

OFFICIAL RECORD OF PROCEEDINGS

Wednesday, 12 May 2010

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

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

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

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

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, S.B.S., 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 CHEUNG HOK-MING, G.B.S., J.P.

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

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.

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

PUBLIC OFFICERS ATTENDING:

THE HONOURABLE HENRY TANG YING-YEN, G.B.M., G.B.S., J.P.
THE CHIEF SECRETARY FOR ADMINISTRATION

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

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

DR THE HONOURABLE YORK CHOW YAT-NGOK, G.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 MRS CARRIE LAM CHENG YUET-NGOR, J.P.
SECRETARY FOR DEVELOPMENT

THE HONOURABLE EVA CHENG, J.P.
SECRETARY FOR TRANSPORT AND HOUSING

THE HONOURABLE MRS RITA LAU NG WAI-LAN, J.P.
SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT

CLERKS IN ATTENDANCE:

MS PAULINE NG MAN-WAH, SECRETARY GENERAL

MRS VIVIAN KAM NG LAI-MAN, 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	<i>L.N. No.</i>
Air Pollution Control (Motor Vehicle Fuel) (Amendment) Regulation 2010	50/2010
Legal Practitioners (Amendment) Ordinance 2010 (Commencement) Notice 2010	51/2010
The Ombudsman Ordinance (Amendment of Schedule 1) Order 2009 (Commencement) Notice.....	52/2010

Other Papers

No. 92 — Early Retirement Ex-gratia Payment Fund for Aided Secondary School Teachers
Financial statements together with the Director of Audit's report for the year ended 31 August 2009

No. 93 — The Government Minute in response to the Report No. 53 of the Public Accounts Committee dated February 2010

Report No. 9/09-10 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments

ADDRESSES

PRESIDENT (in Cantonese): Address. The Chief Secretary for Administration will address the Council on "The Government Minute in response to Report No. 53 of the Public Accounts Committee dated February 2010".

Government Minute in response to Report No. 53 of the Public Accounts Committee dated February 2010

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): President, laid on the table today is the Government Minute responding to the Report No. 53 of the Public Accounts Committee (PAC).

When presenting the Report on 3 February, the Chairman of the PAC set out the comments of the PAC on three chapters from the Director of Audit's Report, namely, "Administration of the Sports Subvention Scheme" (SSS), "Hong Kong Productivity Council: Corporate Governance and Administrative Issues" and "Office of the Privacy Commissioner for Personal Data" (PCPD). I am grateful for the time and efforts devoted by the PAC to the scrutiny of the items concerned. The Government accepts the various recommendations made by the PAC and its specific response is set out in the Government Minute. I now wish to highlight the key measures taken by us in the relevant areas.

The first area is about the administration of the SSS. In 2004, the Leisure and Cultural Services Department (LCSD) took over from the former Hong Kong Sports Development Board the responsibility of allocating funds to the National Sports Associations (NSAs). Since then, the LCSD has been improving the SSS, such as requiring the NSAs to enter into subvention agreements with the LCSD.

The LCSD has set up a steering committee chaired by the Director of Leisure and Cultural Services to conduct a comprehensive review of the SSS and has implemented a series of measures, with a view to raising the effectiveness and efficiency of the SSS, strengthening the internal control of the NSAs, optimizing the monitoring work undertaken by the LCSD and increasing the transparency of the subvention policy and approval procedures. The steering committee will explore how the performance of the NSAs can be more appropriately reflected in the amount of subvention granted. For example, it will consider setting up a reward and penalty scheme. The review aims to ensure the proper use of public funds on the one hand and maintain flexibility for the NSAs to hold activities on the other hand.

As regards the corporate governance and administrative issues of the Hong Kong Productivity Council (HKPC), the Government and the HKPC welcome

and accept the recommendations made by the PAC. The recommendations can help reinforce the HKPC's ongoing reforms to enhance its corporate governance, including human resources management and staff remuneration. Recently, the Government appointed new members with accounting and audit background to the Council of the HKPC, with a view to helping the HKPC implement the PAC's recommendations.

The HKPC has taken measures to foster a corporate culture of compliance and prudent use of public funds. In addition, the HKPC has compiled the Corporate Governance Manual and will review and update it from time to time. On the management of fixed assets, the HKPC has also adopted a series of follow-up measures to improve the relevant arrangements.

The PAC has recommended that the Government consider comprehensively reviewing the Hong Kong Productivity Council Ordinance (the Ordinance), in order to improve the corporate governance and operation of the HKPC. In this connection, the HKPC has adopted a series of administrative measures to make improvements. Having regard to such factors as the prevailing market environment, industry demands and the financial position of the HKPC, we will consider reviewing the Ordinance as appropriate in consultation with the HKPC and all the stakeholders.

Regarding the PCPD, we agree that there is room for enhancing its corporate governance and we are actively following up the recommendations made by the PAC. The PCPD plans to engage a professional management consultant to review its internal procedures. Furthermore, the PCPD is recruiting an Internal Controller to guide and monitor its work.

The PCPD endeavours to improve its complaint-handling procedures and clear its case backlog. We will closely monitor the PCPD in its implementation of various improvement measures. We have provided additional funds to the PCPD to create posts to cope with complaint cases. In addition, to facilitate the public's assessment of the performance of the PCPD, we have also included new performance indicators in the Controlling Officer's Report.

In the public consultation on the review of the Personal Data (Privacy) Ordinance conducted last year, the Government proposed to remove the

requirement that a decision to discontinue an investigation had to be made within 45 days. We will take into account the views collected during the public consultation in considering how the requirement concerned can be dealt with.

The PAC holds that the PCPD should adhere to the "moderate and conservative" principle in the use of its public funds. The Government and the PCPD also agree with this view. The PCPD has improved the arrangements for overseas duty visits, promotional activities and other administrative issues and has taken appropriate steps to foster a corporate culture of prudent and economical use of public funds.

The Government is grateful to the Audit Commission for conducting value-for-money audits on subvented organizations and it will seriously follow up the PAC's recommendations. We have also compiled the Practical Guide to Corporate Governance for Subvented Organizations, which consolidates the practices for corporate governance and provides best practices for reference to be made by subvented organizations. We will conduct four seminars in May to encourage and help the building up of good corporate governance in subvented organizations.

Finally, I wish to thank the PAC once again for its constructive comments and recommendations. The Government will make a positive response and implement the relevant improvement measures practically. Thank you, President.

ORAL ANSWERS TO QUESTIONS

PRESIDENT (in Cantonese): Questions. First question.

Operation of Charitable Organizations and Funds

1. **MR PAUL CHAN** (in Cantonese): *President, from time to time in recent years, there have been reports that the governance or utilization of resources of quite a number of charitable organizations and funds which appeal to the public for donations do not have a high degree of transparency. In this connection, will the Government inform this Council:*

- (a) *whether it knows the number of charitable organizations and funds established in the past 10 years and in what form they were established, and how many of such charitable organizations and funds had been found to be in breach of rules as well as the rules involved and, among them, the number of those whose tax exemption status had been removed as a result, and whether the authorities had recovered from them the tax payable during the period concerned; if so, of a breakdown by year of the amount involved;*
- (b) *whether in the past 10 years the authorities had, after uncovering that charitable organizations and funds were in breach of rules, conducted any corresponding review and taken improvement measures; if so, of the details; if not, the reasons for that; and*
- (c) *whether it knows if the review being undertaken by the Law Reform Commission on the law and regulatory framework relating to charitable organizations includes issues on the governance and operation of charitable organizations, and when the review outcome will be published; whether the Government will conduct any review on areas such as the guidelines on financial reporting (including financial reports and audits) and the best practices in corporate governance of charitable organizations and funds, and so on?*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President, my reply to the question is as follows:

- (a) Currently, there is no statutory definition of what constitutes a charity or a charitable purpose, nor is there a single piece of legislation which governs charities in Hong Kong and how donations are applied. A charity can be established in different forms, including a trust body, a society established under the Societies Ordinance, a corporate registered under the Companies Ordinance, an organization established under a statute, and so on. We do not have the number of charities established in the past 10 years.

According to section 88 of the Inland Revenue Ordinance (IRO), charitable institutions or trusts of a public character should apply to

the Commissioner of Inland Revenue if they wish to enjoy tax exemption. Applications should be supported by copies of relevant certificates of registration, the instruments and rules governing their activities (for example, the Memorandum and Articles of Association, the Trust Deed, or the Constitution) and lists of activities carried out in the past year and/or to be carried out in the coming year, so as to demonstrate that the applicants' objects are charitable and their activities are compatible with their objects. In the past 10 financial years, a total of 3 860 charitable bodies have been granted tax exemption status under section 88 of the IRO. During the same period, a total of 730 charitable bodies have been disqualified for such tax exemption status due to various reasons such as cessation of operation or the bodies are untraceable. However, the Inland Revenue Department (IRD) does not have statistical breakdown on the reasons for disqualification. The IRD will review the accounts of the disqualified bodies and recover back tax as appropriate. The IRD does not have statistical breakdown on the amount of back tax from source.

(b) and (c)

A sub-committee of the Law Reform Commission was appointed in September 2007 to conduct a review of the legal and regulatory framework relating to charities in Hong Kong. This review includes issues related to the operation and governance of charities. In the course of its review, the sub-committee has also been studying the charity laws in a number of common law jurisdictions, such as Australia, England, Scotland and New Zealand. At this stage, the sub-committee expects to release a consultation paper on its findings within this year.

MR PAUL CHAN (in Cantonese): *President, as mentioned in the second paragraph of part (a) of the main reply, the IRD will review the accounts of the disqualified charitable bodies concerned as appropriate, so as to ascertain the need to recover the tax payable. My supplementary question is: What is meant by "as appropriate"? How many of the 730 charitable bodies that have ceased*

operation were reviewed in the past? On how many of them was back tax levied?

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President, generally speaking, if the tax exemption status of a charitable body has been revoked due to cessation of operation or invalidation of its declared correspondence address, the IRD will not recover back tax from it. However, having regard to the need, the IRD may issue a notice of assessment to a charitable body of which the tax exemption status has been revoked and the charitable body concerned may lodge an appeal. Insofar as figures are concerned, for example, the amount of tax recovered, we have not maintained such figures. Perhaps let me see if any additional information on this can be provided to the Honourable Member in writing. (Appendix I)

MS MIRIAM LAU (in Cantonese): *President, judging from the main reply, the Government has apparently adopted a "three no" attitude towards these charitable bodies — no legislation, no regulation and no record. Hong Kong people are in fact very kind and generous. However, regarding the current mode of regulation, that is, a totally laissez-faire approach, has the Government put in place any measures to prevent people with ulterior motives from soliciting donations everywhere in the name of charity? Nowadays, we can see on the street many charitable bodies — We in fact have no idea as to whether or not they are charitable bodies — selling lotteries or small articles. They would claim that they are soliciting donations on behalf of certain charitable bodies and a great many members of the public will buy such lotteries or make a small amount of donations. However, the Government in fact has no means whatsoever to ensure that the donations made by the public will really be spent on charity purposes rather than being pocketed by someone. Is this the attitude adopted by the Government? Were any measures devised in the past to help members of the general public identify genuine charitable bodies, so that they may feel at ease in making donations and disregard those bogus ones?*

PRESIDENT (in Cantonese): Which Secretary will give an answer?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, perhaps let me tackle this supplementary question. At present, fund-raising activities held in public places are regulated; there is absolutely regulation. We will prevent members of the public from being deceived into making donations and we are highly concerned about this issue. Regarding the Member's question about the conduct of flag-selling, fund-raising or souvenir-selling activities in public places, at present, the Director of Social Welfare may, in accordance with the Summary Offences Ordinance (Cap. 228), issue Public Subscription Permits (PSPs) for fund-raising activities of a charity nature (namely, the flag-selling activities I mentioned just now) to be conducted in public places. In other words, the organizations concerned must apply for a PSP in advance.

After issuing a PSP, the Social Welfare Department (SWD) will send a copy to the police, so as to enable police officers on patrol in the streets to have knowledge of the dates on which flag-selling or fund-raising activities are organized. In case the police find or suspect that unauthorized charitable activities are underway, they may take follow-up actions. If the SWD receives such information In case of suspicion, we also encourage members of the public to first look at collection bags for words to the effect that "this activity has been approved by the SWD". Volunteers participating in other fund-raising activities or the persons-in-charge in command posts are also required to carry a copy of the PSP because members of the public are entitled to making enquiries with them. In case of suspicion, the public can telephone the SWD hotline at 2343 2244 for enquiry. (Appendix 1)

In addition, the usage of money raised after the completion of the relevant activities is also subjected to regulation. Within 90 days upon the completion of a fund-raising activity, the organization concerned is required submit an audit report to the SWD. At the same time, the accounts relating to the flag-selling day concerned and the audited report have to be published in one local Chinese Language newspaper and one local English Language newspaper and a copy of the same must be submitted to the SWD. We have put in place a series of regulatory measures as such, which are very clear. Over all these years, we have also enforced these measures in our work.

MR ALBERT HO (in Cantonese): *President, the reply given by the Secretary for Labour and Welfare just now only focuses on organizations raising funds in public places. If they claim to be charitable bodies, the authorities will first ascertain their identity before granting them permission to raise funds on the street. However, in my view, the public are concerned about a wider perspective and that is, after these so-called charitable bodies have been established — Certainly, in the course of their establishment, there are procedures in place for the authorities to check their objects or track records — once established, actually, there is no supervisory system whatsoever. Given their tax exemption status, no tax will be levied on the funds raised. Moreover, they may continue to solicit donations by all means in their capacity of charitable bodies. However, how will they utilize the donations in future? Will the donations really be used for charity purposes? Or, will all the donations be used to meet the administrative expenses under the pretext of huge expenditure, such that some operators of the so-called charitable funds can embezzle the donations? All these matters are not subjected to monitoring.*

My supplementary question is: Will the two Secretaries agree with the suggestion that there are major loopholes in the present system? We should make reference to the practices in other countries as soon as possible. They have designated departments to monitor the operation of such charitable bodies, particularly that of organizations and funds enjoying a tax exemption status, so as to ensure that the Government will not suffer any loss in tax revenue and prevent these organizations and funds from deceiving the public for donations in the name of charity.

PRESIDENT (in Cantonese): Which Secretary will give an answer?

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): I shall first answer part of the question. For a start, I wish to explain the procedures for the IRD to conduct checks on charitable bodies under the tax exemption mechanism of the IRO. A charitable body shall prepare an instrument governing its activities and clearly set out its objects. At the same time, the IRD requires that the governing instrument concerned shall contain clauses limiting the application of its income and funds to the attainment of its stated objects, so as to prohibit the distribution of its income and properties

amongst its members. The organization concerned shall compile annual financial statements. The IRD shall be advised of any alteration to the clauses of the governing instrument. In addition, from the perspective of protecting tax revenue, the IRD will conduct a review regularly on charitable bodies exempted from tax. Having regard to the actual circumstances of individual organizations and making reference to various pieces of information, it will follow up and review whether or not these charitable bodies have violated their goals and objects of establishment. This is the situation in relation to taxation.

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): Perhaps let me add a point. Regarding the donations collected, at present, only 10% of the donations collected during a flag-selling activity in a public place approved by the Director of Social Welfare is allowed to be deducted as administrative expenses and the remaining sum may not be put to other uses, so as to ensure that the donations are really spent on charity purposes. As I mentioned just now, the relevant charitable bodies are required to give a clear statement of accounts in an audit report prepared by an accountant, publish it within 90 days in one local Chinese Language newspaper and one local English Language newspaper and submit it to the Director of Social Welfare for record. This is a proven practice.

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

MR ALBERT HO (in Cantonese): *President, the thrust of my supplementary question is whether or not the Secretaries will make reference to the practices in foreign countries and set up a designated department to monitor the daily operation of charitable bodies or funds, so as to ensure the proper use of donations.*

PRESIDENT (in Cantonese): Regarding the part of Mr HO's supplementary question that was not answered, which Secretary would like to add anything?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): I will tackle this. As the Secretary said just now, the LRC is conducting a relevant study. I believe it is highly probable that certain important recommendations on governance will be made in the findings of the LRC's study. We will pay close attention to such recommendations, and will be pleased to take follow-up actions to cope with the same made by the LRC, so as to improve the whole system.

DR PAN PEY-CHYOU (in Cantonese): *President, I believe the general public are also keenly concerned about issues relating to the administrative expenses incurred by charitable bodies because when we look at some figures in the community, very often, we will notice a significant difference in their administrative expenses. Some charitable bodies can really be said to be standing head and shoulders above the others. May I ask the Government whether or not it has taken the initiative to look into this phenomenon?*

PRESIDENT (in Cantonese): Which Secretary will give an answer?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, perhaps let me give an answer to this supplementary question. As I said just now, regarding public flag-selling activities approved by the Director of Social Welfare to raise funds, a maximum of 10% can be deducted as administrative expenses and the relevant accounts are required to be audited by an accountant. Our responsibility lies in requiring that the relevant accounts be checked by an accountant and a statement of accounts be submitted to us subsequently. Such information must also be publicized with a high degree of transparency and published in one local Chinese Language newspaper and one local English Language newspaper. This is our specific requirement.

PRESIDENT (in Cantonese): Has your supplementary question not been answered?

DR PAN PEY-CHYOU (in Cantonese): *My question is about raising funds for disaster relief rather than on-street flag-selling activities.*

PRESIDENT (in Cantonese): Which Secretary will give an answer?

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President, I believe this relates to such issues as governance and disclosure to the public. I believe certain viewpoints will be put forth in the study being conducted by the LRC. I agree with Secretary Mathew CHEUNG's remark that we will pay close attention to the contents of such recommendations.

MR CHEUNG KWOK-CHE (in Cantonese): *Over the past three years, a number of formal or informal charitable bodies have solicited donations from members of the public on the street and by post, email and telephone, thus making the latter feel disturbed. Despite the detailed account of regulation given by Secretary Mathew CHEUNG just now, we are well aware that the situation has deteriorated over the past three years. No department has taken the initiative to conduct inspection and enforcement.*

However, in times of natural calamities and man-made disasters, some organizations have encountered obstacles in submitting fund-raising applications to the Government. May I ask the Government whether or not it has devised any emergency plan, so that when disastrous events occur, it may approve within a short period of time, for example, 24 hours, applications made by organizations for soliciting donations from the public, thereby enabling more organizations to pitch in efforts in such instances?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): I thank Mr CHEUNG for the supplementary question. In fact, concerning the two large-scale unfortunate events that occurred recently in Sichuan and Qinghai, we had already given a prompt response. Insofar as vetting and approval is concerned, we need to strike a balance among various aspects. First, we have to protect the rights of donors but at the same time, we have to avoid excessive

bureaucracy and impeding the start-up of organizations intent on doing charity. For this reason, a balance has to be struck between these two aspects. In addition, we also have to avoid causing disturbance to the public. For example, regarding soliciting donations in public places, consideration has to be given from the angles of disturbance and public safety. Each time we receive such applications, particularly in times of emergency, for example, the series of disastrous events that occurred recently, colleagues of the SWD will immediately conduct the vetting and approval process within the shortest period of time. As to the question of whether or not this process can be completed within 24 hours, if the application concerned is a relatively simple one and all the information required has been fully furnished, we will normally process it as quickly as possible. In future, where necessary, colleagues of the SWD will definitely expedite and prioritize the processing of these applications.

PRESIDENT (in Cantonese): Has your supplementary question not been answered?

MR CHEUNG KWOK-CHE (in Cantonese): *President, he has given a vague reply. In fact, I wish to gain an understanding of the situation involving first-time applications*

PRESIDENT (in Cantonese): Mr CHEUNG, you need only repeat the part of your earlier supplementary question that has not been answered.

MR CHEUNG KWOK-CHE (in Cantonese): *My question is: Regarding the applications made by organizations which hold such activities regularly, 24 hours is in fact a very long period of time for conducting the vetting and approval process. Can the Government approve the relevant applications within 24 hours?*

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): As I said clearly just now, we are pleased to conduct the vetting and approval process as quickly as possible. As to the question of whether or not this process can be

completed within 24 hours, in some circumstances, it does not necessarily take 24 hours. The remark made by the Member just now is correct. So, it is difficult for us to give an undertaking. Regarding the applications made by some experienced organizations with which we are well-acquainted and of which the background is well-known to us, in normal circumstances, we will process them within a short period of time. We will adopt a pragmatic approach and handle such applications as quickly as possible.

DR LAM TAI-FAI (in Cantonese): *President, I subscribe to the notion of building a caring society and advocating a culture of love and care put forth by the SAR Government. I always think that if Hong Kong people have the resources and money, they should help the disadvantaged groups in society, so as to make our society more cohesive and harmonious, thereby building a caring society.*

President, as Members are aware, Hong Kong people are enthusiastic about charitable activities and they will make donations in activities organized for purposes of disaster relief and poverty alleviation, thus fostering social harmony. I hope the Government can devise more support measures and incentives to encourage enterprises and members of the public to make donations to charitable bodies. At present, donations are deductible, with the upper limit set at 25% of the profits of an enterprise or the income of an individual. Will the Government raise the upper limit of tax deduction to 40% or 45% to encourage more enterprises and members of the public to make donations, thereby helping more needy people in society?

PRESIDENT (in Cantonese): Dr LAM, the theme of this question relates to regulating the governance and utilization of resources of charitable bodies and funds. Your supplementary question has deviated from this scope.

MR WONG SING-CHI (in Cantonese): *As we can see, a number of charitable bodies have been set up for the purposes of causing a positive impact and doing good deeds. However, what matters is that in the course of establishment, they have encountered many difficulties and many of them are lax in governance.*

Will the Government consider gaining an understanding of the governance of these charitable bodies and providing assistance, so that they may operate more smoothly, as well as avoiding contravening the law and even being questioned by the public?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, I thank Mr WONG for his question. In fact, in 2004, the SWD issued the Reference Guide on Best Practices for Charitable Fund-raising Activities (the Guide) and I have a copy at hand. Perhaps I can give him a copy after this meeting. We have issued the Guide to the organizations concerned for their reference. The Guide covers the relevant information, for example, donors' rights, the operation of fund-raising activities, financial accountability and governance. Examples of good practices are also provided in the Guide. Moreover, through our website we maintain constant contact with these organizations and disseminate messages to them. In addition, the Independent Commission Against Corruption has also issued some anti-corruption tips. No matter through the Internet or other channels, all along, we have maintained contact with these organizations and conveyed these messages to them, so as to assist them in doing a better job.

PRESIDENT (in Cantonese): Last supplementary question.

MR IP KWOK-HIM (in Cantonese): *President, at present, the number of on-street fund-raising activities has indeed increased significantly. Some organizations have even adopted the practice of apportioning commission. As a result, their charity promoters are very active in soliciting donations, thus making the public feel repugnant. In this regard, has the Government imposed any regulation on the practices of soliciting donations on the street? If so, what measures are in place? If not, will it consider formulating guidelines, such that the related activities will not engender repugnance?*

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, I thank Mr IP for raising the supplementary question. In fact, as we have also noticed, some organizations now actually conduct on-street fund-raising activities

through intermediaries. Our mode of regulation is that irrespective of who is engaged in fund raising by way of selling flags, most importantly, administrative expenses cannot account for over 10% of the money raised. The ceiling is 10% and we are most adamant about this bottomline. Regardless of the methods for raising funds, for example, by engaging volunteers, colleagues or someone else in soliciting donations, in any event, the ceiling of 10% cannot be exceeded, so as to ensure that 90% of the donations can be used for charity purposes. We are most adamant about this bottomline.

PRESIDENT (in Cantonese): Has your supplementary question not been answered?

MR IP KWOK-HIM (in Cantonese): *My supplementary question is: Have the authorities put in place any measures to regulate annoying practices of soliciting donations?*

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): We have not imposed any specific regulation. However, as I said just now, we have issued the Guide for these organizations to gain knowledge of what is undesirable and what should be done. In case an individual commits unreasonable acts in the course of raising funds, members of the public may make a complaint to the SWD or inform the police. If someone has really violated the law, we will handle it.

PRESIDENT (in Cantonese): Second question.

Water Sports Accidents

2. **MR WONG YUNG-KAN** (in Cantonese): *President, given that a number of water sports accidents which involved casualties occurred in Hong Kong last year, will the Government inform this Council:*

- (a) *of the number of water sports accidents which occurred in the waters of Hong Kong in the past three years, the causes of such accidents and the casualties involved;*
- (b) *what measures are in place to prevent such accidents; and*
- (c) *whether legislation will be enacted to require water recreation facilities (including speedboats, banana boats and jet-skis) to comply with prescribed safety standards; if so, of the details; if not, the reasons for that?*

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

- (a) According to reports made by vessel owners or users to the Marine Department (MD), there were 19 marine accidents involving vessels used for water sports over the past three years, causing one death and 21 injuries. The main causes of these accidents included careless behaviour when water skiing, people falling overboard and collisions between vessels.
- (b) When taking part in water sports or recreational activities on the water, members of the public need to be aware of the risks involved and pay due regard to their own safety and that of others. The Leisure and Cultural Services Department (LCSD), the Hong Kong Police Force and the MD jointly organize an annual Water Sports Safety Seminar to raise public awareness of how to enjoy water sports safely.
- (c) Under the Merchant Shipping (Local Vessels) Ordinance, any person in possession of a speedboat or jet-ski must hold both a certificate of ownership and an operating licence for navigation at sea. The provisions of the Ordinance do not apply to vessels used exclusively for recreational purposes and that are not fitted with an engine, such as canoes, hired beach pleasure boats, windsurfing boards and dinghies.

The Government's policy on water sports (such as canoeing, sailing and windsurfing) is the same as with other sports, that is, to promote sport, raise levels of performance, improve public health and physical fitness, and identify and nurture talented athletes.

Specialized sports programmes held in Hong Kong should comply with the codes that are formulated or recognized by the respective international federations. Such codes generally include the rules and measures on safety, as well as other guidelines on specific sports events. In promoting their sports in the local community, Hong Kong's national sports associations are required to monitor and regulate their sports in accordance with the codes formulated or recognized by the international federations to which they are affiliated, so as to ensure that the sports concerned can develop in a safe and organized way.

Furthermore, boating activities that involve speedboats, banana boats and jet-skis take place in open waters, and not at water sports centres or beaches under the management of the LCSD. The Government does not at present intend to introduce legislation specifically in relation to such activities. However, we will continue both to enforce the current legislation governing such vessels and to promote education on water sports safety.

MR WONG YUNG-KAN (in Cantonese): *President, in part (c) of the main reply, the Government maintained that it would not introduce legislation, but we can see that many accidents that occurred last year were caused by speedboats and wave surfers dashing around haphazardly off beaches.*

May I ask the Government whether it will enact legislation to regulate these so-called sports activities at beaches or on water only when a third or fourth accident occurs?

SECRETARY FOR HOME AFFAIRS (in Cantonese): President, speedboating is generally prohibited in waters off public beaches published in Gazette. The

navigating speed is also restricted in all waters of Hong Kong, particularly some fairways near public beaches.

DR PAN PEY-CHYOU (in Cantonese): *President, according to the figures provided by the Government, 19 of the water sports accidents that occurred over the past three years involved vessels. May I ask the Secretary how many of these accidents occurred at the water sports centres and beaches under the management of the LCSD?*

SECRETARY FOR HOME AFFAIRS (in Cantonese): Over the past three years, there was no incident of people drowned to death in the water sports centres. As regards the number of accidents, there were six in 2007, and 15 in 2008 and 2009 respectively, totalling 36.

MR IP KWOK-HIM (in Cantonese): *Last October, an associate professor of the University of Hong Kong surnamed CHAN — Beda CHAN — went to swim alone on a beach where the red flag was hoisted, and he was engulfed by huge waves. His body was later found under the sea 200 m off the shore.*

May I ask the Secretary if we can forbid these swimmers who seek excitement and challenge the nature when the red flag is hoisted to go into the water under the existing regulations? It is because if such situation occurs, it will endanger and affect the work of the lifeguards, and the work of lifeguards per se is already very dangerous. What policy does the Government have in this aspect? Are there effective measures to prevent such dangerous situations?

SECRETARY FOR HOME AFFAIRS (in Cantonese): As regards the sports policy in this regard, it mainly depends on the participants. They have to adopt a responsible attitude and be aware of the danger. From the perspective of introducing legislation or government control, it is also difficult to prevent people from going into the water or engaging in some rather dangerous activities even if a warning has been issued.

MR CHAN KAM-LAM (in Cantonese): *President, the Secretary said in the reply just now that any persons taking part in water sports have to bear the responsibility for the risk to their own safety. Yet, is it due to the absence of regulation, as we have seen, at beaches that dangers will arise in the course of these sports activities? What are the water sports activities at beaches? For example, as activities like swimming, windsurfing and canoeing are concurrently carried out at beaches, dangers arise very often.*

May I ask whether the Government will consider drawing up regulations for different beaches stipulating that only a certain type of water sports is permitted with a view to preventing the dangers that may arise from several activities taking place concurrently? Will the Government formulate such regulations?

SECRETARY FOR HOME AFFAIRS (in Cantonese): *President, the LCSD manages the public bathing beaches and sand beaches, and also operates water sports centres providing special training in sailing, canoeing, and so on, as well as some facilities, in order to enable members of the public to take part in these water sports after training.*

MR CHAN KAM-LAM (in Cantonese): *The Secretary has not answered whether the Government will regulate these activities in various beaches or places? Just now, the Secretary only said they have sports centres to provide group training, which is utterly a different concept.*

SECRETARY FOR HOME AFFAIRS (in Cantonese): *President, the water sports centres operated by the LCSD welcome patronage by members of the public, but the water sports activities run by these centres are separated from the swimming activities on beaches.*

MR WONG YUNG-KAN (in Cantonese): *President, I feel that as Secretary TSANG is not familiar with the situation, so all he has said is only about the water sports centres, which is regulated by the Government. But, what is the situation of those other than water sports centres, such as beaches, which are not regulated? Recently, I visited Yung Shue Wan during the Leung Ma Festival on 23 March, where I saw, both on arrival and departure, two or three speedboats*

charging ahead in parallel with skiers being towed by them. The person involved may risk knocking someone to death if he is not clear about or conversant with its operation.

The Government has not imposed any regulation on these beaches, thus allowing speedboating, windsurfing, water skiing, and even banana boating, as well as many other water activities to be carried out concurrently off the same beach. If the Government still thinks that there is no need for legislation, and if an accident occurs in the future The Secretary has just said that even research will not be conducted, and there is currently no need for legislation. However, if the situation persists, and the LCSD only regulates the water sports centres, and not the beaches Similar problems have occurred in Shek O or other places.

Will the Government reconsider the need to enact legislation, aiming at separating various sports activities, or to ban skiing at places where skiing should not be carried out, as Mr CHAN Kam-lam said Sometimes, a skier will make an error, and the ski-board may crash into the crowd, what can be done then? The Government should also draw up regulations specifying the distance off a beach where skiing is permitted, which are, however, non-existent now.

SECRETARY FOR HOME AFFAIRS (in Cantonese): President, as regards skiing, water skiers must be towed by a speedboat or motorboat. The speed of motorized vessels is subject to regulation if they navigate in Hong Kong waters, and the speedboat owners are required to apply for licences and subject to regulation. In launching whatever activities, it is imperative that skiers should have regard to their own safety and comply with the safety regulations.

PRESIDENT (in Cantonese): Has your supplementary question not been answered?

MR WONG YUNG-KAN (in Cantonese): *President, what I have just asked is whether the Secretary will reconsider such need? Because any person steering a vessel is*

PRESIDENT (in Cantonese): Please repeat your supplementary question concisely.

MR WONG YUNG-KAN (in Cantonese): *I just said that the person steering a boat is licensed, but the person being towed by him is not, who may even know nothing about skiing, then what measures does the Government have to regulate this? If someone steers a boat carelessly thus knocking people to death, what can be done then? What can the Government do?*

PRESIDENT (in Cantonese): Secretary, do you have anything to add?

SECRETARY FOR HOME AFFAIRS (in Cantonese): President, at this stage, we will not consider issuing licences to persons taking part in sports or recreational activities.

DR PAN PEY-CHYOU (in Cantonese): *President, I think the Secretary has not answered the supplementary question raised by me very clearly. The figures cited by him appear to be greater than those provided in the main reply. May I ask the Secretary whether the numbers of accidents that occurred at the water sports centres and beaches under the management of the LCSD, incidents involving casualties, and persons injured as given by the Secretary in answering the first part of my supplementary question are exclusive of the figures provided in the main reply? This is the first question that I want to ask. The second question*

PRESIDENT (in Cantonese): Dr PAN, you can only ask one question.

DR PAN PEY-CHYOU (in Cantonese): *Right. Then, I want to ask the second question instead, as*

PRESIDENT (in Cantonese): Dr PAN, there is still time now. Could you let the Secretary answer this question first, and wait for another turn to ask the second question?

DR PAN PEY-CHYOU (in Cantonese): *Yes.*

SECRETARY FOR HOME AFFAIRS (in Cantonese): President, these are indeed two different groups of figures. The figures for the last three years as I stated in the main reply relate to the question raised by Mr WONG about figures on water sports accidents in Hong Kong waters, which are compiled by the MD based on the reports submitted by the vessel owners.

As for the figures cited by me in my earlier reply to Dr PAN's first supplementary question, that is, the figures on accidents at the beaches and water sports centres under the management of the LCSD, they are another group of figures. In other words, the first group of figures is mainly for answering Mr WONG's question, being figures on accidents in sports activities using vessels in Hong Kong waters.

MR CHAN KIN-POR (in Cantonese): *I have this follow-up. What policy does the Government have to reduce the accidents in places where water sports accidents occur frequently? Will investigations be carried out or will contact be made with the police in a centralized manner so as to deal with these incidents?*

SECRETARY FOR HOME AFFAIRS (in Cantonese): President, should an accident occur, the police will participate in the investigation. As I said in the main reply, with the participation of the LCSD, the police and the MD will also launch some safety water activities, and review the safety code for such activities.

DR PAN PEY-CHYOU (in Cantonese): *President, regarding the accidents caused by vessels as mentioned by the Secretary just now, may I ask whether a review has been conducted to find out what are the causes for the accidents that occurred at the water sports centres and beaches under the management of the*

LCSD? Some lifeguards of the LCSD have reflected to me that on the issue of manpower, they have considerable doubts about the qualifications of some temporary lifeguards, particularly during the peak season, and they are worried that this is a factor contributing to accidents. May I ask whether the Government has conducted any investigation into this.

SECRETARY FOR HOME AFFAIRS (in Cantonese): President, according to my understanding, Mr WONG's main question mainly concerns the use of vessels, for example, speedboats, banana boats, and jet-skis, in the conduct of some water sports activities. So the first group of figures provided by me in the main reply relates to this.

As regards the water sports centres operated by the LCSD, they will not organize water sports activities involving motor vessels generally. The water sports centres mainly provide sports and competitions, including windsurfing, sailing and canoeing. From this, we can see that these two types of activities are actually different.

MR CHAN KIN-POR (in Cantonese): *I want to follow up what the Secretary has just said regarding the work done in co-operation with the police. After investigation, will the Government make an announcement on the place or places where most these water sports accidents occurred so that members of the public can be informed of this and decide whether to go there, or exercise greater care if they need to go there? Have the Government made any announcement on the most dangerous places?*

SECRETARY FOR HOME AFFAIRS (in Cantonese): President, as regards which part of Hong Kong waters where water sports accidents are particularly prone to happen due to busy traffic and hence dangerous, we do not have such information for the time being.

MR CHAN KAM-LAM (in Cantonese): *President, the Secretary said in the main reply that according to the relevant ordinance governing vessels, any person in possession of a speedboat or jet-ski must hold a licence, and even those*

participating in these activities are also required to obtain a licence. May I ask what mechanism is used by the authorities to regulate the use of these water sports vessels off beaches? Is it the case that a person using a speedboat off a beach needs to produce a licence to the beach administrator before he can carry out such water sports, or that these activities are simply not regulated and people can carry out these activities at any time?

SECRETARY FOR HOME AFFAIRS (in Cantonese): President, the reply given by me earlier is that we do not require the participants of these activities to apply for licences.

PRESIDENT (in Cantonese): Mr CHAN, has your supplementary question not been answered?

MR CHAN KAM-LAM (in Cantonese): *President, I can see in the Secretary's main reply that any person using a speedboat or jet-ski or in possession of a jet-ski or speedboat is required to obtain a licence, and so are those taking part in such activities. My supplementary question is: what mechanism have the authorities used to check whether a person speedboating and jet-skiing in Hong Kong waters has been licensed?*

SECRETARY FOR HOME AFFAIRS (in Cantonese): President, we do not require participants of sports activities to obtain a licence insofar as the general development of sports is concerned.

PRESIDENT (in Cantonese): Secretary, the question asked by the Member is not about whether the participants of these activities are licensed or not, but rather how they are regulated and how it can be checked that they have obtained a valid licence, regardless of whether they are responsible for steering the vessels or taking part in the activities at these places?

SECRETARY FOR HOME AFFAIRS (in Cantonese): President, any person holding a certificate of vessel ownership and those who are issued with a operating licence shall comply with the provisions governing vessel steering and navigation in Hong Kong waters, including the provisions on speed limit, and on avoidance of collision with other vessels, which are regulated by the MD.

PRESIDENT (in Cantonese): Third question.

Conservation of Wing Lee Street

3. **DR PRISCILLA LEUNG** (in Cantonese): *President, the Urban Renewal Authority (URA) announced in November 2008 that a "conservation-led" redevelopment approach would be adopted for the Staunton Street/Wing Lee Street project. After the film "Echoes of the Rainbow" with scenes shot at Wing Lee Street won an award in Berlinale in late February this year, quite a number of people proposed to conserve the whole Wing Lee Street, but the Chairman of the URA indicated that it was not necessary to revise the redevelopment proposal. Yet, on 16 March 2010, he suddenly put forward a new proposal to revise the number of tenement buildings to be conserved from three to all 12 of such buildings, on grounds that the URA had received views from quite a number of members of the public in this regard. In this connection, will the Government inform this Council:*

- (a) *given that before deciding to revise the redevelopment proposal of Wing Lee Street, the URA had not convened a Board meeting to discuss the matter and had only sent letters to the directors requesting them to authorize the management to deal with the matter, whether it knows if the URA had adopted this arrangement due to special circumstances and if there was any precedent, and whether the URA had consulted experts in conservation and history before announcing such a decision; whether it had consulted or informed the Development Bureau; if it had consulted Development Bureau, of Development Bureau's views; if not, the reasons for that;*
- (b) *given that the original redevelopment proposal had been proposed for more than one year since its announcement, and the URA has*

already acquired half of the property interests on Wing Lee Street, whether it knows the reasons for the URA putting forward the new proposal; during the decision-making process for the new proposal, whether the URA was under any pressure from government department(s) or community organization(s); whether the winning of an international award by the film "Echoes of the Rainbow" was crucial to the decision of the URA; and

- (c) *given that some elderly property owners in the tenement buildings on Wing Lee Street are worried that under the new proposal, not only are they unable to sell their properties, but they also have to bear substantial costs for repair and maintenance, whether it knows if the URA had considered the rights and interests of these property owners before putting forward the new proposal?*

SECRETARY FOR DEVELOPMENT (in Cantonese): President, the Staunton Street/Wing Lee Street redevelopment project (H19) is one of the 25 redevelopment projects announced but yet to be commenced by the former Land Development Corporation which the URA has taken over upon its establishment in 2001. The project area comprises three sites, namely Sites A, B and C. Apart from the conservation of the tenement buildings at Nos. 88-90 of Staunton Street at Site B and the restoration of the stone steps at Shing Wong Street, the original proposal was basically a redevelopment-led project. During the planning process of the project, there were evident changes in the public aspirations for heritage conservation. In October 2007, the HKSAR Government announced a new policy statement on heritage conservation and a range of initiatives on conservation, including the revitalization of the Central Police Station Compound and the Police Married Quarters site at Hollywood Road in the vicinity of the H19. The developments in recent years have directly affected the URA's consideration of the development plan for H19, in particular, Wing Lee Street at Site A. The URA had carried out a heritage assessment for the project and the consultants pointed out that preserving the existing street pattern around Wing Lee Street and Shing Wong Street would be the best way to remember the history of urban development of that community.

In view of the above-mentioned development, the URA, with the support of the Development Bureau, announced the substantial revision of the proposal

for Wing Lee Street in November 2008. Under the new proposal, a "conservation-led" approach would be adopted to implement the project covering Wing Lee Street. The original proposal of building a high-rise building on the site would be abandoned. The Bridges Street Market and the three buildings at Nos. 10-12 Wing Lee Street would be conserved. Nos. 1-9 Wing Lee Street would be demolished and a row of buildings modelled on the typology, height and scale of the existing tenement buildings would be re-constructed *in situ* to preserve the existing "terrace" ambience. With the revision, the plot ratio of H19 would be substantially reduced from eight to not more than 4.5, which was widely agreed and supported by the public at that time.

I have set out the background of the Wing Lee Street project in detail, because these developments are relevant to the question raised by Dr Priscilla LEUNG. My reply to the three-part question is as follows:

- (a) The URA's decision on the Wing Lee Street project in March this year was to provide an alternative way of implementation to achieve the "conservation-led" approach it put forward in November 2008, that is, one could either conserve the three old buildings at Wing Lee Street and replicate the others on the same model or conserve and rehabilitate the entire row of 12 old buildings. Basically, there is no departure from the "conservation" objective.

