture and fishery industry, whenever a problem crops up, it will impose prohibitions this way or that way, without considering how to assist those engaged in the industry acquire transformation. Today, I am proposing this motion hoping that the Government can pay more attention to them and talk about what are the views of other regions on the sustainable development of the agriculture and fishery industry, in its search of a new way out for the industry.

There is actually no standard definition for the leisure agriculture and fishery trades. In general, it refers to the integration of those engaged in the primary sector of agriculture and fishery with those in the third sector of tourism for development. As such, it can both supplement the content of the agriculture and fishery industry and expand the room for development for the industry. To put it in practice, facilities of the farming and fishing villages, space in the villages, production sites, tools and products of the agriculture and fishery industry, economic activities, natural ecology, natural environment for the agriculture and fishery industry and cultural resources will all be utilized. Through planning and design, the function of the agriculture and fishery industry in leisure tourism will be brought into play. This will enhance the public's understanding and experience in farming and fishing villages as well as the agriculture and fishery industry, elevate such facilities and resources into tourism products, increase the industry's revenue and promote the development of farming and fishing villages.

President, we may think that the leisure agriculture and fishery trades are for assisting the backward and developing countries. I have visited a lot of places in the last couple of years and found that on the contrary, in terms of developing the leisure agriculture and fishery trades, the most successful regions are what we regard as the most advanced developed countries, including the United States and Japan. Recently, they have laid much emphasis on the

development of the leisure agriculture and fishery trades. In fact, the revenue derived from their development is much higher than that from the production of the traditional sectors.

Take the United States as an example. The local classification for its fishery industry is relatively narrow, mainly being commercial fishing and leisure fishery trade for entertainment or for fitness purpose, with angling as the most common leisure fishery trade. According to figures provided by the American Sportfishing Association (ASA), at present, there are over 4 000 licensed anglers in the United States, which is even more than the number of golf players taken together with the number of tennis players, with close to 16% of American adults taking part in this sport. Figures provided by the ASA also indicated that retail sales brought about by angling reached an annual high of US\$45.3 billion, which is three times more than the value of commercial fishing. In 1984, related economic receipt only stood at US\$1.8 billion, but by 1997, it had reached US\$8.7 billion. It can thus be seen that in the last two decades, revenue generated by this fishery trade has been rapidly escalating. Apart from a strong growth in value and revenue, the overall leisure fishery trade has created over 1 million job opportunities for the United States. In view of the importance of the leisure fishery trade, Mr CLINTON, the former president of the United States, signed an executive order on 7 June 1995 which stated the significance of the leisure fishery trade to the nation, society, culture and economy and asked the federal government to improve the amount of American aquatic resources, sustainable production and distribution method, as well as expand the scope of the leisure fishery trade. This is an indication of the degree of importance the American government attaches to the development of the leisure fishery trade.

As for Japan, dating back to the 1970s, the fuel crisis has prompted the country to adjust its fishery policy to develop the leisure fishery trade. It proposed the development strategy of "turning to the ocean, putting it to multiple uses", implemented the realignment of coastal and inshore fish farms and the comprehensive plan for the maintenance of fishing ports and fishing villages, and took various measures to develop the leisure fishery trade. Currently, over 30% of the Japanese population enjoys fishing. The development of leisure fishing in Japan is more diversified than that of the United States. Apart from angling, Japan has also developed ecology viewing activity, with whale viewing being the most well-known. Moreover, Japan even blends its traditional method of marketing agricultural and fishery products into tourism and the most renowned

is the Tsukiji fish market. The auctioning of the catches no doubt attracts tourists but the retail market and the catering business in the outer areas draw the most attention as tourists are able to taste fresh food, thus generating bigger revenue.

President, in recent years, through its policy, Taiwan has also actively encouraged local fishermen and farmers to transform into the leisure industry. This has in fact become a local tourism brand. Country cuisine, packaged tourism service, ecology narrating, and so on, relating to the running of leisure farms alone can generate business opportunities amounting to approximately NT\$1 billion and attract over 5 million tourists annually. The development of the leisure agriculture and fishery trades in Taiwan is strongly promoted by its government. Shortly after taking office, its leader MA Ying-jeou launched the "Twelve Love-Taiwan infrastructure projects", one of them being the lavish spending of NT\$150 billion for setting up a fund for the regeneration of farm villages so as to improve the facilities of fishing and farm villages and revitalize the landscape of those villages. It is estimated that 4 000 fishing and farming villages and 600 000 fishermen and farmers will benefit. As regards policy, the local government has in place legislation to regulate the accreditation of leisure agricultural farms and the establishment of hostels. As a result, quality is guaranteed, and the industry can see a normal development. Moreover, in order to encourage its people, youth in particular, to come into greater contact with the agriculture and fishery industry, the local government introduced the wandervogel campaign, making various plans for young students to give them the opportunity to go to farming and fishing villages and forests in the mode of migratory birds to experience and learn agriculture, so that they will come to accept and love local agriculture.

President, back in Hong Kong, a lot of people yearn for leisure agricultural and fishery living. Two days ago, I visited a local leisure farm. The owner of the farm told me that their urban farmer plan has attracted the participation of a lot of people who love organic farming. He also said that queuing up for the rental of the farm's farmland alone will take at least six months. Although the owner originally planned to expand service and to bring in more educational elements, the shortage of talents with the relevant expertise and subsidies in any form from the Government have dampened the development of such non-profit-making organizations.

As for the fishing industry, having strived for years, though people can now only fish on fish rafts, the fish farmers are thus provided with another means of making a living. The Government, however, is on the other hand imposing a lot of restrictions on the operation of the fish rafts, forbidding barbeque activities and the provision of food and drinks on the fish rafts. Just imagine, if a group of people come to the fish rafts for fun but are not even allowed to be served with an instant noodle, it would be quite difficult to ask anymore patron to stay. Besides, I have visited other regions whereby the local government requires the installation of simple fire service facilities on the fish rafts so that cooking with fire there will not pose a problem. Consequently, serving patrons with fishery banquets is even used as a selling point. Thus, I wish the Government would not make blanket use of fire safety as an excuse and stifle the expansion of service by the industry. I believe there is a technical solution to the issue.

Meanwhile, fellows in the fishery trade have always hoped to capitalize on their fishing boats to run sightseeing service for customers. Some fishermen have applied to the Marine Department for the operation of sightseeing service on board the fishing boats but they ended up having to spend \$200,000 for alteration works so that sightseeing service could be provided, but only during the two months of the fishing moratorium and not on the other days. For the fishermen who can barely make ends meet, \$200,000 is an astronomical sum. What makes it more absurd is that if they carry out the alteration works in accordance with the Marine Department's requirement, the whole fishing boat can never be used for fishing again. This is bureaucracy which has deviated from reality, completely neglecting the people.

President, in fact, according a bigger room for the leisure fishery trade is to let people engage in experimental activities, that is, allowing the public to participate in the daily work of fishermen and farmers, so that they can be short-term fishermen or farmers themselves. Countries overseas have special fishermen itinerary for people to get on board the fishing boats and go to sea with the fishermen. It is said that the charges of these organizations are not cheap. A three-night-four-day trip will amount to several thousand US dollars but a lot of people are enrolling anyway. This is definitely an upscale and attractive highlight for tourists. I have come into contact with many people who are interested in finding out what it is like going to sea as a fisherman. Therefore, so long as the Government can come up with matching policies, there is a prospect for the leisure agriculture and fishery trades. More importantly, upon transformation, the need for fishermen to rely on fishing for their living will

diminish, and this will have a positive effect on the Government's long-standing effort in reducing capture fishery.

President, lastly, I would like to say that if Hong Kong wants to sustain the strengths of the tourism industry, it cannot rely solely on being a shopping paradise and having some theme parks. These are definitely not enough in supporting sustainable development. Furthermore, tourists from Europe, the United States and Japan yearn for featured tourism highlights. As some fellow fishermen understand, a lot of Japanese tourists are renting boats to go for fishing and for rock fishing activities. I believe the leisure agriculture and fishery trades can make up for the inadequacies of the present tourism highlights of Hong Kong. According to figures provided by The Ecotourism Society, since the 1990s, tourism activities related to natural ecology and the agriculture and fishery industry have been growing rapidly at an annual rate of 20% to 34%; in the coming six years, sustainable tourism industry can be developed to account for 25% of the world's overall tourism market, with an annual aggregate value of over £250 billion. I hope that the Government will not sneeze at the economic viability of the leisure agriculture and fishery trades, but will go out to more places or regions to learn from their experience in development and look for more ways and opportunities for the local agriculture and fishery industry as well as the tourism industry.

President, I so submit.