It is believed that the URA has put forth an alternative way of conservation after taking into account the public views (particularly those from the conservation groups and some property owners of Wing Lee Street) collected during the public consultation of the Master Layout Plan (MLP) which was prepared on the basis of the amendment proposal in 2008. According to schedule, the Town Planning Board (TPB) would discuss the MLP and the public comments received at the meeting on 19 March. It is understandable that the URA decided to put forward an alternative way before the TPB meeting so as to facilitate the TPB's discussion. Given the pressing schedule, the management of the URA, with the consent of the URA Chairman and in line with the established procedures, sought and obtained the URA Board's authorization to deal with the matter by circulation of paper.

The URA Board holds regular meetings once every six weeks on average. Under its Standing Orders, the URA may, if necessary, seek advice or approval from the Board on urgent matters by circulation of papers in between meetings. Since 1 January 2010, six papers, including the one on authorizing the management of the URA to deal with the proposal on the conservation of Wing Lee Street, have been circulated to the Board for approval.

As mentioned above, during the planning process of the project, the URA appointed consultants to carry out a heritage assessment. The latest proposal, just like the one in November 2008, has the "conservation-led" approach as one of the main considerations in project planning.

After formulating its latest proposal, the URA notified the Development Bureau before its publication. In principle, the Bureau supports the URA in proposing an alternative way to carry out the conservation of Wing Lee Street. The URA has therefore submitted both the new and the original proposals to the TPB for consideration.

- (b) As mentioned above, the URA has adopted a "conservation-led" approach as the basis of the revised proposal for Wing Lee Street since November 2008. There are different ways to carry out conservation in order to maintain the unique "terrace" ambience of Wing Lee Street. It can be the earlier proposal where the old fuses with the new or it can be the current additional proposal of "complete conservation". The latest proposal of the URA has been made in response to some of the demands in the community for a "complete conservation" of Wing Lee Street and some property owners' aspiration for direct participation in conservation.

As stated clearly by the URA Chairman at the press interview on 16 March, the URA was not under any pressure from government departments or organizations when formulating the latest alternative implementation proposal. We are glad that a Hong Kong produced film has won an international award. But as mentioned above, the important decision in conserving Wing Lee Street was made in November 2008 and it was a positive response from the URA to the

new policy direction as well as to the public aspirations for heritage conservation.

- (c) As Wing Lee Street is still currently part of a redevelopment project already commenced by the URA, the URA has committed to continue negotiating for property acquisition with the owners at Wing Lee Street according to its established acquisition policy and practice before the TPB agrees to excise Wing Lee Street (that is, Site A) from the redevelopment area. The URA will also assist the tenants concerned by rehousing them in public housing or offering them cash compensation according to established compensation and rehousing policies. As it takes time to complete the standing procedures of the TPB, the property owners (owner-occupiers or otherwise) of the tenement buildings in Wing Lee Street still have time to sell their properties to the URA if they choose to do so and the affected tenants will still be rehoused or compensated.

DR PRISCILLA LEUNG (in Cantonese): *President, I certainly do not rule out the compliance of the revised decision with the "conservation-led" approach. However, it is mentioned in the Secretary's main reply that given the pressing schedule, the URA dealt with the matter by circulation of paper. I precisely want to follow up why there should be a pressing schedule. The change from three buildings to 12 is of quite a large scale. Has it ever occurred to the Secretary that such a change will give people an impression that there is a sudden expansion of the conservation scope under the original redevelopment project, thus rendering small property owners and investors in the district unable to decide what to do?*

SECRETARY FOR DEVELOPMENT (in Cantonese): President, many thanks to Dr LEUNG for her question. As a matter of fact, the decision relating to the revised or new conservation proposal put forward by the URA was made after its management had consulted its Chairman. Therefore, I cannot give any detailed reply to Dr LEUNG's question about the relevant procedures on behalf of the URA. If Dr LEUNG has listened to my main reply with care, she will know that the MLP submitted by the URA to the TPB for consideration was prepared on the basis of the amendment proposal in 2008, and the TPB discussed the URA's

application on 19 March following public consultation. For this reason, I trust the URA must have considered whether it should submit an alternative proposal before the TPB's formal meeting should the public comments discussed at the meeting on 19 March reveal any disagreement to the original proposal, so that the TPB could consider the two proposals together. As a matter of fact, at its meeting on 19 March, the TPB did agree to the new proposal, only that the URA was required to submit additional information.

As for Dr LEUNG's question of whether the affected property owners, investors and tenants were taken into account during the process of decision-making, as I have mentioned, since the project is already in progress, all arrangements relating to acquisition, compensation and rehousing will be maintained until the TPB has eventually altered the original redevelopment scale and excluded Wing Lee Street under the established procedures. When this happens, the URA can no longer proceed with any acquisition and offer any compensation. We estimate that the whole process may take one and a half years. Consequently, within the one and a half years from the March in question, the original scheme will continue to apply to all the property owners and tenants of Wing Lee Street (Site A), and they will not be affected.

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

DR PRISCILLA LEUNG (in Cantonese): *I actually want the Secretary to tell clearly*

PRESIDENT (in Cantonese): Please repeat the part of your supplementary question not answered by the Secretary.

DR PRISCILLA LEUNG (in Cantonese): *Yes. Since there is a change to the number of blocks, that is, since there is an increase of nine blocks, some small owners' plans of property purchase or moving out may be affected. The properties of these owners may not be located inside the original conservation area, meaning that, their properties may be located inside the nine newly*

included blocks. Have the authorities considered the possibility that such a change may affect their plans and arrangements enormously?

SECRETARY FOR DEVELOPMENT (in Cantonese): Under our original proposal, that is, the proposal of conserving three blocks and redeveloping nine others, we adopt the same practice of proposing to acquire all properties in Site A from the owners concerned (that is, the title owners) and then providing affected tenants with rehousing and compensation. We have only changed the approach of conservation under the revised proposal, and we also note that some owners have indicated clearly their intention of voluntary participation in conservation. The point is not about our refusal to buy properties from owners who wish to sell their properties. Therefore, I am convinced that the anxieties and desperation of owners as described by Dr LEUNG will not occur.

DR PRISCILLA LEUNG (in Cantonese): *President, the Secretary has still failed to answer my question. I do not rule out the fact that some owners want to participate in the conservation project. But in regard to those owners who want to see redevelopment rather than participating in conservation, have the authorities considered the impacts on their plans and arrangements?*

PRESIDENT (in Cantonese): Dr LEUNG, I have heard your question and the Secretary's reply very clearly. I think the Secretary has already answered it.

MR ABRAHAM SHEK (in Cantonese): *President, I support the decision of conserving the tenement blocks. But what Dr LEUNG wishes to point out is that a statutory organization must abide by the law and adhere to established procedures. This organization possesses the power of land resumption, President. It cannot possibly decide to launch a redevelopment project in a matter of one month or three months. Rather, it must go through a whole set of procedures involving many ordinances. However, our impression this time around is that the change is due to pressure — the Secretary has stated that there has been no pressure at all. But it seems that the authorities concerned have not followed the required procedures. And, even if they have indeed done so, they have only sought to exploit the loopholes in law. Besides, about the pressing schedule, all was only due to the fact that the TPB would hold discussions on*

19 March. Had this not been the case, the URA could have refrained from filing an application, in which case the TPB could have more time for examination. Precisely because the TPB must make a decision on 19 March, the URA must make a change within a very short time. Therefore, I wish to ask the Secretary whether she was aware of what they wanted to do when they made the decision. And, did the Secretary agree to their action?

SECRETARY FOR DEVELOPMENT (in Cantonese): As already mentioned in my main reply, before the URA decided to provide an alternative way of conservation for the TPB's consideration, it had informed the Development Bureau and me. I did not have any personal involvement in deciding when the URA would announce the revised proposal because it was a matter of internal management for the URA. However, I was aware of its decision to provide an additional way of conservation for the TPB's consideration, and I did not raise any objection.

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

MR ABRAHAM SHEK (in Cantonese): *What she has failed to answer is the part on the need for statutory organizations to comply with established procedures. Does the Government know whether they have adhered to the required procedures? Besides, this is no sudden decision*

PRESIDENT (in Cantonese): Mr SHEK, the Council has spent more than 16 minutes on this question. Since six Members are still waiting for their turns to ask supplementary questions, Members are advised to be as concise as possible.

Mr SHEK, you asked the Secretary whether the Government was aware of the situation when the URA made the decision concerned. The Secretary has clearly replied that the Government was aware of the URA's decision.

MR WONG KWOK-KIN (in Cantonese): *President, it is mentioned in the Secretary's main reply that the revision of the 2007 proposal into the 2008 proposal was preceded by a consultancy study and supported by the Development Bureau. Besides, this also commanded widespread approval and support in society at that time. However, such a widely approved and supported proposal was changed drastically yet again in March this year. What happened during the interim? We have only seen a film. And, since the Secretary expressed some views just two or three days before the URA announced the change, society started to suspect that the Government might have exerted some sort of pressure.*

My supplementary question is about the fact that while stronger and changed aspirations concerning the conservation of Wing Lee Street have emerged in society since the showing of the film in question, the situation is not yet so pressing. And, if the aim is to introduce a natural and gradual change, there should have been ample time from November 2008 to March this year for such a change to be introduced. Why is there such a drastic and abrupt change? May I ask the Secretary whether the Government has adopted a new policy under which social opinions will carry more weight than heritage impact assessment? Will policies be changed once certain public opinions are expressed?

SECRETARY FOR DEVELOPMENT (in Cantonese): A simple answer to Mr WONG's question is "no". Since the present heritage conservation policy was announced by the Chief Executive in his policy address in October 2007, there has been no change. However, an important segment of the heritage conservation policy is that while the value of heritage must be considered, it is also necessary to answer social aspirations. And, this has always been our objective.

DR MARGARET NG (in Cantonese): *President, I am very concerned about how old districts of historical value in Hong Kong can be preserved. Many Members are very concerned this time around because the Government's approach seems to be very piecemeal. Whenever anything happens, the Government will make changes. Honestly, conservation and heritage preservation must be guided by integrated policies and well-defined principles.*

President, the uniqueness of Wing Lee Street does not lie solely in the "terrace". There are also the stone steps leading to it. Members may look at the stones, their sources, how they were quarried and even the stone steps eventually built. President, such stone steps may well be found only in Hong Kong and not in any other parts of the world.

Therefore, may I ask the Secretary whether the conservation of Wing Lee Street will also cover those stone steps? We are not talking about the appearance or the setting, not talking about "resemblance". Rather we are talking about the preservation of the actual objects. The President also knows that the old archaeological approach was the digging out and removal of heritage. But a new way of thinking has emerged by now. Heritage is kept at the very venue where it was first found, so that people can see it in its original setting. Therefore, President, I wish to ask the Secretary to tell us something about an integrated conservation policy and what plans are there to deal with historical relicts.

SECRETARY FOR DEVELOPMENT (in Cantonese): In recent years, in regard to the policy and method of heritage conservation, we have gradually switched to the "point-line-facet" approach. We have, as far as possible, refrained from focusing only on the historical value of a building itself. In the case of Wing Lee Street, for example, the 12 tenement buildings when taken separately may not necessarily have any heritage value, and they are not given any heritage grading. However, many experts in heritage and conservation hold that what constitutes the historical value of these tenements is precisely their small community setting that can reflect the way of life in the past.

Therefore, in response to Dr NG's remark, I must say that the Wing Lee Street project is not a piecemeal conservation attempt. The 12 tenement buildings are not the only ones to be conserved. The stone steps at Shing Wong Street will also be conserved under the H19, and so will the tenement buildings at Nos. 88-90 of Staunton Street. Under the "conservation-led" proposal in 2008, the Bridges Street Market at the front will also be conserved. Why are nine tenement buildings designated for demolition under the proposal in November 2008? This is in a way also conservation-led because under the original proposal, the stone wall behind these tenement buildings is also considered to be

of certain historical value. So, the designer at that time thought that a good way of conservation might be pulling down the nine tenement buildings to enable more visitors to see the stone wall.

Today, I should perhaps add a point here. Mr WONG has expressed his concern. If a new proposal had really been put forward to replace the one in November 2008, I would also agree that the proposal would involve very great changes, so more time should be spent on discussions or a working group should be set up to explore the issue. But the URA has only put forward an alternative way of conservation. It has only provided two proposals all the same time for the TPB's consideration. Following the announcement, conservationists' views on the original proposal and the revised proposal are still divided.

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

DR MARGARET NG (in Cantonese): *President, she has not answered the part of my question on the preservation of the actual stone steps. I am not talking about the preservation of any ways of life, any methods to enable people to see the original. Rather, I am talking about the actual objects. President, I am talking about the preservation of actual historical objects because on the Dr Sun Yat-sen Historical trail*

PRESIDENT (in Cantonese): Dr NG, you have made your point very clear.

DR MARGARET NG (in Cantonese): *With the installation of metal railings, the stone steps were damaged.*

PRESIDENT (in Cantonese): President, the Honourable Member's question is on the preservation of actual objects.

SECRETARY FOR DEVELOPMENT (in Cantonese): Since we do not have any photographs here today, I am afraid that we may not understand each other's point, not knowing what the specific reference is. But the most important thing is that whichever conservation method we decide to adopt, the ambience there must be conserved. For this reason, we will seek to preserve the actual objects as far as possible. Therefore, as I have mentioned, even all the stone steps will be preserved under the original proposal, and so will the two small pedestrian walkways linking Staunton Street with the "terrace" in Wing Lee Street.

PRESIDENT (in Cantonese): This Council has spent 24 minutes on this question. Four Members are still waiting for their turns. They are advised to follow up their questions through other channels. Fourth question.

Euthanasia of Animals by AFCD

4. **MR CHAN HAK-KAN** (in Cantonese): *President, according to the information provided by the Food and Health Bureau earlier, the number of animals euthanized by the Agriculture, Fisheries and Conservation Department (AFCD) in 2007 to 2009 ranged from about 13 000 to 18 000, which on average represented 76% of the total number of animals received by the Department each year. It has been reported that apart from cats and dogs, the animals kept by the AFCD for other government departments were also euthanized (for example, the nearly 100 tortoises transferred by the Leisure and Cultural Services Department from North District Park at the end of 2008 and the Water Monitors, commonly known as "golden dragon with five claws" and classified as an endangered species, which were seized by the Customs and Excise Department in March this year). Such a practice has aroused criticisms from animal lovers. In this connection, will the Government inform this Council:*

- (a) *whether the AFCD has set a target that a certain minimum percentage of animals received each year have to be euthanized; if so, how the target was set; of the assessments made by the AFCD before deciding to euthanize the animals, and whether it will seek the views of non-profit-making animal welfare organizations and other government departments; if it will, of the details; if it will not, the*

reasons for that; whether the AFCD has set up an internal monitoring mechanism to prevent the indiscriminate killing of animals;

- (b) given that existing legislation stipulates that if the owner of a stray or abandoned animal cannot be found or ascertained within four days after the commencement of the detention of the animal, the Director of Agriculture, Fisheries and Conservation may order the forfeiture of the animal and decide whether it should be retained, euthanized or otherwise disposed of, of the factors based on which such a number of days was set by the authorities; and whether they will review such an arrangement or amend the legislation; and*
- (c) given that the number of animals handed over by the AFCD to non-profit-making animal welfare organizations for re-homing arrangements has all along been on the low side, whether the authorities will consider expanding such collaboration programme, so as to reduce the number of animals euthanized; if so, of the details; if not, the reasons for that?*

SECRETARY FOR FOOD AND HEALTH (in Cantonese): President, the animals handled by the Animal Management Centres (AMCs) of the AFCD mainly come from three sources: (a) animals received from their owners; (b) stray animals caught on streets or in the wild; and (c) animals received through other special sources, such as endangered animals seized in the operations of the Customs and Excise Department.

Generally speaking, once stray animals are caught or animals are received from owners, they are taken to the AFCD's AMCs for observation. During the observation period, veterinary officers on duty will monitor the animals' health and other conditions to ascertain their suitability for re-homing. Health conditions permitting, the animals will be arranged to stay at the AMCs for at least four days pending reclaim by their owners. For those unclaimed animals which are in good health, have a mild temperament and are considered by veterinary surgeons to be suitable for re-homing, the AFCD will arrange for them to be sent to animal welfare organizations for possible adoption. Apart from cats and dogs, the Re-home Scheme also covers other kinds of animals, such as rabbits, birds and reptiles. As for endangered animals sent to the AMCs, the

AFCD will first contact the countries of origin of these endangered animals. If they are willing to take the animals back, the AFCD will arrange for the animals to be repatriated. Otherwise, the AFCD will make arrangements for the animals to be adopted by those local organizations which are equipped with suitable facilities and capable of offering proper care, such as Ocean Park and Kadoorie Farm.

Given that most households in Hong Kong have limited living area, smaller animals with a mild temperament are more popular with adopting families. However, stray animals caught by the AMCs are mostly dogs that are relatively large in size. Having lived on the streets or in the wild for a long time and had little contact with people, their temperament is often unpredictable. As many of these animals are often sick, or are infected with skin diseases or parasites, they face difficulties in being re-homed. Besides, the demand for animal adoption is also subject to other socio-economic factors, such as whether one is willing to devote time and resources to take care of the adopted animals. Therefore, at present there are still not enough families that are genuinely willing and suitable to adopt animals. As such, many animal welfare organizations providing animal re-homing services are often unable to find suitable adopting families. These organizations can only leave the animals at temporary shelters until suitable adopters are identified, or return them to the AMCs of the AFCD. My reply to various parts of the question is as follows:

- (a) The AFCD definitely does not set any target for the number of animals received to be euthanized. Only those animals which are assessed to be unsuitable for re-homing due to health or temperament reasons, or cannot be re-homed by animal welfare organizations, will be euthanized. The Government's veterinary surgeons, with their professional knowledge and integrity, are well qualified to assess the animals' health condition, temperament and suitability for re-homing before making any decision regarding euthanasia of animals. There is no such thing as "indiscriminate killing of animals".

There has been a decline in the number of stray cats and dogs caught or received by the AFCD in recent years. The figure decreased from 18 760 in 2007 to 15 600 in 2009. Coupled with an increase in the number of cats and dogs being reclaimed or re-homed, there

has been a corresponding decline in the number of euthanasia cases, falling from 16 770 in 2007 to 13 310 in 2009.

- (b) Under the Rabies Ordinance, where the keeper of an animal detained by the AFCD cannot after reasonable inquiry be found or ascertained within four days after the commencement of such detention, the Director of Agriculture, Fisheries and Conservation may order the forfeiture of the animal. The AFCD may then either retain the animal or cause it to be sold, destroyed or otherwise disposed of.

In fact, the four-day timeframe is just the minimum statutory period. If a stray animal caught is implanted with a microchip, it will normally stay in an AMC for 10 to 20 days, during which the AMC will try to locate the registered owner of the animal.

It is reasonable to set the minimum statutory period for reclaiming lost animals at four days. As a matter of fact, responsible pet owners will try to find their lost pets by contacting the AFCD as early as possible.

- (c) There are currently 11 participating animal welfare organizations under the AFCD Re-home Scheme. The AFCD takes into account a set of criteria for vetting the organizations, including the scale and operation of their facilities, the availability of a well-established vetting, filing and follow-up system of re-homing cases, and the non-profit-making nature of their re-homing services, and so on. As it is necessary to assess the suitability of an adopter as well as his or her living environment for animal adoption and to follow up on whether the adopter is taking proper care of the animal, it is more appropriate for non-profit-making voluntary animal welfare organizations to provide animal re-homing service. The AFCD is now conducting a review on strengthening the criteria for vetting these organizations. Upon completion of the review, the AFCD will consider whether the scheme would be expanded.

Meanwhile, the AFCD actively organizes promotional and educational activities to encourage members of the public to adopt stray animals through animal welfare organizations.

As a matter of fact, we consider that the most effective way to tackle the problem of abandoned or stray animals is to raise public awareness of responsible pet ownership, which involves treating pets as members of the family and taking proper care of them. Pets must not be bought on a whim or abandoned lightly. Besides, they should not be made to become a source of nuisance to others. To this end, the AFCD has all along been stepping up promotion and education at various levels and through different channels, including broadcasting Announcements of Public Interest on television and radio as well as putting up posters promoting care for animals on public transport carriers. In addition, the AFCD produces promotional leaflets, posters and souvenirs for free distribution to the public and organizes other promotional activities to enhance publicity.

MR CHAN HAK-KAN (in Cantonese): *President, although the Secretary denies that the AFCD kills animals indiscriminately, the fact is 76% of the animals die in the hands of the AFCD and there are veterinary surgeons working in the AFCD who resigned because they could not bear euthanizing animals every day. In addition, volunteers from animal welfare organizations who impersonated as owners of dogs because they could not bear stray dogs being euthanized were prosecuted by the AFCD. If the AFCD can make these stray dogs and cats available for adoption by the public, I believe this problem of euthanizing animals can be addressed. May I ask why the AFCD hands over these stray dogs and cats to animal welfare organizations after a very tortuous process instead of making these animals available for adoption by the public direct?*

SECRETARY FOR FOOD AND HEALTH (in Cantonese): President, as I have made it very clear in the main reply, we require persons who want to adopt animals to have the love and sense of responsibility essential to pet ownership. In the process of re-homing, we would have to offer assistance and take follow-up action. But it is not possible for the AFCD to do the kind of work which these voluntary organizations are doing. As we collaborate with them, work in pet adoption can be promoted and more people can adopt these animals through various animal welfare organizations. In so doing, we will enable more people

to access these adoption channels and organizations to follow up in order to ensure that these pet owners will take good care of their animals.

MR LAU WONG-FAT (in Cantonese): *President, can the Government inform this Council the number of animals in good health among the some 10 000 animals euthanized by the AFCD during the period from 2007 to 2009? And what is the number of animals suitable for re-homing arrangements?*

SECRETARY FOR FOOD AND HEALTH (in Cantonese): President, information from the AFCD shows that it will not euthanize animals that are healthy, suitable for re-homing and that should be preserved. The AFCD will make careful consideration and the veterinary surgeons in charge of such work will only make a decision after considering the case in question. We do not have those figures required by Mr LAU because most of the animals euthanized are sick, old or whose health conditions do not merit re-homing, or that they have been living in the wild for a long time and so are not suitable to be kept at home as pets. Thus the AFCD must make such a decision. We do not have such figures.

MR WONG YUNG-KAN (in Cantonese): *President, in the reply given by the Secretary to Mr CHAN Hak-kan's question, there is a paragraph where it is said when endangered animals are sent to the AMCs, the AFCD will first contact the countries of origin of these endangered animals and ask them if they are willing to take the animals back. May I ask, among these countries of origin of these endangered animals, how many during the year past were willing to take these animals back? If they are not willing to do so, where else can these animals be kept besides Ocean Park?*

SECRETARY FOR FOOD AND HEALTH (in Cantonese): President, first of all, I have to say that the Food and Health Bureau is not in charge of the policy on endangered animals. However, according to the information we get, when endangered animals are shipped to Hong Kong, the first thing we should do is to find out their countries of origin. If their countries of origin are countries like

Indonesia or Thailand, then we will contact the government there to see if it is willing to take these animals back. There were such cases in the past. However, I do not have any information on the figures concerned or other relevant details. Perhaps I can inform Members of such details later. (Appendix II)

MR FRED LI (in Cantonese): *President, on 2 May I joined a march organized by some animal welfare organization in which a few hundred people took part. One of their aims in the march was to point out that putting these animals down was never humane and so it must not be said that they were euthanized. This is because it is not a good thing to kill after all.*

According to figures from the Government, now that the number has dropped, but still 36 animals are killed every day. Since there are not many people who want to adopt these animals and that these stray dogs are sick or have got other problems, has the Government ever thought of keeping these animals until they die a natural death? This is far better than killing them. The Secretary will say that resource implications are involved, but I think that this will shed light on the question of the love we show to animals and whether Hong Kong is behaving like a civilized society in this respect. Has the Government ever thought about this?

SECRETARY FOR FOOD AND HEALTH (in Cantonese): President, we have certainly considered various ways and means to handle these animals which no one wants to adopt. But according to the view of veterinary surgeons, pets need a home and an owner. If Members have kept a dog or cat, they will know that these animals need a lot of care and it will not do if they are just fed. Besides, dogs and cats will fight if they are kept in the same place. Such fights would affect the quality of their living as they will get injured and hence leads to diseases and many other problems. It is definitely not our wish to end their lives, but if there are no other options or that they cannot live in normal or healthy conditions, euthanasia can be considered the best option.

MR ALBERT HO (in Cantonese): *President, the Secretary was saying that since there was not any good place to keep them, nor were there kind people to come forward to adopt them, so the most responsible way was to euthanize them. If by doing so is to show any love for life, I would really be shocked. In his reply to Mr LAU Wong-fat earlier, the Secretary said that as far as he knew, no healthy animal was ever euthanized. However, he pointed out in the first paragraph of his main reply that when deciding whether animals were to be euthanized, consideration would be given to factors like their health, temperament, and whether there were any animal welfare organizations willing to re-home them. In other words, even if they are healthy, if there is no such organization to re-home them, they will also be euthanized. Therefore, some healthy animals will certainly be euthanized.*

President, my question is very simple. If there is really love for the life of these animals, the correct way is to keep them until they die a natural death. They can be de-sexed and then kept until they die a natural death. The Secretary points out in part (c) of the main reply that a review is presently being conducted, but he has not said for how long that review would last. I demand that he conducts this review from an approach of love for animal life, that is, the direction of the review should be an increase of resources allocated to these animal welfare organizations. This will enable them to have better conditions such as land and more resources to re-home and take over these healthy animals. Also, consideration should be given to relaxing the relevant restrictions so that members of the public can adopt these animals directly. Can these be done? By doing so it can be said that love for animal life is shown and that animals are not killed indiscriminately.

SECRETARY FOR FOOD AND HEALTH (in Cantonese): *President, as I said in the main reply, we maintain close contact with non-profit-making animal welfare organizations in the hope that they can be better suited for re-homing. However, we have to stress that if we hand over animals to an organization but no one comes forward to adopt them, the animals will accumulate in that place. These organizations also have their difficulties because if they cannot take good care of these animals, there will be a problem of cruelty to animals. Therefore, we have to ensure that these organizations have the right conditions and the right amount of manpower and resources. We will work actively on this.*

MR ALBERT HO (in Cantonese): *President, I was asking him if consideration can be given to increasing funding to support these organizations instead of land them in a charge of cruelty to animals as they take in animals when the conditions for doing that are not available. I asked him whether support in a positive sense would be given to these organizations engaging in re-homing these animals.*

PRESIDENT (in Cantonese): Secretary, will there be more support for these organizations?

SECRETARY FOR FOOD AND HEALTH (in Cantonese): President, the AFCD has been doing such work. We will consider the relevant practice adopted.

DR RAYMOND HO (in Cantonese): *President, the present practice is that when some stray dogs and cats are found, within four days, even if these animals are considered healthy after examination by the veterinary surgeons, they will be euthanized if no one comes forward to adopt them. What I want to ask the Secretary is: Are there enough veterinary surgeons to examine such a large number of stray animals? If they are found to be healthy after examination, but four days have already passed, such as when the day concerned happens to fall on a weekend or a holiday, the Director of Agriculture, Fisheries and Conservation will have to make a decision whether or not to euthanize the animal in question. The time would certainly be very tight and if the animal to be euthanized — even though it may not be imported — happens to be an endangered animal, then would the life of such a valuable animal be wasted for no good reason? Do the authorities really have enough manpower or experts to assess whether these stray animals belong to endangered species so that they will not be killed indiscriminately?*

SECRETARY FOR FOOD AND HEALTH (in Cantonese): President, I would like to point out first that if endangered animals are at stake, the consideration to be taken by a veterinary surgeon is certainly how to enable them to go on living. As I have said, if these animals are found by the Customs and Excise Department,

we will see whether their countries of origin will want to take them back. Besides, we will look for a suitable place in Hong Kong such as Ocean Park or Kadoorie Farm to re-home them. If they are wild animals or animals which have been received by the Department — I have also said earlier that this four-day period applies to animals with owners and usually, people who have lost their pets would take the matter very seriously and report to the police or try to find them. Therefore, four days should be quite enough. However, if the owners of these animals cannot be located and that these animals are suitable for re-homing, we will not euthanize them immediately after four days. We will consult the animal groups to see if they are willing to take these animals. So these animals will stay in the AMCs for an average of some 10 to 20 days.

PRESIDENT (in Cantonese): We have spent more than 21 minutes on this question. Fifth question.

Trading of Loco London Gold

5. **DR PAN PEY-CHYOU** (in Cantonese): *President, I have recently received complaints from members of the public that some investment companies telephoned them to promote investment activities related to Loco London gold, but the companies did not provide sufficient information, including detailed explanation of the contract terms, the risks involved and the operation mode of trading, and so on. Some investors who had signed the authorization lost all their capitals within a short period of time. There have been comments that such investment activities involve unscrupulous sales practices but lack regulation. In this connection, will the Government inform this Council:*

- (a) *of the respective numbers of fraud cases received by the police in relation to the trading of Loco London gold, and the respective numbers of persons prosecuted in connection with such cases, in each of the past five years;*
- (b) *whether it knows why the Securities and Futures Commission (SFC) does not regulate the investment activities related to Loco London gold and the professional qualifications of traders; whether the SFC will regulate such investment activities and draw up relevant*

statutory regulations and model sales documents, as well as set up a trader licensing system and draw up a relevant code of conduct; and

- (c) *whether the authorities will provide support for members of the public who were engaged in the trading of Loco London gold and suffered losses because of unscrupulous sales practices, and investigate the sales practices and procedure adopted by such investment companies; whether the police will set up a task force to combat such unscrupulous sales practices?*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President, my reply to the three parts of the question is as follows:

- (a) In the past five years, there were two cases that were categorized by the police as suspected London gold trading fraud. The investigation of the case in 2009 involves 19 informants, and four persons have been arrested. The investigation of another case in 2010 involves one informant. The cases are still under investigation.

- (b) and (c)

Currently, the public can invest in gold or gold-related products through many channels. Among these, gold ETFs (exchange traded funds) and gold futures traded on the Stock Exchange of Hong Kong, paper gold schemes, and funds investing in gold derivatives and gold mining companies need to be approved by the SFC. As for companies providing gold trading services in general in Hong Kong, they are not required to register or obtain a license from the SFC. These over-the-counter (OTC) gold trading activities are a matter of direct negotiation and trading on the part of the buying and selling parties. As we understand, other international financial centres such as London also do not have special regulation over this type of gold trading.

London is currently the largest OTC gold trading centre in the world. London gold refers to a type of product which follows the standards

of the London Bullion Market Association (LBMA) and is primarily traded by OTC means. The buying and selling parties will negotiate directly and make trades using the gold fixing prices in the London market.

Gold fixing prices in the London market are determined by the five members of the LBMA, with prices fixed twice daily at 6.30 pm and 11 pm Hong Kong time. The major participants in the London gold market include banks and large international precious metals companies, with trades conducted at the wholesale level.

According to our understanding, the major active participants in the Loco London gold market in Hong Kong are international banks. Due to time zone differences, market participants will adjust prices at different time in a trading day having regard to factors such as the London market gold fixing prices, Tokyo Commodity Exchange gold futures prices, and the supply and demand for gold in the Asian markets.

In fact, past complaint cases related to London gold are primarily concerned with improper trading practices and suspected fraudulent and deceptive acts operating under the name of London gold trading, but are actually unrelated to the current system of the genuine Loco London gold market. In most cases in recent years, the complainants were persuaded to sign a "customer contract", authorizing the companies concerned to trade gold on their behalf. The companies concerned would use improper means such as falsely reporting market prices and deliberately increasing the number of trades to boost the amount of commissions earned. There were also situations in which the complainant's instructions were ignored by the companies concerned, and the complainant was therefore unable to lock in profits or liquidate positions, raising suspicions that no actual trades were carried out by the companies concerned.

Deceptive and fraudulent acts are criminal offences regulated under the Theft Ordinance (Cap. 210) which is enforced by the police.

We consider that the most effective ways to deal with these improper and unlawful acts are enhanced enforcement and public education, instead of the introduction of new regulation over the genuine Loco London gold market.

Regarding investor education, the SFC currently provides information such as product selection, market operation and risks related to gold investment through its Dr Wise investor education column. Through the "*Choice*" magazine, the Consumer Council also reminded the public on the relevant risks when engaging in Loco London gold trading, including information on fraud cases and improper trade practices under the name of London gold. Besides, the Administration published in February this year a consultation document on the "Proposed Establishment of an Investor Education Council and a Financial Dispute Resolution Centre". The proposed Investor Education Council (IEC) will holistically oversee the needs of investor education and delivery of related initiatives. The objective is to improve the financial literacy and capability of the general public to assist them to make better financial decisions.

Regarding law enforcement, a Focus Group has been set up since 1999 under the Commercial Crime Bureau of the police for steering the prevention of and assisting in combating against cases involving London gold trading fraud. The measures adopted include closely monitoring the trend and the change in *modus operandi* of London gold trading fraud, educating members of the public to enhance their alertness through mass media and other means, liaising with the Consumer Council and Labour Department in collecting relevant intelligence, investigating suspicious cases or providing assistance to relevant investigative units.

DR PAN PEY-CHYOU (in Cantonese): *President, the Government's response gives me an impression that Loco London gold trading is a bit like bookmaking. London gold trading is, by nature, conducted in London, but not locally. Therefore, trading conducted locally is considered as indirect trading.*

By the same token, I will ask why discriminatory treatment is given by the Government. As Members are all aware, bookmaking in Hong Kong is regulated by law and considered illegal. However, as pointed out by the Secretary just now, some proper or large-scale participants are actually engaging in Loco London gold trading in Hong Kong. Such being the case, why has the Government not planned to supervise Loco London gold trading? This is because supervision can prevent ordinary people from falling into some unlawful traps or being trapped by improper sales practices while allowing genuine Loco London gold trading to be conducted normally to preserve its reputation.

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President, the London gold market is operated as a global market. As pointed out by me earlier, trading is conducted having regard to London gold fixing prices and the supply and demand for gold in the Asian markets. The market participants are primarily professionals and people well versed in the operation of the gold market, including international banks, metals companies and gold traders, which are all well versed in the market. This gold trading market is an international OTC market. However, this is nothing special, as trading of financial products is very often conducted by OTC means because this type of professionals need to engage in trading in the gold market. Hence, for supervisory purposes, we have also made reference to the international practices regarding OTC markets. We see no justifications to supervise this market with the model used for supervising such off-exchange markets as stock markets.

The main reason is, as stated in my main reply just now, insofar as these incidents are concerned, our main analysis is that the complaint cases before us are actually unrelated to supervision. From the complaint cases, we have only seen deceptive and fraudulent acts. For instance, the Consumer Council published an article in December 2009 to explain the gold market and remind investors of the key issues they must know when trading in London gold. Among others, the article has also cited some cases. For instance, some clients find their accounts stolen by investment companies after providing their online passwords or signed some agreements to allow investment companies to conduct incessant trading, thereby resulting in substantial losses of money. All these cases are considered as deceptive acts. At the same time, the Consumer Council has also made many recommendations.

I would like to take this opportunity given to me by Dr PAN to call on the public to be careful. How can they avoid falling into traps when investing in London gold? First of all, they must be careful should they receive telephone calls promoting gold trading. They must first investigate clearly whether the companies are really the ones they claim to be because some companies will sometimes use the names of the companies engaging in gold or financial trading, but actually, they are not those companies. They have merely used a similar name. However, investors would have mistaken them for proper companies and believed in them. Furthermore, should investors allow an agent or investment company to engage in unlimited authorized trading on their behalf? Consumers must be careful regarding many circumstances like these. Actually, many channels are available for gold investment. Insofar as these complaints are concerned, they involve suspected fraudulent acts. In this regard, the police will definitely enforce law and track, investigate and arrest relevant persons.

MR WONG KWOK-KIN (in Cantonese): *President, the Loco London gold issue mentioned by the Secretary earlier involves some sort of fraudulent acts. Actually, it is not closely related to the trading of Loco London gold itself. Such being the case, the Government should make more effort in publicity and educating investors to remind them. According to the main reply, the investor education and information provided are not very popular, for the Secretary is still talking about Dr Wise investor education column and the "Choice" magazine, which are not very popular. Given that fraudulent cases are increasing, will the Government plan to step up investor education?*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President, thanks to Mr WONG. I would also like to thank the Legislative Council for arranging this question session to give me an opportunity to explain the Loco London gold again. I hope members of the public will act more cautiously and learn of the frequent occurrence of many fraudulent cases like these after listening to this session today. We must be cautious, so that we will not fall into someone else's trap. We will continue to follow up these incidents. We have also learnt from the police that there has been progress with their investigation, and the relevant persons have been arrested. As the cases are still under investigation, I am unable to give any information here to illustrate my point. I can only say that we hope to make public some precedents to let the

public know the correct channels and ways to engage in gold investment. We will definitely take follow-up actions. As mentioned by me earlier, we hope to enhance investor education through the existing channels. Upon the establishment of the IEC, we will all the more follow up the work on this front.

MR CHIM PUI-CHUNG (in Cantonese): *President, it is mentioned in the main reply that many channels are currently available for investment in gold and gold-related products. According to our understanding, three such channels, namely the Futures Market of the Stock Exchange of Hong Kong, the Loco London gold market, and the Chinese Gold and Silver Exchange Society, have already confused some investors and members of the public. Regarding protection, may I ask the Government if the future establishment of a commodity futures exchange will result in even poorer protection for investors?*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President, I do not think the existing channels for purchasing gold will confuse the public. Of course, there are different channels through which the public can purchase any investment products. This is not confined to gold investment channels. As regards the commodity futures exchange, it will engage in futures trading. Of course, we still have no idea of its actual mode of operation. Insofar as I am aware, it has not yet commenced operation. However, even if it commences operation, it will offer trading in futures exclusive to professionals.

MR WONG KWOK-HING (in Cantonese): *President, according to the Secretary, the relevant Loco London gold trading will be followed up by the police because it is false. Such being the case, has the Government considered requiring a company to obtain a licence before engaging in genuine OTC trading? Should a licensing regime be established by the Government, there will naturally be no market for false trading.*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President, let us look at some of the fraudulent and deceptive

practices used in the Loco London gold complaint cases again. Although the Loco London gold is used as an example, such practices and deceptive means are actually similar to other deceptive practices. I think we can discuss if the establishment of a supervisory system can stamp out these acts. In my opinion, insofar as these acts are concerned, our legal basis is adequate for enforcement by our law-enforcement departments. Of course, we also need to enhance the awareness of consumers and investors. Given the fact that there is an endless stream of deceptive practices, consumer awareness must be enhanced. Under certain circumstances, new immigrants will be deceived more easily. Therefore, publicity will be launched at boundary crossings to raise the alertness of new arrivals. We can consider stepping up education on this front because, as Members are also aware, unruly elements will use different deceptive practices. Lastly, consumer awareness must be raised. Moreover, law must be enforced with vigour when deceptive acts are found. I think these are the only solutions to the problem.

MR WONG KWOK-HING (in Cantonese): *President, the Secretary has not answered whether a licensing regime will be considered.*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President, I have mentioned in the reply just now that we think that there are currently no justifications to regulate Loco London gold trading in the same way as other investment products.

MR CHAN KAM-LAM (in Cantonese): *President, regarding some crimes in the community, we cannot do without regulation just because the number is small. We can see from the Secretary's reply that the number of such crimes over the past five years is small. In 2009, there was only one case involving 19 informants, and the investigation of another case this year involves only one informant. However, we can see the frequent occurrence of London gold trading frauds over the past couple of years. I hope the Secretary can examine the London gold market, for this is one of the more popular investment activities. Very often, there is no problem with our formal channels; however, many small investors do not know how to use these channels. Even education cannot easily make them understand that investments must be made through formal channels.*

Hence, will the Government consider enhancing the transparency of the relevant market, providing information in a more holistic and open manner, and strengthening supervision? We will often see or hear London gold fraud cases. The impact of these cases on Hong Kong as an international financial centre is quite substantial, too. I hope the Government can seriously consider the issue of supervision.

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President, I agree with Mr CHAN that we will not overlook this issue because of the number of such cases. Insofar as these incidents are concerned, the Financial Services and the Treasury Bureau has been taking follow-up actions and it has received some complaints from the public. I have also discussed this issue with Members. As Members should be aware, the community is gravely concerned about these incidents. We will not refrain from doing anything because the number is small. Actually, we did consider what approach should be taken to deal with this issue in the most effective manner. It is wrong and off focus to opt for licensing or supervision by the SFC, because offenders will always find a way to achieve their objectives with deceptive acts. We hope to provide more information to make people understand the operation of the gold market and investment channels and that they should approach some reputable financial institutions for investment rather than agreeing to participate in whatever investments when they receive someone's cold calls. I believe consumer awareness must be raised before all this can be achieved. Meanwhile, regarding law reinforcement, we know that a focus group has been put in place by the police since 1999. If the complaint cases involving London gold is found to be on the rise, law enforcement will be stepped up by the police. Insofar as law enforcement is concerned, arrest actions will be taken and legal sanctions imposed as a warning to others.

PRESIDENT (in Cantonese): Last oral question.