Mr WONG Yung-kan moved the following motion: (Translation)

"That, being affected by the policies implemented by the SAR Government, the room for survival of the trades which rely on the production of agricultural and fishery products has been shrinking; at the same time, with changes in people's travel patterns, many places have put emphasis on upgrading their traditional agriculture and fishery industries and developing them into leisure tourism industry, which enriches the tourism resources of these places, and creates a way out for the agriculture and fishery industries to transform; yet, the SAR Government does not attach importance to the need of the agriculture and fishery industries in Hong Kong to transform, and there is a lack of a comprehensive development policy in this regard, resulting in the development of the local leisure agriculture and fishery trades still lagging far behind; in this

connection, this Council urges the Government to formulate a comprehensive policy on the development of leisure agriculture and fishery trades to develop the trades into a tourism project with local characteristics; the relevant measures should include:

- (a) under the principle of sustainable development and through appropriate tourism regulation and ecological management as well as the provision of resources, conserving natural landscape with ecological values as well as rural areas and fishing villages with traditional cultural characteristics, so as to balance the needs for conservation and tourism development;
- (b) reviewing the current restrictions relating to the transformation of the agriculture and fishery industries to engage in tourism business, so as to give the industries more room for transformation and development;
- (c) drawing on overseas experiences, enhancing the facilities of local live and fresh food wholesale markets and typhoon shelters, injecting tourism elements into such facilities to provide more diversified leisure agriculture and fishery projects; and
- (d) allocating more resources to training talents and stepping up the promotion of local leisure agriculture and fishery trades, so as to attract more tourists."

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

PRESIDENT (in Cantonese): Mr WONG Kwok-hing will move an amendment to this motion. This Council will now proceed to a joint debate on the motion and the amendment.

I now call upon Mr WONG Kwok-hing to speak and move his amendment to the motion.

MR WONG KWOK-HING (in Cantonese): I move that Mr WONG Yung-kan's motion be amended.

President, the purpose for me to move this amendment is to further improve and make additions to Mr WONG Yung-kan's original motion. While I think that Mr WONG's proposal is very good, I still wish to further improve it by making some additions.

In my opinion, promoting the development of leisure agriculture and fishery industries does not only require the availability of appropriate and sustainable leisure agriculture and fishery policies, but comprehensive planning is also necessary to nurture a favourable environment and atmosphere for development. Furthermore, there must be the provision of timely and strong resources support, without which the implementation of development in leisure agriculture and fishery industries will be nothing but just empty words.

Here, I would like to discuss a few issues. First of all, in order to promote the development of leisure agriculture and fishery industries, there must be an appropriate and sustainable policy on agriculture and fishery industries. Notwithstanding that we have all along been criticizing the Government, it has yet to formulate an appropriate and sustainable policy on agriculture and fishery industries, not to mention the provision of proactive support in the transformation of the agriculture and fishery industries in a bid to develop leisure agriculture and fishery industries.

The Government has intended to abolish the Agriculture, Fisheries and Conservation Department (AFCD) in the last Legislative Session, and it was only after our repeated requests that it was finally retained. However, we now have the present AFCD is giving people an impression that it is actually choking the agriculture and fishery industries. No wonder we feel that the AFCD have now lost its soul, core value, objectives and mission, which is greatly regrettable. After all, this is attributable to the absence an appropriate and sustainable policy on the development of agriculture and fishery industries.

The second issue is, without a corresponding long-term development plan, how can we develop leisure agriculture and fishery industries? The recent civil riot that broke out at the Fairview Park Boulevard did not have its origin overnight, and it is a good example of the consequences of the absence of comprehensive and long-term planning.

Following the decline of the traditional agriculture and fishery industries, much New Territories land has been turned into such commercial establishments as container yards and parking lots. There is thus a greater need for the Government to provide ancillary facilities like roads, lighting and sewers, to further enabled the transformation of the agriculture and fishery industries.

Recently, the Tuen Mun District Council has conducted a regular meeting with this Council, during which district councillors strongly complained of the lacking in long-term development plans in, for example, Tuen Mun. They criticized the Government for moving so many obnoxious facilities to Tuen Mun, including sewerage and sludge treatment facilities, integrated waste management facilities, as well as landfills, crematorium and columbarium, and so on. With the setting up of so many obnoxious facilities in the New Territories without proper planning, how can we develop leisure agriculture and fishery industries in its vicinity?

The third issue is, in my amendment, I have urged the Government to formulate policies on revitalizing land in the New Territories. To farmers, land is as important as their lives. It is also the fundamental assets of the indigenous residents in the New Territories. But nowadays, despite having the land title, they are not allowed to rear chicken, neither could they maintain a living by farming. Worse still, they fail to receive any appropriate support for converting to organic farming. Even if they wish to apply for the building of small house, the long queue and extended processing time have accumulated a backlog tens of thousands of outstanding applications. President, if you are an indigenous resident of the New Territories, when you own a piece of land that cannot be of any use despite holding the land title, it is only natural that you will have the land abandoned. So, how can we develop the leisure agriculture and fishery industries? Hence, I am of the view that the Government should formulate policies on revitalization.

The fourth issue is, insofar as planning of land in the New Territories is concerned, I think that the Government should formulate policies on greening. The Government has said that there are greening master plans for both Hong Kong and Kowloon, has it not? But how much longer do we have to wait before a greening master plan could be drawn up for the New Territories? In the latest Budget, the Government advised that funding would be provided for taking greening measures on rooftops and the external walls of hundreds of government buildings, giving the impression that the Government has attached great importance to greening. It has, however, neglected the importance of greening

the land in the New Territories. Such neglect would result in much of the abandoned land being turned into wastes dumping grounds. I must point out that some places have even been turned into sites for disposing electronic devices, and the resultant pollution would cause permanent damage to the land. All in all, without implementing greening policy in the New Territories, how can we develop the leisure agriculture and fishery industries?

The fifth issue I wish to point out is that, not only is the Government seriously inadequate in allocating resources for the improvement of rural facilities, but the efforts it has spent are also not strong enough. In that case, how can we promote long-term developments in the leisure agriculture and fishery industries in the New Territories? Last year, I was invited by the Rural Committee to visit Tong Fuk, Pui O, Sap Long and Chi Ma Wan. Subsequently, the Committee raised seven issues and criticized the Government for not allocating any resources to address issues relating to the collection and treatment of sewage at stormwater drains, river draining and provision of recreational facilities. There used to be four such facilities a few decades ago, but the number decreased as the facilities broke down one after another, and now only one is left. Furthermore, there are seven other issues such as the conservation and trimming of trees, road lighting and road safety facilities. Despite their repeated requests over long periods, neither effective follow-up actions nor resources were available. Frankly speaking, how can we develop the leisure agriculture and fishery industries under such circumstances?

The sixth issue is, as the Chinese saying goes, "Those living on a mountain depend on the mountain for a living, those living near the water likewise depend on the water". While the fishermen are living near the water, but they cannot depend on the water for a living despite the close proximity. In view of the fact that fish harvest is declining, many small and medium scale fishing vessels have difficulties in their operation. Fishermen holding MA or M6 vessel licences (for miscellaneous vessels or junks) are eager to transform to and engage in tourism for a living. However, the Government has been imposing various restrictions on the licensing system for "water taxis" and even refused to issue such licences. So far, no progress has been made. How can fishermen of Cheung Chau and other islands, who are eager to transform, get their chance to do so?

The seventh issue is, President, I am tired of talking about man and land. This is the year of ox, but I wonder if Members are aware of the numerous abandoned farming cattle in the New Territories that have been left to dwindle. Due to the absence of government policies to address this situation, man and

cattle are not living harmoniously in the rural areas, thereby giving rise to safety hazards. The AFCD, however, stated that it was very difficult to perform sterilization surgery on such cattle. Seeing such a situation, a benevolent volunteer in Yuen Long generously rears them. As for the cattle on the Lantau Island, nothing has been done to address the situation either. A swimmer on the Pui O Beach suddenly caught sight of a black mass in front of him, only to find out later that he was actually swimming with an ox. If the Government still refuses to take proper action in situation such as these, what will happen when safety hazards arise? The Government should therefore formulate policies in respect of the abandoned farm cattle, if not, how can we develop the leisure agriculture and fishery industries?

Lastly, I urge that the Administration should step up co-operation with Heung Yee Kuk, different rural committees and district councils with sincerity, and strengthened communication that should not simply be a gesture. The authorities should pragmatically consider development plans for the rural areas in the New Territories, formulate effective and long-term policies and measures, and step up its efforts to promote the flexibility, revitalization and greening of land in the New Territories. Thank you, President.

Mr WONG Kwok-hing moved the following amendment: (Translation)

"To delete "being affected by the policies implemented by the SAR Government," after "That," and substitute with "as the SAR Government lacks an appropriate and sustainable policy on agriculture and fishery industries, the operation of traditional agriculture and fishery industries has fallen into decline, and"; to add "local" after "survival of the"; to add "and strong resources support" after "development policy"; to add "and step up its support" after "the development of leisure agriculture and fishery trades"; to delete "and" after "projects"; and to add "; (e) considering formulating a licensing system for 'water taxis', and abolishing unnecessary regulations and restrictions on the transformation of fishing vessels, so as to provide opportunities for suitable fishing vessels to engage in the leisure fishery trade; (f) formulating policies to encourage organic farming, thereby developing related leisure organic farming activities; (g) flexibly utilizing parks and open areas, etc to develop weekend and holiday bazaars for organic agriculture and fishery products, so as to attract the public and tourists and provide additional sales channels for such products; and (h) formulating policies on

revitalization and greening of agricultural lands, fish ponds and woodlands to ensure that abandoned agricultural lands will not be illegally turned into waste dumping grounds or container yards, fish ponds will not be filled up and hills will not turn bare, so as to nurture a pleasant environment and atmosphere for the development of leisure agriculture and fishery trades" immediately before the full stop."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mr WONG Kwok-hing to Mr WONG Yung-kan's motion, be passed.