Changes in Senior Management and Operation of Asia Television Limited

6. **MR FREDERICK FUNG** (in Cantonese): *It has been reported that recently a Mainland businessman had announced in a high profile manner his*

equity acquisition in Asia Television Limited (ATV), claiming that he would turn ATV into Asia's CNN and launch a nation-wide Putonghua channel; and that the Broadcasting Authority (BA) had written to ATV for clarifications. It has also been reported that the Chief Executive Officer (CEO) of ATV had indicated that the businessman had, prior to obtaining the BA's approval for his equity acquisition, participated in ATV's daily operation, interfered with ATV's business, bypassed the CEO's duties and dismissed staff arbitrarily through his trusted confidant, and during the time, incidents such as ATV's equity dispute and an application being filed for its liquidation also occurred. In this connection, will the Government inform this Council whether:

- (a) it knows the latest changes in ATV's management as well as the latest operation of ATV, and whether there is any discrepancy between that situation and the aforesaid situation; whether it has reviewed if the occurrence of the aforesaid situation reflects inadequacies and limitations of the existing Broadcasting Ordinance (BO) and the BA's monitoring functions, which render the BA unable to simultaneously and effectively monitor changes in the shareholding structure and operation of domestic free television (TV) programme services provided by the licensees;*
- (b) it has followed up and fully investigated the aforesaid allegations made by the CEO of ATV, so as to ascertain if the person concerned has violated the BO and interfered with editorial autonomy; if it has followed up, of the details, including whether the law has been breached and penalty is imposed as a result; if it has not followed up, the reasons for that; and*
- (c) it has assessed how the aforesaid ATV's situation will affect the mid-term review of the domestic free TV programme service licences to be conducted by the authorities; whether the authorities have formulated any contingency plan to avoid members of the public being unable to continue to watch free TV programmes provided by a free TV station in the event that the TV station has seriously violated the law or goes into liquidation; if they have, of the details; if they have not, the reasons for that?*

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Cantonese): President, before responding to the specific questions raised by Mr Frederick FUNG, I would like to briefly explain the current statutory requirements for regulating domestic free TV programme service licensees. ATV is one of the two domestic free TV programme service licensees in Hong Kong. ATV is subject to the requirements under the BO and the conditions stipulated in its licence. These include the need to apply to the BA for approval in respect of changes in shareholding structure, to notify the BA of any change in directors or principal officers, and to ensure that the directors and principal officers are fit and proper persons and in compliance with the residence requirements stipulated under the BO. ATV is also required to ensure that its service is primarily targeting Hong Kong.

I will now address the specific questions in Mr FUNG's three-part question:

(a) and (b)

ATV has kept the BA informed of changes in its directors and principal officers. As a licensee, ATV is fully aware of the statutory requirements and its responsibilities. Hitherto, the BA has not received any application for changes in ATV's shareholding structure. From daily monitoring by the BA, ATV's operation remains normal. As regards the application for ATV's liquidation, we understand that the applicant has withdrawn the application from the Court. The BA did earlier receive information about queries on ATV's operation. The BA has made enquiries to ATV accordingly to seek information for further understanding the latest operating conditions of ATV.

(c) As regards the mid-term review of the domestic free TV programme service licence held by ATV, the BA is currently conducting the review. After the completion of the review, the BA will submit its review report and recommendations to the Chief Executive in Council.

The BO has provided for penalties against a licensee which contravenes the regulatory requirements. In the event of serious contravention, the licence may be suspended or revoked. The BA

has to deal with contravention of regulatory requirements in accordance with its established procedures, and exercise its powers under the BO accordingly. Based on information obtained, the BA will consider and decide whether further action should be taken. At this stage, it would not be appropriate for us to comment on whether ATV has contravened any regulatory requirements.

MR FREDERICK FUNG (in Cantonese): *President, I think the Secretary has not answered my question at all. She just read out the existing policies once more. I have some newspaper clippings with me here in which the CEO of ATV, Nancy HU, gave a clear account of how Mr WANG Zheng had influenced and interfered with the administration of ATV. In fact, the situation at that time had rendered some programmes of ATV affected.*

The Secretary only told us that a letter had been written to make enquiries with ATV. But even if a member of the general public saw a theft or robbery, he or she would report to the police, and even if nobody reports it to the police, the police, on seeing a thief commit a robbery, would chase the thief, rather than writing a letter to the thief asking him whether or not he had committed a robbery and telling him, "Under our policy, you have contravened one, two, three, four, five, six, seven laws". From the Secretary's reply I can see that the BA, and also the Government and the Secretary, are keeping their hands folded on this matter as they have only written to ATV, waiting for its reply. This is entirely not enforcing the BO to ascertain any possible contravention. Why did the authorities not intervene in this matter direct and set up a task force to require ATV to submit a clear report?

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Cantonese): President, generally, the BA does not make comments, or take enforcement actions or perform its work as a regulator on account of reports made by some members of the media. But as I mentioned in the main reply, the BA did earlier receive some concrete information about queries on ATV's operation. And, as I said clearly in the main reply, the BA has to give ATV ample opportunities to provide information in accordance with the established procedures and the requirements of the law. After the submission of information, the BA will certainly decide whether further action should be taken

in accordance with the procedures set out in the two ordinances. This approach for handling queries is in line with the requirements in law, and it is also a fair and just approach.

MR LEE WING-TAT (in Cantonese): *President, over the past two years, there have been Taiwanese and Mainland businessmen making claims one after another of injecting huge capital into ATV, but the claims have never materialized. There have also been cases of resignation of ATV's Chairman and CEO. Afterwards, there have been cases of disputes being taken to Court, new and old shareholders openly accusing each other, and ATV's staff expressing concern about layoffs and not being paid their wages. President, my supplementary question is: The airwaves are a very precious and rare public resource. The finance and shareholding position of ATV is in great confusion and even in an awful mess now. Should the Government not cease to renew the licence of ATV? Does the Secretary agree to this?*

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Cantonese): President, the licence of ATV, which was approved by the Chief Executive in Council, remains valid until its expiry at the end of November 2015. The licensing mechanism has clear provisions on the regulation and supervision of licensees who are required to comply with the legal provisions and licensing conditions. From our observation of the overall services of ATV, as I have said, our daily monitoring shows that it is still providing services to the public in accordance with the conditions stipulated in its licence and in line with the provisions in the ordinance of the BA as well as the BO. So, before there is full and strong justification, we cannot hastily review its licence, or as suggested by Mr LEE, revoke its licence, purely on account of some comments or incidents.

President, I would like to provide some information here to explain under what circumstances we can invoke the law to look into whether or not a licence should be revoked or suspended according to the stipulations in law. It is expressly stated in law that first, the licensee has contravened a requirement in law or a licensing condition, and such contravention has been ascertained. This is the first consideration. Second, failure by the licensee to pay any fee or charge, including the licence fee. Third, the licensee goes into compulsory or voluntary liquidation. Under these circumstances, the Executive Council will, depending on the actual situation, complete an inquiry in accordance with

established procedures, and only when a case has been ascertained that the BO can be invoked to consider revocation of the licence. As regards suspension of licence, the suspension is temporary, and as I said just now, it is only when the licensee is ascertained to have contravened a provision in law and a licensing condition or when the licensee has failed to pay a fee payable by it, including the licence fee, that the Executive Council will have the legal basis for considering suspension of the licence.

MR CHIM PUI-CHUNG (in Cantonese): *It is reported that ATV operates with a daily loss of \$1 million, which adds up to close to \$400 million a year and \$4 billion a decade. But where does ATV's money come from? This is indeed so puzzling. My supplementary question is: Does the Government know the source of its funding? Is money-laundering involved? If not, please provide a list of the amount of equity injection by shareholders in the past decade and the amount of loss incurred by ATV (such information should not be of a classified nature), so that members of the public will clearly know whether it has abided by the law and the BO.*

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Cantonese): President, regarding the finance of ATV, this matter was actually raised during the proceedings of a certain court case. As the legal proceedings are still in progress, I think it is not appropriate for us to make any comment here. But the point is that ATV, as a licensee, has its responsibilities, and it is also fully aware that it must meet the statutory and licensing requirements. So far, there has not been a basis for us to question ATV about its failure or inability to comply with the requirements or its contravention of the law or licensing conditions that I have just mentioned.

PRESIDENT (in Cantonese): Mr CHIM, has your supplementary question not been answered?

MR CHIM PUI-CHUNG (in Cantonese): *President, has the Government asked ATV to undertake to set out how it had spent its funding over the past decade?*

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Cantonese): President, ATV is a company which maintains the provision of services on commercial principles. So, some of its business information is certainly confidential and such information cannot be made public simply at the unilateral request of the Government or the BA.

MR WONG KWOK-KIN (in Cantonese): *President, as an Honourable colleague said earlier, the airwaves are a very precious resource. To my own understanding, the Government issued licences to the two television stations in the hope that they can provide more quality programmes to the public in a competitive environment. But it does not mean that the Government has accomplished its task after issuing the licences to them. After the issuance of licences, is there a mechanism in place to monitor whether the operation of the television stations is normal? Is their operation sound and healthy in providing quality programmes to the public? Now that there are so many problems with one of the television stations, has the Government assessed the suitability of the continued operation of this particular television station? In case there are even more serious problems, are there contingency measures to deal with the problems?*

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Cantonese): President, as the regulatory authority, the BA regularly exercises monitoring on all licensed broadcasting companies through the Television and Entertainment Licensing Authority (TELA). The licence also stipulates very clearly the requirements on the provision of service, including the number of hours to be allocated to Radio Television Hong Kong for broadcasting the Government's Announcement of Public Interest or programmes, the number of language channels for the news programmes, and so on. So, monitoring is conducted on a regular basis.

As regards the circumstances under which intervention by the Government or the BA is warranted in this television station, I have given a reply earlier. President, I have nothing to add.

MS EMILY LAU (in Cantonese): *President, the ATV saga has been shown on television for a very long time. President, this is not just a piece of local news. It has even hit the international headlines. Many people feel upset as they do not know why these farces can happen in Hong Kong day in, day out. President, the Secretary is telling us now that the BA did receive queries about the operation of ATV. Were these queries made by its CEO? Because she had openly stated that there was intervention from some people who had not even joined the company and that these people had played certain roles and they had been involved in various issues. Did she make these queries? Since there were such queries, how were they handled, President? They were handled by the writing of two letters — Wow! Is there something wrong?*

Second, about the mid-term review, President, the review should have been completed but it has been put off repeatedly. May I ask the Secretary whether the CEO raised queries with you about why ATV would become such a shambles? And, will this mid-term review include a hearing, so as to openly show the public what ATV has now become of and to tell the public how an investigation will be conducted? Will this hearing to be conducted as part of the mid-term review cover the queries raised by the CEO? Will this have a bearing on whether or not ATV can continue to hold its licence?

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Cantonese): *President, concerning the identity of the person who raised these queries, as we do not have the consent of this person, we cannot reveal the identity of this person. But with regard to these queries received by the BA, procedurally, we obviously cannot determine their truthfulness simply on the strength of those remarks. Rather, when we seek to handle this matter properly in accordance with the procedure of justice normally, it is impossible for us not to verify such information and it is impossible for us not to allow ATV to give a full explanation. I think this is a procedure that we should accept and support, and this we must do.*

As for the question of what follow-up actions are taken after receiving such information, as I said in my reply earlier, the BA will, based on the information obtained, consider and decide whether further action should be taken. This is the procedure that we must follow in handling this matter.

As regards the mid-term review, the objective of conducting a mid-term review of this mechanism is precisely to review how well the licensee has performed in the middle of its licensing period, including whether or not there is contravention on its part, and whether or not it has discharged its responsibilities in compliance with the licensing conditions, and procedurally, there will be a hearing to be conducted in public to allow members of the community to give their views on its programmes. Upon the completion of the mid-term review, the BA will ask the licensee to submit a report under the law and the report will be submitted exactly as it is to the Chief Executive in Council. A decision will then be made on the need to revise the licensing conditions.

The existing legislation is very clear. The licence issued to this licensee is valid for a period of 12 years. The mid-term review is conducted for us to review its services. Except in special circumstances — I have earlier on explained the circumstances under which suspension or revocation of licence will be considered — we can add some new conditions requiring compliance by this licensee through revisions to the licensing conditions. So, the mechanism is very clear, President.

MS EMILY LAU (in Cantonese): *President, the Secretary has not answered my supplementary question. Can this mid-term review allow some public hearings to be further conducted to look into the queries about the operation of ATV? Certainly, I think it will be necessary to allow both sides to confront each other. But will the authorities do so? And, if these queries are substantiated, would that be enough to justify suspension of its licence?*

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Cantonese): President, the work relating to public hearings in this mid-term review has actually been completed. The BA is currently collating the views collected from the hearings.

Certainly, the BA also has to take into account the latest operation of the licensee before making a final decision and submitting recommendations to the Chief Executive in Council for consideration.

MR CHAN KAM-LAM (in Cantonese): *President, although problems have emerged on all fronts in ATV, they are, after all, internal disputes among shareholders of a company. We can see that the operation of ATV has remained normal in providing television services for the public. So, people outside the company should refrain from acting like a "backseat driver" or even interfering with the internal shareholding matters of the company.*

May I ask the Government whether it will insist on not interfering with the operation of the media, and whether it will carry on with these checks when they have not contravened any regulatory requirement at the moment?

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Cantonese): *President, in view of the licensing and legal requirements, the BA and the TELA are duty-bound to regularly monitor the operation and performance of this licensee, and this is what we have all along been doing. So, at this stage, as I said earlier, there is no basis for us to query or comment on whether or not ATV has contravened the relevant legal requirements and licensing conditions. We must be fair and just in this area of work.*

But obviously, the Government and the BA holds the same position and that is, apart from the standards expected of the programmes of the licensee as specified by the BA in the programme code, certainly there will not be intervention from us. We fully respect the independent operation of media corporations.

PRESIDENT (in Cantonese): Last supplementary question.

MR FREDERICK FUNG (in Cantonese): *President, I still think that the Secretary has just kept stressing that ATV has the responsibility to comply with this and the responsibility to do that. If all Hong Kong citizens know that they have the responsibility to comply with the laws of Hong Kong, then there would not be a need for police officers, there would not be a need for the criminal investigation division, and not even the ICAC would be needed. What is exactly happening now is that some people have not complied with the rules and they do*

not let you know. Now that even the newspapers have reported on this and you have also received a letter and yet, you are still telling us that you are waiting.

I would like to ask the Secretary this: First, when did you write to ATV and for how long are you going to wait, and if it does not reply or is very late in giving a reply, do you have a so-called deadline? If it does not reply before the deadline or there is something wrong in the information, will you set up a task force to deal with this case of ATV?

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Cantonese): President, we certainly have in place a legal framework requiring their compliance. This is not only a question of knowing the responsibilities, and under the entire legislative framework, different provisions are made to set out clearly under what circumstances a notice or notification is required and under what circumstances the prior consent of the BA is needed. As I made it very clear in my main reply, ATV has all along observed the requirements and abided by the law in reporting to the BA on changes in its directors and principal officers.

Changes in the shareholding structure will require prior approval of the BA. But as I have explained, hitherto ATV has not filed any application for changes in its shareholding structure. So, the current situation is that ATV is still operating normally under a management system as what it has made known to us and declared to us.

As regards the Member's question about the time that we allow for ATV to give a reply and provide information, the BA normally gives a licensee two weeks for reply after sending a letter to it. Then, based on the information obtained, the BA will decide whether the information is adequate for it to make a decision. As far as I understand it, this two-week period should be counted from last week — but I do not have the exact dates up my sleeve — and I think this two-week period has not yet expired. We will keep a close watch on its reply and then proceed to the next step of work.

PRESIDENT (in Cantonese): Oral questions end here.

WRITTEN ANSWERS TO QUESTIONS**Measures to Assist Persons with Physical Disabilities in Using Information and Communication Technology Facilities**

7. **DR SAMSON TAM** (in Chinese): *President, the Office of the Government Chief Information Officer (OGCIO) commissioned the University of Hong Kong in 2005 to conduct a study to assess the degree of digital inclusiveness of different underprivileged groups (including persons with physical disabilities) in Hong Kong. A follow-up study was subsequently conducted in 2008, and the findings showed that there had not been much progress since 2005 in the usage of information and communications technology (ICT) among persons with physical disabilities. In this connection, will the Government inform this Council:*

- (a) whether the authorities had, in the past two years, further conducted a comprehensive study on the usage of ICT among persons with physical disabilities; if they had, of the outcome; if not, the reasons for that;*
- (b) given that persons with physical disabilities have special needs in accessing information and using communications technology services, what policies and specific measures the authorities had put in place in the past two years to assist persons with restriction in body movement, seeing and hearing difficulties; and*
- (c) given that I have learnt that the Digital Inclusion Task Force under the Digital 21 Strategy Advisory Committee has solicited views on the needs of three categories of persons with disabilities, namely those with restriction in body movement, seeing and hearing difficulties, of the details of the views and follow-up actions?*

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Chinese): President, regarding the questions raised by Dr Samson TAM, my reply is as follows:

- (a) The study carried out by the University of Hong Kong in 2008 was concluded in early 2009. It was the most recent study conducted by

the Government on the usage of ICT by different underprivileged groups in the community including people with disabilities.

- (b) The Government has adopted the following major measures to facilitate the usage of ICT by people with disabilities:
 - (i) The Social Welfare Department (SWD) has been providing IT support to the rehabilitation sector. Some 710 PCs with Internet access have been installed at various rehabilitation service units. Since 2000, around 19 200 persons with disabilities have attended IT awareness programmes.
 - (ii) The SWD set up the Central Fund for Personal Computers in 1997 to assist people with disabilities in acquiring computers for self-employment or receiving supported employment service at home. Since the inception of the Fund, a total of 21 batches of applications have been processed and a total of around \$4.09 million was granted to 320 applicants.
 - (iii) In 2005, the Hong Kong Jockey Club Charities Trust contributed \$7.15 million for setting up the IT Scheme for people with visual impairment (PVI). The Scheme, administered by the SWD, helps organizations acquire high-performance Chinese screen readers and Braille displays at the communal access points of PVI and subsidizes individual PVI who requires IT for the purpose of studies or employment but has genuine financial difficulty. To date, a total of nine batches of applications have been processed and a total of around \$3.92 million was granted to 119 individual applications and 27 organizational applications.
 - (iv) In 2008, the OGCIO commissioned the District Cyber Centres pilot scheme. The scheme aims to enable different underprivileged groups in the community (including the people with disabilities) to access and use ICT through strengthening the provision of computer facilities, Internet connectivity, training and technical support to the cyber centres operated by community organizations in various districts. There are now 33 district cyber centres operated

through various non-government organizations (NGOs) throughout the territory participating in this pilot scheme.

- (v) The OGCIO has been actively sponsoring various community activities through the Digital Solidarity Fund of the Hong Kong Council of Social Service and different programmes of ICT professional associations, to promote the ICT adoption among underprivileged groups (including the people with disabilities), as well as the awareness among public and private websites of the design and presentation needs to address the accessibility requirements of people with disabilities, in particular for the PVI.
- (vi) In July 2009, the Government updated a set of accessibility guidelines and best practices in the design of web pages and electronic services with reference to international standards and input from the industry and disabled groups. The web accessibility guide was first developed in 1999 and has since 2003 been applied to all government websites.
- (c) The Digital 21 Strategy Advisory Committee (the Advisory Committee) advises the Government on the strategies and programmes facilitating the implementation of the Digital 21 Strategy, the blueprint for ICT development in Hong Kong. Helping the underprivileged groups integrate in the information world is one of the important areas under the Digital 21 Strategy. The Advisory Committee has established a Task Force on Digital Inclusion (the Task Force) under the chairmanship of the Government Chief Information Officer. The Task Force acknowledges that there are special needs among the different people with disabilities groups in access to information and service. To better understand the use of ICT by people with disabilities especially on their specific barriers and needs, three workshops were organized in December 2009 with community organizations and representatives of three groups of people with disabilities, namely persons with restrictions in body movement, seeing and hearing difficulties.

People with disabilities faced different levels of difficulties accessing ICT using interfaces developed for able-bodied users. Assistive technologies to overcome those difficulties are available, but community as well as industry efforts are needed to widen the range of content that could be accessed using these technologies, as well as to increase the deployment of these technologies amongst people with disabilities.

To take forward the above initiative, the Government will, in collaboration with relevant NGOs and Task Force members, develop an action plan to implement specific measures over the coming months, including holding a regular large scale forum to enable focused exchange of views and insights among groups of people with disabilities, the ICT related research and development sectors as well as providers of ICT products and services and of content. The forum will not only raise the awareness of the ICT needs of the people with disabilities but also encourage different sectors to consider how the latest ICT development could be adopted in their facilities and services to facilitate the usage of the disabled.

Safety of Establishments for Running Playgroups

8. **MR TAM YIU-CHUNG** (in Chinese): *President, it has been learnt that an increasing number of private organizations run playgroups mainly for pre-school children for a fee. Quite a number of the establishments which provide these services are located in multi-storey commercial buildings, and a number of them are even located on the same floor in a building, and hence the situation of many children being present on the same floor of a building at the same time is very common. Regarding the safety of the establishments providing these playgroup services, will the Government inform this Council:*

- (a) *whether it knows the total number of such establishments currently located in multistory commercial buildings;*
- (b) *whether the authorities had, in the past three years, inspected the aforesaid establishments; if so, whether they had uncovered cases of violation of the Child Care Services Ordinance (CCSO) (Cap. 243)*

or the Education Ordinance (EO) (Cap. 279), and of the follow-up measures taken by the Government; and

- (c) *what measures, in particular those to safeguard the safety of children who are not accompanied by parents during such activities, are in place to enhance the safety of the aforesaid establishments?*

SECRETARY FOR EDUCATION (in Chinese): President,

- (a) Under the CCSO (Cap. 243), any premises which habitually receive at any one time more than five children who are under the age of three years for the purposes of care and supervision are required to be registered as a child care centre. Playgroups satisfying the above criteria must apply for registration under the CCSO. Currently, the registered child care centres are subject to regulation in accordance with the CCSO by the Social Welfare Department (SWD) and the Joint Office for Pre-primary Services (JOPS) set up under the Education Bureau. The SWD is responsible for the regulation of the child care centres specially providing care and supervision for children under the age of three while JOPS is responsible for the regulation of those which at the same time also provide education for children between three to six years old in the kindergarten-cum-child care centres. At present, there are 23 registered child care centres specially providing care and supervision for children under the age of three, and thus subject to regulation by the SWD. Most of these centres operate on the premises of the government or non-government organizations or in private or public housing estates, with only one centre located in a commercial/residential building. Playgroups providing activities for pre-school children accompanied by parents are not subject to regulation by the SWD. As there is no classification of playgroups under the CCSO, the SWD does not have statistics on "playgroups" as asked in the question.

In accordance with the EO (Cap. 279), any institution, organization or establishment which provides for 20 or more persons during any

one day or eight or more persons at any one time, any nursery, kindergarten, primary, secondary or post secondary education or any other educational course by any means is required to be registered or provisionally registered as a school. Hence, any group which provides activities consisting of educational courses, such as language learning, and so on, irrespective of the mode of activities and the age of students, is required to be registered or provisionally registered as a school under the EO so long as it meets the above thresholds regarding the number of students. As no separate school classification is maintained for "playgroups for young children", the Education Bureau does not have statistics on playgroups located in multi-storey commercial buildings. Moreover, playgroups which do not provide educational activities (for example, those aiming at children's mental development or at developing their physical and social skills) do not fall under the EO.

- (b) For the three years from 2007-2008 to 2009-2010, over 140 inspections were conducted by the SWD and the JOPS, but no prosecution was instituted for violation of the CCSO. The SWD and the JOPS also conduct regular inspections on registered child care centres under its purview and spot checks on premises suspected to be used for the operation of unregistered child care centres.

In addition, for the three years from 2007-2008 to 2009-2010, the Education Bureau handled 54 suspected cases where the establishments concerned which were not registered or provisionally registered as schools admitted children under the age of five. Of these cases, three were found upon the Education Bureau's investigation to be subject to registration or provisional registration as schools under the EO. The Education Bureau then issued warning letters to the operators and the teachers concerned. The operators of two of these establishments later applied for and were subsequently granted registration under the EO, while the other one has ceased operation.

- (c) No separate definition of the term "playgroup" is provided in the CCSO or the EO. Nevertheless, a school registered or

provisionally registered under the EO, or a child care centre registered under the CCSO, irrespective of its mode of operation or whether it is located in a commercial building, must comply with the requirements in areas such as fire service installation and equipment and sanitation under the relevant ordinances.

While the CCSO has provisions on various aspects of registered child care centres, including sanitation and fire service installations and equipment, the SWD conducts regular inspections on child care centres to ensure that their quality of service is up to the required standard. It also follows up on premises suspected to be used to operate child care centres without registration. In addition, under the CCSO, the operator of a registered child care centre is required to display the name under which the centre is registered and the certificate of registration in a conspicuous place at the centre. A list of registered child care centres is available at the SWD's website for public inspection. The SWD will continue to ensure the safety and quality of child care services.

Schools registered or provisionally registered under the EO and operating in a commercial building, irrespective of the mode of activities provided, are required to obtain as pre-requisites from the relevant authorities (for example, the Fire Services Department and the Buildings Department) certificates or notices stating that the premises concerned are safe in structure and suitable for the purposes of a school to ensure safety quality. The Education Bureau will also visit schools regularly. All schools registered or provisionally registered under the EO must display their certificates of registration or provisional registration in a conspicuous place in their premises. A list of registered/provisionally registered schools is also available at the Education Bureau's website or Regional Education Offices for parents' inspection.

Facilities for Roller Skating

9. **DR RAYMOND HO** (in Chinese): *President, I have learnt that with in-line skating becoming popular in recent years, many parents encourage their*

children to learn the sport, and several organizations rent hard-surface soccer pitches in various districts in Hong Kong and Kowloon during the weekends to run roller skating interest classes for school children. In this connection, will the Government inform this Council whether:

- (a) it has formulated guidelines on sports activities other than ball games held at hard-surface soccer pitches; if so, of the details; and*
- (b) it has any plan to increase the number of up-to-standard roller skating rinks; if so, of the details; if not, the reasons for that?*

SECRETARY FOR HOME AFFAIRS (in Chinese): President, my reply to the two parts of the question is as follows:

- (a) The hard-surface pitches managed by the Leisure and Cultural Services Department (LCSD) can be used for holding various activities. Schools, national sports associations, community sports clubs and other organizations may book the hard-surface pitches for organizing ball games and other activities, including roller skating and in-line skating in accordance with the current booking procedure for use of non-fee charging facilities. Regardless of the type of activity held, users have to comply with the conditions for use promulgated by the LCSD. Organizations may submit applications to the respective District Leisure Services Offices three to twelve months before the activities take place.
- (b) At present, the LCSD provides 28 roller skating rinks (which can also be used for in-line skating) in various districts. It also provides two dedicated venues for in-line skating. In addition, five skateboard grounds under LCSD management can also be used for roller skating (including in-line skating). In the coming five years, the LCSD will provide three additional new facilities which can be used for roller skating (including in-line skating). By that time, there will be a total of 38 venues in Hong Kong which can be used for roller skating or in-line skating (please refer to the Annex for details).

Annex

Venues that can be used for
roller skating or in-line skating under
the management of the LCSD

- (A) Venues with roller skating rinks (which can also be used for in-line skating)

Hong Kong Island

1. King's Road Playground

Kowloon

1. Saigon Street Playground
2. Cheung Sha Wan Playground
3. Lai Chi Kok Park
4. Kowloon Tsai Park
5. Tsz Wan Shan Estate Central Playground
6. Tsun Yip Street Playground
7. Yuet Wah Street Playground

New Territories

1. Cheung Chau Park
2. Peng Chau Waterfront Playground
3. Tai O Road Playground No. 2
4. Tuen Mun Park
5. Tsing Sin Playground
6. Kin Yip Street Playground
7. Ma Tin Road 5-a-side Football Pitch
8. Central Kwai Chung Park
9. Mei King Playground
10. Tai Loong Street Playground
11. Tai Wo Hau Road Playground
12. North District Park
13. Fanling Recreation Ground
14. Tai Tau Leng Playground

15. Shek Wu Hui Jockey Club Playground
 16. Kong Pui Street Rest Garden
 17. Che Kung Miu Road Playground
 18. Shing Mun River Promenade Garden No. 3
 19. Po Hong Park
 20. Wai Man Road Playground
- (B) Venues with facilities dedicated to in-line skating
1. Morse Park No. 4
 2. Kwok Shui Road Park
- (C) Venues with skateboard grounds that can be used for roller skating (including in-line skating)
1. Morrison Hill Road Playground
 2. Chai Wan Poolside Garden
 3. Lai Chi Kok Park
 4. Tin Shui Wai Park
 5. Kwai Shun Street Playground
- (D) Venues with facilities that can be used for roller skating (including in-line skating) to be completed in the coming five years
1. District Open Space in Area 9, Tsing Yi
 2. District Open Space in Area 18, Tung Chung, Lantau
 3. Local Open Space in Area 25, Fanling/Sheung Shui

Automatic Teller Machine Fraud Cases

10. **MR LAU KONG-WAH** (in Chinese): *President, it has been reported that recently, an automatic teller machine (ATM) of a bank was suspected to be tampered with by fraudsters, causing a total loss of some \$280,000 to 10 customers. In this connection, will the Government inform this Council:*

- (a) *of the number of fraud reports related to ATMs received by the authorities in each of the past three years, with a breakdown by the deception method and the amount of money involved;*

- (b) *whether it knows the total number of ATMs which have not been installed with keypad covers at present, broken down by District Council district, and the percentage of the number in all ATMs in Hong Kong; among such ATM terminals, the respective numbers of those the ATM network services for which are provided by Electronic Teller Card and Joint Electronic Teller Services Limited; whether the authorities will request banks to have all of their ATMs installed with keypad covers or other new security devices; if they will, of the details;*
- (c) *whether it has assessed if the magnetic stripe technology currently adopted for ATM cards in Hong Kong is lagging behind that of other places; if the assessment outcome is in the affirmative, of the total number of years that the technology lags behind; whether the authorities will request banks to introduce chip cards which render data duplication more difficult for ATM transactions, or upgrade the technology of ATM cards; if such chip cards will not be introduced or such technology will not be upgraded, of the reasons for that; and*
- (d) *given that it has been reported that the Hong Kong Monetary Authority (HKMA) has delayed the disclosure of the aforesaid incident to the public for four days, of the reasons for the delay; whether the authorities have guidelines on disclosing to members of the public ATM fraud cases, so as to alert members of the public to react immediately and safeguard their personal properties?*

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

- (a) Including an alleged ATM fraud case reported recently, the HKMA has received a total of three cases reported by banks of suspected tampering of ATMs in the past three years. The yearly figures on the amount of money involved in such cases are as follows:

	<i>No. of cases</i>	<i>Approximate amount of money involved (HK\$)</i>
2007	0	0
2008	0	0
2009	2	196,000
2010	1	300,000

These three cases had been referred to the police for investigation. We believe that these cases involved fraudsters capturing data of ATM cards using reading devices attached to the ATMs and obtaining customers' ATM personal identification numbers using hidden cameras. The fraudsters subsequently used the stolen information to produce counterfeit cards to withdraw money from the customers' bank accounts outside Hong Kong. The "Code of Banking Practice" provides that card issuers are responsible for bearing the full loss incurred by their customers when transactions are made through the use of counterfeit cards. Customers affected by ATM fraud cases therefore would not suffer any monetary loss.

- (b) Currently, there are about 2 800 ATMs in Hong Kong. About 85% of such ATMs are equipped with keypad covers and the breakdowns are as follows:

<i>ATM Network</i>	<i>JETCO</i>	<i>ETC</i>
Number of ATMs	1 533	1 245
Number of ATMs with keypad covers installed (roughly evenly located across Hong Kong)	1 456	890

The banks are working towards installing keypad covers on all ATMs as soon as practicable. The HKMA has been working closely with the banking industry to identify ways to make the ATMs more secure. It also has required the banks to conduct more frequent patrols of ATMs, monitor suspicious transactions and strengthen customer education. Indeed, the recent alleged fraud case involving HSBC's ATMs reflected the effectiveness of the bank's surveillance system in detecting suspicious transactions and promptly identifying a possible fraudulent event. The HKMA will

continue to communicate with the banks and explore ways to further strengthen the security of ATM operations.

- (c) According to information available to the HKMA, ATM card with magnetic stripe is still the common technology standard adopted worldwide. ATM cards embedded with chips have only been introduced in recent years in a few jurisdictions (such as the United Kingdom and Malaysia). The HKMA has been exploring with banks since 2009 the feasibility of introducing chip cards in Hong Kong. One of the key issues to be addressed is that ATMs in many jurisdictions (including Mainland China) are still not yet fully compatible with chip cards. If Hong Kong introduces ATM cards embedded with chips only, bank customers might not be able to use their cards to withdraw cash overseas. However, if Hong Kong's ATM cards contain chips and retain magnetic stripes to enable bank customers to withdraw cash overseas, the magnetic stripes would still be vulnerable to card skimming fraud, leaving the problem of information thefts unsolved.
- (d) When a bank is aware of an incident that affected its customers' interest, the bank has the responsibility to inform the customers affected or potentially affected as soon as possible. It should also consider, on a case-by-case basis, whether there is a need to make a public announcement about the incident at a suitable time. Furthermore, the bank should report the case to the HKMA as quickly as possible. Upon receiving an incident report from the bank, the HKMA will promptly follow up and obtain details about the case to understand more about its nature and implications. The HKMA will determine, taking into account factors such as the seriousness of the incident, whether there is a need to remind the public by making a further announcement.

Competitiveness of Hong Kong's Taxation Regime

11. **MR CHAN KIN-POR** (in Chinese): *President, it was reported that when the Group of Twenty (G20), which mainly comprises European and American countries, convened a meeting in April last year to discuss measures against tax*

havens, it had proposed to put Hong Kong on the list of tax havens, but as a result of China's opposition, Hong Kong was finally not put on the list; according to the consensus reached by G20, different tax jurisdictions are required to enhance their tax transparency before March this year pursuant to the requirements of the Organization for Economic Co-operation and Development (OECD), and to sign avoidance of double taxation agreements with 12 jurisdictions, so as to enable exchange of taxpayers' information among jurisdictions. Yet, as Hong Kong has not yet met such requirements at present, G20 members may impose sanctions on Hong Kong, which will seriously affect Hong Kong's economic development and reputation. In this connection, will the Government inform this Council:

- (a) whether it will formulate new measures to meet the aforesaid requirements of OECD, so as to prevent Hong Kong from being put on OECD's list of tax havens; if it will, of the contents of the measures; if not, the reasons for that;*
- (b) given that it was reported that Singapore, which is Hong Kong's major competitor, has signed avoidance of double taxation agreements with more than 60 countries, and has an edge over Hong Kong in international tax relations, what measures the Government will take to maintain Hong Kong's competitiveness; and*
- (c) how it will assess the possibility of Hong Kong being put on the list of tax havens by OECD in the medium or long term, and of its impact on Hong Kong's economic development?*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Chinese): President, my answers to parts (a) to (c) of the question are set out below:

Hong Kong has been very supportive of efforts by the international community to promote transparency in tax administration. As early as in 2005, Hong Kong endorsed openly the principles of tax transparency of the Organisation for Economic Co-operation and Development (OECD) at its Global Forum on Taxation. In an article published in May 2009, the Director of the OECD's Centre for Tax Policy and Administration commended Hong Kong's

efforts to comply with the international standards on tax transparency and exchange of information (EoI) while pointing out that Hong Kong is not a tax haven according to the OECD criteria. Subsequently, in its September 2009 report, the OECD vindicated again that Hong Kong is not a tax haven and recognized Hong Kong's commitments to the OECD standards.

In fact, since 1998, the Government has been seeking to conclude comprehensive avoidance of double taxation agreements (CDTAs) with our major trading partners as a business facilitation initiative. In the past, Hong Kong could not adopt the OECD latest version of EoI provision due to the legal constraint on the information gathering power of the Inland Revenue Department (IRD). This was a major obstacle in our CDTA discussions.

In view of this, we consulted the business and professional sectors on the liberalization of EoI under CDTAs in 2005 and 2008. In the 2008 consultation, the trade generally agreed that Hong Kong should align its EoI arrangements with international standards so that we could enter into more CDTAs. The Financial Secretary soon announced in the 2009-2010 Budget the Government's plan to put forward legislative proposals to align Hong Kong's EoI arrangements with international standards and to expand our CDTA network. The Government then carried out the legislative amendment exercise swiftly. The Inland Revenue (Amendment) Ordinance 2010 took effect in March 2010, allowing IRD to collect and disclose a taxpayer's information in response to requests made by our treaty partners even when the information is not required for domestic tax purposes. In other words, we can adopt the prevailing OECD EoI standard in our CDTAs.

After the coming into effect of the Inland Revenue (Amendment) Ordinance 2010, we have been actively conducting CDTA negotiations with our trading partners. In March this year, we signed CDTAs with Brunei Darussalam, the Netherlands and Indonesia respectively. Moreover, we have reached agreement on CDTAs with seven countries (including Austria, France, Hungary, Ireland, Japan, Switzerland and Liechtenstein). At the same time, we are also conducting CDTA negotiations with a number of other countries and discussing with existing treaty partners (including Mainland China, Vietnam, Belgium and Luxembourg) to upgrade the EoI article to the OECD latest version.

As pointed out by the Financial Secretary in the 2009-2010 Budget, CDTAs with major economies would help reduce tax burdens on individuals and enterprises and eliminate uncertainties over tax liabilities. This would improve business environment and facilitate flows of trade, investment and talent between Hong Kong and the rest of the world, thereby enhancing Hong Kong's position as an international business and financial centre. Hong Kong has never been a tax haven. We will continue to expand our CDTA network with a view to enhancing Hong Kong's position as an international financial and business centre.

Job Fairs Organized by Government

12. **MR ABRAHAM SHEK** (in Chinese): *President, the Labour Department (LD) organizes large-scale job fairs from time to time to provide employment opportunities for the public. On the other hand, some employers have relayed to me that only a small number of job seekers they recruited through these job fairs eventually reported for duty as scheduled. In this connection, will the Government inform this Council:*

- (a) of the trades involved in the large-scale job fairs organized by the Government last year, and the number of job seekers who secured employment through these job fairs;*
- (b) given that some employers have reflected that the turnover rate of employees recruited through such job fairs is particularly high, whether it has analysed the reasons for it; if it has, of the details; if not, the reasons for that; and*
- (c) whether it will consider organizing tailor-made job fairs focusing on particular trades instead of holding large-scale job fairs, or mainly focusing on enhancing the various employment programmes currently implemented by LD; if so, of the details; if not, the reasons for that?*

SECRETARY FOR LABOUR AND WELFARE (in Chinese): President,

- (a) Employers normally use more than one means or channel to recruit staff. Job fairs organized by the LD is just one of the recruitment

channels available to employers. In addition, some employers have advised LD that their recruitment is performed by supervisors of different branches or workplaces. They have practical difficulties capturing the exact number of job seekers placed through any one particular recruitment channel or means. Therefore, LD does not have the exact figures of the number of job seekers who secured jobs through these fairs. Notwithstanding this, we believe that participation in LD's job fairs should be an objective indicator of the support of employers and job seekers. During the past 12 months, that is, from May 2009 to April 2010, LD organized a total of 23 large-scale job fairs in various districts, which was more than double the figure of 11 during the same period in the preceding year. These job fairs provided nearly 29 000 vacancies. Participating companies came mainly from the retail, catering and property management sectors. These events attracted over 35 000 job seekers.

- (b) For reasons similar to those outlined in part (a) above, LD does not have the turnover rate of job seekers placed through LD's job fairs. Generally speaking, in deciding whether to stay in a job, an employee would consider a multitude of factors, such as the job nature, working conditions, remuneration and benefits, as well as the place of work. It is unlikely that the channel of recruitment would become a major factor affecting an employee's decision whether to leave his/her employment.
- (c) Holding large-scale job fairs can facilitate the flow of vacancy information, provide an effective and convenient platform for employers to recruit staff, and enable job seekers to find jobs. Job fairs are particularly suitable when we have vacancies straddling many sectors, or they can be filled by general job seekers, or the vacancies are offered by establishments with branches territory-wide.

Organizing large-scale job fairs and providing other employment services are complementary. In fact, in addition to large-scale job fairs, we also hold mini-job fairs in different job centres with a focus on district-based vacancies. 250 such job fairs were held in the past 12 months. We will also organize industry-specific recruitment

activities should there be a large number of vacancies available. For example, in September 2009, the LD organized two large-scale job fairs, one specifically for the property management industry and the other for the retail industry.

Furthermore, the LD set up a Recruitment Centre for the Catering Industry (RCCI) in February 2009 to provide tailor-made job-matching service and on-the-spot interview arrangements for catering establishments and job seekers. In view of the effectiveness of RCCI, the LD will set up a Recruitment Centre for the Retail Industry in mid-2010 to provide specialized employment support to employers and job seekers of the retail industry.

In addition to job fairs, the LD also operates, and will continue to enhance as necessary, a number of special employment programmes to cater for the needs of general job seekers and those with specific needs, such as the middle-aged, the disabled and the youth, to help them secure employment. In 2009, the LD enhanced and integrated its various employment programmes, raised the levels of subsidy and extended the subsidy period for employers hiring the middle-aged and persons with disabilities so as to increase their incentive. To proactively assist young people in navigating their career journey, the LD strengthened and integrated the Youth Pre-employment Training Programme and Youth Work Experience and Training Scheme into a "through-train" programme to provide seamless and comprehensive youth training and employment support with effect from the 2009-2010 Programme Year.

Furthermore, as announced by the Financial Secretary in his 2010-2011 Budget Speech on 24 February 2010, the LD will introduce additional measures to enhance employment support to job seekers. These measures include:

- (i) launching a two-year Pilot Employment Navigator Programme to provide job seekers with intensive employment counselling and cash incentives so as to address the problem of manpower mismatch, fully utilize our labour productivity and encourage employment; and

- (ii) implementing a special employment project to help those vulnerable youths with special employment difficulties.

Upgrading Fire-fighting Equipment

13. **MS MIRIAM LAU** (in Chinese): *President, the No. 4 alarm fire in an industrial building on 8 March this year caused the death of one fireman and injuries to three firemen who had bravely fought the fire, increasing the number of firemen who died while fighting fire to four in the recent three years. Some representatives of staff associations and some firemen have criticized that the Fire Services Department (FSD) had in fact been allocated a long time ago funds for purchasing equipment such as new breathing apparatus and new digital radio communication system, and so on, and yet the provision of such equipment to front-line staff for use was delayed by years because the procurement procedure was complicated and time consuming, and there were problems with the computer software of the equipment (for example, 1 400 new breathing apparatus were not officially provided to firemen for use until 8 April this year). In this connection, will the Government inform this Council:*

- (a) *whether it will assess if the time taken to complete the entire process, from planning and studies to official use, of procurement of fire equipment for front-line staff is too long, whether it will conduct a review in this respect and request the FSD to shorten the time involved;*
- (b) *for how long the actual date of use of the new breathing apparatus has been delayed as compared to the original plan, the reasons for the delay and its impact on the work of firemen, and how the FSD will follow up the delay; and*
- (c) *whether the FSD will study adopting a more flexible arrangement for the introduction of new equipment in future and accord priority to those firemen stationed in high-risk areas for receiving training and using the new equipment, instead of waiting for all staff to have been trained before using the new equipment?*

SECRETARY FOR SECURITY (in Chinese): President,

- (a) The Administration attaches great importance to ensuring the safety of front-line fire-fighting personnel. Besides taking measures to ensure that fire services equipment are under proper maintenance and in effective operation, the Administration regularly replaces and procures more advanced equipment taking into account the FSD's suggestion, so as to further enhance the protection for front-line personnel. On the whole, the existing equipment of the FSD can be favourably compared with those used by fire brigades overseas.

Large-scale replacement or procurement of fire services equipment normally involves a number of steps, which include bidding of fund, drafting specifications, tendering, manufacture, delivery, installation, testing and training. The time required for the entire process depends on the complexity of the equipment, its specifications, price and the quantity procured, and so on. For the procurement of equipment with relatively simple specifications and readily available stock, such as fire fighting hose and protective gloves, the entire procurement process will normally be completed in around 6 months. With respect to fire services equipment that are purchased for the first time, or replacement of existing equipment that requires substantial upgrading or changes to the specifications, or equipment with no readily available stock and the suppliers need time for manufacturing, the time required for procurement would be relatively longer. According to traditional practice, the Administration would start preparing the specifications and tendering after funding is approved. In the most complicated cases for special equipment, the entire procurement process, from funding approval to the use of new equipment, may take three years.

In order to expedite the procurement process, the FSD and relevant departments have reached a consensus to make an early start on the initial procurement procedures, including the drafting of

specifications and tendering, and so on. It will enable the FSD and relevant departments to award contract as soon as possible upon securing funding approval, which will in turn allow the suppliers to commence the manufacturing or delivery procedures right away. The new measures are summarized below:

- (i) The FSD and relevant departments will advance the time of drawing up the design and specifications for the equipment;
- (ii) The FSD and relevant departments will then immediately kick off the tendering process, including conducting tender evaluation and securing the approval of the tender board;
- (iii) Upon obtaining funding approval, the FSD and relevant departments will award the procurement contract immediately.

By completing the entire tendering process in advance, the above special procurement procedures will shorten the time required for procurement by about a year, counting from the time when funding is approved.

- (b) According to the FSD's original schedule, the new breathing apparatus should be ready for full operational use in December 2009. In order to ensure that the equipment met the specifications and were able to protect users effectively, the FSD started testing on the new breathing apparatus upon their arrival in April 2009. During the testing process, the FSD detected some software problems with the new apparatus, for which the supplier had already sent technicians to Hong Kong and successfully rectified the problems. The new breathing apparatus have been in full operational use since early April this year.

During the period, the original breathing apparatus were still in effective operation. Hence the postponement in the use of the new apparatus did not affect the safety of front-line fire fighting personnel.

- (c) The Administration strives to provide front-line personnel with the best equipment so as to ensure their safety and efficiency while

carrying out their duties. In order to further expedite the replacement process, the FSD will request suppliers to deliver the new equipments by batches wherever practicable. The FSD will conduct testing on the new equipments that arrive in early shipments and, depending on operational need and the actual situation, distribute them for use by firemen who have already been trained to do so. In deciding whether the new equipment can be introduced in batches, the FSD will consider a number of factors, including the need to maintain uniformity in overall operation; whether the parallel use of old and new equipment can be accommodated in actual operation and whether such will seriously affect the operational procedures; as well as its impact on training, maintenance, logistics support and use of resources, and so on.

Purchase of Self-financed Drugs by Hospital Authority Patients

14. **MR ANDREW CHENG** (in Chinese): *President, it has been recently reported that some pharmacies have substantially raised the prices of certain drugs, which has resulted in the increase in the burden of drug expenses on patients who need to take for long periods self-financed drugs prescribed by public hospitals and clinics under the Hospital Authority (HA), and some of the patients have been forced to reduce the frequency of taking drug, so as to relieve their burden. In this connection, will the Government inform this Council whether:*

- (a) *it knows the number and percentage of patients who had been prescribed self-financed drugs by public hospitals and clinics under the HA last year and, among such patients:*
 - (i) *the respective percentages of those who had been prescribed special drugs, drugs with safety net and drugs without safety net;*
 - (ii) *the number of those who are chronically ill; and*
 - (iii) *the number of those who purchased self-financed drugs through the HA and the expenses concerned;*

- (b) *it knows the difference between the average price and the average cost of self-financed drugs provided by the HA last year; of the profit derived by the HA and how the profit was used; whether HA had increased the prices of self-financed drugs it provided last year; if so, details of the increase; if not, the reasons for that; and*
- (c) *the authorities had collected information to track the increases in drug prices in the private market last year; whether it knows if the HA will relax the limits on income and assets for applications to the Samaritan Fund for subsidies in response to the increases in drug prices, so as to relieve the burden on patients of purchasing self-financed drugs and prevent them from falling into poverty because of illness?*

SECRETARY FOR FOOD AND HEALTH (in Chinese): President, the Drug Formulary (the Formulary) has been implemented by the HA in public hospitals and clinics since 2005. The main objective is to ensure equitable access by patients to cost-effective drugs of proven safety and efficacy through standardization of the drug policy and drug utilization in all HA hospitals and clinics.

At present, there are about 1 300 standard drugs in the Formulary. They can be classified into two categories, namely general drugs and special drugs. General drugs constitute around 80% of all standard drugs. These drugs have well-established clinical indications and effectiveness and are available for general use. The HA charges standard fees and charges when providing these drugs. Special drugs constitute around 20% of all standard drugs. These drugs are to be used under specified clinical conditions with specific authorization by specialist doctors. Patients who meet the specified clinical conditions and are prescribed with special drugs will be provided with the drugs at standard fees and charges by the HA. For patients who do not meet the specified clinical conditions but choose to use specific special drugs, they may still be prescribed with such drugs after passing the assessment by doctors and they would have to pay for the drugs as self-financed items.

Having regard to the considerations of evidence-based medical practice, targeted subsidy and opportunity cost, patients have to purchase those drugs which are not standard drugs in the Formulary at their own expense. These self-financed drugs can be classified into drugs covered by the safety net and

drugs not covered by the safety net. Drugs covered by the safety net are those proven to be of significant benefits but with significant cost burden for the HA to provide. Patients who need these drugs and can afford the costs have to purchase the drugs at their own expense. Meanwhile, we provide a safety net through the Samaritan Fund to subsidize the drug expenses of patients who need the drugs but have financial difficulties. Drugs not covered by the safety net include drugs which have preliminary medical evidence only; drugs with marginal benefits over available alternatives but at significantly higher costs; and lifestyle related drugs (for example, weight-loss drugs). Patients have to purchase drugs not covered by the safety net at their own expense.

The reply to various parts of the question is as follows:

- (a) In 2008-2009, the HA prescribed self-financed drugs to about 90 000 patients, around 3% of the total number of patients in the HA. We do not yet have the information for 2009-2010.

In 2009-2010, a total of 39 385 patients purchased self-financed drugs through public hospitals. The total drug expenditure involved was \$752 million. Among these drugs, special drugs (prescribed under conditions which are beyond the specified clinical conditions) accounted for 57%, self-financed drugs covered by the safety net accounted for 8% and self-financed drugs not covered by the safety net accounted for 35%. As at 31 December 2009, a total of 742 HA patients were subsidized by the Samaritan Fund for using self-financed drugs covered by the safety net. The expenditure involved was about \$70 million.

The HA has not compiled statistics on the number of chronic patients who purchased drugs at their own expense. Basically, chronic patients can receive appropriate treatment with general drugs and special drugs provided by the HA at standard fees and charges which are highly subsidized. Nevertheless, under suitable clinical conditions, individual patients may also choose other feasible treatment options, including using self-financed drugs for treatment.

- (b) At present, the HA supplies three categories of self-financed drugs for purchase by patients. These include items not easily accessible in the community pharmacies, items covered by the safety net, and

items that need to be supplied for operational convenience (for example, injection drugs).

The HA provides self-financed drugs to patients at cost. The at-cost price includes the cost of the drug itself, which is determined by the average price at which various hospitals purchase the drug each month; and the administrative cost in handling the drug, with the dispensing charge for each drug item set at \$50 at present. The HA does not make any profit in supplying self-financed drugs.

The contractual purchase price of each drug will be adjusted upwards or downwards from time to time in the light of market conditions. It is difficult for the HA to generalize the changes in drug prices in the past year.

- (c) The HA makes bulk purchases of drugs through contract and provides drugs to patients at standard fees and charges or at cost. It has not collected information on the sale and price movements of drugs in the private market.

The HA uses the Samaritan Fund as a safety net to provide full or partial drug subsidies to patients who have financial difficulties in paying the drug expenses and require the use of specific drugs which are proved to be of significant benefits but not covered by the HA's standard fees and charges. With subsidy under the Samaritan Fund, patients' contribution to the drug expenses is fixed as a proportion of their disposable financial resources and the proportion is capped at 30%. This is to ensure that patients can largely maintain their quality of life even if they have to purchase more expensive drugs for treatment.

In determining the level of contribution by patients to drug expenses, the Fund looks at their annual disposable financial resources as an indicator in considering their affordability. The amount of annual disposable financial resources of patients is derived by deducting the allowable deductions from their annual household gross income and adding the household disposable capital.

Personal allowance is one of the allowable deductions. The amount is adjusted once a year based on the Consumer Price Index (A) and further adjusted once every five years based on the results of the

latest household expenditure survey conducted by the Census and Statistics Department of the Government. This calculation model and the corresponding adjustments help us take the impact of rising prices on the living expenses of patients into consideration when assessing their affordability.

Comprehensive Student Guidance Service

15. **MR CHEUNG KWOK-CHE** (in Chinese): *President, regarding the Comprehensive Student Guidance Service (CSGS) implemented by the authorities since the 2002-2003 school year, will the Government inform this Council:*

- (a) of the details of the funds allocated by the Government to the aforesaid service in each of the past three years;*
- (b) of the respective numbers of social workers, Student Guidance Officers (SGOs) and Teachers employed by primary schools for implementing the aforesaid service in each of the past three years, with a breakdown by the name of the school; and*
- (c) given that primary schools are not required, when implementing the aforesaid service, to employ social workers at present, whether the authorities have planned to implement the scheme of "one school social worker for each school" in primary schools, so as to ensure that each primary school will have a school social worker; if they have, of the details; if not, the reasons for that?*

SECRETARY FOR EDUCATION (in Chinese): President,

- (a) The amount of funds allocated by the Education Bureau for the implementation of the CSGS in the past three school years, that is, 2006-2007, 2007-2008 and 2008-2009, are \$216 million, \$211 million and \$212 million respectively. The funds cover the salaries of SGOs and Student Guidance Teachers (SGTs), and the payment of Student Guidance Service Grant (SGS Grant).
- (b) The Education Bureau has implemented measures to enhance the provision of student guidance service in primary schools progressively by raising the manning ratio of student guidance

personnel and improving the funding modes. Schools are provided with SGO, SGT or SGS Grant. Primary schools receiving SGS Grant may, based on their own needs, exercise greater flexibility to procure student guidance service from non-government organizations or directly recruit full-time or half-time student guidance personnel with appropriate professional qualifications. These guidance personnel can be registered social workers, registered teachers with counseling experience or other personnel with equivalent qualifications. The Education Bureau does not collect statistics on the employment of social workers by schools using the SGS Grant. The table below shows the number of schools concerned over the past three years. A breakdown by school is at Annex I.

<i>School year</i>	<i>No. of schools provided with SGO</i>	<i>No. of schools provided with SGT</i>	<i>No. of schools provided with SGS Grant</i>
2006-2007	115	165	352
2007-2008	102	155	341
2008-2009	90	148	325

- (c) The CSGS is an integral part of primary education. Schools should integrate the CSGS with other domains at school (for example, management and organization, learning and teaching, and so on) and adopt different strategies to implement preventive and developmental school-based guidance curriculum and programmes for all students, as well as provide individual or group counselling for those in need.

Hence, SGOs, SGTs or student guidance personnel need to plan and deliver services having regard to the circumstances of the schools concerned and the students' developmental needs. Currently, upon the resignation or retirement of an SGT, some schools would recruit a new SGT to fill the vacancy while others would apply for replacing the SGT post by the SGS Grant. In short, different funding modes have different characteristics that suit the needs of different schools. The existing diversified funding modes are well received by schools and sponsoring bodies and can meet the student guidance service needs of primary schools. As such, the Government has no plan to implement "one school social worker for each school" in primary schools.

Annex

Lists of Primary Schools Provided with Resources for Student Guidance Services

2006/07 to 2008/09 school years

1. 2006/07 school year

A. Schools provided with Student Guidance Officer (2006/07sy)

Name of School	Name of School
1 ALDRICH BAY GOVERNMENT PRI SCH	20 GOOD HOPE SCHOOL (PM)
2 ALLIANCE PRIMARY SCHOOL KOWLOON TONG	21 GOOD SHEPHERD PRI SCHOOL (AM)
3 BONHAM RD GOVERNMENT PRI SCH	22 HENNESSY ROAD GOVERNMENT PRIMARY SCH (AM)
4 CANTON ROAD GOVERNMENT PRIMARY SCHOOL	23 HENNESSY ROAD GOVERNMENT PRIMARY SCH (PM)
5 CCC BUT SAN PRIMARY SCHOOL (PM)	24 HK & MC LU CH WONG CHAN SOOK YING MEM SCH (PM)
6 CHAN'S CREATIVE SCHOOL	25 HKCCGA CHENG JACK YIU SCHOOL
7 CHI TAK PUBLIC SCHOOL	26 HO FAI PRI SCH (SPSD BY SIK SIK YUEN)
8 CNEC LUI MING CHOI PRIMARY SCHOOL (PM)	27 HOI BUN SCHOOL
9 CREATIVE PRIMARY SCHOOL	28 HOI MING SCHOOL
10 DELIA ENGLISH PRIMARY SCHOOL & KINDERGARTEN	29 HOI PA STREET GOVERNMENT PRIMARY SCH
11 DIOCESAN GIRLS' JUNIOR SCHOOL	30 HOLY ANGELS CANOSSIAN SCHOOL (PM)
12 EMMANUEL PRIMARY SCHOOL KOWLOON (PM)	31 HOLY TRINITY PRIMARY SCHOOL
13 FANLING GOVERNMENT PRIMARY SCHOOL	32 HONG KONG POINSETTIA PRI SCH
14 FANLING PUBLIC SCHOOL (PM)	33 HONG KONG SOUTHERN DISTRICT GOVT PRI SCH
15 FARM ROAD GOVERNMENT PRIMARY SCHOOL	34 HUNG HOM GOVERNMENT PRIMARY SCHOOL
16 FIRST ASSEMBLY OF GOD PRIMARY SCHOOL AND KINDERGARTEN	35 HUNG HOM KAIFONG ASSOCIATION PRI SCH
17 FUK WING STREET GOVERNMENT PRIM SCH	36 INDEPENDENT SCHOOLS FOUNDATION ACADEMY
18 GIGAMIND ENGLISH PRIMARY SCHOOL	37 INTL CHRISTIAN QUALITY MUSIC SEC AND PRI SCH
19 GOOD HOPE SCHOOL (AM)	

Name of School	Name of School
38 ISLAND ROAD GOVERNMENT PRIMARY SCHOOL	63 PO LEUNG KUK CHOI KAI YAU SCHOOL
39 JORDAN ROAD GOVERNMENT PRIMARY SCHOOL	64 POOI TO PRIMARY SCHOOL
40 KAU YAN SCHOOL	65 PUI CHING PRIMARY SCHOOL
41 KIANGSU & CHEKIANG PRIMARY SCHOOL	66 PUI TAK CANOSSIAN PRIMARY SCHOOL PM
42 KING SAU SCHOOL	67 RAIMONDI COLLEGE (PRI SECT)
43 KLT FUNFUL ENGLISH PRIMARY SCHOOL	68 ROSARYHILL SCHOOL
44 KOWLOON RHENISH SCHOOL	69 SACRED HEART CANOSSIAN SCH. PRIVATE SECT (AM)
45 KOWLOON TONG GOVERNMENT PRIMARY SCHOOL	70 SAI KUNG CENTRAL PRIMARY SCHOOL
46 KOWLOON TONG SCHOOL	71 SALESIAN ENGLISH SCHOOL (AM)
47 KOWLOON TRUE LIGHT MIDDLE SCHOOL (PRI SECT)	72 SHA TIN GOVERNMENT PRIMARY SCHOOL (AM)
48 KWAI CHUNG PUBLIC SCHOOL	73 SHA TIN GOVERNMENT PRIMARY SCHOOL (PM)
49 KWONG YUET TONG EXCEL FOUNDATION PRIMARY SCHOOL	74 SHAM SHUI PO GOVERNMENT PRIM SCH
50 KWUN TONG GOVERNMENT PRIMARY SCHOOL (AM)	75 SHAU KEI WAN GOVERNMENT PRIMARY SCHOOL (AM)
51 KWUN TONG GOVERNMENT PRIMARY SCHOOL (PM)	76 SHAU KEI WAN GOVERNMENT PRIMARY SCHOOL (PM)
52 LI CHENG UK GOVERNMENT PRIMARY SCHOOL	77 SHUN TAK PUBLIC SCHOOL CHEUNG CHAU
53 LI SING PRIMARY SCHOOL	78 SIR ELLIS KADOORIE (SOOKUNPO) PRI SCH
54 LINGNAN PRIMARY SCHOOL & KINDERGARTEN	79 SKH LING OI PRIMARY SCHOOL (PM)
55 LUEN KWONG PUBLIC SCHOOL	80 SSP KF WEL ADVANCEMENT ASSN PRI SCH (PM)
56 MA TAU CHUNG GOVERNMENT PRIMARY SCH	81 ST ANTONIUS PRI SCH (AM)
57 MA TAU CHUNG GOVERNMENT PRIMARY SCH (HUNG HOM BAY)	82 ST CLARE'S PRIMARY SCHOOL (AM)
58 MUNSANG COLLEGE (PRI SECT)	83 ST CLARE'S PRIMARY SCHOOL (PM)
59 NORTH POINT GOVERNMENT PRI SCHOOL	84 ST FRANCIS OF ASSISI'S ENGLISH PRI SCH
60 NORTH POINT GOVERNMENT PRIMARY SCHOOL (CLOUD VIEW ROAD)	85 ST JOHANNES COLLEGE
61 OUR LADY'S PRIMARY SCHOOL	86 ST JOSEPH'S ANGLO-CHINESE PRIMARY SCHOOL (AM)
62 PLK MRS CHAN NAM CHONG MEM PRI SCH (PM)	87 ST JOSEPH'S ANGLO-CHINESE PRIMARY SCHOOL (PM)
	88 ST LOUIS SCHOOL (PRI SECT)
	89 ST PAUL'S CONVENT SCHOOL (PRI SECT)
	90 ST STEPHEN'S CHURCH PRI SCH & KG

Name of School	Name of School
91 ST STEPHEN'S COLLEGE PREPARATORY SCHOOL	104 TSUNG HIM SCHOOL
92 ST TERESA'S SCHOOL KOWLOON (AM)	105 TSUNG TSIN PRIMARY SCHOOL AND KG
93 STEWARDS POOI YIN PRIMARY SCHOOL (PM)	106 TUEN MUN GOVERNMENT PRIMARY SCHOOL (AM)
94 SUNG TAK SCHOOL	107 TUEN MUN GOVERNMENT PRIMARY SCHOOL (PM)
95 SUNG TAK WONG KIN SHEUNG MEMORIAL SCHOOL (PM)	108 TUNG KOON DISTRICT SOCIETY SCHOOL
96 TACK CHING PRIMARY SCHOOL	109 VICTORIA ENGLISH PRI SCH (CAUSEWAY BAY)
97 TAI PO GOVERNMENT PRIMARY SCHOOL	110 VICTORIA SHANGHAI ACADEMY
98 TAK NGA PRIMARY SCHOOL	111 WONG TAI SIN GOVERNMENT PRIMARY SCH
99 TIN SHUI WAI GOVERNMENT PRIMARY SCHOOL	112 YING YIN CATHOLIC PRIMARY SCHOOL
100 TONG MEI ROAD GOVERNMENT PRIMARY SCH	113 YUEN KONG PUBLIC SCHOOL
101 TRUE LIGHT MIDDLE SCHOOL OF HONG KONG (PRI SECT)	114 YUEN LONG GOVERNMENT PRIMARY SCHOOL (AM)
102 TSEUNG KWAN O GOVERNMENT PRI SCHOOL	115 YUEN LONG GOVERNMENT PRIMARY SCHOOL (PM)
103 TSUEN WAN GOVERNMENT PRI SCHOOL	

B. Schools provided with Student Guidance Teacher (2006/07sy)

Name of School	Name of School
1 ABERDEEN ST PETER'S CATHOLIC PRIMARY SCHOOL	24 CCC MONG WONG FAR YOK MEMORIAL PRI SCH
2 AD&FDPOH MRS CHENG YAM ON MILLENNIUM SCHOOL	25 CHAI WAN FAITH LOVE LUTHERAN SCHOOL (AM)
3 AD&FDPOHL LEUNG SING TAK SCHOOL (AM)	26 CHAI WAN FAITH LOVE LUTHERAN SCHOOL (PM)
4 ALLIANCE PRIMARY SCHOOL TAI HANG TUNG	27 CHAN SUI KI (LA SALLE) PRIMARY SCHOOL
5 BISHOP PASCHANG CATHOLIC SCHOOL	28 CHINESE METHODIST SCHOOL (NORTH POINT) (AM)
6 BISHOP WALSH PRIMARY SCHOOL (AM)	29 CHING CHUNG HAU PO WOON PRIMARY SCHOOL
7 BUDD LAM BING YIM MEM SCH (SPSD BY HKBA)	30 CHIU YANG PRIMARY SCHOOL OF HONG KONG
8 BUDDHIST CHUNG WAH KORNHILL PRI SCH (AM)	31 CHO YIU CATHOLIC PRIMARY SCHOOL
9 BUDDHIST LIM KIM TIAN MEMORIAL PRI SCH	32 CHOI WAN ST JOSEPH'S PRI SCH (AM)
10 BUDDHIST WING YAN SCHOOL (AM)	33 CHRISTIAN ALLIANCE HC CHAN PRI SCH (AM)
11 CANOSSA PRIMARY SCHOOL	34 CNEC LUI MING CHOI PRIMARY SCHOOL (AM)
12 CANOSSA PRIMARY SCHOOL (SAN PO KONG)	35 ENDEAVR LEUNG LEE SAU YU MEM PRI SCH (AM)
13 CANOSSA SCHOOL (HONG KONG) (AM)	36 FREE METHODIST BRADBURY CHUN LEI PRI SCH
14 CARMEL LEUNG SING TAK SCHOOL	37 FUNG KAI LIU YUN-SUM MEMORIAL SCHOOL (PM)
15 CCC CHUEN YUEN FIRST PRI SCHOOL (AM)	38 FUNG KAI NO.1 PRIMARY SCHOOL (AM)
16 CCC CHUEN YUEN FIRST PRI SCHOOL (PM)	39 GCEPSA WHAMPOA PRIMARY SCHOOL
17 CCC CHUEN YUEN SECOND PRIMARY SCHOOL	40 GOOD COUNSEL CATHOLIC PRIMARY SCHOOL
18 CCC KEI CHUN PRIMARY SCHOOL	41 HHCKLA BUDDHIST CHING KOK LIN ASSOCIATION SCH (AM)
19 CCC KEI FAAT PRIMARY SCHOOL (YAU TONG)	42 HK & MACAU LUTHERAN CHURCH PRI SCH
20 CCC KEI WA PRIMARY SCHOOL (KOWLOON TONG)	43 HKTA CHAN LUI CHUNG TAK MEMORIAL SCHOOL
21 CCC KEI WAI PRIMARY SCHOOL (MA WAN)	44 HKTA NG LAI WO MEMORIAL SCHOOL
22 CCC KEI WAN PRIMARY SCHOOL	
23 CCC KEI WAN PRI SCH (ALDRICH BAY)	

Name of School	Name of School
45 HKTA SHEK WAI KOK PRIMARY SCHOOL	71 NTW&JWA LEUNG SING TAK PRIMARY SCHOOL (AM)
46 HKTA SHUN YEUNG PRIMARY SCHOOL	72 OBLATE FATHERS PRIMARY SCHOOL (PM)
47 HKTA YUEN YUEN PRIMARY SCHOOL	73 PAK TIN CATHOLIC PRIMARY SCHOOL
48 HO LAP PRI SCH (SPSD BY SIK SIK YUEN)	74 PENTECOSTAL YU LEUNG FAT PRIMARY SCHOOL
49 HO MING PRI SCH (SPSD BY SIK SIK YUEN)	75 PLK CASTAR PRIMARY SCHOOL
50 HOLY CROSS LUTHERAN SCHOOL	76 PLK CHEE JING YIN PRIMARY SCHOOL
51 HONG KONG BAPTIST CONVENTION PRIMARY SCH	77 PLK CHONG KEE TING PRIMARY SCHOOL
52 KOWLOON BAY ST JOHN THE BAPTIST CATHOLIC PRI SCH	78 PLK FUNG CHING MEMORIAL PRIMARY SCHOOL
53 KOWLOON CITY BAPTIST CH HAY NIEN PRI SCH	79 PLK GRANDMONT PRIMARY SCHOOL
54 KWAI-MING WU MEM SCH OF PRECIOUS BLOOD (AM)	80 PLK HORIZON EAST PRIMARY SCHOOL
55 LA SALLE PRIMARY SCHOOL	81 PLK LEUNG CHOW SHUN KAM PRIMARY SCHOOL (AM)
56 LEI MUK SHUE CATHOLIC PRIMARY SCHOOL	82 PLK MRS CHAN NAM CHONG MEMORIAL PRI SCH (AM)
57 LEUNG KUI KAU LUTHERAN PRIMARY SCHOOL (AM)	83 PLK TIN KA PING MILLENNIUM PRIMARY SCHOOL
58 LKWFS WONG YIU NAM PRIMARY SCHOOL	84 PLK VICWOOD KT CHONG NO.2 PRIMARY SCHOOL (AM)
59 LOK SIN TONG LAU TAK PRIMARY SCHOOL	85 PO YAN CATHOLIC PRIMARY SCHOOL (PM)
60 LOK SIN TONG LEUNG KAU KUI PRI SCH	86 SA TIN KA PING PRIMARY SCHOOL
61 LOK SIN TONG LEUNG WONG WAI FONG MEM SCH	87 SACRED HEART CANOSSIAN SCHOOL (PM)
62 LOK WAH CATHOLIC PRIMARY SCHOOL	88 SACRED HEART OF MARY CATHOLIC PRI SCH (AM)
63 LST LEUNG KAU KUI PRIMARY SCHOOL(BRANCH)	89 SALESIAN YIP HON MILLENNIUM PRIMARY SCHOOL
64 LUI CHEUNG KWONG LUTHERAN PRIMARY SCHOOL	90 SAM SHUI NATIVES ASSN TONG YUN KAI SCH
65 MA ON SHAN METHODIST PRIMARY SCHOOL	91 SAM SHUI NATIVES ASSO HUEN KING WING SCH
66 METHODIST SCHOOL (AM)	92 SAU MAU PING CATHOLIC PRIMARY SCHOOL
67 METHODIST SCHOOL (PM)	93 SHAK CHUNG SHAN MEM CATHOLIC PRI SCH
68 NG WAH CATHOLIC PRIMARY SCHOOL	94 SHARON LUTHERAN SCHOOL (AM)
69 NORTH POINT METHODIST PRIMARY SCHOOL (AM)	95 SHEK LEI CATHOLIC PRI SCH (AM)
70 NORTH POINT METHODIST PRI SCHOOL (PM)	

Name of School	Name of School
96 SKH CHAI WAN ST MICHAEL'S PRIMARY SCHOOL	124 ST ANDREW'S CATHOLIC PRIMARY SCHOOL
97 SKH CHING SHAN PRIMARY SCHOOL	125 ST ANTHONY'S SCHOOL
98 SKH CHU OI PRIMARY SCHOOL	126 ST BONAVENTURE CATHOLIC PRIMARY SCHOOL
99 SKH CHU YAN PRIMARY SCHOOL	127 ST EDWARD'S CATHOLIC PRIMARY SCHOOL
100 SKH FUNG KEI MILLENNIUM PRIMARY SCHOOL	128 ST FRANCIS' CANOSSIAN SCHOOL (AM)
101 SKH FUNG KEI PRIMARY SCHOOL	129 ST FRANCIS' CANOSSIAN SCHOOL (PM)
102 SKH HO CHAK WAN PRIMARY SCHOOL	130 ST FRANCIS OF ASSISI'S CARITAS SCHOOL
103 SKH HOLY SPIRIT PRIMARY SCHOOL (SHATIN)	131 ST JOHN THE BAPTIST CATHOLIC PRIMARY SCHOOL
104 SKH KA FUK WING CHUN PRI SCH	132 ST JOSEPH'S PRIMARY SCHOOL (AM)
105 SKH KEI HIN PRIMARY SCHOOL	133 ST MARY'S CANOSSIAN SCHOOL
106 SKH KEI OI PRIMARY SCHOOL	134 ST MATTHEW'S LUTHERAN SCHOOL(SAU MAU PING)
107 SKH KEI WING PRIMARY SCHOOL	135 ST PATRICK'S CATHOLIC PRIMARY SCHOOL (PO KONG VILLAGE ROAD)
108 SKH KOWLOON BAY KEI LOK PRIMARY SCHOOL	136 ST PATRICK'S SCHOOL
109 SKH LEE SHIU KEUNG PRIMARY SCHOOL	137 STFA HO YAT TUNG PRIMARY SCHOOL (AM)
110 SKH LUI MING CHOI MEMORIAL PRI SCH (AM)	138 STFA LEUNG KIT WAH PRIMARY SCHOOL
111 SKH MUNG YAN PRIMARY SCHOOL (AM)	139 STFA WU SIU KUI MEMORIAL PRIMARY SCHOOL (AM)
112 SKH ST ANDREW'S PRIMARY SCHOOL	140 SUN FONG CHUNG PRIMARY SCHOOL (AM)
113 SKH ST CLEMENT'S PRIMARY SCHOOL	141 SUNG TAK WONG KIN SHEUNG MEMORIAL SCHOOL (AM)
114 SKH ST JAMES' PRIMARY SCHOOL (AM)	142 TAI KOK TSUI CATHOLIC PRI SCH (HOI FAN ROAD)
115 SKH ST PETER'S PRIMARY SCHOOL (AM)	143 TAI KOK TSUI CATHOLIC PRIMARY SCHOOL
116 SKH ST THOMAS' PRIMARY SCHOOL	144 TAI PO METHODIST SCHOOL
117 SKH TIN WAN CHI NAM PRIMARY SCHOOL	145 TAI PO OLD MARKET PUBLIC SCHOOL
118 SKH TSEUNG KWAN O KEI TAK PRIMARY SCHOOL (AM)	146 TAOIST CHING CHUNG PRIMARY SCHOOL (AM)
119 SKH TSING YI ESTATE HO CHAK WAN PRIMARY SCHOOL	147 TSEUNG KWAN O CATHOLIC PRIMARY SCHOOL
120 SKH YAN LAAP PRIMARY SCHOOL	148 TSUEN WAN CHIU CHOW PUBLIC SCHOOL
122 SKH YUEN CHEN MAUN CHEN PRIMARY SCHOOL (AM)	149 TSZ WAN SHAN CATHOLIC PRIMARY SCHOOL
123 SRBCEPSA HO SAU KI SCHOOL	150 TUNG CHUNG CATHOLIC SCHOOL

Name of School

- 151 TWGH HK & KLN ETC APP MER ASSN LTD
SCH (AM)
- 152 TWGH LEE CHI HUNG MEM PRI SCH (CHAI
WAN) (AM)
- 153 TWGH LO YU CHIK PRIMARY SCHOOL
- 154 TWGH TANG SHIU KIN PRIMARY SCHOOL
- 155 TWGH WONG SEE SUM PRIMARY SCHOOL
- 156 TWGH YIU DAK CHI MEM PRI SCH (YUEN
LONG)
- 157 TWS ST BONAVENTURE CATHOLIC PRIMARY
SCH
- 158 WAI CHOW PUBLIC SCHOOL (SHEUNG SHUI)
(PM)
- 159 YAUMATI CATHOLIC PRI SCH (HOI WANG
ROAD)
- 160 YAUMATI CATHOLIC PRIMARY SCHOOL
- 161 YCH CHOI HIN TO PRIMARY SCHOOL
- 162 YCH HO SIK NAM PRIMARY SCHOOL
- 163 YCH LAW CHAN CHOR SI PRIMARY SCHOOL
- 164 YL LONG PING ESTATE TUNG KOON PRI SCH
- 165 YL PUB MID SCH ALUMNI ASSN PRI SCH

C. Schools provided with Student Guidance Service Grant (2006/07 sy)

Name of School	Name of School
1 AD&FDPOHL LEUNG SING TAK SCHOOL (PM)	25 CARMEL ALISON LAM PRIMARY SCHOOL
2 AD&FDPOHL MRS CHENG YAM ON SCHOOL	26 CASTLE PEAK CATHOLIC PRIMARY SCHOOL (AM)
3 ALLIANCE PRIMARY SCHOOL SHEUNG SHUI	27 CASTLE PEAK CATHOLIC PRIMARY SCHOOL (PM)
4 ALLIANCE PRIMARY SCHOOL WHAMPOA	28 CATHOLIC MISSION SCHOOL
5 APLEICHAU ST PETER'S CATHOLIC PRI SCH	29 CCC BUT SAN PRIMARY SCHOOL (AM)
6 APLICHAU KAIFONG PRIMARY SCHOOL	30 CCC CHEUNG CHAU CHURCH KAM KONG PRI SCH
7 ASBURY METHODIST PRIMARY SCHOOL	31 CCC CHUN KWONG PRIMARY SCHOOL
8 BAPTIST (STW) LUI MING CHOI PRIMARY SCHOOL	32 CCC FONG YUN WAH PRIMARY SCHOOL
9 BAPTIST LUI MING CHOI PRIMARY SCHOOL	33 CCC HEEP WOH PRIMARY SCHOOL (AM)
10 BAPTIST RAINBOW PRIMARY SCHOOL	34 CCC HEEP WOH PRIMARY SCHOOL (PM)
11 BISHOP FORD MEMORIAL SCHOOL	35 CCC HOH FUK TONG PRIMARY SCHOOL
12 BISHOP PASCHANG MEMORIAL SCHOOL	36 CCC KEI CHING PRIMARY SCHOOL
13 BISHOP WALSH PRIMARY SCHOOL (PM)	37 CCC KEI FAAT PRIMARY SCHOOL
14 BUDDHIST BRIGHT PEARL PRIMARY SCHOOL	38 CCC KEI KOK PRIMARY SCHOOL
15 BUDDHIST CHI KING PRIMARY SCHOOL	39 CCC KEI LEUNG PRIMARY SCHOOL
16 BUDDHIST CHUNG WAH KORNHILL PRI SCH (PM)	40 CCC KEI TSUN PRIMARY SCHOOL
17 BUDDHIST LAU TIN SANG PRIMARY SCHOOL	41 CCC KEI TSZ PRIMARY SCHOOL
18 BUDDHIST WING YAN SCHOOL (PM)	42 CCC KEI WA PRIMARY SCHOOL
19 BUDDHIST WONG CHEUK UM PRIMARY SCHOOL	43 CCC KEI WAI PRIMARY SCHOOL
20 BUDDHIST WONG SEWAI MEMORIAL SCHOOL	44 CCC TAI O PRIMARY SCHOOL
21 BUI O PUBLIC SCHOOL	45 CCC WANCHAI CHURCH KEI TO PRI SCH (KLN CITY)
22 BUILDING CONTRACTORS' ASSOCIATION SCHOOL	46 CCC WANCHAI CHURCH KEI TO PRIMARY SCHOOL
23 C & M A CHUI CHAK LAM MEMORIAL SCHOOL	47 CENTRAL & WESTERN DIST ST ANTHONY'S SCH
24 CANOSSA SCHOOL (HONG KONG) (PM)	48 CHAI WAN KOK CATHOLIC PRIMARY SCHOOL (AM)
	49 CHAI WAN KOK CATHOLIC PRIMARY SCHOOL (PM)

Name of School	Name of School
50 CHAI WAN STAR OF THE SEA CATHOLIC PRIMARY SCHOOL	76 ELCHK HUNG HOM LUTHERAN PRIMARY SCHOOL
51 CHEUNG CHAU FISHERIES JOINT ASSN PUB SCH	77 ELCHK KWAI SHING LUTHERAN PRI SCH
52 CHEUNG CHAU SACRED HEART SCHOOL	78 EMMANUEL PRIMARY SCHOOL
53 CHI HONG PRIMARY SCHOOL	79 EMMANUEL PRIMARY SCHOOL KOWLOON (AM)
54 CHI KIT SCHOOL	80 ENDEAVR LEUNG LEE SAU YU MEM PRI SCH (PM)
55 CHI LIN BUDDHIST PRIMARY SCHOOL	81 EVANGEL COLLEGE
56 CHINESE METHODIST SCHOOL (NORTH POINT) (PM)	82 FAITH LUTHERAN SCHOOL
57 CHINESE Y.M.C.A PRIMARY SCHOOL	83 FANLING ASSEMBLY OF GOD CHURCH PRIMARY SCHOOL
58 CHIU SHEUNG SCHOOL HONG KONG	84 FANLING PUBLIC SCHOOL (AM)
59 CHIU YANG POR YEN PRIMARY SCHOOL	85 FDBWA CHOW CHIN YAU SCHOOL (AM)
60 CHOI WAN ST JOSEPH'S PRIMARY SCHOOL (PM)	86 FDBWA CHOW CHIN YAU SCHOOL (PM)
61 CHOW CLANSMEN ASSOCIATION SCHOOL	87 FDBWA MRS FUNG PING SHAN PRI SCH
62 CHR & MISSIONARY ALLIANCE SUN KEI PRI SCH	88 FDBWA YAN KOW SCHOOL
63 CHRISTIAN ALLIANCE HC CHAN PRI SCH (PM)	89 FIVE DISTRICTS BUSINESS WEL ASSN SCH
64 CHRISTIAN ALLIANCE S Y YEH MEMORIAL PRI SCH	90 FR CUCCHIARA MEMORIAL SCHOOL
65 CHUNG SING SCHOOL	91 FREE METHODIST MEI LAM PRIMARY SCHOOL
66 CNEC TA TUNG SCHOOL	92 FRESH FISH TRADERS' SCHOOL
67 CONFUCIAN TAI SHING PRIMARY SCHOOL	93 FSFTF FONG SHU CHUEN PRI SCH
68 CONSERVATIVE BAPTIST LUI MING CHOI PRI SCH	94 FUNG KAI LIU YUN-SUM MEMORIAL SCHOOL (AM)
69 CUHKFAA THOMAS CHEUNG SCHOOL	95 FUNG KAI NO.2 PRIMARY SCHOOL (PM)
70 CUMBERLAND PRE CHURCH YAO DAO PRI SCH	96 G. T. (ELLEN YEUNG) COLLEGE
71 DELIA (MAN KIU) ENGLISH PRIMARY SCHOOL	97 GCC&ITKD CHEONG WONG WAI PRI SCH
72 DIOCESAN BOYS' SCHOOL PRIMARY DIVISION	98 GCEPSA KWUN TONG PRIMARY SCHOOL
73 DIOCESAN PREPARATORY SCHOOL	99 GCEPSA TSEUNG KWAN O PRIMARY SCHOOL
74 DR CATHERINE F WOO MEM SCHOOL (AM)	100 GOOD SHEPHERD PRIMARY SCHOOL, PM SESSION
75 DR CATHERINE F WOO MEML SCHOOL (PM)	101 HEEP YUNN PRIMARY SCHOOL
	102 HH CTRL SHING HANG FONG MEM PRI SCH
	103 HHCKLA BUDDHIST CHAN SHI WAN PRI SCH