SECRETARY FOR FOOD AND HEALTH (in Cantonese): President, first of all, I would like to thank Mr WONG Yung-kan for moving this motion. It has been precisely one year since the last motion debate on the development of local agriculture and fishery industry in the Legislative Council. Owing to high oil prices at that time, the agriculture and fishery industries, especially the capture fishery, were facing very difficult business environment. After last year's debate, I visited a number of fishermen under the arrangement of Mr WONG and proposed some concrete measures, including the payment by the Fish Marketing Organization of licence fees for fishing vessels and interest on fishing moratorium loan for one year so as to alleviate the difficulties of the industry.

After one year, oil prices have dropped significantly and it is believed that the operating costs and livelihood of fishermen have seen a slight improvement. However, the fishing moratorium each year did bring about a lot of pressure on their livelihood. In particular, the Government may announce that the moratorium will be extended in this year. It is the basic policy of the Government to make every effort to assist the fishermen.

Hence, apart from implementing timely measures to help fishermen cope with unexpected and special circumstances as I mentioned just now, the Government has all along been actively providing various kinds of support to promote the sustainable development of the agricultural and fishery industries. The concept of sustainable development not only includes the development of the industries on the premise that environmental resources are protected and conserved. More importantly, assistance will also be provided to fishermen to meet new opportunities and new challenges.

The motion moved by Mr WONG today focuses on the development and promotion of leisure agriculture and fishery trades, which is one of the sectors attributable to the sustainable development of the agriculture and fishery industries. The leisure agriculture and fishery trades will supplement the incomes of fishermen and farmers. Meanwhile, improved facilities in the trades can also attract more urban dwellers to the rural area for relieving their pressure caused by heavy workload.

Many of the measures proposed in today's motion debate are also the policies we have implemented to promote the sustainable development of agriculture and fishery industries. I believe all Members will support these recommendations and measures and put forward new policy proposals for the consideration of the Administration. I would like to make a response in greater detail after listening to Members' speeches.

Thank you, President.

MR ALBERT CHAN (in Cantonese): President, in the six to seven years of the mid-1990s, the processions organized by me very often have their destination at the Agriculture, Fisheries and Conservation Department (AFCD) — not the department responsible for home affairs or transport, but the AFCD. When the fishermen and I went to the AFCD for demonstrations, the banners and slogans that we used were nothing but condemnation against the "Foolish and Deaf Department"¹, denoting that it is a stupid and deaf department. In the eyes of the fishermen, the AFCD is a government department that fools the fishermen and would never listen to them. The fishermen do not consider it can be a source of help because when they suffered setbacks, it would simply watch the situation with folded arms, and would sometimes even take a mean advantage over them.

President, all these years, Mr WONG Yung-kan has made a lot of suggestions as to how the agriculture and fishery industries can be improved, among which the development of leisure agriculture and fishery industries is a way out. When I discussed this with different Policy Bureaux 10-odd years ago, I had also proposed the active development of artificial reefs to increase inshore fishing production, and the regulation of irrational inshore fishing. In fact,

¹ "Foolish and Deaf" is the transliteration of "愚聾" and "愚聾署" is the homophone for "漁農署" in Cantonese, which is actually the Chinese acronym of the AFCD.

inshore fishing is contradictory to and mutually exclusive with the leisure agriculture and fishery industries, and they cannot co-exist. The greatest problem in Hong Kong is the use of hang trawlers and trawlers, which trawls away even the smallest fish fries, thus seriously affecting the local fish production. According to those hand-lining fishermen, the size of the fish they caught is becoming smaller, and so is the size of the fish catches.

Should the Government fail to monitor and regulate inshore fishing, control the size of the fishing nets and the operations of trawlers, and step up enforcement actions against illegal fishing, especially that of mainland vessels in Hong Kong waters, the leisure agriculture and fishery industries will never be able to be developed. When Gordon SIU was Secretary for Economic Services more than a decade ago, he had undertaken to develop artificial reefs on a large-scale 1 km off the shore of South Lantau. And yet, many of these proposals have been nipped in the bud early at the planning stage. Despite that it is of paramount importance to step up the monitoring of fishing vessels, not only had the Government failed to make any extra effort to do so, but the number of hang trawlers and trawlers are also increasing. No matter it is in Sai Kung or South Lantau, you can always see two vessels circling around side-by-side near the shore and they are sometimes just about 10 m away from the beach boom-line. With vessels found circling around everyday, how can we develop the leisure agriculture and fishery industries?

President, during the years when I studied in Canada and started my first job there, I used to spend a lot of time fishing at the riverside. I sometimes went fishing after work at 5 pm as darkness would not befall until 10 pm. That is why I had been fishing quite often in those few years. Not only is this a good and relaxing activity, the fish caught can be a dish for me. And yet, all fishing activities are subject to regulation. In some places, the number of fish that can be caught in one day is six at the most and the fish size is also restricted. In places like Vancouver or certain areas in the United States and even New Zealand, the leisure fishery industry is pretty flourishing and fishing activity is permitted for one day or more, except that there is restriction on the number of catches. For example, people fishing near the BC Island are only allowed to catch and bring home one fish each day. Regulations have been laid down. This is not the case in Hong Kong. Anyone can bring home even the smallest fish fry, and this would pose serious threats to both fish production and the fish fry.

The development of leisure agriculture and fishery industries is actually a triple winning proposal, Secretary, because on the one hand, the fishermen can make ends meet — nowadays many fishermen are in a miserable plight for they have to go ashore to work as construction workers, but now there are not much construction work to do. I would sometimes come across fishermen living in Cheung Chau or Ping Chau on a bus or somewhere else when they are going to Tin Shui Wai for work. As they need to take the ferry at dawn, their traditional lifestyle has been seriously affected — This triple winning proposal can help create job opportunities because the leisure agriculture and fishery industries enable the fishermen to convey tourists for fishing with their sailing vessels.

Secondly, the ecology of Hong Kong waters can be restored. It is extremely outrageous to see the excessive dredging operations in our seabed, during which even fish bombs are used. It is therefore of paramount importance to restore the ecology. Thirdly, local economy can be genuinely revived, thereby improving Hong Kong people's livelihood. Secretary, many people enjoy fishing, and the President should invite the Secretary to go fishing together if possible. This saves them from engaging in heated debates in this Chamber, which would raise their blood pressure, right?

Fishing is a relaxing and healthy activity which is beneficial to the heart and mind, so I do hope that the Secretary will think about it. Taiwan has been very successful in this regard, and I learnt that a six-year national plan to develop the leisure fishery industry on all fronts has been laid down as early as a decade ago. It was very comprehensive and systematic. In Hong Kong, the AFCD is really "foolish and deaf". Not only would fishermen become extinct within two decades, the overall fish rearing and fishing industries will also suffer disastrous consequences arising from land reclamation. However, there are barely any cases where you can find the Government genuinely extending a helping hand to support the development of the fishery industry.

Furthermore, regarding the buffalo issue in Pui O, I had assisted in the establishment of a buffalo association many years ago. Someone donated \$250,000 for the setting up of a buffalo centre, but the proposal met with opposition from the rural committee. Despite that the Lands Department had agreed to allocate a land lot of 30 000 sq m in Pui O for the establishment of a buffalo centre, the proposed construction failed in the face of opposition from the rural committee and the rural gentry. Therefore, the development of the

agriculture and fishery industries requires the co-operation of all parties concerned. Do not just intent on building houses, for long-term survival, awareness of conservation and development of tourism are also essential.

MR FRED LI (in Cantonese): President, it is an indisputable fact that the local agriculture and fishery sector has been dwindling by the day. In the past, whenever Mr WONG Yung-kan moved a motion debate on the agriculture and fishery policy in this Chamber, I would mention in detail the declining figures of the Gross Domestic Product accounted for by the agriculture and fisheries industries in Hong Kong. But this time I am not going to mention these figures again.

The thrust of today's debate is the leisure fishery trade. Mr WONG hopes that a comprehensive policy on the development of leisure agriculture and fishery trades can be formulated so as to find a way out for the declining traditional agriculture and fishery industries. The Democratic Party will support both the motion and the amendment. We also hope that when the traditional agriculture and fishery industries have reached a critical stage of survival — please allow me to use such words to describe it — the leisure agriculture and fishery trades will be the life-saving straw for fishermen and farmers.

Basically, the Government has not provided much support to the transformation of the agriculture and fishery industries. But the industries have gradually found a way out through developing themselves into leisure trades.

From serving fried crabs dishes at the Causeway Bay Typhoon Shelter years ago to squid fishing nowadays, these are the rudimentary forms of leisure fishery trades. In recent years, agricultural lots have been leased to urban families for farming and growing of organic vegetable purpose on Sundays. This is also a re-development for leisure agriculture.

When drawing reference to the leisure agriculture and fishery trades in other countries or regions, the Democratic Party found that the leisure fishery trades in these areas have reached quite a sophisticated stage. For example, the fisheries in many countries in Europe and the United States are limited to a small number of fishing ports as most of the fishing ports have been converted into cruise terminals for leisure purpose only. Although marine-related and

fishery-related leisure activities in Japan are very common and cruise terminals have also been constructed, the fishing industry has preserved their functions and fishing vessels are engaged in both tourism and capture fisheries in a more diversified way, such as direct sales fish markets, holiday fish markets, cruising tours, whale-watching, marine angling, visits to fish catching operation and personal experience in procurement of fish stock. In addition, they also provide accommodation to tourists and tutorials on the treatment of fish products. They exert their best to create the characteristics of fishing villages and preserve the culture of fishing villages, thus generating substantial income for their fishing villages. Such are the situations in Japan. In the United States, the leisure fishery sector plays a more important role than commercial fishery sector as evidenced by the fact that the number of fishing vessels for leisure purpose exceeds that of the commercial fishing vessels by dozen of times. Meanwhile, piers for excursion vessels can be owned by private investors. In countries which own a lot of whale and dolphin resources, such as Canada, the United States, Australia, Brazil and Argentina, leisure fisheries such as whale and dolphin watching is popular. Depending on the different socio-economic situations and different conditions in fisheries, different countries have their own ways.

From the successful stories of the United States and Japan, the Democratic Party has summarized the following two factors which include:

(A) The management of the Government

In the United States, the administrative agencies at the federal level are the National Marine Fisheries Service, and the Fish and Wildlife Service under the Ministry of the Interior, which are responsible for the management of marine leisure fisheries and freshwater angling respectively with the main duties of management, study and planning of leisure fisheries in the whole country. At the state level, the leisure fisheries management agencies are responsible for the management of the trade within their respective water jurisdictions. In respect of trade management, various trade associations in the United States have also taken the initiative to participate in the management of leisure fisheries. As for Japan, through the Government's assistance, leisure fisheries associations have been set up at both the central and local government levels so as to step up their management.

(B) Sound legislative framework

In the United States, the legal system has begun to improve side by side with the development of leisure fisheries and its increasing proportion in the fisheries economy. From the federal level to the state level, mandatory laws and regulations on the fisheries have been formulated with the purpose of protecting the environment and maintaining the harmony between the development of fisheries and the environment, resources and ecology, so as to ensure the sustainable development of leisure fisheries with the ultimate aim of protecting the legitimate rights of those engaged in the trade and consumers. A wide range of areas are covered under these laws and regulations, including the excursion and angling permit system, restrictions on total allowable catch for each fishing gear, leisure fisheries quotas, special fisheries quotas and stipulations on the catch and so on. As for Japan, legislation has also been enacted on the implementation of excursion and angling permit system. A registration system has also been put in place in respect of the use of vessels for excursion and angling, and the main species and amount of catch for such vessels. Much more resources have been put into the construction of artificial fish farms, improving the environment of fishing villages and fishing ports, road networks, communications and other infrastructure facilities so as to ensure the wholesome sustainability of leisure fisheries.

President, the stories of success for the United States and Japan are attributable to the massive efforts made by their Governments. Although the scale of our leisure fisheries in the future may lag behind that of our counterparts in the United States and Japan, as long as the Government can provide resources for the development of the leisure agriculture and fishery trades strategically according to a good planning, they will face radical and positive changes. Although the economic scale of these industries will not be very large, they will be very attractive tourism projects to residents and tourists alike, and will bring a revival opportunity to the declining agricultural and fisheries industries. I hope the Government will plan ahead expeditiously instead of missing out again.

President, I so submit.

MR CHAN KAM-LAM (in Cantonese): President, Hong Kong has developed into a world-renowned cosmopolitan city from an unknown fishing village through a century of changes. However, the agriculture and fisheries industries

in Hong Kong have not disappeared due to this and there are still a large number of farmers here. The agriculture industry, with a Gross Domestic Product of almost \$1.1 billion, has become an alternative industry in Hong Kong. We should not underestimate the economic impact of the industry, which leverages on the blessings of Mother Nature. If it is developed in the direction of integrating with eco-tourism, giving its inherent advantages into full play, it will be another way of helping Hong Kong to get out of its economic difficulties.

In fact, our neighbouring countries and regions have formulated policies long ago to develop leisure fishery trade with keen determination. Their objective is to seek a higher level of upgrading in the quality of the trade for the local fishermen and farmers who are now facing fierce competitions. Such are valuable experiences for Hong Kong to learn, and Taiwan, our neighbour, is one such example.

The Council of Agriculture of Taiwan has taken the lead in formulating a series of policies, including the formulation of the Supplementary Management Practices on Leisure Agriculture under the relevant regulation, which allows areas with regional agricultural characteristics, rich sightseeing resources and ecological and cultural values to be designated as leisure agriculture zones. Currently there are over 60 leisure agriculture zones in Taiwan and the total amount of accumulative subsidies for the development of leisure agriculture from local governments has exceeded NT\$1.4 billion. Over 3 000 farmers are now engaged in country cuisine, packaged tourism service, ecology narrating and so on, generating an income of around NT\$1 billion annually. Such business opportunities have attracted more than 5 million tourists.

The MA Ying-jeou Administration also strongly supports and highly regards the facilities in fishing and farm villages. After assuming office, MA Ying-jeou has earmarked a large sum of money to set up a fund for the regeneration of farm villages so as to improve the facilities in the fishing and farm villages and revitalize the landscape of those villages. It is estimated that around 4 000 fishing and farm villages and 600 000 farmers will be benefited.

Looking back at the agriculture and fisheries policy of Hong Kong, the Government has only provided the most basic water and electricity facilities and technical support on farming in response to the needs for modernization, efficient production, agricultural safety and environmental protection. The industry has to adjust itself on its own initiative according to the market forces. Except under exceptional circumstances, social resources are generally determined by market

forces. The Government has still maintained a positive non-intervention policy on the principle of free market. As a result, in the absence of specific support, our agriculture and fisheries industries are continuously being marginalized within Hong Kong and by our neighbouring areas.

In fact, there are great potentials awaiting the local agriculture and fishery industries. Currently there are around 2 700 farms, with around 6 100 directly employed farmers and workers and a total arable land of over 800 hectares for the production of vegetables, flowers, miscellaneous crops and fruit trees. As long as we can fully utilize the characteristics of these existing agricultural lands, integrate these agricultural lands with tourism according to the resource characteristics of the district and the unique demands for eco-tourism by tourists, we can create more interesting new attractions which can attract different kinds of tourists to Hong Kong. For example, on the basis of the production characteristics and ornamental features of agricultural produces, we can showcase agricultural produces with special characteristics, crops with decorative features such as trees, grass and flowers, to the public and tourists who will also be allowed to feed animals there. These are good selling points. Pleasure grounds and performance venues can be set up to enhance the entertainment effect of those farms. Tourists can also personally experience the atmosphere of Chinese traditional rural culture through engaging in farming and acquiring farming skills and technical know-how. Activities as such will also promise unlimited pleasure to the tourists.

Furthermore, agritourism has upgraded the agricultural market from the consumer level to the global level to all tourists worldwide. The farm owners have to provide good packaging for their farms, breed more interesting and unique agricultural produces so as to enhance their appeal. This will play a significant role in introducing agricultural technology, promoting agricultural development, enhancing employment opportunities and stimulating domestic demand.

It is estimated that there are over 200 organic farms in Hong Kong, including the traditional family farms and holiday farms which provide educational and recreational activities. These farms produce three to five tons of fresh vegetables in varying species per day on average for the supply of supermarkets, health food stores, farmers' markets and wet markets. These are precisely the basis for the development of leisure agriculture trade in Hong Kong. However, at present, many fishing and farm villages with potentials have become

old and dilapidated, thus losing their former appeal to tourists. Many aboriginal farmers and fishermen cannot switch to leisure agriculture and fishery trades due to the shortage of cash after years of plights suffered by the industries. Besides, the construction of hostels on agricultural lands is subject to lots of stringent restrictions, resulting in shortage of accommodation services which significantly limits the development of leisure farms. Even if farmers can inject new tourism elements into their agricultural lands, they will find it very hard to promote their business worldwide with their piecemeal efforts. Given such limitations, we very much hope the Government would develop and promote the trade on a large scale so that the rural and fishing villages will receive a face-lift. We hope that the SAR Government can formulate policies on the development of leisure agriculture and fishery zones expeditiously to open up another economic portal for Hong Kong.

I so submit.

MS AUDREY EU (in Cantonese): President, Mr WONG Yung-kan urges us to remember our origin, and to bear in mind that Hong Kong has made remarkable development because of the fisheries industry. We should therefore give strong support to his sector. Since joining the Legislative Council, Mr WONG Yung-kan has proposed altogether six motions relating to the development of the agriculture and fisheries industries: on 2 December 1998, he proposed "the development of the agriculture and fisheries industries"; on 16 February 2000, he proposed "natural resources and developing leisure agriculture and fishery trades"; on 6 November 2002, the subject of the motion was "offshore fishing industry"; on 15 December 2004, the subject of the motion was "a sustainable policy on agriculture and fisheries"; on 13 June 2007, the subject of the motion was "the sustainable development of the local agriculture and fisheries industries"; and on 5 March 2008, the subject of the motion was "the local agriculture and fisheries industries". By counting all of the above, President, this is already the seventh time for him to propose such a motion.