Name of School	Name of School
104 HHCKLA BUDDHIST CHING KOK LIN ASSOCIATION SCH (PM)	130 HONG KONG TAOIST ASSOCIATION SCHOOL
105 HHCKLA BUDDHIST WISDOM PRIMARY SCHOOL	131 HOP YAT CHURCH SCHOOL (AM)
106 HHCKLA BUDDHIST WONG CHO SUM SCHOOL	132 HOP YAT CHURCH SCHOOL (PM)
107 HING TAK SCHOOL	133 IMMACULATE HEART OF MARY SCHOOL (AM)
108 HK & MACAU LUTHERAN CHURCH MING TAO PRI SCH	134 IMMACULATE HEART OF MARY SCHOOL (PM)
109 HK & MC LU CH WONG CHAN SOOK YING MEM SCH (AM)	135 ISLAMIC DHARWOOD PAU MEMORIAL PRI SCH
110 HK ENG CLANSMAN ASSN WU SI CHONG MEM SCH	136 ISLAMIC PRIMARY SCHOOL
111 HK SZE YAP C&A SAN WUI COMM SOCIETY SCH	137 IU SHAN SCHOOL
112 HK WEAVING MILLS ASSOCIATION PRI SCH	138 KA LING SCHOOL OF THE PRECIOUS BLOOD
113 HKBU AFFILIATED SCH WONG KAM FAI SEC AND PRI SCH	139 KAM TIN MUNG YEUNG PUBLIC SCHOOL
114 HKCWC HIOE TJO YOENG PRI SCH	140 KAM TSIN VILLAGE HO TUNG SCHOOL
115 HKFEW WONG CHO BAU SCHOOL	141 KC BAPTIST CHURCH HAY NIEN (YAN PING) PRIMARY SCHOOL
116 HKFYG LEE SHAU KEE PRIMARY SCHOOL	142 KING LAM CATHOLIC PRIMARY SCHOOL
117 HKRSS TUEN MUN PRIMARY SCHOOL	143 KING'S COLL OLD BOYS' ASSN PRI SCH
118 HKTA TONG TANG SOOK FONG MEM SCH	144 KING'S COLL OLD BOYS' ASSN PRI SCH NO.2
119 HKUGA PRIMARY SCHOOL	145 KOW KONG COMMERCIAL ASSOCIATION SCHOOL
120 HO SHUN PRI SCH (SPSD BY SIK SIK YUEN)	146 KOWLOON WOMEN'S WEL CLUB LI PING MEM SCH
121 HO YU COLLEGE AND PRI SCH (SPSD BY SIK SIK YUEN)	147 KWAI-MING WU MEM SCH OF PRECIOUS BLOOD (PM)
122 HOI PING CHAMBER OF COMMERCE PRI SCH	148 KWOK MAN SCHOOL
123 HOLY ANGELS CANOSSIAN SCHOOL (AM)	149 KWONG MING SCHOOL
124 HOLY CARPENTER PRIMARY SCHOOL	150 KWONG MING YING LOI PIRIMARY SCHOOL
125 HOLY FAMILY CANOSSIAN SCHOOL	151 LAICHIKOK CATHOLIC PRIMARY SCHOOL
126 HOLY FAMILY CANOSSIAN SCHOOL (KOWLOON TONG)	152 LAM TIN METHODIST PRIMARY SCHOOL
127 HOLY FAMILY SCHOOL	153 LAM TSUEN PUB WONG FOOK LUEN MEM SCH
128 HON WAH COLLEGE (PRIMARY SECTION)	154 LEE CHI TAT MEMORIAL SCHOOL
129 HONG KONG STUDENT AID SOCIETY PRI SCHOOL	155 LEUNG KUI KAU LUTHERAN PRIMARY SCHOOL (PM)
	156 LI SING TAI HANG SCHOOL

Name of School	Name of School
157 LING LIANG CHURCH SAU TAK PRIMARY SCHOOL	184 NTW&JWA LEUNG SING TAK PRIMARY SCHOOL (PM)
158 LING TO CATHOLIC PRIMARY SCHOOL	185 OBLATE FATHERS PRIMARY SCHOOL (AM)
159 LINGNAN UNIVERSITY ALUMNI ASSN PRI SCH	186 OUR LADY OF CHINA CATHOLIC PRI SCH
160 LINGNAN UNIVERSITY HONG KONG ALUMNI DSS PRI SCH	187 PAT HEUNG CENTRAL PRIMARY SCHOOL
161 LIONS CLUBS INTL HO TAK SUM PRI SCH	188 PEGASUS PHILIP WONG KIN HANG CHR PRI SCH CUM JUN SS
162 LKWFS LAU TAK YUNG MEMORIAL PRI SCH	189 PENTECOSTAL GIN MAO SHENG PRIMARY SCHOOL
163 LOK SIN TONG CHAN CHO CHAK PRI SCH	190 PING SHEK ESTATE CATHOLIC PRIMARY SCHOOL
164 LOK SIN TONG PRIMARY SCHOOL	191 PLK CAMOES TAN SIU LIN PRIMARY SCHOOL
165 LOK SIN TONG YEUNG CHUNG MING PRI SCH	192 PLK CHAN YAT PRIMARY SCHOOL
166 LUTHERAN TSING SHING SIU LEUN SCHOOL	193 PLK DR JIMMY WONG CHI HO (TIN SUM VALLEY) PRI SCH
167 MA ON SHAN LING LIANG PRIMARY SCHOOL	194 PLK FONG WONG KAM CHUEN PRIMARY SCHOOL
168 MA ON SHAN LUTHERAN PRIMARY SCHOOL	195 PLK GOLD & SILVER EXCHANGE SOCIETY PERSHING TSANG PRI SCH
169 MA ON SHAN ST JOSEPH'S PRIMARY SCHOOL	196 PLK HKTA YUEN YUEN PRIMARY SCHOOL
170 MAN KIU ASSOCIATION PRIMARY SCHOOL	197 PLK LEUNG CHOW SHUN KAM PRIMARY SCHOOL (PM)
171 MAN KIU ASSOCIATION PRIMARY SCHOOL NO.2	198 PLK LUK HING TOO PRIMARY SCHOOL
172 MARY OF PROVIDENCE PRIMARY SCHOOL	199 PLK RIVERAIN PRIMARY SCHOOL
173 MARYKNOLL CONVENT SCH (PRI SECT)	200 PLK SIU HON-SUM PRIMARY SCHOOL
174 MARYKNOLL FATHERS' SCHOOL (AM)	201 PLK STANLEY HO SAU NAN PRIMARY SCHOOL
175 MARYKNOLL FATHERS' SCHOOL (PM)	202 PLK TIN KA PING PRIMARY SCHOOL
176 MARYMOUNT PRIMARY SCHOOL	203 PLK VICWOOD KT CHONG NO.2 PRIMARY SCHOOL (PM)
177 MENG TAK CATHOLIC SCHOOL	204 PLK WONG CLAN ASSOCIATION PRI SCH
178 MUI WO SCHOOL	205 PLK WONG WING SHU PRIMARY SCHOOL
179 NCE PAST STUDENTS' ASSOCIATION SCHOOL	206 PO KOK BRANCH SCHOOL
180 NG CLAN'S ASSN TAI PAK MEM SCH	207 PO KOK PRIMARY SCHOOL
181 NORTHERN LAMMA SCHOOL	208 PO ON COMMERCIAL ASSN WAN HO KAN PRI SCH
182 NP KF ASSN MADAM CHAN WAI CHOW MEM SCH	
183 NTW&JWA LEUNG SING TAK PRI SCH (TKO)	

Name of School	Name of School
209 POK OI HOSPITAL CHAN KWOK WAI PRI SCH	234 SAN WUI COMMERCIAL SOCIETY SCHOOL
210 POO AI CATHOLIC PRIMARY SCHOOL	235 SAU MING PRIMARY SCHOOL
211 PRECIOUS BLOOD PRI SCH (SOUTH HORIZONS)	236 SHA TAU KOK CENTRAL PRIMARY SCHOOL
212 PRECIOUS BLOOD PRI SCH (WAH FU ESTATE)	237 SHA TIN METHODIST PRIMARY SCHOOL
213 PRECIOUS BLOOD PRIMARY SCHOOL	238 SHAN TSUI PUBLIC SCHOOL
214 PRICE MEMORIAL CATHOLIC PRIMARY SCHOOL	239 SHANGHAI ALUMNI PRIMARY SCHOOL
215 PUI KIU COLLEGE	240 SHAP PAT HEUNG RURAL COMMITTEE KUNG YIK SHE PRI SCH
216 PUI KIU PRIMARY SCHOOL	241 SHARON LUTHERAN SCHOOL (PM)
217 PUI LING SCHOOL OF THE PRECIOUS BLOOD (AM)	242 SHATIN TSUNG TSIN SCHOOL
218 PUI LING SCHOOL OF THE PRECIOUS BLOOD (PM)	243 SHAUKIWAN TSUNG TSIN SCHOOL
219 PUI TAK CANOSSIAN PRIMARY SCHOOL (AM)	244 SHEK LEI CATHOLIC PRIMARY SCHOOL (PM)
220 PUN U ASSOCIATION WAH YAN PRIMARY SCHOOL (AM)	245 SHEK WU HUI PUBLIC SCHOOL
221 PUN U ASSOCIATION WAH YAN PRIMARY SCHOOL (PM)	246 SKH ALL SAINTS' PRIMARY SCHOOL
222 QES OLD STUDENTS' ASSN BRANCH PRI SCH	247 SKH CHI FU CHI NAM PRIMARY SCHOOL
223 QES OLD STUDENTS' ASSOCIATION PRI SCH	248 SKH CHU OI PRIMARY SCHOOL (LEI MUK SHUE)
224 SA ANN WYLLIE MEMORIAL PRIMARY SCHOOL (AM)	249 SKH KAM TIN ST JOSEPH'S PRIMARY SCHOOL
225 SA ANN WYLLIE MEMORIAL PRIMARY SCHOOL (PM)	250 SKH KEI FOOK PRIMARY SCHOOL
226 SA SAM SHING CHUEN LAU NG YING SCHOOL	251 SKH KEI LOK PRIMARY SCHOOL
227 SACRED HEART CANOSSIAN SCHOOL	252 SKH KEI SUM PRIMARY SCHOOL
228 SACRED HEART OF MARY CATHOLIC PRI SCH (PM)	253 SKH KEI TAK PRIMARY SCHOOL (PM)
229 SAI KUNG CENTRAL LEE SIU YAM MEM SCH	254 SKH KEI YAN PRIMARY SCHOOL
230 SAI KUNG SUNG TSUN CATHOLIC SCH (PRI SECT)	255 SKH LING OI PRIMARY SCHOOL (AM)
231 SALESIAN SCHOOL (PM)	256 SKH LUI MING CHOI MEMORIAL PRI SCH (PM)
232 SALESIAN YIP HON PRIMARY SCHOOL	257 SKH MA ON SHAN HOLY SPIRIT PRIMARY SCH
233 SALVATION ARMY LAM BUTT CHUNG MEMORIAL SCHOOL	258 SKH MUNG YAN PRIMARY SCHOOL (PM)
	259 SKH ST JAMES' PRIMARY SCHOOL (PM)
	260 SKH ST JOHN'S PRIMARY SCHOOL
	261 SKH ST MATTHEW'S PRIMARY SCHOOL
	262 SKH ST MICHAEL'S PRIMARY SCHOOL

Name of School	Name of School
263 SKH ST PETER'S PRIMARY SCHOOL (PM)	290 ST. MARK'S PRIMARY SCHOOL
264 SKH ST TIMOTHY'S PRIMARY SCHOOL (AM)	291 STEWARDS POOI KEI PRIMARY SCHOOL
265 SKH ST TIMOTHY'S PRIMARY SCHOOL (PM)	292 STEWARDS POOI YIN PRIMARY SCHOOL (AM)
266 SKH TAK TIN LEE SHIU KEUNG PRIMARY SCHOOL	293 STFA HO YAT TUNG PRIMARY SCHOOL (PM)
267 SKH TIN SHUI WAI LING OI PRIMARY SCHOOL	294 STFA WU MIEN TUEN PRIMARY SCHOOL
268 SKH TSING YI CHU YAN PRIMARY SCHOOL	295 STFA WU SIU KUI MEMORIAL PRIMARY SCHOOL (PM)
269 SKH WEI LUN PRIMARY SCHOOL	296 SUN FONG CHUNG PRIMARY SCHOOL (PM)
270 SKH WING CHUN PRIMARY SCHOOL	297 TA KU LING LING YING PUBLIC SCHOOL
271 SKH YAN LAAP MEMORIAL PRIMARY SCHOOL	298 TAI PO BAPTIST PUBLIC SCHOOL
272 SKH YAT SAU PRIMARY SCHOOL	299 TAI PO OLD MARKET PUBLIC SCHOOL (PLOVER COVE)
273 SKH YUEN CHEN MAUN CHEN PRIMARY SCHOOL (PM)	300 TAIKOO PRIMARY SCHOOL
274 SNC CHEUNG CHUK SHAN MEMORIAL SCHOOL	301 TAK SUN SCHOOL (AM)
275 SRBCEPSA LEE YAT NGOK MEMORIAL SCHOOL	302 TAK SUN SCHOOL (PM)
276 SSP KF WEL ADVANCEMENT ASSN PRI SCH (AM)	303 TAOIST CHING CHUNG PRIMARY SCHOOL (PM)
277 ST ANTONIUS PRIMARY SCHOOL (PM)	304 THE HONG KONG INSTITUTE OF EDUCATION JOCKEY CLUB PRI SCH
278 ST CHARLES SCHOOL	305 THE LITTLE FLOWER'S CATHOLIC PRIMARY SCHOOL
279 ST JOSEPH'S PRIMARY SCHOOL (PM)	306 THE MISSION COVENANT CHURCH HOLM GLAD PRIMARY SCHOOL
280 ST MATTHEW'S LUTHERAN SCHOOL	307 THKCCCU LOGOS ACADEMY
281 ST PAUL'S CO-EDU COLLEGE PRI SCH	308 TIN SHUI WAI CATHOLIC PRIMARY SCHOOL
282 ST PAUL'S COLLEGE PRIMARY SCHOOL	309 TIN SHUI WAI METHODIST PRIMARY SCHOOL
283 ST PAUL'S PRIMARY CATHOLIC SCHOOL (AM)	310 TOI SHAN ASSOCIATION PRIMARY SCHOOL
284 ST PAUL'S PRIMARY CATHOLIC SCHOOL (PM)	311 TOI SHAN ASSOCIATION WONG TAT TO MEM SCH
285 ST PETER'S CATHOLIC PRIMARY SCHOOL	312 TSANG MUI MILLENNIUM SCHOOL
286 ST ROSE OF LIMA'S SCHOOL	313 TSEUNG KWAN O METHODIST PRIMARY SCHOOL
287 ST STEPHEN'S GIRLS' PRIMARY SCHOOL	314 TSING YI PUBLIC SCHOOL (CHEUNG HONG)
288 ST TERESA'S SCHOOL	315 TSING YI TRADE ASSOCIATION PRI SCH
289 ST. MARGARET'S CO-EDUCATIONAL ENGLISH SECONDARY & PRIMARY SCHOOL	316 TSUEN WAN CATHOLIC PRIMARY SCHOOL

Name of School

317 TSUEN WAN LUTHERAN SCHOOL

318 TSUEN WAN TRADE ASSOCIATION PRI SCH

319 TUN YU SCHOOL

320 TUNG KOON DIST SOC FONG SHU CHUEN SCH

321 TUNG KOON SCHOOL

322 TUNG TAK SCHOOL

323 TW PUB HO CHUEN YIU MEM PRIMARY SCHOOL

324 TWGH CHOW YIN SUM PRIMARY SCHOOL

325 TWGH HK & KLN ETC APP MER ASSN LTD SCH (PM)

326 TWGH KO HO NING MEMORIAL PRIMARY SCHOOL

327 TWGH LEO TUNG-HAI LEE PRIMARY SCHOOL

328 TWGH LI CHI HO PRIMARY SCHOOL

329 TWGH SIN CHU WAN PRIMARY SCHOOL

330 TWGH TAM SHIU PRIMARY SCHOOL

331 TWGH WONG YEE JAR JAT MEMORIAL PRI SCH

332 TWGHs & LKWFSL MRS FUNG YIU HING MEMORIAL PRI SCH

333 TWGHS HOK SHAN SCHOOL

334 WAI CHOW PUBLIC SCHOOL (SHEUNG SHUI) (AM)

335 WAI KWAN PRIMARY SCHOOL

336 WF JOSEPH LEE PRIMARY SCHOOL

337 WO CHE LUTHERAN SCHOOL

338 WONG TAI SIN CATHOLIC PRIMARY SCHOOL

339 XPY PRI SCHOOL OF SCIENCE AND CREATIVITY

340 YAN OI TONG MADAM LAU WONG FAT PRI SCH

341 YAN OI TONG TIN KA PING PRIMARY SCHOOL

342 YAN TAK CATHOLIC PRIMARY SCHOOL

Name of School

343 YAUMATI KAIFONG ASSOCIATION SCHOOL

344 YCH CHAN IU SENG PRIMARY SCHOOL

345 YCH CHIU TSANG HOK WAN PRIMARY SCHOOL

346 YCH LAW CHAN CHOR SI PRIMARY SCHOOL (PM)

347 YING WA PRIMARY SCHOOL

348 YL PUB MID SCH ALUMNI ASSN YING YIP PRI SCH

349 YUEN LONG CHAMBER OF COMMERCE PRI SCH (AM)

350 YUEN LONG CHAMBER OF COMMERCE PRI SCH (PM)

351 YUEN LONG LONG PING ESTATE WAI CHOW SCH

352 YUK YIN SCHOOL

2. 2007/08 school year

A. Schools provided with Student Guidance Officer (2007/08 sy)

Name of School	Name of School
1 AD&FDPOHL LEUNG SING TAK SCHOOL (PM)	23 HENNESSY ROAD GOVERNMENT PRIMARY SCH (PM)
2 ALDRICH BAY GOVERNMENT PRI SCH	24 HK & MC LU CH WONG CHAN SOOK YING MEM SCH (PM)
3 ALLIANCE PRI SCHOOL KOWLOON TONG	25 HK WEAVING MILLS ASSOCIATION PRI SCH
4 BUDDHIST BRIGHT PEARL PRIMARY SCHOOL	26 HKCCGA CHENG JACK YIU SCHOOL
5 CCC BUT SAN PRIMARY SCHOOL (PM)	27 HKTA YUEN YUEN PRIMARY SCHOOL
6 CCC CHUEN YUEN FIRST PRI SCHOOL (PM)	28 HOI BUN SCHOOL
7 CHAN'S CREATIVE SCHOOL	29 HOI PA STREET GOVERNMENT PRIMARY SCH
8 CHI KIT SCHOOL	30 HOLY TRINITY PRIMARY SCHOOL
9 CHI TAK PUBLIC SCHOOL	31 HONG KONG POINSETTIA PRI SCH
10 CHOW CLANSMEN ASSOCIATION SCHOOL	32 HONG KONG SOUTHERN DISTRICT GOVT PRI SCH
11 CREATIVE PRIMARY SCHOOL	33 INTL CHRISTIAN QUALITY MUSIC SEC AND PRI SCH
12 DELIA ENGLISH PRIMARY SCHOOL & KINDERGARTEN	34 KAU YAN SCHOOL
13 DIOCESAN GIRLS' JUNIOR SCHOOL	35 KIANGSU & CHEKIANG PRIMARY SCHOOL
14 ENDEAVR LEUNG LEE SAU YU MEM PRI SCH (PM)	36 KING SAU SCHOOL
15 FARM ROAD GOVERNMENT PRIMARY SCHOOL	37 KLT FUNFUL ENGLISH PRIMARY SCHOOL
16 FIRST ASSEMBLY OF GOD PRIMARY SCHOOL AND KINDERGARTEN	38 KOWLOON RHENISH SCHOOL
17 FUK WING STREET GOVERNMENT PRIMARY SCHOOL	39 KOWLOON TONG GOVERNMENT PRIMARY SCHOOL
18 GIGAMIND ENGLISH PRIMARY SCHOOL	40 KOWLOON TONG SCHOOL
19 GOOD HOPE SCHOOL (AM)	41 KOWLOON TRUE LIGHT MIDDLE SCHOOL (PRI SECT)
20 GOOD HOPE SCHOOL (PM)	42 KWONG YUET TONG EXCEL FOUNDATION PRIMARY SCHOOL
21 GOOD SHEPHERD PRIMARY SCHOOL(AM)	43 KWUN TONG GOVERNMENT PRIMARY SCHOOL (AM)
22 HENNESSY ROAD GOVERNMENT PRIMARY SCH (AM)	

Name of School	Name of School
44 LI CHENG UK GOVERNMENT PRI SCHOOL	70 SNC CHEUNG CHUK SHAN MEM SCHOOL
45 LINGNAN PRIMARY SCHOOL & KINDERGARTEN	71 SSP KF WEL ADVANCEMENT ASSN PRI SCH (PM)
46 LINGNAN UNIVERSITY ALUMNI ASSN PRI SCH	72 ST ANTONIUS PRI SCH (AM)
47 LUEN KWONG PUBLIC SCHOOL	73 ST CLARE'S PRIMARY SCHOOL (AM)
48 MA TAU CHUNG GOVERNMENT PRIMARY SCH	74 ST CLARE'S PRIMARY SCHOOL (PM)
49 MA TAU CHUNG GOVERNMENT PRIMARY SCH (HUNG HOM BAY)	75 ST FRANCIS OF ASSISI'S ENGLISH PRI SCH
50 MAN KIU ASSOCIATION PRIMARY SCHOOL NO.2	76 ST JOHANNES COLLEGE
51 MUNSANG COLLEGE (PRI SECT)	77 ST JOSEPH'S ANGLO-CHINESE PRIMARY SCHOOL
52 NCE PAST STUDENTS' ASSOCIATION SCHOOL	78 ST LOUIS SCHOOL (PRI SECT)
53 NORTH POINT GOVERNMENT PRIMARY SCHOOL	79 ST PAUL'S CONVENT SCHOOL (PRI SECT)
54 OUR LADY'S PRIMARY SCHOOL	80 ST STEPHEN'S CHURCH PRI SCH & KG
55 PLK MRS CHAN NAM CHONG MEMORIAL PRI SCH (PM)	81 ST STEPHEN'S COLLEGE PREPARATORY SCHOOL
56 PLK WONG CLAN ASSOCIATION PRI SCH	82 ST TERESA'S SCHOOL KOWLOON (AM)
57 PO LEUNG KUK CHOI KAI YAU SCHOOL	83 TACK CHING PRIMARY SCHOOL
58 POOI TO PRIMARY SCHOOL	84 TAI PO GOVERNMENT PRIMARY SCHOOL
59 PUI CHING PRIMARY SCHOOL	85 TAK NGA PRIMARY SCHOOL
60 RAIMONDI COLLEGE (PRI SECT)	86 THE INDEPENDENT SCHOOLS FOUNDATION ACADEMY
61 ROSARYHILL SCHOOL	87 TIN SHUI WAI GOVERNMENT PRIMARY SCHOOL
62 SACRED HEART CANOSSIAN SCH. PRIVATE SECT (AM)	88 TONG MEI ROAD GOVERNMENT PRIMARY SCH
63 SALESIAN ENGLISH SCHOOL	89 TRUE LIGHT MIDDLE SCHOOL OF HONG KONG (PRI SECT)
64 SHA TIN GOVERNMENT PRIMARY SCHOOL (AM)	90 TSEUNG KWAN O GOVERNMENT PRI SCHOOL
65 SHAM SHUI PO GOVERNMENT PRIM SCH	91 TSING YI PUBLIC SCHOOL (CHEUNG HONG)
66 SHAU KEI WAN GOVERNMENT PRIMARY SCHOOL	92 TSUEN WAN GOVERNMENT PRIMARY SCHOOL
67 SHUN TAK PUBLIC SCHOOL CHEUNG CHAU	93 TSUNG TSIN PRIMARY SCHOOL AND KG
68 SIR ELLIS KADOORIE (SOOKUNPO) PRI SCH	94 TUEN MUN GOVERNMENT PRIMARY SCHOOL (AM)
69 SKH LING OI PRIMARY SCHOOL (PM)	95 TUEN MUN GOVERNMENT PRIMARY SCHOOL (PM)

Name of School

- 96 TUNG KOON DISTRICT SOCIETY SCHOOL
- 97 TWGH TAM SHIU PRIMARY SCHOOL
- 98 VICTORIA SHANGHAI ACADEMY
- 99 WONG TAI SIN GOVERNMENT PRIMARY SCH
- 100 YUEN KONG PUBLIC SCHOOL
- 101 YUEN LONG GOVERNMENT PRIMARY
SCHOOL (AM)
- 102 YUEN LONG GOVERNMENT PRIMARY
SCHOOL (PM)

B. Schools provided with Student Guidance Teacher (2007/08 sy)

Name of School	Name of School
1 ABERDEEN ST PETER'S CATHOLIC PRIMARY SCHOOL	24 CHAI WAN FAITH LOVE LUTHERAN SCHOOL
2 AD&FDPOH MRS CHENG YAM ON MILLENNIUM SCHOOL	25 CHAN SUI KI (LA SALLE) PRIMARY SCHOOL
3 AD&FDPOHL LEUNG SING TAK SCHOOL (AM)	26 CHINESE METHODIST SCHOOL (NORTH POINT) (AM)
4 ALLIANCE PRIMARY SCHOOL TAI HANG TUNG	27 CHING CHUNG HAU PO WOON PRIMARY SCHOOL
5 BISHOP PASCHANG CATHOLIC SCHOOL	28 CHIU YANG PRIMARY SCHOOL OF HONG KONG
6 BISHOP WALSH PRIMARY SCHOOL (AM)	29 CHO YIU CATHOLIC PRIMARY SCHOOL
7 BUDD LAM BING YIM MEM SCH (SPSD BY HKBA)	30 CHOI WAN ST JOSEPH'S PRIMARY SCHOOL (AM)
8 BUDDHIST CHUNG WAH KORNHILL PRI SCH	31 CHRISTIAN ALLIANCE HC CHAN PRI SCH
9 BUDDHIST LIM KIM TIAN MEMORIAL PRI SCH	32 CNEC LUI MING CHOI PRIMARY SCHOOL
10 BUDDHIST WING YAN SCHOOL (AM)	33 ENDEAVR LEUNG LEE SAU YU MEM PRI SCH (AM)
11 CANOSSA PRIMARY SCHOOL	34 FREE METHODIST BRADBURY CHUN LEI PRI SCH
12 CANOSSA PRIMARY SCHOOL (SAN PO KONG)	35 FUNG KAI LIU YUN-SUM MEMORIAL SCHOOL (AM)
13 CANOSSA SCHOOL (HONG KONG)	36 FUNG KAI LIU YUN-SUM MEMORIAL SCHOOL (PM)
14 CARMEL LEUNG SING TAK SCHOOL	37 FUNG KAI NO.1 PRIMARY SCHOOL (AM)
15 CCC CHUEN YUEN SECOND PRIMARY SCHOOL	38 GCEPSA WHAMPOA PRIMARY SCHOOL
16 CCC KEI CHUN PRIMARY SCHOOL	39 GOOD COUNSEL CATHOLIC PRIMARY SCHOOL
17 CCC KEI FAAT PRIMARY SCHOOL (YAU TONG)	40 HHCKLA BUDDHIST CHING KOK LIN ASSOCIATION SCH (AM)
18 CCC KEI WA PRIMARY SCHOOL (KOWLOON TONG)	41 HK & MACAU LUTHERAN CHURCH PRI SCH
19 CCC KEI WAI PRIMARY SCHOOL	42 HKTA NG LAI WO MEMORIAL SCHOOL
20 CCC KEI WAI PRIMARY SCHOOL (MA WAN)	43 HKTA SHEK WAI KOK PRIMARY SCHOOL
21 CCC KEI WAN PRIMARY SCHOOL	44 HKTA SHUN YEUNG PRIMARY SCHOOL
22 CCC KEI WAN PRIMARY SCHOOL (ALDRICH BAY)	45 HKTAYYI CHAN LUI CHUNG TAK MEMORIAL SCH
23 CCC MONG WONG FAR YOK MEM PRI SCH	46 HO LAP PRI SCH (SPSD BY SIK SIK YUEN)

Name of School	Name of School
47 HO MING PRI SCH (SPSD BY SIK SIK YUEN)	73 PLK GRANDMONT PRIMARY SCHOOL
48 HONG KONG TAOIST ASSOCIATION SCHOOL	74 PLK HORIZON EAST PRIMARY SCHOOL
49 KOWLOON CITY BAPTIST CH HAY NIEN PRI SCH	75 PLK LEUNG CHOW SHUN KAM PRIMARY SCHOOL (PM)
50 LA SALLE PRIMARY SCHOOL	76 PLK MRS CHAN NAM CHONG MEMORIAL PRI SCH (AM)
51 LEI MUK SHUE CATHOLIC PRIMARY SCHOOL	77 PLK TIN KA PING MILLENNIUM PRIMARY SCHOOL
52 LEUNG KUI KAU LUTHERAN PRIMARY SCHOOL	78 PLK VICWOOD KT CHONG NO.2 PRIMARY SCHOOL (AM)
53 LOK SIN TONG LAU TAK PRIMARY SCHOOL	79 PLK VICWOOD KT CHONG NO.2 PRIMARY SCHOOL (PM)
54 LOK SIN TONG LEUNG KAU KUI PRI SCH	80 SA TIN KA PING PRIMARY SCHOOL
55 LOK SIN TONG LEUNG WONG WAI FONG MEM SCH	81 SACRED HEART CANOSSIAN SCHOOL (PM)
56 LOK WAH CATHOLIC PRIMARY SCHOOL	82 SACRED HEART OF MARY CATHOLIC PRI SCH (AM)
57 LST LEUNG KAU KUI PRIMARY SCHOOL(BRANCH)	83 SALESIAN YIP HON MILLENNIUM PRIMARY SCHOOL
58 LUI CHEUNG KWONG LUTHERAN PRIMARY SCHOOL	84 SAM SHUI NATIVES ASSO HUEN KING WING SCH
59 MA ON SHAN METHODIST PRIMARY SCHOOL	85 SAU MAU PING CATHOLIC PRIMARY SCHOOL
60 METHODIST SCHOOL (AM)	86 SHAK CHUNG SHAN MEM CATHOLIC PRI SCH
61 METHODIST SCHOOL (PM)	87 SHARON LUTHERAN SCHOOL
62 NG WAH CATHOLIC PRIMARY SCHOOL	88 SHEK LEI CATHOLIC PRIMARY SCHOOL (AM)
63 NORTH POINT METHODIST PRIMARY SCHOOL (AM)	89 SKH CHAI WAN ST MICHAEL'S PRIMARY SCHOOL
64 NORTH POINT METHODIST PRIMARY SCHOOL (PM)	90 SKH CHING SHAN PRIMARY SCHOOL
65 NTW&JWA LEUNG SING TAK PRIMARY SCHOOL (AM)	91 SKH CHU OI PRIMARY SCHOOL
66 OBLATE FATHERS PRIMARY SCHOOL	92 SKH CHU YAN PRIMARY SCHOOL
67 PAK TIN CATHOLIC PRIMARY SCHOOL	93 SKH FUNG KEI MILLENNIUM PRIMARY SCHOOL
68 PENTECOSTAL YU LEUNG FAT PRIMARY SCHOOL	94 SKH FUNG KEI PRIMARY SCHOOL
69 PLK CASTAR PRIMARY SCHOOL	95 SKH HO CHAK WAN PRIMARY SCHOOL
70 PLK CHEE JING YIN PRIMARY SCHOOL	96 SKH HOLY SPIRIT PRIMARY SCHOOL (SHATIN)
71 PLK CHONG KEE TING PRIMARY SCHOOL	
72 PLK FUNG CHING MEM PRIMARY SCHOOL	

Name of School	Name of School
97 SKH KA FUK WING CHUN PRI SCH 98 SKH KEI HIN PRIMARY SCHOOL 99 SKH KEI OI PRIMARY SCHOOL 100 SKH KEI WING PRIMARY SCHOOL 101 SKH KOWLOON BAY KEI LOK PRIMARY SCHOOL 102 SKH LEE SHIU KEUNG PRIMARY SCHOOL 103 SKH LUI MING CHOI MEMORIAL PRI SCH (AM) 104 SKH MUNG YAN PRIMARY SCHOOL (AM) 105 SKH ST ANDREW'S PRIMARY SCHOOL 106 SKH ST CLEMENT'S PRIMARY SCHOOL 107 SKH ST JAMES' PRIMARY SCHOOL (AM) 108 SKH ST PETER'S PRIMARY SCHOOL (AM) 109 SKH ST THOMAS' PRIMARY SCHOOL 110 SKH TIN WAN CHI NAM PRIMARY SCHOOL 111 SKH TSEUNG KWAN O KEI TAK PRIMARY SCHOOL (AM) 112 SKH TSING YI ESTATE HO CHAK WAN PRIMARY SCHOOL 113 SKH YAN LAAP PRIMARY SCHOOL 114 SKH YAU TONG KEI HIN PRIMARY SCHOOL 115 SKH YUEN CHEN MAUN CHEN PRIMARY SCHOOL (AM) 116 SRBCEPSA HO SAU KI SCHOOL 117 ST ANDREW'S CATHOLIC PRIMARY SCHOOL 118 ST ANTHONY'S SCHOOL 119 ST BONAVENTURE CATHOLIC PRIMARY SCHOOL 120 ST EDWARD'S CATHOLIC PRIMARY SCHOOL 121 ST FRANCIS' CANOSSIAN SCHOOL (AM) 122 ST FRANCIS OF ASSISI'S CARITAS SCHOOL 123 ST JOHN THE BAPTIST CATHOLIC PRIMARY SCHOOL 124 ST JOSEPH'S PRIMARY SCHOOL (AM)	125 ST MARY'S CANOSSIAN SCHOOL 126 ST MATTHEW'S LUTHERAN SCHOOL (SAU MAU PING) 127 ST PATRICK'S CATHOLIC PRIMARY SCHOOL (PO KONG VILLAGE ROAD) 128 ST PATRICK'S SCHOOL 129 STFA HO YAT TUNG PRIMARY SCHOOL (AM) 130 STFA LEUNG KIT WAH PRIMARY SCHOOL 131 STFA WU SIU KUI MEMORIAL PRIMARY SCHOOL (AM) 132 SUN FONG CHUNG PRIMARY SCHOOL (AM) 133 SUNG TAK WONG KIN SHEUNG MEMORIAL SCHOOL 134 TAI KOK TSUI CATHOLIC PRI SCH (HOI FAN RD) 135 TAI PO METHODIST SCHOOL 136 TAI PO OLD MARKET PUBLIC SCHOOL 137 TAOIST CHING CHUNG PRIMARY SCHOOL (AM) 138 TSEUNG KWAN O CATHOLIC PRIMARY SCHOOL 139 TSUEN WAN CHIU CHOW PUBLIC SCHOOL 140 TSZ WAN SHAN CATHOLIC PRIMARY SCHOOL 141 TUNG CHUNG CATHOLIC SCHOOL 142 TWGH HK & KLN ETC APP MER ASSN LTD SCH (AM) 143 TWGH LO YU CHIK PRIMARY SCHOOL 144 TWGH TANG SHIU KIN PRIMARY SCHOOL 145 TWGH WONG SEE SUM PRIMARY SCHOOL 146 TWGH WONG YEE JAR JAT MEMORIAL PRI SCH 147 TWGH YIU DAK CHI MEM PRI SCH (YUEN LONG) 148 TWS ST BONAVENTURE CATHOLIC PRIMARY SCH 149 WAI CHOW PUBLIC SCHOOL (SHEUNG SHUI) (PM)

Name of School

- 150 YAUMATI CATHOLIC PRIMARY SCHOOL
- 151 YCH CHOI HIN TO PRIMARY SCHOOL
- 152 YCH HO SIK NAM PRIMARY SCHOOL
- 153 YCH LAW CHAN CHOR SI PRI SCHOOL (AM)
- 154 YL LONG PING ESTATE TUNG KOON PRI SCH
- 155 YL PUB MID SCH ALUMNI ASSN PRI SCH

C. Schools provided with Student Guidance Service Grant (2007/08 sy)

Name of School	Name of School
1 AD&FDPOHL MRS CHENG YAM ON SCHOOL	27 CCC CHUEN YUEN FIRST PRI SCHOOL (AM)
2 ALLIANCE PRIMARY SCHOOL SHEUNG SHUI	28 CCC CHUN KWONG PRIMARY SCHOOL
3 ALLIANCE PRIMARY SCHOOL WHAMPOA	29 CCC FONG YUN WAH PRIMARY SCHOOL
4 APLEICHAU ST PETER'S CATHOLIC PRI SCH	30 CCC HEEP WOH PRIMARY SCHOOL (AM)
5 APLICHAU KAIFONG PRIMARY SCHOOL	31 CCC HEEP WOH PRIMARY SCHOOL (PM)
6 ASBURY METHODIST PRIMARY SCHOOL	32 CCC HOH FUK TONG PRIMARY SCHOOL
7 BAPTIST (STW) LUI MING CHOI PRIMARY SCHOOL	33 CCC KEI CHING PRIMARY SCHOOL
8 BAPTIST LUI MING CHOI PRIMARY SCHOOL	34 CCC KEI FAAT PRIMARY SCHOOL
9 BAPTIST RAINBOW PRIMARY SCHOOL	35 CCC KEI KOK PRIMARY SCHOOL
10 BISHOP FORD MEMORIAL SCHOOL	36 CCC KEI LEUNG PRIMARY SCHOOL
11 BISHOP PASCHANG MEMORIAL SCHOOL	37 CCC KEI TSUN PRIMARY SCHOOL
12 BISHOP WALSH PRIMARY SCHOOL (PM)	38 CCC KEI TSZ PRIMARY SCHOOL
13 BONHAM RD GOVERNMENT PRI SCH	39 CCC KEI WA PRIMARY SCHOOL
14 BUDDHIST CHI KING PRIMARY SCHOOL	40 CCC TAI O PRIMARY SCHOOL
15 BUDDHIST LAU TIN SANG PRIMARY SCHOOL	41 CCC WANCHAI CHURCH KEI TO PRI SCH (KLN CITY)
16 BUDDHIST WING YAN SCHOOL (PM)	42 CCC WANCHAI CHURCH KEI TO PRIMARY SCHOOL
17 BUDDHIST WONG CHEUK UM PRIMARY SCHOOL	43 CENTRAL & WESTERN DIST ST ANTHONY'S SCH
18 BUDDHIST WONG SEWAI MEMORIAL SCHOOL	44 CHAI WAN KOK CATHOLIC PRIMARY SCHOOL (AM)
19 BUI O PUBLIC SCHOOL	45 CHAI WAN KOK CATHOLIC PRIMARY SCHOOL (PM)
20 C & M A CHUI CHAK LAM MEMORIAL SCHOOL	46 CHAI WAN STAR OF THE SEA CATHOLIC PRIMARY SCHOOL
21 CANTON ROAD GOVERNMENT PRI SCHOOL	47 CHEUNG CHAU FISHERIES JOINT ASSN PUB SCH
22 CARMEL ALISON LAM PRIMARY SCHOOL	48 CHEUNG CHAU SACRED HEART SCHOOL
23 CASTLE PEAK CATHOLIC PRIMARY SCHOOL	49 CHI HONG PRIMARY SCHOOL
24 CATHOLIC MISSION SCHOOL	50 CHI LIN BUDDHIST PRIMARY SCHOOL
25 CCC BUT SAN PRIMARY SCHOOL (AM)	51 CHINESE METHODIST SCHOOL (NORTH POINT) (PM)
26 CCC CHEUNG CHAU CHURCH KAM KONG PRI SCH	