I have also mentioned today that some Secretaries sometimes criticize others for blowing hot and cold, but it is certainly not the case for Mr WONG Yung-kan, as he had suggested promoting the leisure agriculture and fishery trades since the motion debate in 2000. However, the major difference between today's motion and those proposed in the past is the content, especially, it is

mentioned in the original motion that "affected by the policies implemented by the SAR Government, the room for survival of the trades which rely on the production of agricultural and fishery products has been shrinking". In the motion debate this time, he seems to be much more pessimistic than before, feeling that the agriculture and fisheries industries have fallen into decline, and should therefore transform into the development of leisure agriculture and fishery trades.

President, I would like to state clearly the stance of the Civic Party, and that is, should a basis be provided, we certainly will not object to the promotion of leisure agriculture and fishery trades. What is the so-called basis? First of all, we should have a proper ecological management. During our discussion at the Panel on Environmental Affairs for the setting up of a geopark earlier on, we have mentioned that there are often potential conflicts between tourism development and ecological conservation. This is because for tourism, we would want to have more tourists for bringing in revenues. However, if we develop ecotourism or even the leisure agriculture and fishery trades which are discussed this time, we will have to make efforts in conservation first, so as to avoid affecting the sustainable development. As such, how can we avoid killing the goose that lays golden eggs and satisfy all side? In fact, Hong Kong is not well-prepared to meet the prerequisites in this regard. Therefore, we have to make it clear that the Civic Party certainly will not object to the original motion proposed by WONG Yung-kan today, but we also want to voice our concerns.

Moreover, in developing the leisure agriculture and fishery trades, President, we should also consider the customer base. What kind of the leisure fishery trade can be developed in Hong Kong? As compared to the grange hostels in the United Kingdom, Australia, Japan or even Taiwan, does the leisure fishery trade in Hong Kong bear a competitive edge? What kind of people can be attracted by the leisure fishery trade in Hong Kong? If our development is not satisfactory and fail to compete with others, we will only have some local leisure agriculture and fishery trades for the District Council Members' offices to organize one-day trips. I think such trips may still be attractive to a certain extent, but how can we genuinely promote or enable those engaging in the agriculture and fisheries industries to switch to the leisure agriculture and fishery trades? This is absolutely not an easy topic.

President, I also want to mention that in our recent discussion at the Panel on Environmental Affairs of the Legislative Council on whether fishing activities

should be banned in marine parks, the Government advised that it would amend the Marine Parks Ordinance shortly to prohibit indigenous residents from carrying out fishing activities. Regarding this issue, Honourable colleagues will of course view it from a more macro perspective, querying whether the fisheries industry in Hong Kong can have sustainable development and whether the problem can be resolved by such amendment. Making such kind of piecemeal amendments will always only give rise to more problems. We know from the reply given by the Government that regarding the overall development of the fisheries industry or its sustainable development, the authorities have no policy at all.

President, the World Wide Fund for Nature (Hong Kong) has conducted many researches on the sustainable development of the agriculture and fisheries industries, and stated that fish stocks in Hong Kong has already been exhausted, then with high oil prices, most of the fishermen can just barely make ends meet by fishing. According to a survey, 54% of the fishermen are willing to give up fishing and switch to other industries, whilst 75% of them are willing to sell their fishing vessels to the Government at a reasonable price. Therefore, it is now an opportune time for transformation.

President, as for this point, the Civic Party also wants to mention that in promoting the development of the leisure agriculture and fishery trades, is it necessary for us to first consider how to implement a healthy development of the existing agriculture and fisheries industries? In fact, in order to revitalize the local agriculture and fisheries industries, the Government should draw up a sound policy. The World Wide Fund for Nature has released a report in 2007, pointing out that the Government should formulate a fishery management policy. And in order to ensure efficient fishing activities, it should start with the fundamentals by putting in place an effective licensing, monitoring and testing system, as well as offering an incentive scheme for fishermen.

President, to sum up, the Civic Party will support Mr WONG Yung-kan's original motion and Mr WONG Kwok-hing's amendment this time. However, regarding the content of the motion, we have raised a number of areas in which we have reservations. Also, we have advised the Government that it should not "learn to run before learning to walk". It should, first of all, ensure that we have proper conservation of ecology and marine resources before putting forth other developments. Thank you, President.

MR CHAN HAK-KAN (in Cantonese): President, many Honourable Members have mentioned just now that Hong Kong was, in fact, a small fishing village before it became a city. This point is often talked about in our Primary school textbooks as well. However, with the development over the past hundred odd years, it is an undeniable fact that the agriculture and fisheries industry has fallen into decline. Under the existing situation, it is very hard for us to revitalize this industry. In my opinion, doing so would involve a lot of difficulties, however, we can still adopt a more flexible attitude of seeking changes, so as to transform the agriculture and fisheries industry into an industry with sustainable development.

Earlier on, Mr WONG Yung-kan has mentioned in his speech that many overseas countries have proactively promoted the leisure agriculture and fishery trades in recent years. In fact, I think Hong Kong also has the potential to do so. President, I have a friend who is lover for floral photography. He visits the Government House every year to take photos of azaleas. In recent years, with a better income, he likes visiting Japan to take photos of sakuras. But he cannot do so because of the financial tsunami this year. Although he cannot visit Japan, he has found a very nice place here. He discovers that a cherry blossom named "*Cerasus campaulata*" can be found in some areas in the New Territories. He has taken a photo of this flower for me, which is really very beautiful. These cherry blossoms can also be found in Hong Kong. It is possible for us to find these cherry blossoms and take such beautiful photos without the need to go to Japan. I think photography should not be restricted to taking photos of azaleas at the Government House. Over the past one or two weeks, he told me that a lot of photography fans went to a place in Tai Po for taking photos of cherry blossoms. This is a good example to illustrate that Hong Kong, in fact, also has many natural scenic spots which are valuable and attractive to both residents and visitors.

However, I notice that over a period of time in the past, the Government has all along adopted an attitude which is not so proactive in promoting the leisure agriculture and fishery trades. It relies solely on the trade to open up the market and to design their operation. Even when the Government has been involved, the outcome is not so satisfactory after all.

What gave me the deepest impression was that about 10 years ago, the Government struck upon the idea of constructing a fishermen's wharf in Hong Kong. At that time, it has already indicated that the reconstruction of typhoon

shelters in Hong Kong should be studied. At one time, it said that we should, as mentioned by Mr WONG Yung-kan, make reference to the Tsukiji Market (Tokyo Central Wholesale Market). At another time, it revealed that we should promote special seafood cuisines at typhoon shelters. Later, it also indicated that we should tie in with the extension of the Ocean Park. Time and again, with procrastinations for over 10 years, I wonder what progress it is now up to. It seems that there is no follow-up at all. If I remember correctly, a restaurant called Fishermen's Wharf was set up there but has ceased operation now. We really do not know whether there is still a chance for us to construct a fishermen's wharf in Hong Kong.

President, in the course of development of the leisure agriculture and fishery trades, we are very concerned about ecological development as well. Just as a few years ago, it was very popular for us to watch Chinese white dolphins. However, as so many of us go watching Chinese white dolphins at present, they have been seriously frightened. A lot of vessels sail around their habitats and the sound of propellers has caused much disturbance to them. We do not want to see ecology being compromised when we promote the leisure agriculture and fishery trades in future.

Therefore, we propose that in promoting the leisure agriculture and fishery trades, appropriate regulation should also be in place, such as restricting the number of visitors appropriately; ensuring operators' service level by means of a licensing scheme, and more importantly, stepping up educational efforts to enhance visitors' knowledge in conservation. It is only through taking such measures that our precious environment and ecological resources can likewise be protected in the course of development.

President, apart from the leisure agriculture and fishery trades, we, the Democratic Alliance for the Betterment and Progress of Hong Kong, also proactively urge the Government to develop a geopark. I believe that the above two proposals can complement each other, particularly for the fact that fish rafts, farms and unique geological landscapes in Hong Kong are all located in the New Territories. If the two proposals can tie in with each other, I think we can accomplish twice as much as the efforts put in, bringing about greater benefits. Let us think about this. If we just go hiking or rock-watching in a visit to the geopark, we can only obtain some knowledge in geography and science but will be in lack of knowledge in humanities. On the contrary, if we just go fishing or visiting fish rafts, we can hardly have such a close contact with nature as in visiting the geopark. We believe that if the two proposals can be integrated, we

can promote our unique natural landscapes and at the same time revitalize the traditional culture of Hong Kong.

However, President, as I have mentioned just now, promoting the leisure agriculture and fishery trades and setting up a geopark will involve many departments, such as the Agriculture, Fisheries and Conservation Department, Environmental Protection Department and Tourism Commission, I hope the Government can learn from past experience, and make proper co-ordination and arrange for division of labour so that in the course of promoting Hong Kong overseas, not only can we praise ourselves as a shopping paradise, but we can also put up a selling point as a place with rich ecotourism, by which various kinds of visitors can be attracted to Hong Kong.

President, I so submit.

MR WONG TING-KWONG (in Cantonese): President, in a highly urbanized metropolitan like Hong Kong, a lot of farmland in the rural New Territories has been turned into commercial, industrial and construction sites. Traditional farming, which relies heavily on farmland and labour, no longer meets the development need of Hong Kong nowadays. Our new and younger generation now rarely engages in agriculture. Agriculture has long been besieged by the shortage of labour. Coupled with imports of cereal, oil and other produce from the Mainland and other regions, which has dealt a blow to the income of the trades, many indigenous farming households have abandoned their farmland. Although farming practices have developed from sustainable farming in the past to intensive farming and organic farming in recent years, and the crops cultivated have also geared to high quality and new species, the prospect of farming has not improved. As for the livestock trade, the SAR Government has tightened the policy on livestock rearing due to the lacking in land resources and the issue of environmental hygiene, thereby rendering the trade increasingly difficult to operate.

The fishery industry is not having a better time either. With the gradual depletion of in-shore and aquaculture resources in South China Sea affecting the capture fisheries, the increase in the number of mainland fishing vessels and limitations on trawl fishing, coupled with the fish moratorium, the surging oil prices in recent years and the implementation of "no-take" zones in local waters by the Government for conservation reasons, the entire industry has seriously withered. Moreover, the biggest setback encountered by the aquaculture industry is large-scale work projects in in-shore waters. These projects not only

damage the seabed ecology, but also degrade the water quality, resulting in losses to in-shore aquaculture fisheries. As for breeding on land, due to the absence of a fully established registration system for fishing grounds and the complicated nature of the laboratory procedures, it is difficult to promote locally-bred quality fishes to local markets and more so to the Mainland.

In the face of such adversities, we need to strive to improve ourselves. Just as the financial tsunami we are facing now, we have to make all-out efforts to turn crises into opportunities. President, for this reason, the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) proposes to upgrade the traditional fishery industries and develop them into leisure tourism industry, for not only will this enrich tourism resources, but will also create a way out for the agriculture and fishery industries to transform. We believe that promoting leisure fisheries can bring about benefits. For instance, the fishing vessels can be used as pleasure boats. As such, the fish stock captured can be reduced, thereby increasing the benefits to the fisheries, society and ecology. Meanwhile, by utilizing the existing fishing ports, villages and related facilities, the professional skills of the fishermen and farmers can be given a full play, which in turn can trigger development of other related industries, as well as creating employment and new industries for them to find a new living.

President, at present, leisure fisheries in Hong Kong mainly manifest in the form of ecotours and leisure fishing at fish rafts of designated fish culture zones; some leisure farms are open to the public, such as the Tai Tong Lychee Valley, Garden Farm, the sea-land market at the Waterfront Park Pier Deck in Tai Po, and so on. However, as compared with those in countries and regions like the United States, Japan and Taiwan, the leisure fisheries in Hong Kong still lag far behind. The main reason is that Hong Kong has all along upheld the policy of autonomy for the agricultural and fishery trades and is lacking in a set of effective policies to facilitate the development of leisure fisheries.

As proposed by Mr WONG Yung-kan in his original motion, the Government should review the current restrictions relating to the transformation of the agriculture and fishery trades to engaging in tourism business, so as to give the trades more room for transformation and development. The DAB is thus of the view that as many indigenous farmers and fishermen are short of the capital to transform their business into leisure tourism, the Government can consider establishing a Leisure Agricultural and Fishery Trades Development Fund, so that these indigenous farmers and fishermen can apply for funding to improve their facilities, thus facilitating their gradual transformation. Meanwhile, the

Government should also relax the restrictions to allow leisure farms to provide hostel facilities and permit them, as far as possible, to provide diversified services such as catering counters and recreational activities. As for the typhoon shelters, the Government should improve their environment and water quality as far as possible in order to develop them into fisherman's wharfs; and on the premise of compliance with safety and environmental hygiene, allow food establishments to operate on fishing vessels to provide fisherman feasts or typhoon shelter cuisine, with the aim of turning these typhoon shelters into new tourism attractions.

President, apart from relaxing the restrictions, the Government should also step up its promotion efforts. The Government can collaborate with related publicity agencies to promote the leisure agricultural and fishery trades and help them attract more tourists. This will be advantageous in shaping Hong Kong as a diversified tourist hub and in stimulating the tourist industry.

President, I so submit and I support the original motion and the amendments.

MR JAMES TO (in Cantonese): President, I have a group of friends who are very fond of travelling. Perhaps because we all work in Central and our jobs are very tough, we enjoy having an overseas tour once or twice a year whenever we have time. Why do I specially mention this in the light of today's motion? Because we have similar experiences or have participated in similar activities when we travelled overseas. Of course, I have tried some of these activities, but not all of them. Nevertheless, I would like to say a word or two.

For example, I really cherish the dream that I can spend a night on a raft or in a houseboat in Hong Kong. A friend of mine recently went to Vietnam. He cruised along a river by boat and had a fisherman to cook for him. At night, they just moored the boat randomly and slept on the boat. He just travelled alone and got someone to cook for him, and he could already enjoy a leisurely vacation. I think it seems quite unimaginable to be able to have such a trip in Hong Kong.

I can see Secretary Dr York CHOW here today — because the Agriculture, Fisheries and Conservation Department is under his purview. Every day, he is bombarded with incidents concerning drugs and the mortuary, which have already given him very much of a headache and there is almost a daily occurrence of such incidents. Now that we are discussing how to take forward the leisure

fishery trade, indeed I doubt whether he will really be able to spare the time to do so. I hope that he has genuine intention to work on it. From another perspective, it is important that we stimulate domestic demand because many places are now having a slump economy and they rely on the stimulation brought by their domestic demand to revive their economy.

As Mr CHAN Hak-kan said just now, the on-set of the financial tsunami this year has changed the plan of many people. Some of my friends who originally planned to go to Japan to enjoy the cherry blossoms and to take photographs also had their plans changed. To my surprise, they found some good places to go in Hong Kong. A few-day tour to Japan for two persons will probably cost as much as \$10,000. If good places can be found in Hong Kong which is comparable to going to Japan — Certainly, another school of thinking is that some experiences you can only get when you are outside Hong Kong, such as being free from the hustle and bustle here, being out of touch from your secretary's calls, or even being able to get rid of your Blackberry. This is a different way of thinking — But if you are having your vacation here in Hong Kong and you can still find good places to go, how wonderful would that be. For example, I went to Japan a few years ago and lived in a relatively more costly minshuku, that is the Japanese style bed and board lodgings. The minshuku is actually located in a fishing village by the sea where you can see the entire bay. The cost, together with dinner, is about HK\$800 per person. And there is also a large pool of hot spring water which is said to be genuine — but the tourism board in Japan says that 60% of the hot springs in Japan are artificial and only 40% are genuine. I suspect that this hot spring is artificial. On the whole, as you can see a boundless sea in front of you, it is very comfortable to enjoy a "hot-spring" bath there even if you are just soaking in hot water. Moreover, the decor there is quite elegant, too.

There are some villages or fishing villages close to the sea in Hong Kong and I wonder if the Government can relax the restrictions on them. Certainly, I understand that attention needs to be given to other issues such as environmental protection and disturbances, but I think that this is feasible as long as we take more care in the design. Recently, there is a need for many buildings in Hong Kong to be revitalized. I wonder if the Secretary is aware of an old building in Tai O. I forgot whether it is a police station or something else, but permission has been granted to a certain organization to turn it into a leisure hotel consisting of about 10 rooms only. As I said just now, because the location of the building offers an extensive and breath-taking vista, I think the project will be successful. My view is that, it all depends on active consideration on the part of the

Government. Certainly, this project will involve a lot of problems. For instance, many restrictions need to be relaxed and some cases need to be actively planned and considered in order to address all factors and not to affect other people in the area or lead to unwelcomed situations. I think this is worthy of doing, and I hope that the Secretary can actively promote this project so that people in Hong Kong can also have more places to go which provide accommodation by the seaside or on the waterfront.

Of course, just now I heard that Mr WONG Yung-kan and other Members pointed out that we need to help the fishermen to transform; if not, they may not be able to sustain a living due to various limitations and environmental factors, and even if they can, they will have to pay a very high price. I thus hope that these places can be conserved so that the public can have more places to go, and in turn this can stimulate domestic spending. Ultimately, this can also provide a way out for the fishermen to transform. I think this can achieve multiple benefits and is not unattainable. I hope the Secretary can put more thoughts on this aspect.

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

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): Mr WONG Yung-kan, you may now speak on Mr WONG Kwok-hing's amendment. You may speak up to five minutes.

MR WONG YUNG-KAN (in Cantonese): President, I have not expected that eight Members would speak on this motion. I thought I would be the only one doing a soliloquy here. Why do I say so? Ms Audrey EU has pointed out that I have moved motion debates on leisure agriculture and fishery trades for many years. I always hold that whether an industry can develop and survive depends not only on the Government, but also on whether or not Members of this Council would actively support its development. If no one in this Council supports this industry, this proves that the industry is on the ebb. I wish to say that you all love delicious food — I have no wish to mention names because this Council meeting will abort once the count of heads is started. That is why I will not do so.

I only wish to mention one point, why do I always move motions in this aspect? I wish to tell Members here, including the President, that unless no one loves food, and as long as people still love delicious food, people will find a way to fix the food industry properly, rather than to let it decline.

I moved a motion on the leisure agriculture and fishery trades in 2000. Why do I have to move this motion again eight or nine years later? Because I found that the Government has done nothing at all. It only sits on its hands. Ms Audrey EU, I have sought the views of the WWF Hong Kong and The Hong Kong Polytechnic University on this issue. They both think that I should provide more views on this issue; otherwise, the Government will not be willing to do about it. A decade has passed. This is the eleventh year after the reunification. It is futile to mention the British Hong Kong Government because it has struck down the agriculture and fishery trades right away, leaving the trades to waste away. The development of the agriculture and fishery trades started in the 1970s. Why do the trades fail to continue developing now? Mr WONG Kwok-hing has proposed an amendment to my motion and I am very thankful to him.