Name of School	Name of School
52 CHINESE Y.M.C.A PRIMARY SCHOOL	77 FANLING GOVERNMENT PRIMARY SCHOOL
53 CHIU SHEUNG SCHOOL HONG KONG	78 FANLING PUBLIC SCHOOL
54 CHIU YANG POR YEN PRIMARY SCHOOL	79 FDBWA CHOW CHIN YAU SCHOOL
55 CHOI WAN ST JOSEPH'S PRIMARY SCHOOL (PM)	80 FDBWA MRS FUNG PING SHAN PRI SCH
56 CHR & MISSIONARY ALLIANCE SUN KEI PRI SCH	81 FIVE DISTRICTS BUSINESS WEL ASSN SCH
57 CHRISTIAN ALLIANCE S Y YEH MEMORIAL PRI SCH	82 FR CUCCHIARA MEMORIAL SCHOOL
58 CHRISTIAN ALLIANCE TOI SHAN H C CHAN PRIMARY SCHOOL	83 FREE METHODIST MEI LAM PRIMARY SCHOOL
59 CHUNG SING SCHOOL	84 FRESH FISH TRADERS' SCHOOL
60 CNEC TA TUNG SCHOOL	85 FSFTF FONG SHU CHUEN PRI SCH
61 CONFUCIAN TAI SHING PRIMARY SCHOOL	86 FUNG KAI NO.2 PRIMARY SCHOOL (PM)
62 CONSERVATIVE BAPTIST LUI MING CHOI PRI SCH	87 G. T. (ELLEN YEUNG) COLLEGE
63 CUHKFAA THOMAS CHEUNG SCHOOL	88 GCC&ITKD CHEONG WONG WAI PRI SCH
64 CUMBERLAND PRE CHURCH YAO DAO PRI SCH	89 GCEPSA KWUN TONG PRIMARY SCHOOL
65 DELIA (MAN KIU) ENGLISH PRIMARY SCHOOL	90 GCEPSA TSEUNG KWAN O PRIMARY SCHOOL
66 DIOCESAN BOYS' SCHOOL PRIMARY DIVISION	91 GOOD SHEPHERD PRIMARY SCHOOL, PM SESSION
67 DIOCESAN PREPARATORY SCHOOL	92 HEEP YUNN PRIMARY SCHOOL
68 DR CATHERINE F WOO MEMORIAL SCHOOL (AM)	93 HH CTRL SHING HANG FONG MEM PRI SCH
69 DR CATHERINE F WOO MEMORIAL SCHOOL (PM)	94 HHCKLA BUDDHIST CHAN SHI WAN PRIMARY SCHOOL
70 ELCHK HUNG HOM LUTHERAN PRIMARY SCHOOL	95 HHCKLA BUDDHIST CHING KOK LIN ASSOCIATION SCH (PM)
71 ELCHK KWAI SHING LUTHERAN PRI SCH	96 HHCKLA BUDDHIST WISDOM PRIMARY SCHOOL
72 EMMANUEL PRIMARY SCHOOL	97 HHCKLA BUDDHIST WONG CHO SUM SCHOOL
73 EMMANUEL PRIMARY SCHOOL KOWLOON	98 HING TAK SCHOOL
74 EVANGEL COLLEGE	99 HK & MACAU LUTHERAN CHURCH MING TAO PRI SCH
75 FAITH LUTHERAN SCHOOL	100 HK & MC LU CH WONG CHAN SOOK YING MEM SCH (AM)
76 FANLING ASSEMBLY OF GOD CHURCH PRIMARY SCHOOL	101 HK ENG CLANSMAN ASSN WU SI CHONG MEM SCH
	102 HK SZE YAP C&IA SAN WUI COMM SOCIETY SCH

Name of School	Name of School
103 HKBU AFFILIATED SCH WONG KAM FAI SEC AND PRI SCH	130 KALING SCHOOL OF THE PRECIOUS BLOOD
104 HKCWC HIOE TJO YOENG PRI SCH	131 KAM TIN MUNG YEUNG PUBLIC SCHOOL
105 HKFEW WONG CHO BAU SCHOOL	132 KAM TSIN VILLAGE HO TUNG SCHOOL
106 HKFYG LEE SHAU KEE PRIMARY SCHOOL	133 KC BAPTIST CHURCH HAY NIEN (YAN PING) PRIMARY SCHOOL
107 HKRSS TUEN MUN PRIMARY SCHOOL	134 KING LAM CATHOLIC PRIMARY SCHOOL
108 HKUGA PRIMARY SCHOOL	135 KING'S COLL OLD BOYS' ASSN PRI SCH
109 HO SHUN PRI SCH (SPSD BY SIK SIK YUEN)	136 KING'S COLL OLD BOYS' ASSN PRI SCH NO.2
110 HO YU COLLEGE AND PRI SCH (SPSD BY SIK SIK YUEN)	137 KOWLOON BAY ST JOHN THE BAPTIST CATHOLIC PRI SCH
111 HOI PING CHAMBER OF COMMERCE PRI SCH	138 KOWLOON WOMEN'S WEL CLUB LI PING MEM SCH
112 HOLY ANGELS CANOSSIAN SCHOOL	139 KWAI-MING WU MEM SCH OF PRECIOUS BLOOD (AM)
113 HOLY CARPENTER PRIMARY SCHOOL	140 KWAI-MING WU MEM SCH OF PRECIOUS BLOOD (PM)
114 HOLY CROSS LUTHERAN SCHOOL	141 KWOK MAN SCHOOL
115 HOLY FAMILY CANOSSIAN SCHOOL	142 KWONG MING SCHOOL
116 HOLY FAMILY CANOSSIAN SCHOOL (KOWLOON TONG)	143 KWONG MING YING LOI PIRIMARY SCHOOL
117 HOLY FAMILY SCHOOL	144 KWUN TONG GOVERNMENT PRIMARY SCHOOL (PM)
118 HON WAH COLLEGE (PRIMARY SECTION)	145 LAICHIKOK CATHOLIC PRIMARY SCHOOL
119 HONG KONG BAPTIST CONVENTION PRIMARY SCH	146 LAM TIN METHODIST PRIMARY SCHOOL
120 HONG KONG STUDENT AID SOCIETY PRIMARY SCHOOL	147 LAM TSUEN PUB WONG FOOK LUEN MEM SCH
121 HOP YAT CHURCH SCHOOL	148 LEE CHI TAT MEMORIAL SCHOOL
122 HUNG HOM GOVERNMENT PRIMARY SCHOOL	149 LI SING PRIMARY SCHOOL
123 IMMACULATE HEART OF MARY SCHOOL (AM)	150 LI SING TAI HANG SCHOOL
124 IMMACULATE HEART OF MARY SCHOOL (PM)	151 LING LIANG CHURCH SAU TAK PRIMARY SCHOOL
125 ISLAMIC DHARWOOD PAU MEMORIAL PRI SCH	152 LING TO CATHOLIC PRIMARY SCHOOL
126 ISLAMIC PRIMARY SCHOOL	153 LINGNAN UNIVERSITY HONG KONG ALUMNI DSS PRI SCH
127 ISLAND ROAD GOVERNMENT PRIMARY SCHOOL	154 LIONS CLUBS INTL HO TAK SUM PRI SCH
128 IU SHAN SCHOOL	155 LKWFS LAU TAK YUNG MEMORIAL PRI SCH
129 JORDAN ROAD GOVERNMENT PRI SCHOOL	156 LKWFS WONG YIU NAM PRIMARY SCHOOL

Name of School	Name of School
157 LOK SIN TONG CHAN CHO CHAK PRI SCH	184 PLK CHAN YAT PRIMARY SCHOOL
158 LOK SIN TONG PRIMARY SCHOOL	185 PLK DR JIMMY WONG CHI HO (TIN SUM VALLEY) PRI SCH
159 LOK SIN TONG YEUNG CHUNG MING PRI SCH	186 PLK FONG WONG KAM CHUEN PRIMARY SCHOOL
160 LUTHERAN TSING SHING SIU LEUN SCHOOL	187 PLK GOLD & SILVER EXCHANGE SOCIETY PERSHING TSANG PRI SCH
161 MA ON SHAN LING LIANG PRIMARY SCHOOL	188 PLK HKTA YUEN YUEN PRIMARY SCHOOL
162 MA ON SHAN LUTHERAN PRIMARY SCHOOL	189 PLK LEUNG CHOW SHUN KAM PRI SCH (AM)
163 MA ON SHAN ST JOSEPH'S PRIMARY SCHOOL	190 PLK LUK HING TOO PRIMARY SCHOOL
164 MAN KIU ASSOCIATION PRIMARY SCHOOL	191 PLK NCE PAST STUDENTS' ASSOCIATION PRIMARY SCHOOL
165 MARY OF PROVIDENCE PRIMARY SCHOOL	192 PLK RIVERAIN PRIMARY SCHOOL
166 MARYKNOLL CONVENT SCH (PRI SECT)	193 PLK SIU HON-SUM PRIMARY SCHOOL
167 MARYKNOLL FATHERS' SCHOOL (AM)	194 PLK STANLEY HO SAU NAN PRIMARY SCHOOL
168 MARYKNOLL FATHERS' SCHOOL (PM)	195 PLK TIN KA PING PRIMARY SCHOOL
169 MARYMOUNT PRIMARY SCHOOL	196 PLK WONG WING SHU PRIMARY SCHOOL
170 MENG TAK CATHOLIC SCHOOL	197 PO KOK BRANCH SCHOOL
171 MUI WO SCHOOL	198 PO KOK PRIMARY SCHOOL
172 NG CLAN'S ASSN TAI PAK MEM SCH	199 PO ON COMMERCIAL ASSN WAN HO KAN PRI SCH
173 NORTH POINT GOVERNMENT PRIMARY SCHOOL (CLOUD VIEW ROAD)	200 PO YAN CATHOLIC PRIMARY SCHOOL
174 NORTHERN LAMMA SCHOOL	201 POK OI HOSPITAL CHAN KWOK WAI PRI SCH
175 NP KF ASSN MADAM CHAN WAI CHOW MEM SCH	202 POO AI CATHOLIC PRIMARY SCHOOL
176 NTW&JWA LEUNG SING TAK PRI SCH (TKO)	203 PRECIOUS BLOOD PRI SCH (SOUTH HORIZONS)
177 NTW&JWA LEUNG SING TAK PRIMARY SCHOOL (PM)	204 PRECIOUS BLOOD PRI SCH (WAH FU ESTATE)
178 OUR LADY OF CHINA CATHOLIC PRI SCH	205 PRECIOUS BLOOD PRIMARY SCHOOL
179 PAT HEUNG CENTRAL PRIMARY SCHOOL	206 PRICE MEMORIAL CATHOLIC PRIMARY SCHOOL
180 PEGASUS PHILIP WONG KIN HANG CHR PRI SCH CUM JUN SS	207 PUI KIU COLLEGE
181 PENTECOSTAL GIN MAO SHENG PRIMARY SCHOOL	208 PUI KIU PRIMARY SCHOOL
182 PING SHEK ESTATE CATHOLIC PRIMARY SCHOOL	209 PUI LING SCHOOL OF THE PRECIOUS BLOOD (AM)
183 PLK CAMOES TAN SIU LIN PRIMARY SCHOOL	210 PUI LING SCHOOL OF THE PRECIOUS BLOOD (PM)

Name of School	Name of School
211 PUI TAK CANOSSIAN PRIMARY SCHOOL	238 SKH ALL SAINTS' PRIMARY SCHOOL
212 PUN U ASSOCIATION WAH YAN PRIMARY SCHOOL (AM)	239 SKH CHI FU CHI NAM PRIMARY SCHOOL
213 PUN U ASSOCIATION WAH YAN PRIMARY SCHOOL (PM)	240 SKH CHU OI PRIMARY SCHOOL (LEI MUK SHUE)
214 QES OLD STUDENTS' ASSN BRANCH PRI SCH	241 SKH KAM TIN ST JOSEPH'S PRIMARY SCHOOL
215 QES OLD STUDENTS' ASSOCIATION PRI SCH	242 SKH KEI FOOK PRIMARY SCHOOL
216 SA ANN WYLLIE MEMORIAL PRIMARY SCHOOL (AM)	243 SKH KEI LOK PRIMARY SCHOOL
217 SA ANN WYLLIE MEMORIAL PRIMARY SCHOOL (PM)	244 SKH KEI SUM PRIMARY SCHOOL
218 SA SAM SHING CHUEN LAU NG YING SCHOOL	245 SKH KEI TAK PRIMARY SCHOOL (PM)
219 SACRED HEART CANOSSIAN SCHOOL	246 SKH KEI YAN PRIMARY SCHOOL
220 SACRED HEART OF MARY CATHOLIC PRI SCH (PM)	247 SKH LING OI PRIMARY SCHOOL (AM)
221 SAI KUNG CENTRAL LEE SIU YAM MEM SCH	248 SKH LUI MING CHOI MEMORIAL PRI SCH (PM)
222 SAI KUNG SUNG TSUN CATHOLIC SCH (PRI SECT)	249 SKH MA ON SHAN HOLY SPIRIT PRIMARY SCH
223 SALESIAN SCHOOL	250 SKH MUNG YAN PRIMARY SCHOOL (PM)
224 SALESIAN YIP HON PRIMARY SCHOOL	251 SKH ST JAMES' PRIMARY SCHOOL (PM)
225 SALVATION ARMY LAM BUTT CHUNG MEMORIAL SCHOOL	252 SKH ST JOHN'S PRIMARY SCHOOL
226 SAN WUI COMMERCIAL SOCIETY SCHOOL	253 SKH ST MATTHEW'S PRIMARY SCHOOL
227 SAU MING PRIMARY SCHOOL	254 SKH ST MICHAEL'S PRIMARY SCHOOL
228 SHA TAU KOK CENTRAL PRIMARY SCHOOL	255 SKH ST PETER'S PRIMARY SCHOOL (PM)
229 SHA TIN GOVERNMENT PRIMARY SCHOOL (PM)	256 SKH ST TIMOTHY'S PRIMARY SCHOOL
230 SHA TIN METHODIST PRIMARY SCHOOL	257 SKH TAK TIN LEE SHIU KEUNG PRIMARY SCHOOL
231 SHAN TSUI PUBLIC SCHOOL	258 SKH TIN SHUI WAI LING OI PRIMARY SCHOOL
232 SHANGHAI ALUMNI PRIMARY SCHOOL	259 SKH TSING YI CHU YAN PRIMARY SCHOOL
233 SHAP PAT HEUNG RURAL COMMITTEE KUNG YIK SHE PRI SCH	260 SKH WEI LUN PRIMARY SCHOOL
234 SHATIN TSUNG TSIN SCHOOL	261 SKH WING CHUN PRIMARY SCHOOL
235 SHAUKIWAN TSUNG TSIN SCHOOL	262 SKH YAN LAAP MEMORIAL PRIMARY SCHOOL
236 SHEK LEI CATHOLIC PRIMARY SCHOOL (PM)	263 SKH YAT SAU PRIMARY SCHOOL
237 SHEK WU HUI PUBLIC SCHOOL	264 SKH YUEN CHEN MAUN CHEN PRIMARY SCHOOL (PM)
	265 SRBCEPSA LEE YAT NGOK MEM SCHOOL

Name of School	Name of School
266 SSP KF WEL ADVANCEMENT ASSN PRI SCH (AM)	294 TAK SUN SCHOOL (PM)
267 ST ANTONIUS PRIMARY SCHOOL	295 TAOIST CHING CHUNG PRIMARY SCHOOL (PM)
268 ST CHARLES SCHOOL	296 THE HONG KONG INSTITUTE OF EDUCATION JOCKEY CLUB PRI SCH
269 ST EUGENE DE MAZENOD OBLATE PRIMARY SCHOOL	297 THE LITTLE FLOWER'S CATHOLIC PRIMARY SCHOOL
270 ST JOSEPH'S PRIMARY SCHOOL (PM)	298 THE MISSION COVENANT CHURCH HOLM GLAD PRIMARY SCHOOL
271 ST MATTHEW'S LUTHERAN SCHOOL	299 THKCCCU LOGOS ACADEMY
272 ST PAUL'S CO-EDU COLLEGE PRI SCH	300 TIN SHUI WAI CATHOLIC PRIMARY SCHOOL
273 ST PAUL'S COLLEGE PRIMARY SCHOOL	301 TIN SHUI WAI METHODIST PRIMARY SCHOOL
274 ST PAUL'S PRIMARY CATHOLIC SCHOOL (AM)	302 TOI SHAN ASSOCIATION PRIMARY SCHOOL
275 ST PAUL'S PRIMARY CATHOLIC SCHOOL (PM)	303 TSANG MUI MILLENNIUM SCHOOL
276 ST PETER'S CATHOLIC PRIMARY SCHOOL	304 TSEUNG KWAN O METHODIST PRIMARY SCHOOL
277 ST ROSE OF LIMA'S SCHOOL	305 TSING YI TRADE ASSOCIATION PRI SCH
278 ST STEPHEN'S GIRLS' PRIMARY SCHOOL	306 TSUEN WAN CATHOLIC PRIMARY SCHOOL
279 ST TERESA'S SCHOOL	307 TSUEN WAN LUTHERAN SCHOOL
280 ST. MARGARET'S CO-EDUCATIONAL ENGLISH SECONDARY & PRIMARY SCHOOL	308 TSUEN WAN TRADE ASSOCIATION PRI SCH
281 ST. MARK'S PRIMARY SCHOOL	309 TUN YU SCHOOL
282 STEWARDS POOI KEI PRIMARY SCHOOL	310 TUNG KOON DIST SOC FONG SHU CHUEN SCH
283 STEWARDS POOI YIN PRIMARY SCHOOL	311 TUNG KOON SCHOOL.
284 STFA HO YAT TUNG PRIMARY SCHOOL (PM)	312 TUNG TAK SCHOOL
285 STFA WU MIEN TUEN PRIMARY SCHOOL	313 TW PUB HO CHUEN YIU MEM PRIMARY SCHOOL
286 STFA WU SIU KUI MEMORIAL PRIMARY SCHOOL (PM)	314 TWGH CHOW YIN SUM PRIMARY SCHOOL
287 SUN FONG CHUNG PRIMARY SCHOOL (PM)	315 TWGH HK & KLN ETC APP MER ASSN LTD SCH (PM)
288 TA KU LING LING YING PUBLIC SCHOOL	316 TWGH KO HO NING MEMORIAL PRIMARY SCHOOL
289 TAI KOK TSUI CATHOLIC PRIMARY SCHOOL	317 TWGH LEE CHI HUNG MEM PRI SCH (CHAI WAN)
290 TAI PO BAPTIST PUBLIC SCHOOL	318 TWGH LEO TUNG-HAI LEE PRIMARY SCHOOL
291 TAI PO OLD MARKET PUBLIC SCHOOL (PLOVER COVE)	
292 TAIKOO PRIMARY SCHOOL	
293 TAK SUN SCHOOL (AM)	

Name of School	Name of School
319 TWGH LI CHI HO PRIMARY SCHOOL	332 YAUMATI KAIFONG ASSOCIATION SCHOOL
320 TWGH SIN CHU WAN PRIMARY SCHOOL	333 YCH CHAN IU SENG PRIMARY SCHOOL
321 TWGHs & LKWFSL MRS FUNG YIU HING MEMORIAL PRI SCH	334 YCH CHIU TSANG HOK WAN PRIMARY SCHOOL
322 TWGHS HOK SHAN SCHOOL	335 YCH LAW CHAN CHOR SI PRIMARY SCHOOL (PM)
323 WAI CHOW PUBLIC SCHOOL (SHEUNG SHUI) (AM)	336 YING WA PRIMARY SCHOOL
324 WF JOSEPH LEE PRIMARY SCHOOL	337 YL PUB MID SCH ALUMNI ASSN YING YIP PRI SCH
325 WO CHE LUTHERAN SCHOOL	338 YUEN LONG CHAMBER OF COMMERCE PRI SCH (AM)
326 WONG TAI SIN CATHOLIC PRIMARY SCHOOL	339 YUEN LONG CHAMBER OF COMMERCE PRI SCH (PM)
327 XPY PRI SCHOOL OF SCIENCE AND CREATIVITY	340 YUEN LONG LONG PING ESTATE WAI CHOW SCH
328 YAN OI TONG MADAM LAU WONG FAT PRI SCH	341 YUK YIN SCHOOL
329 YAN OI TONG TIN KA PING PRI SCHOOL	
330 YAN TAK CATHOLIC PRIMARY SCHOOL	
331 YAUMATI CATHOLIC PRI SCH (HOI WANG ROAD)	

3. 2008/09 school year

A. Schools provided with Student Guidance Officer (2008/09 sy)

Name of School	Name of School
1 ALDRICH BAY GOVERNMENT PRI SCH	23 GOOD SHEPHERD PRIMARY SCHOOL (AM)
2 ALLIANCE PRIMARY SCHOOL KOWLOON TONG	24 HENNESSY ROAD GOVERNMENT PRIMARY SCH (AM)
3 BUDDHIST BRIGHT PEARL PRIMARY SCHOOL	25 HENNESSY ROAD GOVERNMENT PRIMARY SCH (PM)
4 BUDDHIST LAU TIN SANG PRIMARY SCHOOL	26 HK & MC LU CH WONG CHAN SOOK YING MEM SCH (PM)
5 BUDDHIST WONG SEWAI MEMORIAL SCHOOL	27 HKTA YUEN YUEN PRIMARY SCHOOL
6 CCC BUT SAN PRIMARY SCHOOL (PM)	28 HOI PA STREET GOVERNMENT PRIMARY SCH
7 CCC CHUEN YUEN FIRST PRI SCHOOL (PM)	29 HOLY TRINITY PRIMARY SCHOOL
8 CCC KEI KOK PRIMARY SCHOOL	30 HONG KONG POINSETTIA PRI SCH
9 CHAN'S CREATIVE SCHOOL	31 HONG KONG SOUTHERN DISTRICT GOVT PRI SCH
10 CHEUNG CHAU FISHERIES JOINT ASSN PUB SCH	32 INTL CHRISTIAN QUALITY MUSIC SEC AND PRI SCH
11 CHI KIT SCHOOL	33 KAU YAN SCHOOL
12 CHOW CLANSMEN ASSOCIATION SCHOOL	34 KIANGSU & CHEKIANG PRIMARY SCHOOL
13 CREATIVE PRIMARY SCHOOL	35 KLT FUNFUL ENGLISH PRIMARY SCHOOL
14 DELIA ENGLISH PRIMARY SCHOOL & KINDERGARTEN	36 KOWLOON RHENISH SCHOOL
15 DIOCESAN GIRLS' JUNIOR SCHOOL	37 KOWLOON TONG GOVERNMENT PRIMARY SCHOOL
16 FARM ROAD GOVERNMENT PRIMARY SCHOOL	38 KOWLOON TONG SCHOOL
17 FDBWA MRS FUNG PING SHAN PRI SCH	39 KOWLOON TRUE LIGHT MIDDLE SCHOOL (PRI SECT)
18 FIRST ASSEMBLY OF GOD PRIMARY SCHOOL AND KINDERGARTEN	40 KWUN TONG GOVERNMENT PRIMARY SCHOOL
19 FUK WING STREET GOVERNMENT PRIM SCH	41 LI CHENG UK GOVERNMENT PRIMARY SCHOOL
20 GIGAMIND ENGLISH PRIMARY SCHOOL	42 LINGNAN PRIMARY SCHOOL & KINDERGARTEN
21 GOOD HOPE SCHOOL (AM)	
22 GOOD HOPE SCHOOL (PM)	

Name of School	Name of School
43 LINGNAN UNIVERSITY ALUMNI ASSN PRI SCH	69 ST FRANCIS OF ASSISI'S ENGLISH PRI SCH
44 LOK SIN TONG CHAN CHO CHAK PRI SCH	70 ST JOHANNES COLLEGE
45 MA TAU CHUNG GOVERNMENT PRIMARY SCH	71 ST JOSEPH'S ANGLO-CHINESE PRIMARY SCHOOL
46 MA TAU CHUNG GOVERNMENT PRIMARY SCH (HUNG HOM BAY)	72 ST LOUIS SCHOOL (PRI SECT)
47 MAN KIU ASSOCIATION PRIMARY SCHOOL NO.2	73 ST PAUL'S CONVENT SCHOOL (PRI SECT)
48 MUNSANG COLLEGE (PRI SECT)	74 ST STEPHEN'S COLLEGE PREPARATORY SCHOOL
49 NORTH POINT GOVERNMENT PRIMARY SCHOOL	75 TACK CHING PRIMARY SCHOOL
50 OUR LADY'S PRIMARY SCHOOL	76 TAI PO GOVERNMENT PRIMARY SCHOOL
51 PO LEUNG KUK CHOI KAI YAU SCHOOL	77 TAK NGA PRIMARY SCHOOL
52 PO LEUNG KUK PRIMARY SCHOOL	78 THE INDEPENDENT SCHOOLS FOUNDATION ACADEMY
53 POOI TO PRIMARY SCHOOL	79 TIN SHUI WAI GOVERNMENT PRIMARY SCHOOL
54 PUI CHING PRIMARY SCHOOL	80 TONG MEI ROAD GOVERNMENT PRIMARY SCH
55 R.T.C. GAIA SCHOOL	81 TRUE LIGHT MIDDLE SCHOOL OF HONG KONG (PRI SECT)
56 RAIMONDI COLLEGE (PRI SECT)	82 TSEUNG KWAN O GOVERNMENT PRI SCHOOL
57 ROSARYHILL SCHOOL	83 TSUEN WAN GOVERNMENT PRIMARY SCHOOL
58 SACRED HEART CANOSSIAN SCH. PRIVATE SECT (AM)	84 TSUNG TSIN PRIMARY SCHOOL AND KG
59 SALESIAN ENGLISH SCHOOL	85 TUEN MUN GOVERNMENT PRIMARY SCHOOL
60 SHA TIN GOVERNMENT PRIMARY SCHOOL (AM)	86 TWGHs & LKWFS MRS FUNG YIU HING MEMORIAL PRI SCH
61 SHAM SHUI PO GOVERNMENT PRIM SCH	87 VICTORIA SHANGHAI ACDEMY
62 SHAU KEI WAN GOVERNMENT PRIMARY SCHOOL	88 WONG TAI SIN GOVERNMENT PRIMARY SCH
63 SIR ELLIS KADOORIE (SOOKUNPO) PRI SCH	89 YCH LAW CHAN CHOR SI PRIMARY SCHOOL (PM)
64 SKH ALL SAINTS' PRIMARY SCHOOL	90 YUEN LONG GOVERNMENT PRIMARY SCHOOL
65 SKH ST JAMES' PRIMARY SCHOOL (PM)	
66 SOUTH YUEN LONG GOVERNMENT PRIMARY SCHOOL	
67 ST CLARE'S PRIMARY SCHOOL (AM)	
68 ST CLARE'S PRIMARY SCHOOL (PM)	

B. Schools provided with Student Guidance Teacher (2008/09 sy)

Name of School	Name of School
1 ABERDEEN ST PETER'S CATHOLIC PRIMARY SCHOOL	24 CHAN SUI KI (LA SALLE) PRIMARY SCHOOL
2 AD&FDPOH MRS CHENG YAM ON MILLENNIUM SCHOOL	25 CHINESE METHODIST SCHOOL (NORTH POINT) (AM)
3 AD&FDPOHL LEUNG SING TAK SCHOOL	26 CHING CHUNG HAU PO WOON PRIMARY SCHOOL
4 ALLIANCE PRIMARY SCHOOL TAI HANG TUNG	27 CHIU YANG PRIMARY SCHOOL OF HONG KONG
5 BISHOP PASCHANG CATHOLIC SCHOOL	28 CHO YIU CATHOLIC PRIMARY SCHOOL
6 BISHOP WALSH PRIMARY SCHOOL (AM)	29 CHOI WAN ST JOSEPH'S PRI SCHOOL (AM)
7 BUDD LAM BING YIM MEM SCH (SPSD BY HKBA)	30 CHRISTIAN ALLIANCE HC CHAN PRI SCH
8 BUDDHIST LIM KIM TIAN MEMORIAL PRI SCH	31 CNEC LUI MING CHOI PRIMARY SCHOOL
9 BUDDHIST WING YAN SCHOOL	32 ENDEAVR LEUNG LEE SAU YU MEM PRI SCH
10 CANOSSA PRIMARY SCHOOL	33 FREE METHODIST BRADBURY CHUN LEI PRI SCH
11 CANOSSA PRIMARY SCHOOL (SAN PO KONG)	34 FUNG KAI LIU YUN-SUM MEMORIAL SCHOOL (AM)
12 CANOSSA SCHOOL (HONG KONG)	35 FUNG KAI LIU YUN-SUM MEMORIAL SCHOOL (PM)
13 CARMEL LEUNG SING TAK SCHOOL	36 FUNG KAI NO.1 PRIMARY SCHOOL
14 CCC CHUEN YUEN SECOND PRIMARY SCHOOL	37 GCEPSA WHAMPOA PRIMARY SCHOOL
15 CCC KEI CHUN PRIMARY SCHOOL	38 HHCKLA BUDDHIST CHING KOK LIN ASSOCIATION SCH
16 CCC KEI FAAT PRIMARY SCHOOL (YAU TONG)	39 HK & MACAU LUTHERAN CHURCH PRI SCH
17 CCC KEI WA PRIMARY SCHOOL (KOWLOON TONG)	40 HKTA NG LAI WO MEMORIAL SCHOOL
18 CCC KEI WAI PRIMARY SCHOOL	41 HKTA SHUN YEUNG PRIMARY SCHOOL
19 CCC KEI WAI PRIMARY SCHOOL (MA WAN)	42 HKTAYYI CHAN LUI CHUNG TAK MEMORIAL SCH
20 CCC KEI WAN PRIMARY SCHOOL	43 HKTAYYI SHEK WAI KOK PRIMARY SCHOOL
21 CCC KEI WAN PRIMARY SCHOOL (ALDRICH BAY)	44 HO LAP PRI SCH (SPSD BY SIK SIK YUEN)
22 CCC MONG WONG FAR YOK MEMORIAL PRI SCH	45 HO MING PRI SCH (SPSD BY SIK SIK YUEN)
23 CHAI WAN FAITH LOVE LUTHERAN SCHOOL	46 HONG KONG TAOIST ASSOCIATION SCHOOL
	47 KOWLOON CITY BAPTIST CH HAY NIEN PRI SCH

Name of School	Name of School
48 LA SALLE PRIMARY SCHOOL	74 PLK TIN KA PING MILLENNIUM PRIMARY SCHOOL
49 LEI MUK SHUE CATHOLIC PRIMARY SCHOOL	75 PLK VICWOOD KT CHONG NO.2 PRIMARY SCHOOL (AM)
50 LEUNG KUI KAU LUTHERAN PRIMARY SCHOOL	76 SA TIN KA PING PRIMARY SCHOOL
51 LOK SIN TONG LAU TAK PRIMARY SCHOOL	77 SACRED HEART CANOSSIAN SCHOOL (PM)
52 LOK SIN TONG LEUNG KAU KUI PRI SCH	78 SACRED HEART OF MARY CATHOLIC PRI SCH
53 LOK SIN TONG LEUNG WONG WAI FONG MEM SCH	79 SALESIAN YIP HON MILLENNIUM PRIMARY SCHOOL
54 LOK WAH CATHOLIC PRIMARY SCHOOL	80 SAM SHUI NATIVES ASSO HUEN KING WING SCH
55 LUI CHEUNG KWONG LUTHERAN PRIMARY SCHOOL	81 SAU MAU PING CATHOLIC PRIMARY SCHOOL
56 MA ON SHAN METHODIST PRIMARY SCHOOL	82 SHAK CHUNG SHAN MEM CATHOLIC PRI SCH
57 METHODIST SCHOOL (AM)	83 SHARON LUTHERAN SCHOOL
58 METHODIST SCHOOL (PM)	84 SHEK LEI CATHOLIC PRIMARY SCHOOL (AM)
59 NG WAH CATHOLIC PRIMARY SCHOOL	85 SKH CHAI WAN ST MICHAEL'S PRIMARY SCHOOL
60 NORTH POINT METHODIST PRIMARY SCHOOL (AM)	86 SKH CHING SHAN PRIMARY SCHOOL
61 NORTH POINT METHODIST PRIMARY SCHOOL (PM)	87 SKH CHU OI PRIMARY SCHOOL
62 NTW&JWA LEUNG SING TAK PRIMARY SCHOOL (AM)	88 SKH CHU YAN PRIMARY SCHOOL
63 OBLATE FATHERS PRIMARY SCHOOL	89 SKH FUNG KEI MILLENNIUM PRIMARY SCHOOL
64 PAK TIN CATHOLIC PRIMARY SCHOOL	90 SKH FUNG KEI PRIMARY SCHOOL
65 PENTECOSTAL YU LEUNG FAT PRIMARY SCHOOL	91 SKH HO CHAK WAN PRIMARY SCHOOL
66 PLK CASTAR PRIMARY SCHOOL	92 SKH HOLY SPIRIT PRIMARY SCHOOL (SHATIN)
67 PLK CHEE JING YIN PRIMARY SCHOOL	93 SKH KA FUK WING CHUN PRI SCH
68 PLK CHONG KEE TING PRIMARY SCHOOL	94 SKH KEI HIN PRIMARY SCHOOL
69 PLK FUNG CHING MEMORIAL PRIMARY SCHOOL	95 SKH KEI OI PRIMARY SCHOOL
70 PLK GRANDMONT PRIMARY SCHOOL	96 SKH KEI WING PRIMARY SCHOOL
71 PLK HORIZON EAST PRIMARY SCHOOL	97 SKH KOWLOON BAY KEI LOK PRIMARY SCHOOL
72 PLK LEUNG CHOW SHUN KAM PRIMARY SCHOOL (AM)	98 SKH LEE SHIU KEUNG PRIMARY SCHOOL
73 PLK SIU HON-SUM PRIMARY SCHOOL	

Name of School	Name of School
99 SKH LUI MING CHOI MEM PRI SCH (AM)	126 STFA WU SIU KUI MEMORIAL PRIMARY SCHOOL (AM)
100 SKH MUNG YAN PRIMARY SCHOOL (AM)	127 SUN FONG CHUNG PRIMARY SCHOOL (AM)
101 SKH ST ANDREW'S PRIMARY SCHOOL	128 SUNG TAK WONG KIN SHEUNG MEMORIAL SCHOOL
102 SKH ST CLEMENT'S PRIMARY SCHOOL	129 TAI KOK TSUI CATHOLIC PRI SCH (HOI FAN ROAD)
103 SKH ST JAMES' PRIMARY SCHOOL (AM)	130 TAI PO METHODIST SCHOOL
104 SKH ST PETER'S PRIMARY SCHOOL (AM)	131 TAI PO OLD MARKET PUBLIC SCHOOL
105 SKH ST THOMAS' PRIMARY SCHOOL	132 TAOIST CHING CHUNG PRIMARY SCHOOL
106 SKH TIN WAN CHI NAM PRIMARY SCHOOL	133 TSEUNG KWAN O CATHOLIC PRIMARY SCHOOL
107 SKH TSEUNG KWAN O KEI TAK PRIMARY SCHOOL	134 TSZ WAN SHAN CATHOLIC PRIMARY SCHOOL
108 SKH TSING YI ESTATE HO CHAK WAN PRIMARY SCHOOL	135 TUNG CHUNG CATHOLIC SCHOOL
109 SKH YAN LAAP PRIMARY SCHOOL	136 TWGH HK & KLN ETC APP MER ASSN LTD SCH (AM)
110 SKH YAU TONG KEI HIN PRIMARY SCHOOL	137 TWGH LO YU CHIK PRIMARY SCHOOL
111 SKH YUEN CHEN MAUN CHEN PRIMARY SCHOOL (AM)	138 TWGH TANG SHIU KIN PRIMARY SCHOOL
112 SRBCEPSA HO SAU KI SCHOOL	139 TWGH WONG SEE SUM PRIMARY SCHOOL
113 ST ANTHONY'S SCHOOL	140 TWGH WONG YEE JAR JAT MEMORIAL PRI SCH
114 ST BONAVENTURE CATHOLIC PRIMARY SCHOOL	141 TWGH YIU DAK CHI MEM PRI SCH (YUEN LONG)
115 ST EDWARD'S CATHOLIC PRIMARY SCHOOL	142 TWS ST BONAVENTURE CATHOLIC PRIMARY SCH
116 ST FRANCIS' CANOSSIAN SCHOOL	143 WAI CHOW PUBLIC SCHOOL (SHEUNG SHUI)
117 ST FRANCIS OF ASSISI'S CARITAS SCHOOL	144 YAUMATI CATHOLIC PRIMARY SCHOOL
118 ST JOHN THE BAPTIST CATHOLIC PRIMARY SCHOOL	145 YCH CHOI HIN TO PRIMARY SCHOOL
119 ST JOSEPH'S PRIMARY SCHOOL (AM)	146 YCH LAW CHAN CHOR SI PRIMARY SCHOOL (AM)
120 ST MARY'S CANOSSIAN SCHOOL	147 YL LONG PING ESTATE TUNG KOON PRI SCH
121 ST MATTHEW'S LUTHERAN SCHOOL(SAU MAU PING)	148 YL PUB MID SCH ALUMNI ASSN PRI SCH
122 ST PATRICK'S CATHOLIC PRIMARY SCHOOL (PO KONG VILLAGE ROAD)	
123 ST PATRICK'S SCHOOL	
124 STFA HO YAT TUNG PRIMARY SCHOOL (AM)	
125 STFA LEUNG KIT WAH PRIMARY SCHOOL	

C. Schools provided with Student Guidance Service Grant (2008/09 sy)

Name of School	Name of School
1 AD&FDPOHL MRS CHENG YAM ON SCHOOL	27 CCC FONG YUN WAH PRIMARY SCHOOL
2 ALLIANCE PRIMARY SCHOOL SHEUNG SHUI	28 CCC HEEP WOH PRIMARY SCHOOL (AM)
3 ALLIANCE PRIMARY SCHOOL WHAMPOA	29 CCC HEEP WOH PRIMARY SCHOOL (PM)
4 APLEICHAU ST PETER'S CATHOLIC PRI SCH	30 CCC HOH FUK TONG PRIMARY SCHOOL
5 APLICHAU KAIFONG PRIMARY SCHOOL	31 CCC KEI CHING PRIMARY SCHOOL
6 ASBURY METHODIST PRIMARY SCHOOL	32 CCC KEI FAAT PRIMARY SCHOOL
7 BAPTIST (STW) LUI MING CHOI PRIMARY SCHOOL	33 CCC KEI TSUN PRIMARY SCHOOL
8 BAPTIST LUI MING CHOI PRIMARY SCHOOL	34 CCC KEI TSZ PRIMARY SCHOOL
9 BAPTIST RAINBOW PRIMARY SCHOOL	35 CCC KEI WA PRIMARY SCHOOL
10 BISHOP FORD MEMORIAL SCHOOL	36 CCC TAI O PRIMARY SCHOOL
11 BISHOP WALSH PRIMARY SCHOOL (PM)	37 CCC WANCHAI CHURCH KEI TO PRI SCH (KLN CITY)
12 BONHAM RD GOVERNMENT PRI SCH	38 CCC WANCHAI CHURCH KEI TO PRIMARY SCHOOL
13 BUDDHIST CHAN WING KAN MEMORIAL SCHOOL	39 CENTRAL & WESTERN DIST ST ANTHONY'S SCH
14 BUDDHIST CHI KING PRIMARY SCHOOL	40 CHAI WAN KOK CATHOLIC PRIMARY SCHOOL (AM)
15 BUDDHIST CHUNG WAH KORNHILL PRI SCH	41 CHAI WAN KOK CATHOLIC PRIMARY SCHOOL (PM)
16 BUDDHIST WONG CHEUK UM PRIMARY SCHOOL	42 CHAI WAN STAR OF THE SEA CATHOLIC PRIMARY SCHOOL
17 BUI O PUBLIC SCHOOL	43 CHEUNG CHAU SACRED HEART SCHOOL
18 C & M A CHUI CHAK LAM MEMORIAL SCHOOL	44 CHI HONG PRIMARY SCHOOL
19 CANTON ROAD GOVERNMENT PRIMARY SCHOOL	45 CHI LIN BUDDHIST PRIMARY SCHOOL
20 CARMEL ALISON LAM PRIMARY SCHOOL	46 CHINESE METHODIST SCHOOL (NORTH POINT) (PM)
21 CASTLE PEAK CATHOLIC PRIMARY SCHOOL	47 CHINESE Y.M.C.A PRIMARY SCHOOL
22 CATHOLIC MISSION SCHOOL	48 CHIU SHEUNG SCHOOL HONG KONG
23 CCC BUT SAN PRIMARY SCHOOL	49 CHIU YANG POR YEN PRIMARY SCHOOL
24 CCC CHEUNG CHAU CHURCH KAM KONG PRI SCH	50 CHOI WAN ST JOSEPH'S PRI SCHOOL (PM)
25 CCC CHUEN YUEN FIRST PRI SCHOOL (AM)	51 CHR & MISSIONARY ALLIANCE SUN KEI PRI SCH
26 CCC CHUN KWONG PRIMARY SCHOOL	

Name of School	Name of School
52 CHRISTIAN ALLIANCE S Y YEH MEMORIAL PRI SCH	78 FRESH FISH TRADERS' SCHOOL
53 CHRISTIAN ALLIANCE TOI SHAN H C CHAN PRIMARY SCHOOL	79 FSFTF FONG SHU CHUEN PRI SCH
54 CHUNG SING SCHOOL	80 FUNG KAI INNOVATIVE SCHOOL
55 CNEC TA TUNG SCHOOL	81 G. T. (ELLEN YEUNG) COLLEGE
56 CONFUCIAN TAI SHING PRIMARY SCHOOL	82 GCC&ITKD CHEONG WONG WAI PRI SCH
57 CONSERVATIVE BAPTIST LUI MING CHOI PRI SCH	83 GOOD COUNSEL CATHOLIC PRIMARY SCHOOL
58 CUHKFAA THOMAS CHEUNG SCHOOL	84 GOOD SHEPHERD PRIMARY SCHOOL, PM SESSION
59 CUMBERLAND PRE CHURCH YAO DAO PRI SCH	85 HEEP YUNN PRIMARY SCHOOL
60 DELIA (MAN KIU) ENGLISH PRIMARY SCHOOL	86 HHCKLA BUDDHIST CHAN SHI WAN PRIMARY SCHOOL
61 DIOCESAN BOYS' SCHOOL PRIMARY DIVISION	87 HHCKLA BUDDHIST WISDOM PRIMARY SCHOOL
62 DIOCESAN PREPARATORY SCHOOL	88 HHCKLA BUDDHIST WONG CHO SUM SCHOOL
63 DR CATHERINE F WOO MEMORIAL SCHOOL (AM)	89 HING TAK SCHOOL
64 DR CATHERINE F WOO MEMORIAL SCHOOL (PM)	90 HK & MACAU LUTHERAN CHURCH MING TAO PRI SCH
65 ELCHK HUNG HOM LUTHERAN PRIMARY SCHOOL	91 HK & MC LU CH WONG CHAN SOOK YING MEM SCH (AM)
66 ELCHK KWAI SHING LUTHERAN PRI SCH	92 HK ENG CLANSMAN ASSN WU SI CHONG MEM SCH
67 EMMANUEL PRIMARY SCHOOL	93 HK SZE YAP C&IA SAN WUI COMM SOCIETY SCH
68 EMMANUEL PRIMARY SCHOOL KOWLOON	94 HKBU AFFILIATED SCH WONG KAM FAI SEC AND PRI SCH
69 EVANGEL COLLEGE	95 HKCWC HIOE TJO YOENG PRI SCH
70 FAITH LUTHERAN SCHOOL	96 HKFEW WONG CHO BAU SCHOOL
71 FANLING ASSEMBLY OF GOD CHURCH PRIMARY SCHOOL	97 HKFYG LEE SHAU KEE PRIMARY SCHOOL
72 FANLING GOVERNMENT PRIMARY SCHOOL	98 HKRSS TUEN MUN PRIMARY SCHOOL
73 FANLING PUBLIC SCHOOL	99 HKUGA PRIMARY SCHOOL
74 FDBWA CHOW CHIN YAU SCHOOL	100 HO SHUN PRI SCH (SPSD BY SIK SIK YUEN)
75 FIVE DISTRICTS BUSINESS WEL ASSN SCH	101 HO YU COLLEGE AND PRI SCH (SPSD BY SIK SIK YUEN)
76 FR CUCCHIARA MEMORIAL SCHOOL	102 HOI PING CHAMBER OF COMMERCE PRI SCH
77 FREE METHODIST MEI LAM PRIMARY SCHOOL	103 HOLY ANGELS CANOSSIAN SCHOOL