Insofar as the New Territories is concerned, many people recently started to organize ecotours and leisure farms and fisheries. But the approach and practice which the Government now adopts simply seek to suppress the trades as if it does not want them to continue their operation. I once told members of the trades that for the industry to survive, it depends not only on other's charity, but also on their own efforts to find a way out. And I have never said that the way out should entail destroying the industry, or ruining the aquatic resources or anything. All I hope is that the Government can apply a more forward-looking approach to this industry. Our national Government, apart from providing subsidies for agriculture, rural areas and farmers, has now even provided subsidies for buying vehicles and television sets. Why does it have to do so? Because there is a need to resolve the livelihood issue for its people and to maintain domestic demand. Then, why does our Government still refrain from making such consideration or conducting such researches? Mr CHAN Hak-kan earlier mentioned that just the case of the fisherman's wharf in Aberdeen had been discussed for a decade. Has there been any action taken yet? To date, everything stays put. There is no development plan; nothing at all. The people in charge of the project do not even know how to proceed. What has the Government been doing? Moreover, on a raft, mainly

PRESIDENT (in Cantonese): Mr WONG, these five minutes are for you to speak on the amendment.

MR WONG YUNG-KAN (in Cantonese): I know, because I have to respond to his remarks. He mentioned the issue concerning the farmland and the fish ponds, which I very much agree with. Why do we disagree with the filling of the fish ponds? Frankly speaking, if the fish ponds are filled up, other organizations will raise objection, stating that such acts will damage the environment. In fact, our friends who operate these fish ponds would also wish to continue their operation. But the question is whether the Government is willing to help.

Recently, we note that this industry seems to be declining. In fact, I do not like using the word "declining". I would rather say "transforming". Thus, I do not wish to hear or see the word "decline" as mentioned in Mr WONG Kwok-hing's amendment. As I do not wish to disrupt the procedures of this Council, I will continue to pledge my support. But I hope Members would understand that the decline or otherwise of an industry depends on whether or not the Government, the Legislative Council and the trades jointly support its development. If we do not have such a mind-set, basically nothing can be done. Do we want thousands or tens of thousands of fishermen to take to the street to ask for CSSA from the Government? This is quite unnecessary.

These farmers are crying out for help. Why do we not think of their contributions to the British Hong Kong Government and the community in the 1920s, 1950s and 1960s? We now can devote several hundred million dollars on revitalization programmes. Why do we refrain from helping these fishermen to transform? Is this some form of prejudicial treatment? I think this is very unfair to our sector. President, that is why I have a lot to grumble, but there is no need for me to make a scene here. I just feel that society should not let all these trades cease operation.

President, I so submit and I urge Members to support the motion.

SECRETARY FOR FOOD AND HEALTH (in Cantonese): President, I thank Members for their speeches and valuable views. Regarding today's motion debate, there are two main concerns in their speeches: first, on how to assist the transformation and sustainable development of local agriculture and fishery

industries so as to prevent it from going into decline; and second, on how to promote the development of local leisure agriculture and fishery trades in specific terms. Before introducing the main thrust of our work, I would like to first talk about the present situation of local agriculture and fishery industries.

As Hong Kong was a fishing port in the past, the people in Hong Kong cherish a deep affection for local agriculture and fishery industries. But the cruel reality is that exploitation of natural resources over the years and urbanization, just like the situation in many other regions in the world, have brought about definite challenges to the industries. Take capture fishery as an example. Starting from the late 1980s, fishery resources and the amount of catch in Hong Kong waters have continued to decline mainly due to over-fishing, the impact of marine pollution on coastal fishery resources and fish farms, as well as the constraints imposed by fishery management measures outside Hong Kong waters. If the present mode of operation and the level of capture are maintained, restoration of fishery resources will be impossible and the marine ecology will continue to deteriorate, thereby directly affecting the livelihood of fishermen.

With respect to agriculture, in the wake of the rapid development of urbanization, local agricultural activities are now concentrating on the periphery of the urban area and the scale is small. The local agriculture industry faces competition from the Mainland and neighbouring regions, and has a very limited room for survival unless it specializes in producing fine and fresh foods through quality production and modern technology.

The Government has always been concerned about the development of local agriculture and fishery industries. It has worked its best to formulate suitable policy and strategies to promote the sustainable development of local agriculture and fishery industries, including the provision of infrastructural support, technical assistance and advice, credit facilities and vocational training for local fishermen and farmers. Through publicity and promotion activities for quality local agriculture and fishery products, we strive to promote the sustainable development of the industries. The Agriculture, Fisheries and Conservation Department (AFCD) has earmarked \$52.2 million for these purposes in the 2009-2010 Estimates.

The fishery industry, with its long history in Hong Kong, is one of the important industries symbolizing the traditional features of Hong Kong. The objective of sustainable development for the fishery industry is to allow

fishermen to be self-reliant and to maintain their livelihood, provide employment opportunities for the fishing community under an ever-changing environment, and provide fresh and fine fishery products for Hong Kong people. This will also be conducive to the establishment and maintenance of a marine ecological environment which is full of resources and will rightly be passed to the future generations so that the community as a whole and the general public will benefit. To promote the sustainable development of the fishery industries, the Government has set up the Committee on Sustainable Fisheries (the Committee) in late 2006 to study the long-term development strategy for the fishery industry. Mr WONG Yung-kan, the mover of today's motion debate, is a member of the Committee. The Committee has worked out the directions and the proposed preliminary plans and measures in this aspect. It also consulted fishermen and other relevant stakeholders at the end of 2008. The Committee is now drafting a report which is now in the final stage. It is expected to submit the report to the Government in the second quarter of this year.

With respect to agriculture, the Administration has been actively assisting local farmers to capture high-value-market niches. For example, the AFCD has since the year 2000 been helping the industry to develop organic farming by providing technical support to local organic farms to help farmers solve technical problems in plant diseases and pests, horticultural practices, soil management and seed saving and so on. The AFCD also works through the Vegetable Marketing Organization (VMO) to assist the industry to open up organic vegetables market. Currently there are over 30 retail outlets, including supermarkets and health food stores, selling organic vegetables distributed through the VMO. By way of the Hong Kong Organic Resource Centre, the VMO has also drawn up a set of standards applicable to local organic agricultural produces, providing certification service and promoting its certification trademarks. These measures have positive effects on the development of the local organic agricultural produce market.

In addition, the AFCD has implemented the Accredited Farm Scheme and the Accredited Fish Farm Scheme to encourage good husbandry practices with a view to facilitating the public in identifying quality and safe agricultural and fishery products. Since their implementation, both schemes have received support from the agriculture and fishery trades as well as the general public. Currently a total of 210 vegetable farms and 82 fish farms have participated in the two voluntary schemes.

In his amendment, Mr WONG Kwok-hing has proposed that more bazaars be set up to provide sales channels for agricultural and fishery products. In this regard, the AFCD has been sparing no effort to co-operate with other organizations by helping the Federation of Vegetable Marketing Cooperative Societies to set up the Sunday Farmers' Market, for instance, so as to diversify the sales channels. The Government has also assisted the industry in organizing large-scale promotional activities such as the third annual FarmFest early this year which saw the participation of 120 local traders of agricultural and fishery products, attracting over 110 000 visitors and enhancing the public and tourists' understanding of and support to quality agricultural and fishery products. The AFCD, the Fish Marketing Organization (FMO) and the VMO will continue to launch publicity and marketing activities for local quality agricultural and fishery products so as to help the industries develop quality brand names.

Moreover, as pointed out in the recent review of the hawker licencing policy conducted by the Food and Health Bureau and the Food and Environmental Hygiene Department, the Government has adopted an open attitude towards various kinds of open-air bazaars. If a proponent can identify a suitable venue, gain the support of the district and comply with the requirements concerning food safety and environmental hygiene, the Administration will be most happy to provide appropriate assistance together with the relevant departments.

Changes in the operating environment have rendered it necessary for traditional operators in the industries to explore opportunities of development and transformation apart from production to enhance their competitiveness, new business fields and modes are opened up one after another, and leisure agriculture and fishery trade would be one such example.

Let me first talk about the current local scene of leisure fishery industries. In Hong Kong, there is a wide variety of leisure fishery activities, including leisure angling, fisherfolk culture, marine eco-tourism and so on, in which quite a number of fishermen have involved in the relevant activities through transformation. Among the fisherfolk culture and eco-tourism projects participated by fishermen in recent years, the larger-scale ones are the Lamma Fisherfolk's Village, Sea-land Market for Ecological Leisure in Tai Po Waterfront and dolphin watching activities in Tai O. Besides, Sai Kung is one of the most successful regions in the development of leisure fishery trade. Thanks to its beautiful natural environment, the existence of several fishing villages, fish

culture zones and facilities of heritage culture, Sai Kung has developed into a diversified hot spot for land-marine leisure activities for tourists in recent years. Measures by the AFCD such as the setting up of the Lions Nature Education Center at Tsiu Hang of Sai Kung, the laying of artificial reefs in Port Shelter and facilitation for fish farmers in the district to operate leisure fishing business at their fish rafts are all beneficial to the development of leisure fishery trade. Under such favorable conditions, the continuous growth of leisure fishery trade in Sai Kung has given a boost to the natural development of related industries such as tourism, catering and retail, thus providing transformation opportunities to the fishermen. It is understood that many fishermen in Sai Kung have started to undergo transformation by actively developing water-related tourism activities, including pleasure boats hiring, leisure fishing at their fish rafts, coral appreciation and eco-tourism.