Name of School	Name of School
104 HOLY CARPENTER PRIMARY SCHOOL	130 KWAI-MING WU MEM SCH OF PRECIOUS BLOOD
105 HOLY CROSS LUTHERAN SCHOOL	131 KWOK MAN SCHOOL
106 HOLY FAMILY CANOSSIAN SCHOOL	132 KWONG MING SCHOOL
107 HOLY FAMILY CANOSSIAN SCHOOL (KOWLOON TONG)	133 KWONG MING YING LOI PRIMARY SCHOOL
108 HOLY FAMILY SCHOOL	134 KWUN TONG GOV PRI SCH (SAU MING ROAD)
109 HON WAH COLLEGE (PRIMARY SECTION)	135 LAICHIKOK CATHOLIC PRIMARY SCHOOL
110 HONG KONG BAPTIST CONVENTION PRIMARY SCH	136 LAM TIN METHODIST PRIMARY SCHOOL
111 HONG KONG STUDENT AID SOCIETY PRIMARY SCHOOL	137 LAM TSUEN PUB WONG FOOK LUEN MEM SCH
112 HOP YAT CHURCH SCHOOL	138 LEE CHI TAT MEMORIAL SCHOOL
113 HUNG HOM GOVERNMENT PRIMARY SCHOOL	139 LI SING PRIMARY SCHOOL
114 IMMACULATE HEART OF MARY SCHOOL (AM)	140 LI SING TAI HANG SCHOOL
115 IMMACULATE HEART OF MARY SCHOOL (PM)	141 LING LIANG CHURCH SAU TAK PRIMARY SCHOOL
116 ISLAMIC DHARWOOD PAU MEM PRI SCH	142 LING TO CATHOLIC PRIMARY SCHOOL
117 ISLAMIC PRIMARY SCHOOL	143 LINGNAN UNIVERSITY HONG KONG ALUMNI DSS PRI SCH
118 ISLAND ROAD GOVERNMENT PRIMARY SCHOOL	144 LIONS CLUBS INTL HO TAK SUM PRI SCH
119 IU SHAN SCHOOL	145 LKWFS LAU TAK YUNG MEMORIAL PRI SCH
120 JORDAN ROAD GOVERNMENT PRIMARY SCHOOL	146 LKWFS WONG YIU NAM PRIMARY SCHOOL
121 KALING SCHOOL OF THE PRECIOUS BLOOD	147 LOK SIN TONG PRIMARY SCHOOL
122 KAM TIN MUNG YEUNG PUBLIC SCHOOL	148 LOK SIN TONG YEUNG CHUNG MING PRI SCH
123 KAM TSIN VILLAGE HO TUNG SCHOOL	149 LST LEUNG KAU KUI PRIMARY SCHOOL(BRANCH)
124 KC BAPTIST CHURCH HAY NIEN (YAN PING) PRIMARY SCHOOL	150 LUTHERAN TSING SHING SIU LEUN SCHOOL
125 KING LAM CATHOLIC PRIMARY SCHOOL	151 MA ON SHAN LING LIANG PRIMARY SCHOOL
126 KING'S COLL OLD BOYS' ASSN PRI SCH	152 MA ON SHAN LUTHERAN PRIMARY SCHOOL
127 KING'S COLL OLD BOYS' ASSN PRI SCH NO.2	153 MA ON SHAN ST JOSEPH'S PRIMARY SCHOOL
128 KOWLOON BAY ST JOHN THE BAPTIST CATHOLIC PRI SCH	154 MAN KIU ASSOCIATION PRIMARY SCHOOL
129 KOWLOON WOMEN'S WEL CLUB LI PING MEM SCH	155 MARY OF PROVIDENCE PRIMARY SCHOOL
	156 MARYKNOLL CONVENT SCH (PRI SECT)

Name of School	Name of School
157 MARYKNOLL FATHERS' SCHOOL (PRI SECTION)	182 PLK RIVERAIN PRIMARY SCHOOL
158 MARYMOUNT PRIMARY SCHOOL	183 PLK STANLEY HO SAU NAN PRIMARY SCHOOL
159 MENG TAK CATHOLIC SCHOOL	184 PLK TIN KA PING PRIMARY SCHOOL
160 MUI WO SCHOOL	185 PLK VICWOOD KT CHONG NO.2 PRIMARY SCHOOL (PM)
161 NG CLAN'S ASSN TAI PAK MEM SCH	186 PLK WONG WING SHU PRIMARY SCHOOL
162 NORTH POINT GOVERNMENT PRIMARY SCHOOL (CLOUD VIEW ROAD)	187 PO KOK BRANCH SCHOOL
163 NORTHERN LAMMA SCHOOL	188 PO KOK PRIMARY SCHOOL
164 NP KF ASSN MADAM CHAN WAI CHOW MEM SCH	189 PO ON COMMERCIAL ASSN WAN HO KAN PRI SCH
165 NTW&JWA LEUNG SING TAK PRI SCH (TKO)	190 PO YAN CATHOLIC PRIMARY SCHOOL
166 NTW&JWA LEUNG SING TAK PRI SCH (PM)	191 POK OI HOSPITAL CHAN KWOK WAI PRI SCH
167 OUR LADY OF CHINA CATHOLIC PRI SCH	192 PRECIOUS BLOOD PRI SCH (SOUTH HORIZONS)
168 PAT HEUNG CENTRAL PRIMARY SCHOOL	193 PRECIOUS BLOOD PRI SCH (WAH FU ESTATE)
169 PEGASUS PHILIP WONG KIN HANG CHR PRI SCH CUM JUN SS	194 PRECIOUS BLOOD PRIMARY SCHOOL
170 PENTECOSTAL GIN MAO SHENG PRIMARY SCHOOL	195 PRICE MEMORIAL CATHOLIC PRIMARY SCHOOL
171 PING SHEK ESTATE CATHOLIC PRIMARY SCHOOL	196 PUI KIU COLLEGE
172 PLK CAMOES TAN SIU LIN PRIMARY SCHOOL	197 PUI KIU PRIMARY SCHOOL
173 PLK CHAN YAT PRIMARY SCHOOL	198 PUI LING SCHOOL OF THE PRECIOUS BLOOD (AM)
174 PLK DR JIMMY WONG CHI HO (TIN SUM VALLEY) PRI SCH	199 PUI LING SCHOOL OF THE PRECIOUS BLOOD (PM)
175 PLK FONG WONG KAM CHUEN PRIMARY SCHOOL	200 PUI TAK CANOSSIAN PRIMARY SCHOOL
176 PLK GOLD & SILVER EXCHANGE SOCIETY PERSHING TSANG PRI SCH	201 PUN U ASSOCIATION WAH YAN PRIMARY SCHOOL (AM)
177 PLK HKTA YUEN YUEN PRIMARY SCHOOL	202 PUN U ASSOCIATION WAH YAN PRIMARY SCHOOL (PM)
178 PLK LAM MAN CHAN ENGLISH PRIMARY SCHOOL	203 QES OLD STUDENTS' ASSN BRANCH PRI SCH
179 PLK LEUNG CHOW SHUN KAM PRIMARY SCHOOL (PM)	204 QES OLD STUDENTS' ASSOCIATION PRI SCH
180 PLK LUK HING TOO PRIMARY SCHOOL	205 SA ANN WYLLIE MEMORIAL PRIMARY SCHOOL
181 PLK MRS CHAN NAM CHONG MEMORIAL PRI SCH	206 SA SAM SHING CHUEN LAU NG YING SCHOOL
	207 SACRED HEART CANOSSIAN SCHOOL

Name of School	Name of School
208 SAI KUNG CENTRAL LEE SIU YAM MEM SCH	236 SKH MA ON SHAN HOLY SPIRIT PRIMARY SCH
209 SAI KUNG SUNG TSUN CATHOLIC SCH (PRI SECT)	237 SKH MUNG YAN PRIMARY SCHOOL (PM)
210 SALESIAN SCHOOL	238 SKH ST JOHN'S PRIMARY SCHOOL
211 SALESIAN YIP HON PRIMARY SCHOOL	239 SKH ST MATTHEW'S PRIMARY SCHOOL
212 SALVATION ARMY LAM BUTT CHUNG MEMORIAL SCHOOL	240 SKH ST MICHAEL'S PRIMARY SCHOOL
213 SAN WUI COMMERCIAL SOCIETY SCHOOL	241 SKH ST PETER'S PRIMARY SCHOOL (PM)
214 SAU MING PRIMARY SCHOOL	242 SKH ST TIMOTHY'S PRIMARY SCHOOL
215 SHA TAU KOK CENTRAL PRIMARY SCHOOL	243 SKH TAK TIN LEE SHIU KEUNG PRIMARY SCHOOL
216 SHA TIN GOVERNMENT PRIMARY SCHOOL (PM)	244 SKH TIN SHUI WAI LING OI PRIMARY SCHOOL
217 SHA TIN METHODIST PRIMARY SCHOOL	245 SKH TSING YI CHU YAN PRIMARY SCHOOL
218 SHAN TSUI PUBLIC SCHOOL	246 SKH WEI LUN PRIMARY SCHOOL
219 SHANGHAI ALUMNI PRIMARY SCHOOL	247 SKH WING CHUN PRIMARY SCHOOL
220 SHAP PAT HEUNG RURAL COMMITTEE KUNG YIK SHE PRI SCH	248 SKH YAN LAAP MEMORIAL PRIMARY SCHOOL
221 SHATIN TSUNG TSIN SCHOOL	249 SKH YAT SAU PRIMARY SCHOOL
222 SHAUKIWAN TSUNG TSIN SCHOOL	250 SKH YUEN CHEN MAUN CHEN PRIMARY SCHOOL (PM)
223 SHEK LEI CATHOLIC PRIMARY SCHOOL (PM)	251 SRBCEPSA LEE YAT NGOK MEMORIAL SCHOOL
224 SHEK WU HUI PUBLIC SCHOOL	252 SSP KF WEL ADVANCEMENT ASSN PRI SCH
225 SI YUAN SCHOOL OF THE PRECIOUS BLOOD	253 ST ANDREW'S CATHOLIC PRIMARY SCHOOL
226 SKH CHI FU CHI NAM PRIMARY SCHOOL	254 ST ANTONIUS PRIMARY SCHOOL
227 SKH CHU OI PRIMARY SCHOOL (LEI MUK SHUE)	255 ST CHARLES SCHOOL
228 SKH KAM TIN ST JOSEPH'S PRIMARY SCHOOL	256 ST EUGENE DE MAZENOD OBLATE PRIMARY SCHOOL
229 SKH KEI FOOK PRIMARY SCHOOL	257 ST JOSEPH'S PRIMARY SCHOOL (PM)
230 SKH KEI LOK PRIMARY SCHOOL	258 ST PAUL'S CO-EDU COLLEGE PRI SCH
231 SKH KEI SUM PRIMARY SCHOOL	259 ST PAUL'S COLLEGE PRIMARY SCHOOL
232 SKH KEI TAK PRIMARY SCHOOL	260 ST PAUL'S PRIMARY CATHOLIC SCHOOL (AM)
233 SKH KEI YAN PRIMARY SCHOOL	261 ST PAUL'S PRIMARY CATHOLIC SCHOOL (PM)
234 SKH LING OI PRIMARY SCHOOL	262 ST PETER'S CATHOLIC PRIMARY SCHOOL
235 SKH LUI MING CHOI MEMORIAL PRI SCH (PM)	

Name of School	Name of School
<p>263 ST ROSE OF LIMA'S SCHOOL</p> <p>264 ST STEPHEN'S GIRLS' PRIMARY SCHOOL</p> <p>265 ST TERESA'S SCHOOL</p> <p>266 ST. MARGARET'S CO-EDUCATIONAL ENGLISH SECONDARY & PRIMARY SCHOOL</p> <p>267 ST. MARK'S PRIMARY SCHOOL</p> <p>268 STEWARDS POOI KEI PRIMARY SCHOOL</p> <p>269 STEWARDS POOI YIN PRIMARY SCHOOL</p> <p>270 STFA HO YAT TUNG PRIMARY SCHOOL (PM)</p> <p>271 STFA WU MIEN TUEN PRIMARY SCHOOL</p> <p>272 STFA WU SIU KUI MEMORIAL PRIMARY SCHOOL (PM)</p> <p>273 SUN FONG CHUNG PRIMARY SCHOOL (PM)</p> <p>274 TA KU LING LING YING PUBLIC SCHOOL</p> <p>275 TAI KOK TSUI CATHOLIC PRIMARY SCHOOL</p> <p>276 TAI PO BAPTIST PUBLIC SCHOOL</p> <p>277 TAI PO OLD MARKET PUBLIC SCHOOL (PLOVER COVE)</p> <p>278 TAIKOO PRIMARY SCHOOL</p> <p>279 TAK SUN SCHOOL</p> <p>280 TAOIST CHING CHUNG PRIMARY SCHOOL (WU KING ESTATE)</p> <p>281 THE HONG KONG INSTITUTE OF EDUCATION JOCKEY CLUB PRI SCH</p> <p>282 THE LITTLE FLOWER'S CATHOLIC PRIMARY SCHOOL</p> <p>283 THE MISSION COVENANT CHURCH HOLM GLAD PRIMARY SCHOOL</p> <p>284 THE SALVATION ARMY CENTALINE CHARITY FUND SCHOOL</p> <p>285 THKCCCU LOGOS ACADEMY</p> <p>286 TIN SHUI WAI CATHOLIC PRIMARY SCHOOL</p> <p>287 TIN SHUI WAI METHODIST PRIMARY SCHOOL</p> <p>288 TOI SHAN ASSOCIATION PRIMARY SCHOOL</p> <p>289 TSANG MUI MILLENNIUM SCHOOL</p>	<p>290 TSEUNG KWAN O METHODIST PRIMARY SCHOOL</p> <p>291 TSING YI TRADE ASSOCIATION PRI SCH</p> <p>292 TSUEN WAN CATHOLIC PRIMARY SCHOOL</p> <p>293 TSUEN WAN CHIU CHOW PUBLIC SCHOOL</p> <p>294 TSUEN WAN LUTHERAN SCHOOL</p> <p>295 TSUEN WAN TRADE ASSOCIATION PRI SCH</p> <p>296 TUN YU SCHOOL</p> <p>297 TUNG KOON DIST SOC FONG SHU CHUEN SCH</p> <p>298 TUNG KOON SCHOOL</p> <p>299 TUNG TAK SCHOOL</p> <p>300 TW PUB HO CHUEN YIU MEM PRIMARY SCHOOL</p> <p>301 TWGH CHOW YIN SUM PRIMARY SCHOOL</p> <p>302 TWGH HK & KLN ETC APP MER ASSN LTD SCH (PM)</p> <p>303 TWGH KO HO NING MEMORIAL PRIMARY SCHOOL</p> <p>304 TWGH LEE CHI HUNG MEM PRI SCH (CHAI WAN)</p> <p>305 TWGH LEO TUNG-HAI LEE PRIMARY SCHOOL</p> <p>306 TWGH LI CHI HO PRIMARY SCHOOL</p> <p>307 TWGH SIN CHU WAN PRIMARY SCHOOL</p> <p>308 TWGHS HOK SHAN SCHOOL</p> <p>309 WF JOSEPH LEE PRIMARY SCHOOL</p> <p>310 WO CHE LUTHERAN SCHOOL</p> <p>311 WONG TAI SIN CATHOLIC PRIMARY SCHOOL</p> <p>312 XPY PRI SCHOOL OF SCIENCE AND CREATIVITY</p> <p>313 YAN OI TONG MADAM LAU WONG FAT PRI SCH</p> <p>314 YAN OI TONG TIN KA PING PRI SCHOOL</p> <p>315 YAN TAK CATHOLIC PRIMARY SCHOOL</p> <p>316 YAUMATI CATHOLIC PRI SCH (HOI WANG ROAD)</p>

Name of School

- 317 YAUMATI KAIFONG ASSOCIATION SCHOOL
- 318 YCH CHAN IU SENG PRIMARY SCHOOL
- 319 YCH CHIU TSANG HOK WAN PRIMARY
SCHOOL
- 320 YCH HO SIK NAM PRIMARY SCHOOL
- 321 YING WA PRIMARY SCHOOL
- 322 YL PUB MID SCH ALUMNI ASSN YING YIP
PRI SCH
- 323 YUEN LONG LONG PING ESTATE WAI CHOW
SCH
- 324 YUEN LONG MERCHANTS ASSN PRIMARY
SCHOOL
- 325 YUK YIN SCHOOL

Unlicensed Guesthouses

16. **MR PAUL TSE** (in Chinese): *President, I have received complaints that in recent years, some unlicensed guesthouses have often sent their staff to the busy streets of urban areas to distribute promotion cards and leaflets to solicit business from travellers. In this connection, will the Government inform this Council:*

- (a) whether the Government had received the aforesaid complaints in the past three years; if so, of the number of such complaints received each year, and how the Government dealt with them;*
- (b) what policies and measures are in place to curb and prevent unlicensed guesthouses from soliciting business by the aforesaid way, as well as which government departments are responsible for implementing such policies and measures; and*
- (c) of the respective total numbers of "snaking" operations conducted by the Home Affairs Department to investigate cases of operating unlicensed guesthouses, prosecutions which were instituted and cases in which the persons involved were convicted, in the past three years?*

SECRETARY FOR HOME AFFAIRS (in Chinese): President, my reply to the question raised by Mr Paul TSE is as follows:

- (a) The Office of the Licensing Authority (OLA) under the Home Affairs Department is responsible for the administration of the Hotel and Guesthouse Accommodation Ordinance (the Ordinance), the issue of guesthouse licences under the Ordinance and enforcement of the Ordinance.

Regarding complaints against suspected unlicensed guesthouses soliciting business from travellers through promotion received by the OLA, they are classified and handled as reports on suspected unlicensed operation of guesthouses. The number of complaints on suspected contravention of the Ordinance received by the OLA in the past three years is as follows:

	2008	2009	2010 (as at 30 April)
Complaints	216	460	129

Upon the receipt of a complaint, the OLA will inspect the premises within eight working days. If investigation shows that there is evidence indicating unlicensed operation of a guesthouse, it will take appropriate actions for prosecution.

- (b) The OLA has spared no efforts in combating the operation of unlicensed guesthouses. In response to suspected unlicensed guesthouses soliciting business from travellers through promotion, staff of the OLA read newspapers and browse web pages on a regular basis to collect information about promotion of suspected unlicensed guesthouses. Proactive inspections have also been taken to districts where there are black spots of unlicensed guesthouses to collect information. Where publicity activities such as display of bills, overhanging of signboards or distribution of leaflets are found, appropriate enforcement actions will be taken.

The OLA has also launched a series of publicity activities to encourage and facilitate visitors to choose licensed guesthouses and call on members of the public to make a report on suspected illegal operation of guesthouses. The OLA has launched a Licensed Guesthouse Logo Scheme which requires all licensed guesthouses to display the newly designed logo at the main entrance and on the doors of all guestrooms to help visitors identify if the premises have been licensed under the Ordinance to provide further safeguards to visitors. A new round of publicity activities has also been launched for the scheme. Announcements of public interests are broadcast on television and radio while posters/banners are displayed at suspected unlicensed guesthouse black spots and immigration control points to call on visitors to patronize licensed guesthouses. Visitors may also obtain a list of licensed guesthouses from the OLA's website <www.hadla.gov.hk>. The OLA has also set up a hotline (Tel: 2881 7498) and uploaded a report form to its website to facilitate reporting of suspected illegal operation of guesthouses by members of the public.

- (c) Regarding law enforcement, the OLA will, having regard to the circumstances of each case, carry out effective inspections through various means in order to collect evidence about suspected unlicensed guesthouses, including proactive inspections during and outside office hours (for example, at nights, during and before holidays) and collecting evidence by posing as clients (commonly known as "snaking") when necessary. The numbers of prosecutions and convictions resulting from "snaking" operations by the OLA in the past three years are as follows:

	2008	2009	2010 (as at 30 April)
Prosecution	11	33	9
Conviction	11	27	13

Support for District Council Members

17. **DR LAM TAI-FAI** (in Chinese): *President, since 2006, the Government has strengthened the role of District Councils (DCs) in the management of district facilities and improved the support for DC members, so as to comprehensively enhance the functions of DCs. Yet, some DC members still consider the support from the Government inadequate and not comprehensive enough. In this connection, will the Government inform this Council:*

- (a) *whether the Government had, in the past three years, conducted studies in any form on how to comprehensively enhance the social status of DC members (including their recognition or image, and so on); if it had, of the details; if not, the reasons for that;*
- (b) *what plans the Government has at present to support DC members to pursue continuing education or receive any form of training; if there is no such plan, of the reasons for that;*
- (c) *given that in its reply to a question raised by a Member of this Council on 5 November 2008 regarding the end-of-service gratuities and medical allowance for DC members, the authorities had advised that they would review the remuneration arrangements for DC members and seek advice from the Independent Commission on*

Remuneration for Members of the DCs, whether the review has been completed; if so, of the details and the Commission's views; if not, the reasons for that;

- (d) whether the authorities had, in the past three years, conducted a comprehensive survey in relation to the average monthly workload and average daily working hours of elected DC members in undertaking the work of DCs, so as to determine whether the current level of their remuneration and allowances is reasonable (including whether their basic living expenses can be met); if they had, of the details; if not, the reasons for that;*
- (e) whether the authorities have planned to grant full exemption of salaries tax to elected DC members or provide retirement protection for them; if they have, of the details; if not, the reasons for that;*
- (f) whether it has, since 1997, compiled statistics on the total number of DC members who encountered accidents and were assaulted while discharging duties; if it had, of a breakdown by the type of accident and assault; if not, the reasons for that;*
- (g) whether the authorities had, in the past three years, assessed the danger in the work of DC members; if the assessment outcome indicates that danger is involved, of the form of support to be provided for them; if the assessment outcome indicates otherwise, the reasons for that; and*
- (h) given that the Government has proposed to have all the five new Functional Constituency seats in the Legislative Council and the existing DC Functional Constituency seat returned through election by elected DC members from among themselves in 2012, whether the Government has planned to immediately raise the level of remuneration and allowances for DC members after the passage of the constitutional reform proposals?*

SECRETARY FOR HOME AFFAIRS (in Chinese): President, the DCs have been an important partner of the Government in district administration, and we

recognize the valuable public services provided by DC members for the community.

As regards the remuneration package for DC members, it has been the established practice to complete the review before the next DC election, so that candidates are aware of the agreed remuneration package before they decide to take part in the election. We have already commenced the review of DC members' remuneration package, and shall consult the Independent Commission on Remuneration for Members of the DCs of the Hong Kong Special Administrative Region (the Independent Commission) in a timely manner.

We note the new arrangements for medical allowance and end-of-service gratuity for Legislative Council Members in the current term. We shall take into account this development, the views received from the Independent Commission and DC members as well as other relevant factors, and ensure that the arrangements will meet the needs of changing circumstances.

As regards training for DC members, the Government has been organizing briefings on government policies and programmes as well as visits for DC members from time to time. Examples include the briefings on the strategic planning of railways and highways, environmental protection policies and programmes as well as the visits to the venues of the East Asian Games and exhibitions, and so on. In addition, DC members may make use of their Miscellaneous Expenses Allowance (MEA) for self-development courses as appropriate.

We have not conducted any study on the social status of DC members. Nor do we compile statistics on the workload of elected DC members, and the number of DC members who encountered accidents and were assaulted while discharging duties.

C40 Workshop

18. **MR KAM NAI-WAI** (in Chinese): *President, the 15th session of the Conference of the Parties to the United Nations Framework Convention on Climate Change held in 2009 took note of the Copenhagen Accord, which aims at*

limiting the increase in surface temperature of the earth to below two degrees Celsius. While many governments around the world have set reduction targets on greenhouse gas (GHG) emissions, Hong Kong does not have such reduction target at present. Moreover, Hong Kong will host the C40 workshop in November this year and will on this occasion share policies for combating climate change with the representatives from many of the world's largest cities. In this connection, will the Government inform this Council:

- (a) of the details, progress and result of the work of the Inter-departmental Working Group on Climate Change (the Working Group) led by the Environmental Protection Department (EPD) last year, as well as its work plan for the coming year; whether the Working Group will participate in the preparatory work for the C40 workshop; and the latest progress of the preparatory work (for example, invitation of guests) for the workshop;*
- (b) given that the EPD appointed a consultant to conduct a "Study of Climate Change in Hong Kong" in March 2008, which would last for 18 months and was originally expected to be completed at the end of 2009, and yet the Chief Executive indicated in his 2009-2010 Policy Address that the study was expected to be completed early next year (that is, 2010), of the progress of the study so far, the reasons for the delay of its completion, the future follow-up work of the Government and whether the Government will undertake to release the findings of the study before the C40 workshop; and*
- (c) given that the two power companies are actively developing projects which use renewable energy to generate electricity so as to control and reduce GHG emissions, whether the Government will legislate to set a cap on GHG emissions from power plants; if it will, of the work progress in this respect and the details; if it will not, the reasons for that?*

SECRETARY FOR THE ENVIRONMENT (in Chinese): President, the Administration has been very concerned about the impacts of climate change, and has mapped out strategies and taken effective actions to mitigate GHG emissions.

In his 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. By policy implementation, legislation and provision of necessary resources, the Administration will continue its efforts in reducing GHG emissions.

The reply to the various parts of the question is as follows:

- (a) The Working Group is led by the Environment Bureau, and comprises representatives from five policy bureaux and 16 departments. The Working Group has focused its efforts on steering the ongoing consultancy study on climate change. The consultancy study would characterize the impacts of climate change in Hong Kong and, on an objective scientific basis, make recommendations on additional mitigation and adaptation strategies and measures. The Working Group has provided views and inputs on the consultant's assessments on GHG reduction and adaptation to climate change, as well as on its recommendations on strategies and measures. It will continue to oversee, co-ordinate and promote efforts in combating climate change and mitigating GHG emissions, as well as steering the study.

The C40 Hong Kong workshop (the Workshop) will be held on 5 to 6 November this year. It is jointly organized by the Environmental Campaign Committee and Civic Exchange with the support of the Environment Bureau. A Steering Committee has been set up to oversee the preparation work. All C40 member cities have been invited to participate in the workshop, and their replies are pending.

- (b) In March 2008, the Administration commissioned "A Study of Climate Change in Hong Kong" to review and update the local inventories of GHG emissions and removals; assess the impacts of climate change in Hong Kong; and recommend long-term strategies and measures to reduce GHG emissions as well as to adapt to climate change. The consultancy covers a wide range of study areas, and it is the first time for Hong Kong to carry out a study of this kind on the GHG inventories, adaptation and mitigation issues in accordance with the latest international guidelines. The consultant therefore requires longer time than expected to analyse the findings

and make recommendations. At the Legislative Council Question and Answer Session held on 6 May, the Chief Executive indicated that the SAR Government would follow the national target, which is to reduce the carbon intensity by 40 % to 45% by 2020 (as compared with the 2005 level). The Administration has indeed tasked the consultant in end 2009 to conduct additional modeling work and analysis. On completion of the relevant analysis, the Administration will make public the consultancy recommendations on Hong Kong's action blueprint for dealing with climate change.

- (c) At present, there is no mature and commercially viable technology that could reduce, capture and store GHG discharged from the burning of fossil fuels. Tightening carbon emissions from local power generation can therefore only be achieved by changing the fuel mix, for example, substantial reduction in coal burning in favour of cleaner energy, such as natural gas. However, changing the fuel mix for power generation involves important and complicated issues such as energy policy and security, stability in power supply and electricity tariff, and so on. It requires wider and more in-depth studies and assessments. We therefore consider it not appropriate to legislate and stipulate GHG emissions for the two power companies at this stage.

Attendance of Public Officers at District Council Meetings

19. **MS EMILY LAU** (in Chinese): *President, the Government indicates that it has always attached great importance to the work of District Councils (DCs), yet, some DC members have complained that the non-attendance of public officers at DC meetings has become increasingly prevalent. In this connection, will the executive authorities inform this Council:*

- (a) *of the respective numbers of agenda items for meetings of the 18 DCs and their committees in the past two years, as well as statistics on the attendances of the public officers concerned at the meetings for such agenda items;*

- (b) *of the respective post titles of Directors of Bureaux, Permanent Secretaries and officers at directorate level who had never attended any DC meeting for agenda items related to their purviews in the past two years;*
- (c) *of the number of agenda items of DC meetings for which no government representative concerned had attended in the past two years; and*
- (d) *whether they have assessed if the increasing non-attendance of public officers at DC meetings will seriously affect the implementation of district administration and communication between the Government and the people; if the assessment outcome is in the affirmative, whether they will formulate guidelines to specify that officers at various levels need to attend DC meetings as far as possible; if the assessment come is in the negative, of the reasons for that?*

SECRETARY FOR HOME AFFAIRS (in Chinese): President, the Government regards the DCs as key players in district administration. Since the start of the current term of 2008-2011, we have enhanced the communication between senior Government officials and DCs through a series of arrangements.

We have arranged for Heads of Departments (HoDs) with direct interface with the public to attend DC meetings. In 2008 and 2009, the HoDs concerned attended a total of 69 and 83 DC meetings respectively. In the time available, it is not possible to provide an accurate number of all items discussed at the meetings of the 18 DCs and their committees in the past two years, but the Administration estimates it to be over 10 000.

Moreover, Policy Bureaux and departments continue to consult DCs on various policy proposals and other matters affecting the well-being of the people in the district. In this connection, the policy bureau/department concerned send representatives to attend the DC meetings. For instance, the Secretary for Food and Health and the Secretary for Constitutional and Mainland Affairs (or their representatives) attended meetings of all the 18 DCs to consult members on the health care reform and the constitutional development respectively.

Furthermore, representatives of the core departments continue to attend DC and committee meetings on a regular basis to answer questions raised by members. There is no question of an increasing non-attendance of public officers at DC meetings. In addition to the core departments, DCs and their committees may invite representatives of other government bureaux or departments to attend meetings. Depending on the agenda and the meeting time, the relevant bureaux and departments will arrange appropriate representatives to attend the meetings as far as practicable. In the event that the representative from a Policy Bureau or department cannot attend a DC or committee meeting, they would provide a reply to the question raised and an explanation for their non-attendance to the DC or committee before the meeting.

Fly-tipping of Construction Waste in Ho Sheung Heung

20. **MRS REGINA IP** (in Chinese): *President, it has been reported that fly-tipping of construction waste occurred on an agricultural land of over 10 000 square feet at Ho Sheung Heung in Sheung Shui, and the authorities have ordered the persons concerned to reinstate the agricultural land within two months; yet, more than six months have passed since the occurrence of the incident, and the problem remains unsolved. In this connection, will the Government inform this Council:*

- (a) *what specific measures it has to make the persons concerned to expeditiously discharge their duties to reinstate the agricultural land; and*
- (b) *given that the authorities plan to amend the Waste Disposal Ordinance (Cap. 354) (WDO) to establish a notification mechanism whereby landowners are required to inform the relevant government departments before depositing abandoned construction and demolition (C&D) materials on their land, whether the authorities have set a timetable for introducing legislative amendments, and whether they have explored other effective measures (such as raising the penalties on offenders so as to enhance the deterrent effect) to prevent similar incidents from continuing to occur?*

SECRETARY FOR THE ENVIRONMENT (in Chinese): President,

- (a) Subsequent to the incident of fly-tipping of C&D wastes on agricultural land in Ho Sheung Heung, the relevant departments have followed up on the case in accordance with the power conferred by relevant legislations. Actions taken included investigation and prosecution against the offenders. The Planning Department issued Enforcement Notices and Reinstatement Notices under the Town Planning Ordinance (Cap. 131) in July and August 2009, requiring the persons concerned to discontinue the unauthorized development and to remove all the fill materials deposited on the site and grass the land. The Secretary for Development subsequently received eight applications for review of the above Reinstatement Notices. The Secretary for Development has confirmed six of the notices issued by the Authority. The persons concerned must reinstate the land in accordance with the requirements in the Reinstatement Notices. The remaining two applications for review are being processed.

As for the six confirmed cases, the Planning Department has met with the persons concerned and provided them with clear guidelines. The relevant department will closely monitor the situation. As failure to observe a statutory notice by the specified date is an offence, person served with such notices usually will follow the requirements.

- (b) The Administration has adopted a multi-pronged approach to combat fly-tipping of C&D wastes and land filling activities through various measures:
- (i) proposing the amendment to the WDO to tighten control over the disposal of abandoned C&D materials on private land. The Administration aims to enhance the enforcement effectiveness of section 16A of the WDO to curb the unauthorized disposal of abandoned C&D materials on private land. Under the proposed amendment, any person who

intends to carry out depositing activity on private land will be required to obtain the prior written permission of the landowner, and the depositor must carry such written permission during the depositing activity. Under the proposal, the person commits an offence if he fails to produce the valid written permission for inspection on request by enforcement officers. The Administration also proposes to put in place a notification mechanism to serve as the platform which notifies relevant departments of the intended depositing activities. The relevant departments may advise the persons concerned and explain the requirements under the relevant legislations to prevent contravention of existing legislations;

- (ii) improving the complaint handling procedures to deal with cases involving active and on-going depositing activities of C&D materials. A database containing information of those land filling cases and a list of fly-tipping black-spots have been compiled. The Environmental Protection Department (EPD) and the relevant departments also meet on a regular and as-needed basis to monitor the overall situation of illegal fly-tipping and land filling, with a view to strengthening co-operation between the relevant bureaux and departments;
- (iii) developing three sets of comprehensive guides for rural landowners, construction waste transporters and property developers/contractors/managers, to raise the awareness of flytipping and illegal land filling activities, including the penalty for violating planning restriction and illegal land filling; and
- (iv) conducting a trial scheme on remote monitoring by the installation of closed-circuit television (CCTV) at fly-tipping black spots. The Administration has completed the installation of CCTV at Tai Po Road and Siu Lang Shui in January 2010. Both systems have come into operation. The

Administration will evaluate the effectiveness of the two systems in collecting evidence for prosecution against fly-tipping. The result will help the Administration consider the feasibility of extending the CCTV installations to other fly-tipping black-spots.

The Administration has consulted Advisory Council on the Environment, Panel on Environmental Affairs of the Legislative Council, Heung Yee Kuk and most of the New Territories District Councils on the proposed amendment to the WDO. It has also uploaded the details of the proposal onto the EPD website for the public to provide comments. The Administration will decide whether refinement to the proposed amendment is needed after collecting the views and drawing up an amendment schedule.

The Administration recognizes that the penalties to the offenders should carry sufficient deterrence. Currently, under sections 20, 21 and 23 of the Town Planning Ordinance, any person undertaking or continuing unauthorized development or any person not acting in accordance with the statutory notices issued by the Planning Authority in connection to an unauthorized development, commits an offence. He is liable to a fine of \$500,000 in the case of a first conviction and of \$1,000,000 in the case of a second or subsequent conviction. Besides, according to the WDO, any person commits an offence under section 16A (that is, illegal depositing of waste) will be liable to a maximum fine of \$200,000 and to imprisonment for six months for the first offence, and a maximum fine of \$500,000 and to imprisonment for six months for a second or subsequent offence. In case the penalty imposed by the court is considered too lenient or insufficient to reflect the severity of the offence, the Administration will, where the circumstances of an individual case justify and subject to the availability of evidence, apply via the Department of Justice for a court review of the sentence.

BILLS**First Reading of Bills**

PRESIDENT (in Cantonese): Bills: First Reading.

INLAND REVENUE (AMENDMENT) BILL 2010**ROAD TRAFFIC (AMENDMENT) BILL 2010**

CLERK (in Cantonese): Inland Revenue (Amendment) Bill 2010
Road Traffic (Amendment) Bill 2010.

Bills read the First time and ordered to be set down for Second Reading pursuant to Rule 53(3) of the Rules of Procedure.

Second Reading of Bills

PRESIDENT (in Cantonese): Bills: Second Reading.

INLAND REVENUE (AMENDMENT) BILL 2010

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President, I move the Second Reading of the Inland Revenue (Amendment) Bill 2010.

The Bill seeks to amend the Inland Revenue Ordinance to implement the two concessionary revenue measures announced in the 2010-2011 Budget.

In order to alleviate taxpayers' burden at an early stage of economic recovery, as well as taking into account of the overall financial position of the Government, the Financial Secretary proposed in his 2010-2011 Budget to reduce salaries tax and tax under personal assessment for 2009-2010 by 75%, subject to a ceiling of \$6,000 per case. The reduction will be reflected in the taxpayer's final tax payable for 2009- 2010.

All 1.4 million taxpayers will benefit from the above one-off tax concessions, while it is estimated that the proposal on reduction of salaries tax and tax under personal assessment will cost the Government about \$4,510 million in 2010-2011.

The Bill proposes to implement the second measure, that is, a 100% profits tax deduction for capital expenditure on environmentally-friendly vehicles in the year of purchase. At present, depreciation allowance under profits tax is provided for motor vehicles (including environmentally-friendly vehicles) and machinery or plant. In general, businesses claiming depreciation allowance for motor vehicles will be granted an initial allowance at 60% of the purchase costs in the year of purchase and an annual allowance at 30% of the reducing value. Almost 99% of the purchase cost will be deducted in the first 10 years.

To encourage the business sector to purchase environmentally-friendly vehicles, this year's Budget proposes to accelerate profits tax deduction for capital expenditure on environmentally-friendly vehicles by allowing a 100% profits tax deduction in the first year of purchase of the vehicles.

We have issued to Members the Legislative Council Brief on 28 April 2010 which briefed Members on the above proposed amendments. We hope the Legislative Council will examine and pass the Bill as soon as possible for the purpose of implementing the two concessionary measures.

President, I so submit.

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the Inland Revenue (Amendment) Bill 2010 be read the Second time.

In accordance with the Rules of Procedure, the debate is now adjourned and the Bill is referred to the House Committee.

ROAD TRAFFIC (AMENDMENT) BILL 2010

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): President, I move the Second Reading of the Road Traffic (Amendment) Bill 2010 (the Bill).

Drink driving has all along been a matter of serious concern as it can cause grave consequences. We introduced the drink driving legislation in 1995 and have been reviewing the effectiveness of the legislation on a regular basis in order to keep abreast of the times. Specific amendments were made in 1999 and 2008 respectively to tighten the prescribed limit of blood alcohol concentration (BAC) and to raise the penalties and empower the police to conduct random breath tests. Thanks to the timely legislative amendments and vigorous enforcement actions taken by the police, the number of traffic accidents involving drink driving has dropped substantially. Nevertheless, we should not slacken off because the Killed and Serious Injuries rate for drink driving accidents has been higher than the corresponding rate for all traffic accidents.

The object of the Bill is to make the necessary statutory provisions for introducing measures to further combat drink driving and other inappropriate driving behaviour in order to enhance road safety. These measures mainly include the following:

First, we propose to introduce a three-tier penalty system with a sliding scale whereby the higher the alcohol level in excess of the prescribed limit, the longer the minimum disqualification period, and substantially increase the minimum disqualification period from the existing three months to six months to two years on first conviction and from the existing two years to two to five years on second or subsequent conviction. It should be noted that this is the minimum disqualification period requirement, and the Court still has considerable room to impose heavier penalties should it see merit in doing so. Studies show that drivers who have consumed alcohol before driving bear a much higher risk of involvement in accidents than those who have not done so, and the risk increases rapidly with increasing alcohol levels. Therefore, a penalty system with a sliding scale can better reflect the risk involved.

We do not agree with the view that the introduction of the three-tier system will mislead drivers into thinking that the less alcohol they consume, the lighter the penalty they will receive. As I said just now, we propose to substantially increase the minimum disqualification period for drink driving offences so that offenders will be given a heavy penalty even for consuming a small amount of alcohol and a heavier penalty for consuming more alcohol. We have not lowered the threshold for drink driving.