To assist the trade to develop leisure fishery industries, the AFCD, after consulting other relevant government departments, introduced a scheme in 2002 to allow fish farmers to operate leisure fishing business at their fish rafts, provided that the mariculture environment and public health are safeguarded. So far, a total of 33 licensees at nine fish culture zones have participated in the scheme. Recently, in response to the request of some fish farmers, the AFCD together with the relevant government departments are now reviewing the existing procedures and criteria for approving applications for fish rafts to be engaged in leisure fishing activities, in the hope that the trade will be provided with more room for development and flexibility. In addition, some fish farmers have suggested providing barbecuing and cooking activities in addition to leisure fishing. The Administration considers that it would be necessary to examine the impact of these activities on food safety, environmental hygiene, fire safety as well as the mariculture operation and fish culture environment in the fish culture zones concerned. We will continue to communicate with the trade on these issues.

In his amendment, Mr WONG Kwok-hing proposed the licensing system for water taxis, which means allowing fishing vessels to be used as passenger carrying vessels for leisure fishing activities. The Administration will continue to study the technical details of converting fishing vessels for leisure fishing purposes, and the trade will be consulted, with a view to assisting the conversion of fishing vessels for leisure fishing purposes while ensuring that the passenger safety standards are met.

In addition, we also agree that proper training is very important to the development of leisure fishery trade. Hence, the AFCD has been providing technical support and training to fishermen who are interested in switching to leisure fishery industries. First of all, with regard to the operation of pleasure boats or passenger carrying vessels, the AFCD has provided training for fishermen in need to help them apply for and obtain the certificates for operating these vessels. Furthermore, the Administration may also explore the possibility of providing interested fishermen with training in business skills, safety management, as well as the practices, policies and legislations on tour operation, so that the business skills and service standards of leisure fisheries operators can be enhanced. Fishermen can also apply for subsidies from the Marine Fish Scholarship Fund or the Continuing Education Fund to take the relevant courses, such as certificate courses in marine eco-tourism.

We will assist in exploring and optimizing the destinations and route designs for leisure fishing as well as strengthening the publicity of these attractions to bring in more tourists. The AFCD will continue to co-operate with the Tourism Commission and other government departments in tourism planning for the district and help fishermen develop tourism projects with characteristics of fisherfolk culture.

Concerning leisure agriculture, the public has developed a fervour for green living which has formed the basis for Hong Kong to develop leisure agriculture. According to AFCD's information in mid-2008, there are 45 leisure farms measuring 39 hectares mainly providing agricultural produces for sales, displaying crops (vegetables, fruit trees, flowers and herbs), providing pick-your-own crops and leisure activities and facilities. These are very much welcomed by the public and tourists. One of the pick-your-own strawberry farms saw a record of 36 000 tourists last year with an income of \$400,000. According to a survey by the AFCD, the trade is generally optimistic about the prospects for the development of leisure farms, with 43% of the interviewees indicating their intention to greatly increase their investments.

In order to assist the trade to develop leisure agriculture, the AFCD has joined hands with the trade to step up publicity. For instance, the recent publication and distribution of the guide on local organic pick-your-own gardens for the public and tourists has enhanced their understanding of and support to the trade. Meanwhile, the AFCD will continue to work with relevant government departments in order to deal with labour and land issues, and provide necessary assistance in the applications for licences. In addition, the AFCD will also

organize various seminars on various skills for farmers. Apart from that, it will also cover marketing skills and farm management. These seminars are very helpful to manpower training for the leisure agriculture industry. The Government will further strengthen its efforts in this area.

The promotion of leisure agriculture and fishery trades involves a number of government departments, which when implementing their policies, will exert their best to create a favourable business environment and room for development for the trades.

Regarding the conservation of natural environment, the Environment Bureau has designated around 40% of the land area in Hong Kong as 24 country parks and 17 special sites by virtue of the Country Parks Ordinance. It has also designated, under the Marine Parks Ordinance, four marine parks and one marine reserve measuring a total of 2 430 hectares of the sea area. Moreover, the Government has identified sites with special geological features and habitats of endangered species and rare plants, designating them as sites of special scientific interest. Currently there are 67 such sites in the Register of Sites of Special Scientific Interest. All these protected sites are subject to strict land use zoning and land development restrictions. These sites are vigorously protected so as to ensure the conservation of the natural ecology.

Regarding the preservation and revitalization of cultural heritage such as traditional villages and fishing villages, the Hong Kong Museum of History and the Hong Kong Heritage Museum have engaged in the study of the people's livelihood and economic activities the traditional villages and fishing villages with historical value in Hong Kong. Both museums have been conducting studies and collecting relevant heritage items over the years.

To promote green and cultural tourism, the Hong Kong Tourism Board has worked with the travel industry in developing the Northeast New Territories Islands Hopping Tour since 2006, which allows tourists to appreciate the natural ecology and characteristics of the fishing villages there. Relevant information is also introduced to tourists through publications and websites.

In his amendment, Mr WONG Kwok-hing has proposed formulating policies on revitalization and greening of agricultural lands, fish ponds and woodlands. According to my understanding, the Town Planning Board has formulated statutory plans for most rural areas in the New Territories, designating

different land use zones, including "agriculture" and "green belt". The statutory plans provide a highly transparent and flexible framework for the use of agricultural lands, fish ponds and woodlands. All those concerned can implement appropriate agriculture and fishery development plans based on the geographical features of different areas and market demand. Take for example Pak Nai and Lau Fu Shan in Yuen Long, there are many successful cases in which fish ponds have been turned into recreational fishing grounds.

President, friends in the agriculture and fishery industries have worked diligently in seeking opportunities and overcoming challenges with the spirit of innovation and perseverance. To successfully promote the development of leisure agriculture and fishery trades and their sustainable development, the innovative efforts of the trades are most crucial, apart from the complementary facilities and promotional activities of the districts concerned. The Government will continue to upgrade the business environment of the leisure agriculture and fishery trades and enlarge the existing market through formulation of suitable and feasible measures so as to promote the development of the local leisure agriculture and fishery trades. Meanwhile, the Government will also continue to provide suitable support to fishermen and farmers who wish to develop or transform. I thank Members for their speeches today and believe that various government departments will examine and study the constructive views expressed.

Thank you, President.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the amendment, moved by Mr WONG Kwok-hing to Mr WONG Yung-kan'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 WONG Yung-kan, you may now reply and you have 33 seconds. This debate will come to a close after Mr WONG Yung-kan has replied.

MR WONG YUNG-KAN (in Cantonese): Just now, I have already said what I wish to say. Of course, I do hope that Members here can support my motion.

After listening to what the Secretary said, it seems that the Bureau has done a lot of work. But I hope that the Secretary can keep up his efforts and look clearly into the problem. I hope that the Secretary can allow for greater relaxation in the policy, do more and make effort to maintain communication with the trades. This should be the approach to develop the leisure agriculture and fishery trades. If the Bureau continues to keep everything under strict control, I believe it will be very hard for the trades to develop.

Ultimately, success or failure, it all hinges on the Government. This is my biggest aspiration.

Thank you, President.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Mr WONG Yung-kan, as amended by Mr WONG Kwok-hing, be passed.

PRESIDENT (in Cantonese): 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.

NEXT MEETING

PRESIDENT (in Cantonese): I now adjourn the Council until 11:00 am on Wednesday, 1 April 2009.

Adjourned accordingly at four minutes to Eight o'clock.

Appendix I**WRITTEN ANSWER****Written answer by the Secretary for Food and Health to Ms Audrey EU's supplementary question to Question 2**

As regards whether the Administration has conducted any study on the overall demand for veterinary surgeons or zoologists in the Pearl River Delta Region in the next five years, we have not systematically reviewed the overall demand for veterinary surgeons or zoologists in the Pearl River Delta Region, or conducted any study in collaboration with authorities from the Pearl River Delta Region on the subject. That said, the Administration has been closely monitoring the demand and supply of veterinary services in Hong Kong. As mentioned by Members during the question session, veterinary services can be categorized into different streams. Locally, most veterinary surgeons concentrate on clinical treatment of small animals (for example, in pet clinics) due to the popularity of pet keeping in Hong Kong. On the Mainland, the situation can be quite different as the size of the agricultural sector has generated a strong demand for veterinary services with a husbandry focus. In gist, demand for veterinary services in different areas may be affected by various factors, such as popularity of pet keeping and the size of the agricultural sector.

The Administration liaises closely with relevant authorities on the Mainland, and exchange views on the situation of veterinary services from time to time. We will continue to liaise with the relevant authorities in the Pearl River Delta Region and in other places to keep abreast of latest trends and developments. The Veterinary Surgeons Board of Hong Kong will commission a three-year comparative study on veterinary qualifications this year. Depending on the study findings, the current list of recognized veterinary qualifications may be expanded to allow more veterinary surgeons, including those from the Mainland, to practise in Hong Kong.