Besides, we also propose to set the penalties for various offences at tier three to ensure the integrity and effectiveness of the drink driving laws. These offences include driving a motor vehicle under the influence of alcohol or drugs, refusing to undertake a screening breath test or failure to provide specimens for analysis. To prevent drivers from evading their responsibilities by delaying the provision of samples, we also propose to remove the option for a driver whose breath analysis result is no more than 37 mcg of alcohol per 100 ml of breath to replace his breath specimen by a specimen of blood or urine. This option was provided in 1995 when the drink driving legislation was first introduced to alleviate concern about the accuracy of the breath testing equipment. Nowadays, the breath testing equipment has proved to be reliable and able to provide accurate results.

Second, we propose to lengthen the minimum disqualification periods for a second or subsequent conviction of the "dangerous driving" offence and the "causing death by dangerous driving" offence from the existing 18 months and three years to two years and five years respectively. Besides, we propose to make an alcohol level which greatly exceeds the prescribed limit, that is, at tier three of the BAC level, as a circumstance of aggravation in all dangerous driving offences, and the maximum penalties in terms of fine and imprisonment and the minimum disqualification period for the offence concerned are each increased by 50%. For example, a person who commits the offence of causing death by dangerous driving is subject to the existing maximum imprisonment term of 10 years upon conviction. If the person's BAC level is at tier three at the time of committing the offence, the maximum imprisonment term applicable will be increased to 15 years. If it is a second or subsequent conviction, the minimum disqualification period will be substantially increased from the existing three years to 7.5 years as a result of this proposal.

Third, there is public opinion that there may be inadequate deterrent effect if the disqualification is going to run concurrently with any imprisonment sentence. In order to enhance the deterrent effect, we propose to introduce a provision to require the Court to order that the disqualification period should commence at the conclusion of the imprisonment sentence in the circumstance that the driver is convicted of a second or subsequent serious offence, unless the Court sees fit that both imprisonment and disqualification terms should be enforced concurrently. Using the same example cited just now, if the driver

concerned is given a sentence of 15 years of imprisonment and a disqualification period of 7.5 years, his disqualification period should only commence at the conclusion of his imprisonment sentence. In other words, the person concerned may not be driving on the road within 22.5 years upon sentencing.

Fourth, we propose to provide for the new offence of "causing grievous bodily harm by dangerous driving" to impose heavier penalties on drivers who drive dangerously on the road and cause grievous bodily harm to another person, so that the Court can more effectively reflect the gravity of the accident and the responsibility of the driver involved on sentencing.

President, these proposals will substantially raise the penalties on drink driving and other serious traffic offences. We hope this can send a clear message, which is that "If you drink, don't drive". To protect the safety of road users, a person who has committed a drink driving offence is still subject to heavy penalties even if he has not caused any traffic accident.

We have consulted the Legislative Council Panel on Transport and other stakeholders on the proposals. They generally support the proposals in the Bill, despite their different views on certain penalties. We have made every effort to balance the different views of various parties and fully considered the interests of the public and road users.

Enhancing road safety has always been our primary policy objective and the expectation of the general public. I hope Members will support the passage of the Bill to enable the early implementation of the proposals.

Thank you, President.

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the Road Traffic (Amendment) Bill 2010 be read the Second time.

In accordance with the Rules of Procedure, the debate is now adjourned and the Bill is referred to the House Committee.

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 the motions each may speak, including reply, for up to 15 minutes, and have another five minutes to speak on the amendments; the movers of amendments each may speak for up to 10 minutes; and other Members each may speak for 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: Reviewing the existing policy on live poultry in Hong Kong.

Members who wish to speak in the debate on the motion will please press the "Request to speak" button.

I now call upon Mr Vincent FANG to speak and move his motion.

REVIEWING THE EXISTING POLICY ON LIVE POULTRY IN HONG KONG

MR VINCENT FANG (in Cantonese): President, I move the motion, as printed on the Agenda, be passed.

In traditional Chinese cuisine, live chickens, ducks and geese are ingredients for presentable dishes. Hence, whenever friends and relatives visit us during Chinese New Year or other festivals, we would traditionally think of "slaughtering chickens and ducks".

However, live ducks and geese have utterly disappeared from Hong Kong after the avian influenza outbreak in 1997. Even live chicken has almost turned into a rare dish. I would like to quote some lines from a column article titled "Are live chickens available during Chinese New Year?" It said: "Last week, at a dinner gathering on the day of Winter Solstice, many dishes were ordered, suddenly someone asked: 'Why is the chicken so small?' Once this question was raised, everyone had grumbles, complaining about the difficulty in buying

properties, finding a job in Hong Kong. Even having a nice chicken for food is so difficult!"

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

Deputy President, why is it not easy to have live chickens for consumption in Hong Kong nowadays? In his reply later this meeting, the Secretary will certainly put the blame on avian influenza, claiming that the Government only wants to protect public health, and it is not justifiable to expose public health to great risks just for the sake of live chicken consumption. Therefore it is not going to remove the restrictions on the sale of live poultry. Such an answer, if given sometime between 1997 and 1998, may be mildly convincing. However, times will change, technology and medical science will progress, how can our policies remain unchanged?

The avian influenza outbreak in 1997 caused the death of six people. The figure seems small. Back then, the Government stressed that studies showed that avian influenza had a death rate as high as 60%. Yet, the study also indicated a low infectivity of avian influenza, thousands times lower than the swine influenza which caused panic to the SAR Government last year. Moreover, avian influenza will only affect people who have contacts with sick poultry or have eaten sick chickens.

All live chickens supplied to Hong Kong, regardless of whether they come from local or Mainland farms, must be vaccinated in advance. All members of the live poultry industry must also get vaccinated. Since the measure of "no live poultry overnight" has been implemented in all chicken stalls in the markets in 2008, the opportunities of contact between the public and live chickens have been reduced to the minimum. Nevertheless, the industry has never lower its level of alert. As we all know, whenever cases of avian influenza are reported in Hong Kong or in neighbouring regions, the industry's room for survival will be further stifled.

Daily live chicken supply to Hong Kong has reduced from 15 000 to the current level of 7 000 as many chicken retailers have surrendered their operating licences. The industry knows very well that, if unfortunately, a suspected case of avian influenza is reported in Guangdong, the current daily supply of 7 000

chickens from the Mainland will be at stake. If that is the case, even if the industry insists to operate, it will be futile. The Government can resume all operating licences from live poultry retailers at no cost. As I always say, who is more reluctant to see the outbreak of avian influenza than the Government? The industry. Hence, the industry is very willing to cooperate with the Government to prevent avian influenza.

I would not apply the conspiracy theory to say that the Government is waiting for another case of avian influenza to handle the remaining operating licences not yet surrendered by people in the live poultry trade. But the practice of "drying up the trades" that has been adopted so long by the Government is not acceptable to us. As the saying goes, special measures are for special times. If avian influenza still prevails now, certainly we would not put forth this motion today. Otherwise, as a Functional Constituency Member, I would again be criticized as eyeing on industry benefits only.

It is a proven fact that, despite all the administrative measures adopted by the Government to compel people eat frozen and chilled poultry, there is still a keen demand for live chickens among Hong Kong people, and the demand is particularly strong during major traditional Chinese festivals. Many people opine that the hike in chicken prices is a result of the Government's policy to limit live chicken supply. Hence, we all hope that the Government can relax the restriction on live chicken supply, so that everyone can easily buy live chickens at lower prices. Is this not a solution that can make everyone happy? This is also the aspiration of the general public.

In the light of the Secretary's remark that the risks of avian influenza have now been substantially reduced, I thus put forward this motion today to propose reviewing the existing policies on live poultry supply and exploring if live chicken supply can be increased under safe conditions.

First of all, we are not asking blindly for an increase in supply. The prevention of avian influenza should continue. We urge the Government to reduce market intervention by administrative means and to appropriately increase the supply of live poultry according to market demand under safe and reasonable conditions. Under the policy of no overnight stocking of live poultry and in view of the limited stocking space in wholesale markets, chicken vendors will not run any losing business and will buy chickens according to market demand.

Following the increase in supply, the prices will be automatically adjusted and lowered. Naturally, people will have more opportunities to have live chickens for food.

Secretary for Food and Health has repeatedly said that the daily market supply of live poultry from the Mainland and local farms are similar in quantities. Hence I urge the Government to implement this informal rule faithfully. Under the Government's current practice, daily imported live chicken from the Mainland are strictly limited at 7 000 without the slightest room for adjustment. Chickens to be supplied to Hong Kong must be tested for avian influenza and be quarantined seven days before export. As for Hong Kong farms, they are not required to do the test so early and there is no limitation on the quantity of their supply. Therefore the trade will usually sell less chickens before major festivals so as to save them for sale at higher prices during the festivals. This practice is understandable indeed. Nevertheless, is the Government's practice of limiting chicken supply from the Mainland but placing no restriction on local supply a fair treatment to traders who import live chickens from the Mainland?

We have compiled statistics on live chicken supply in February and March. As the Chinese New Year fell in February, the total number of chickens sold for 27 days amounted to 525 000, and 65% of the 19 500 chickens sold daily came from local farms. A total 435 000 chickens were sold for the first 26 days of March, and 58% of the 16 700 chickens sold daily came from local farms.

The figures illustrates that the market demand for live chickens far exceeds the Government's estimated daily consumption of 14 000 and the policies favour local farms. The figures also show that there is a particularly strong demand for live chickens during traditional Chinese festivals. In the past, it was a common practice that the Government would appropriately increase the number of imported live poultry from the Mainland according to market demand during major traditional Chinese festivals under safe circumstances, so as to meet people's special needs in those festivals.

However, as the Government has not increased chicken supply from the Mainland in the last two years, and coupled with the fact that the quantity of chicken raised in local farms decrease greatly after some chicken farmers have

surrendered their operating licences, live chicken is in limited supply and the price is high.

In fact, if the Government is to prevent avian influenza totally, even chicken farms in Hong Kong should also be phased out, since the Government has already phased out the pig farming industry. Nevertheless, to preserve the existing industries and protect the industry operators in Hong Kong, I support preserving the chicken farming industry, but I hope the Government would protect the remaining wholesalers, transporters and retailers of the live poultry trade.

One of the reasons behind the Government's intention to keep the farms is to prepare for the setting up of a central slaughtering centre in Hong Kong. From 2004 when I first raised this issue up till now, I cannot see any competitive strength of a slaughtering centre in Hong Kong, as the construction and labour costs in the Mainland are lower than that of Hong Kong. At that time, the Government claimed that the central slaughtering centre in Hong Kong would be able to provide freshly slaughtered chickens kept at a temperature of 15°C. But given the assembly line production mode of the centre, can it really provide freshly slaughtered chickens? Even if that goal is achieved marginally, I am afraid the price will be even higher than the live chickens sold during Chinese New Year. I have already said at that time that it was not feasible to set up a central slaughtering centre.

Of course, I am not an expert. The Government will spend an additional \$1.4 million on commissioning a consultancy study on the feasibility of setting up a central slaughtering centre and the relevant report will be released in June. I am not a prophet and I do not know the result. But I would like to give the Secretary an advice from the bottom of my heart: Please do not insist on pursuing the plan if the result shows that it does not worth the cost.

Deputy President, no one intends to expose public health to high risks. Nevertheless, should we always go to the extreme and aim at "surpassing both the United States and the United Kingdom" every time when we have to solve a problem? For example, a number of cases of Japanese Encephalitis reported in Hong Kong in the past has prompted the Government to buy out the pig farming industry with public money. In 2008, the Government spent almost \$600 million public money to buy back a lot of licences from poultry farmers, wholesalers, transporters and retailers. This was made possible because the

Government implemented a powerful policy of forbidding overnight stocking of live poultry in market stalls, and Secretary Dr York CHOW firmly asserted that the central slaughtering would be implemented. If today the Government relaxes the restrictions imposed on the quantities of live poultry sold at retail levels, those wholesalers and retailers who surrendered their operating licences in 2008 would definitely complain. If the Government ultimately shelves the central slaughtering centre project, it may even lead to applications for judicial review.

But the times have changed. If the original policy is incompatible with the present needs, the Government should pull back before it is too late, it should not refuse to change. Moreover, our Government has long been adopting an administrative approach with emphasis on formulating or revising policies according to different conditions and circumstances and respecting public opinion. Nowadays, as the threat of avian influenza is easing, should we still insist on adhering to the policies designed for the special times?

If colleagues support my motion today, it does not only mean your support for the increase in live poultry supply, it also means your support to the notion that the Government should draw up and revise policies that are appropriate, pragmatic and people-oriented according to the changes in time and environment. I so submit. Thank you, Deputy President.

Mr Vincent FANG moved the following motion: (Translation)

"That, in view of the remark made publicly by the Secretary for Food and Health that the risks of avian influenza outbreaks have been significantly reduced, coupled with the fact that there has not been a case of indigenous human avian influenza in Hong Kong since 1997 and there was no case of avian influenza outbreak in local farms and Mainland farms which supply chickens to Hong Kong in the past one and a half years; on the other hand, there is still a strong demand for live chickens among Hong Kong people and that quite a number of people express the wish to buy live chickens at affordable prices through more convenient channels, especially during major traditional Chinese festivals; in this connection, this Council urges the Government:

- (a) to review the existing policy on live poultry supply so as to reduce market intervention by administrative means and to appropriately increase the supply of live poultry according to market demand under safe and reasonable conditions, with a view to alleviating the pressure of price increases in live poultry and satisfying people's needs for live poultry as far as possible;
- (b) to faithfully implement the usual practice of the Food and Health Bureau to maintain the quantity of daily market supply of live poultry from the Mainland and local farms at similar levels;
- (c) to continuously maintain the usual practice for the live poultry trade in the past by appropriately increasing the supply of live poultry from the Mainland to Hong Kong according to market demand during major traditional Chinese festivals under safe circumstances, so as to meet people's special needs in those festivals; and
- (d) to re-assess the need to develop a live poultry slaughtering centre in Hong Kong with regard to economic benefits and risk levels."

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

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

I will call upon Mr WONG Kwok-hing to speak first, to be followed by Mr WONG Yung-kan and Mr Fred LI; but no amendments are to be moved at this stage.

MR WONG KWOK-HING (in Cantonese): Deputy President, I move the amendment for the sake of improving and supplementing the original motion.

Deputy President, 13 years have passed since 1997, during this period the Government launched the scheme for the surrender of live poultry licences in 2004 and 2008 respectively, putting the local live poultry trade in unprecedented difficulties. As I have pointed out in the amendment, the surviving operators have been trying hard to stay afloat. At present, the number of retail outlets has decreased from 496 to 131; originally there were 50 chicken farms, now only 23 still operate. Almost 3 000 people in the entire trade are affected. In fact, from 2008 up till now, there are no more cases of cross infection.

Deputy President, there is a saying in the Mainland: "Practice is the sole criterion for testing truth." We have 13 years of experience fighting against avian flu, what successful lessons have we actually learnt in practice? For that reason, I propose in my amendment that the proper live poultry policy is to consolidate the experience, learn from experience and promote the successful experience in implementing safe and hygienic measures, so that the live poultry trade can survive and develop on a new foundation, and create more new opportunities for setting up businesses and employment. However, if the Government does not consolidate the experience, but insists on implementing central slaughtering and totally banning live poultry trade in Hong Kong, the successful experience painfully gained in the past 10 years by various government departments, the public and the trade will be denied. Denial of successful experience will ultimately mean denial of oneself.

Deputy President, we have actually accumulated experience in five aspects over the years: First, the import system; second, the breeding system; third, the wholesale system; fourth, the retail system; and fifth, the immune system of the general public. Various government departments have done a lot of work in these five aspects and a lot of successful experiences are gained. The trade also renders great support and such experiences are also worth remembering. These experiences are the basis for the continued survival and development of the local poultry trade. I think the government should attach importance to these factors and support the development of the trade. Generally speaking, I think it is worthy to draw on and develop the experiences gained in the five aspects.

First, from the source to the dinning table, various government departments, including the Agriculture, Fisheries and Conservation Department,

the Health Department, the Food and Environmental Hygiene Department, the Centre for Food Safety and the Customs and Excise Department, have adopted stringent epidemic-prevention and quarantine measures in the areas of food safety and health standards, so as to improve the entire supply chain. These experiences merit our recognition.

Second, measures to separate humans from chickens, including those imported from the Mainland and local farms, are strictly implemented at various levels, such as transport, wholesale and retail levels; even chickens and wild birds are separated in order to prevent cross infection. All public markets should have independent air conditioning and ventilation facilities, and stringent measures to separate humans from chickens are implemented. These measures have proved to be effective. We request the Government to seriously review these measures, and improve as well as promote the hygiene facilities in public markets.

Third, although the live poultry trade is a labour-intensive industry, the workers have not become the carrier of virus because they have enhanced their awareness of epidemic prevention, and various preventive measures have proven to be effective.

Fourth, public awareness of food safety has improved, especially the housewives. When they buy live chickens in markets, they will not blow air to chicken butts. Nowadays, the safety awareness of the general public has enhanced, it is very different from the situation 13 years ago.

Fifth, the Government has effectively cracked down on smuggling of live poultry and live day-old chickens.

If the Government takes measures in these five areas, tens or hundreds of measures may be taken, therefore I will not list them out one by one. The successful and effective measures to be taken in these five areas will not only be the basis for survival of Hong Kong's live poultry trade, but also a new platform for its further development. If the government adopts an "across-the-board" approach to ban live poultry in Hong Kong and reverses all the successful

experience, I think the Government may as well even deny itself. Therefore, a proper live poultry policy is to consolidate the experience and lessons learned, and facilitate the local live poultry trade to develop on a new foundation. This is the policy that we support.

The Secretary informed us at the special meeting of the Finance Committee a month ago that the Government would spend \$1.43 million to engage a consultant to study the implementation of central slaughtering. At that time, I told the Secretary that it was not worth spending this sum of money. Instead of spending \$1.43 million to study central slaughtering, it is better to use the money to consolidate the experience of Hong Kong in the past 13 years, especially the successful experience in recent years, and explore ways to support the further development of the poultry trade. Unfortunately, the Government said that the money had been spent, and it must be spent. I do not know whether this is the case, perhaps the Secretary may clarify or provide some supplementary explanations. If the study has not been conducted, I hope the Government will not waste the consultancy fees.

In fact, the implementation of central slaughtering of live poultry in Hong Kong is unnecessary, impractical and infeasible. I thus consider the money not worth spending. I hope the Government will study and conclude Hong Kong's experience in live poultry. The trade can actually create many opportunities for employment as well as for setting up businesses. Apart from the pillar industries that the Government mentions from time to time, Hong Kong must develop more industries closely related to people's livelihood. For the past 13 years, live poultry industry has proved its value and its worth for continued operation. I hope the Government will listen to our views.

I would also like to tell a story, actually it is not a story, but a fact. In 1997, Hong Kong was affected by avian flu, the then government officials wanted to use the incident as a pretext to abolish the two municipal councils, even though it has been proven that avian flu has nothing to do with the two municipal councils. Although the two municipal councils were abolished, that was not caused by avian flu at all. The practices in 13 years have proven that many measures are effective in preventing avian flu, and they can be put into effect. Under this circumstance, I hope the Government will consider my views proposed in the amendment by allocating resources, consolidating the experience

and co-operating with the trade and the Mainland, with a view to enabling Hong Kong's live poultry industry to recover and develop on the new foundation.

Deputy President, lastly, as to the amendment of Mr Fred LI which proposes (*The buzzer sounded*)

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

MR WONG KWOK-HING (in Cantonese): Sorry.

MR WONG YUNG-KAN (in Cantonese): Deputy President, cases of human infection of avian influenza in Hong Kong occurred from 1997 to early 1998. At that time, the entire community was plunged into fear and panic. The Government was at its wits' end about the situation. In the end, it ordered the slaughtering of all chickens in Hong Kong. Subsequently, the live poultry industry started to face an ever-tightening Government policy: proper biosecurity measures at all poultry farms; a registered farm system for live poultry supplied to Hong Kong; the vaccination of all live chickens; market cleansing days at retail level; and, eventually the banning of overnight stocking of poultry. Although the tightening of stringent health measures has the greatest impact on the poultry industry, it still considers them acceptable. After all, the industry hopes that the Government can let it continue to operate. But the Government's insistence to construct a central slaughtering plant and the great reduction in live chicken supply are the two measures that are most detrimental to the operation of the industry. The number of tricks taken has also been on the increase. The former measure plunges the entire industry into the fear of being banned, demoralizing business operators and inducing them to get compensation and surrender their licences. The latter measure, as can be expected, has severely limited the business operation of the industry.

Actually, the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) has always maintained that the conditions in Hong Kong cannot support the operation of a central slaughtering plant for live chickens. The reason is that in terms of operating costs, any central slaughtering plant in Hong Kong cannot possibly compete with its counterparts on the other side of the

Shenzhen River. Earlier on, Secretary Dr York CHOW voluntarily proposed at a special meeting of the Finance Committee to review afresh the construction or otherwise of a central slaughtering plant, overturning the Government's long-time insistence. To the poultry industry, this may be the best piece of news over the past decade or so. Now that the industry may be retained, it has also started to wonder whether the live chicken trade can have any room for long-term development. The motion put forward by Mr Vincent FANG today is basically supported by the DAB. The DAB holds that the supply of live poultry is tightly controlled by the Government, hence the price of live chicken has remained as high as over \$100. In times of festivals, a live chicken may even cost several hundred dollars. The ordinary masses can hardly afford to buy live chickens, so the market share of the live poultry trade has been dwindling, down to the present 5% or so. The business of chicken vendors, on the other hand, is not promising either. Chicken prices have indeed risen, but their business operation is hindered because supply is limited. This has instead adversely affected their business, plunging them into a worse situation.

My amendment aims to add some advice on improving the hygiene of local farms at the supply and retail levels, with particular emphasis on the latter.

In respect of local farms, I hope that the Government can appropriately raise the ceiling on the quantity of live poultry raised. At present, the Agriculture, Fisheries and Conservation Department sets the rearing ceiling in local farms at 1.3 million. There are 30 local chicken farms, but it must be noted that the quota of 1.3 million actually covers day-old chickens, baby chickens and grown-up chickens. There is great wastage during the process of raising day-old chickens to maturity for sale. On the basis of the existing ceiling, it can be computed that the number of live chickens that can eventually be put on sale in the market is smaller than 10 000, or even 5 000. This represents a reduction of 500% or 600% when compared with the quantity at the height of the trade. As a result, while farm owners must cope with the ever-tightening policy of the Government by continuously investing in improving the conditions in their farms, the numbers of chickens they can sell every day are severely restricted. Hence, they have to face great operational difficulties. Now that the Government intends to give up the idea of establishing a central slaughtering plant, I hope that Secretary Dr York CHOW can seriously review the

ceiling on the supply of live chickens and allow local farms to increase the numbers of chickens raised if they can meet the required hygiene and biosecurity standards. In this way, there will be a supply of safe, good quality and reasonably-priced local live chickens in the market.

Another proposal in my amendment mainly concerns the live chicken trade at the retail level. I urge the Government to improve the hygiene of public markets and in particular the ventilating systems therein. I have said more than once in this Council, how come public markets can still appeal to the public in the face of competition from supermarkets, apart from the provision of fresh food, one important reason is that live chickens are only available for sale in public markets or in fresh provision shops on the streets. It can be said that the supply of live chickens is the main appeal of public markets to the public. At present, the number of live chicken stalls in public markets of Hong Kong has gone down to 86, and in some markets, there is simply no supply of live chickens at all. Some time ago, I went to Sai Kung. I asked the market traders there why live chickens were no longer available in many markets. They told me that the policy of buying back the licences was the reason. I would like to ask in this Council, is the risk of avian influenza really as high as described by the Government? If not, can the Government review its public market policy and the ceiling on the quantity of live poultry raised in local farms? It is especially worth pointing out that we want to ensure the survival of public markets and the continued operation of market stalls. In this connection, the selling of live chickens may serve as a means of attracting people to buy food in public markets. I therefore hope that the Government can once again consider adjustments to its market licensing policy and the ceiling on the quantity of live poultry raised in local farms.

Deputy President, lastly, I wish to discuss the amendments of other Members. I support Mr WONG Kwok-hing's amendment, and I strongly agree to his opinions. If the Government decides not to establish a central slaughtering plant, a new direction should be set for the development of the live poultry industry, with a view to providing the public with quality services. That is why the Government must conduct a review. I think that we may give thoughts to local poultry farms and other aspects. Apart from conducting research and enhancing hygiene and other facilities, we must also increase supply and build up a brand name for Hong Kong. As for Mr Fred LI's amendment, the

DAB does not have any opposition. But I must make it very clear that overnight stocking of live chickens in wholesale markets is actually the result of government control. In order to meet the demand of restaurants for some special types of chickens, retailers must buy the chickens ahead of others and put them in wholesale markets for short periods. Only in this way can they guarantee the supply of live chickens to restaurants. If the Government can appropriately raise the supply of live chickens, it will not be necessary for retailers to scramble for chickens beforehand, and naturally, they do not need to stock live chickens in wholesale markets overnight.

I also wish to point out that one of the most important objectives for raising live chickens is besides for human consumption, they can also alert us to various avian diseases. In this connection, the Government has never listened to me. I have repeatedly said that avian influenza does not spread only among live chickens. Geese may contract H3N6, and quails may also carry such viruses. However, I have asked many of those who are engaged in the local live poultry trade. According to them, no one has ever contracted any such diseases, that is, avian influenza. Is this a desirable phenomenon? I think it is desirable in the sense that it can prove that if the Government continues to I do not know whether the Government has decided to change its measures relating to public markets and central slaughtering because it has suddenly changed some policies. Besides, can the Government be a bit more sceptical of those academics who frequently offer advice to the Government? Can it consider whether their advice is reliable? I strongly disagree with some of them who claim live chickens as major carriers of avian influenza viruses. We can see that all over the world, the numbers of avian influenza cases are on the decline. Should the Government re-examine its avian influenza policy, in very much the same way as it re-examined the case of H5N1? Should it consider whether it is necessary to escalate the alert grading to such a high level? Thank you, Deputy President.

MR FRED LI (in Cantonese): Deputy President, the last time avian flu broke out was as far back as December 2008. In the past whenever there was an outbreak of avian flu, the Food and Environmental Hygiene Department (FEHD) and the Agriculture, Fisheries and Conservation Department (AFCD) would formulate administrative measures or revise existing ones, hoping to lower the risk of avian

flu outbreaks. It can be said that the stringency of our measures in preventing avian influenza is far greater than that in other countries or regions.

Mr Vincent FANG has, in his motion, cited the remark made by the Secretary that the risks of avian flu outbreaks have been significantly reduced. In view of this, both the original motion and the amendments hope that existing policy can be relaxed so that there can be greater flexibility in the supply of live poultry. The Democratic Party and I agree to this appeal.

However, we think that there should be a better balance struck between laxity and strictness in policy. Only with such a balance can there be sustainable development in the live poultry trade in Hong Kong.

After the last outbreak of avian flu, the Director of Food and Environmental Hygiene exercised his power under the Public Health and Municipal Services Ordinance and drew up a revised regulation to ban overnight stocking of live poultry at retail outlets. The revised regulation was gazetted on 27 June 2008 and came into operation on 2 July 2008.

It is commendable that the FEHD reacted swiftly. At that time the retail trade voiced strong opposition. From what is seen today, retailers have adapted to the new measure and the fact that retailers do not surrender their licences indicates that business has not been affected. However, the revised regulation only applies to retail outlets but not wholesale markets. After the commencement of the new term of Legislative Council, a subcommittee was set up to study the regulation which had already come into effect. Some Members asked the authorities why overnight stocking was not banned in wholesale markets. At that time the Administration explained that far greater number of people would have close contacts with live poultry, which were sold at retail outlets than in wholesale markets. Having said that, any overstocking of live poultry in wholesale markets was undesirable as there remained a risk that avian flu virus might infect humans. The Administration said that it would liaise with wholesalers to enhance biosecurity measures in wholesale markets and contain the number of live poultry to be kept overnight in wholesale markets, so as to keep the risk of avian flu at an acceptable level. However, as far as I know, such

a ceiling has never existed in practice. There was a time when thousands of live poultry, some 2 000 to 3 000, were kept overnight in wholesale markets. Such a situation is far from satisfactory. The reason why I propose this amendment is that I do not wish to see an avian flu outbreak again. If that happens, the live poultry trade can hardly survive under further restrictions. I am doing this out of goodwill, I do not intend to drive the trade out of existence.

I hope Honourable colleagues will understand that my amendment is to urge for some study, I have never said that that the policy concerned should be implemented at once. If there are Honourable colleagues who will vote to oppose or abstain from voting on this amendment, I would be very disappointed. In other words, it will render this good intention of avoiding another outbreak of avian flu The situation of overstocking of chickens overnight in wholesale markets is very unsatisfactory. This is the view conveyed to me by the trade recently.

Live poultry in wholesale markets is concentrated but live poultry in the markets is scattered. There are more than 100 stalls selling live poultry but in wholesale markets, 14 000 live chickens are handled on average every day. Since overnight stocking of live poultry is strictly banned in retail markets, why do we not implement the same measure in wholesale markets which bear a greater risk? Hence, the Government's practice in this respect is not reasonable. In fact, I also understand that since overnight stocking is banned at retail outlets, unavoidably some live poultry have to be left overnight in wholesale markets. But the question is: should there be a ceiling and what is the ceiling? If this issue is not handled properly, the relevant risk will increase. I do not think Members present would want to see another outbreak of avian flu in Hong Kong. For those Members who, at that time, strongly opposed the implementation of the measure to ban overnight stocking of live chickens in wholesale market, how are they going to face up to the live poultry trade? Therefore, I propose this amendment to plug the loophole and demand that overnight stocking of live poultry should be banned both in wholesale markets and retail markets. Some flexible arrangement can be made in wholesale markets, but such flexibility must not be excessive. The existing practice is too flexible and thus the risks of avian flu still exist.

The original motion mentions that the need for central slaughtering should be reassessed. I fully agree to this idea. On many occasions in the Legislative Council and in the budget debate held last month, the Democratic Party put forward the view that there is no need for central slaughtering in Hong Kong. Should central slaughtering be adopted, Hong Kong is no match for its Mainland rivals in terms of economies of scale, cost-effectiveness and prices. Mr Vincent FANG has also mentioned this point. When there is no profit to be made, I do not know if anyone would be so foolish as to bid in a tender exercise to build a central slaughtering plant in Hong Kong. At the end of the day, the Government will build the plant alone, like building the cruise terminal at Kai Tak. Building a cruise terminal at Kai Tak can still be said to be reasonable, but building a central slaughtering plant will actually be a waste of government money and efforts. So we appeal to all Members The Government said that officials would attend the meeting of the Panel on Food Safety and Environmental Hygiene of this Council on 8 June. The Democratic Party wants to make it clear here that the central slaughtering plan should be abandoned. The Government should concentrate its resources on containing the risk of avian flu and keep it at a low level. The Government should know that the present policy should no longer be a total ban of the live poultry trade. If this trade is allowed to exist, the living of workers engaged in the trade can be protected, and consumers can have another choice apart from frozen and chilled poultry. Also, the fact that live chickens are still on sale in the catering industry shows that we are competitive. Secretary, the government of our neighbour Taiwan has been vigorously promoting central slaughtering, yet it still allows a small number of live poultry on sale in the markets. This situation is more or less like ours. In Taiwan, outbreaks of avian flu over the years are milder in nature, belonging to the less deadly H5N2, not H5N1. As a matter of fact, hygiene conditions in Taiwan are not as good as ours, but live poultry is allowed there. So we can see that there is room for survival for the live poultry trade in Hong Kong.

As at last year, the number of registered poultry farms in Hong Kong is reduced to only 30 and the ceiling on the quantity of live poultry raised had dropped from 2 million to 1.3 million. We agree to the amendment proposed by Mr WONG Yung-kan that such a ceiling should be raised appropriately. Of course, the prerequisite for increasing the rearing quantity in local farms should be good hygiene conditions in farms, so that the risk of avian flu will not increase

as a result. It is only when this prerequisite is met that the Government will consider giving approval to the expansion plan of the chicken farms and increasing the rearing ceiling.

If the quantity of live poultry raised in local farms can be increased, the quantity of live poultry imported into Hong Kong can also be increased appropriately. Then I believe the prices of live chickens can be lowered and people can consume chickens at affordable prices. We will definitely agree to this idea if we do not have to consider the factor of avian flu. If the problem of avian flu does not exist at all, the Government should not interfere with the quantity of live poultry imported. Should the Government interfere, it should assess the risk of avian risk flu before increasing the amount. The Government has pointed out that the risks of avian flu outbreaks have been significantly reduced and no trace of avian flu virus has been found after numerous inspections to markets. This is attributable to the rest days for cleansing and the ban on overnight stocking of live poultry in markets.

If such risks are to be further reduced, the Government should impose a ceiling on the quantity of live poultry kept overnight in wholesale markets. Traders should not be allowed to keep 2 000, 3 000 or 4 000 live poultry in wholesale markets as it is now. Currently, retailers will leave some live chickens in wholesale markets, when there are almost no live chickens at retail outlets, they will go to wholesale markets to get more chickens. Chickens leaving wholesale markets cannot be returned to wholesale markets again. The problem is that wholesale markets will place more orders for chickens and send them to retail outlets. Since no overnight stocking is allowed at retail outlets, the chickens will be delivered from wholesale markets in batches. If there are some miscalculations, sometimes it is hard to make the right calculations, some chickens will be left in wholesale markets overnight. We worry that there will be too many live chickens kept overnight in wholesale markets, for the hygiene conditions there are not too good. It is worrying to see a few thousand live chickens kept in different lairages in the markets. During the hot summer, this condition is especially worrisome.

It is our common hope there are live chickens for consumption. But this hope may be dashed if avian flu breaks out again. So I hope Members will support my amendment. I so submit.

SECRETARY FOR FOOD AND HEALTH (in Cantonese): Deputy President, first of all, I would like to thank Mr Vincent FANG for moving this motion, which allows us to explore the existing demand and supply situation of live poultry and the operation of the trade in Hong Kong.

I would first like to point out that over the years, the Government's primary consideration in introducing measures at different levels of the live poultry supply chain is to minimize the risks of avian influenza (AI) infection, while at the same time ensuring public health and hoping that there will be sufficient supply of chickens.

Like all influenza viruses, the AI virus changes constantly in response to changes in the environment and the hosts. As such, health authorities around the world remain highly vigilant all the time to guard against the outbreak of the epidemic. Besides, the World Health Organization has recently pointed out that the emergence of new confirmed cases of AI infection in human and poultry over the past few months shows that the virus is still posing a threat to human health. Nevertheless, as experts all over the world have obtained better understanding of the propensity of the AI virus over the past few years and have adopted targeted measures to prevent AI, the risk of human infection of highly pathogenic avian influenza (HPAI) is actually kept at a relatively low level.

Regarding the situation of Hong Kong, for more than a decade since the first confirmed case of human infection of AI virus in the world was reported in Hong Kong in 1997, the authorities have been committed to containing the risks of AI by implementing various preventive and control measures at different levels of the live poultry supply chain. These measures include the following:

- (a) to enable early detection of AI virus and prevention of AI outbreaks, the Government has implemented a comprehensive surveillance programme for both local and imported poultry since 1998. Since the end of 2002, the surveillance programme has been extended to cover wild birds, captive wild birds in recreational parks and pet birds in the market. As part of the surveillance programme, the

Government has also offered sick and dead wild bird collection service to the public since October 2005;

- (b) starting from June 2003, all local chicken farms are required to vaccinate their chickens against AI, and from January 2004 onwards, all chickens imported from the Mainland are required to be vaccinated;
- (c) with regard to import control, all imported chickens must come from registered farms or farms recognized by the relevant Mainland authorities and be accompanied by health certificates issued by the inspection and quarantine authorities in the Mainland. The Food and Environmental Hygiene Department (FEHD) has also introduced an import control programme under which assessment of the antibody levels and inspection for infection symptoms are conducted on imported chickens;
- (d) in February 2006, the Government enacted legislation to ban the rearing of backyard poultry in case they become infected with AI through contact with wild birds;
- (e) the regulation of local poultry farms includes requiring these farms to adopt more stringent biosecurity measures, such as keeping an appropriate number of sentinel chickens. In the wake of the emergence of suspected cases of AI infection in chickens through contact with wild birds in Hong Kong at the end of 2008, the authorities required last year that all local chicken farms should further enhance their biosecurity measures by, for example, installing metal bird-nets for all chicken sheds to avoid contact of chickens with wild birds. All relevant works have been substantially completed at the end of last month;
- (f) the Cheung Sha Wan Temporary Wholesale Poultry Market carries out thorough cleansing and disinfecting at the close of trading every morning. Unsold live chickens will be delivered to live chicken holding areas with bird-nets and ventilating facilities. The Agriculture, Fisheries and Conservation Department (AFCD) also

conducts random blood sample collection to monitor the AI antibody levels of unsold live chickens;

- (g) to prevent the spread of the virus at retail outlets, the Government introduced a legal provision in July 2008 to ban overnight stocking of live poultry at retail outlets. All live poultry must be slaughtered by 8 pm every day; and
- (h) the Government launched the Voluntary Surrender Schemes for the live poultry trade in 2004-2005 and 2008 respectively. As a result, the number of retail outlets has decreased from over 800 to 133 at present and the number of poultry farms has decreased from 192 to 30; and the maximum rearing capacity has also decreased from 3.9 million to 1.3 million. Besides, all farmers rearing waterfowl and quails have already surrendered their licences to the Government.

The risks of AI in Hong Kong are kept under proper control and there has not been any case of indigenous human infection of HPAI in Hong Kong since 1997, thanks to the effective implementation of the measures mentioned above, which has made it difficult for AI virus to spread at different levels of the live poultry supply chain. I would also like to thank those Members who have just now expressed recognition and commendation for our efforts in this respect, in particular, the efforts made by our colleagues. The fact that the risks of AI are now at a low level does not mean we should slacken off in guarding against them. Quite the contrary, we must remain vigilant all the time to ensure the continued effective implementation of various measures. We must also review the risks of AI and the effectiveness of the preventive and control measures from time to time and closely monitor any reassortment of the AI virus.

Mr FANG proposed that we should increase the supply of live poultry, and Mr WONG Yung-kan proposed raising the ceiling on the quantity of live poultry raised in local chicken farms. Mr WONG Kwok-hing also moved an amendment to further propose consolidating the experience of the trade to promote the development of a new form of local live poultry trade. In this connection, I wish to point out that the success in reducing the risks of AI to the existing low level in Hong Kong is the result of various measures implemented at the farm, wholesale, retail and import levels over the years. Such success is

indeed not easy to come by and can only be achieved through the co-operation of various sectors. We should not expand the scale of the live poultry trade again or else the risks of AI may increase. We must continue to enforce various preventive and control measures vigorously. Before deciding to adjust any policy pertaining to the supply of live poultry and the live poultry trade, we must consider the risks of AI and make our decisions on a scientific basis.

I understand that there is general expectation within the live poultry trade that the quantity of imported live chicken from the Mainland should be increased before traditional festivals. Actually, between 2004 and 2008, the Government had increased the quantity of imported live chickens from the Mainland on a number of occasions. In June 2008, the Government decided to temporarily increase the daily quantity of imported live chicken from the Mainland from 20 000 to 50 000 in the few days preceding the Dragon Boat Festival. As a result, on the few days preceding and after the Dragon Boat Festival, four wet markets were found to have the AI virus. Against this background, the Government has great reservation about the proposed increase of the supply of live chicken from the Mainland to Hong Kong before festivals. Besides, during the few traditional festivals since 2009, the quantity of imported live chicken from the Mainland had remained unchanged. During the said period, there was a sufficient supply of chilled and frozen chickens. With the gradual change in the public's eating habits, more people have shifted to chilled and frozen chickens. This proves that chilled and frozen chickens are gradually taking the place of live chickens as the mainstream.

Mr WONG Yung-kan's amendment highlighted improving the hygiene of wholesale markets. As I said just now, poultry wholesale markets carry out thorough cleansing and disinfecting at the close of trading every morning. Unsold chickens will be delivered to live chicken holding areas with bird-nets and ventilating facilities. Besides, the AFCD has also engaged cleansing contractors to carry out frequent cleansing and disinfecting of drains and access roads in markets and other market facilities. Veterinary officers also conduct site inspections of the markets from time to time to ensure the general hygiene of the markets and the use of effective measures to prevent AI.

Mr Fred LI proposed studying the introduction of a policy of banning overnight stocking of live poultry in wholesale markets. Although the Government has been constantly appealing to the poultry wholesale trade to

reduce as much as possible the quantity of live poultry kept in wholesale markets to minimize the risks of AI, we understand that at times when the sales of live poultry at the retail level are not satisfactory, the quantity of live chickens kept in wholesale markets is relatively large, especially during the low season after the Lunar New Year. Staff of the AFCD have been maintaining close communication with the wholesalers and closely monitoring the stocking duration to ensure that each batch of poultry can only be kept at the live chicken holding area in a wholesale market for no more than one night, and chickens stocked overnight must be delivered to retail outlets for sale early the following morning.

Mr WONG Yung-kan's amendment also mentioned the hygiene of public markets and ventilating systems. At present, live poultry is sold at 86 poultry stalls in 39 public markets under the FEHD's purview. As I said just now, the Government has put in place a new requirement since July 2008 to require owners of poultry stalls in markets to slaughter all live poultry in their stalls by 8 pm every day and ensure that no live poultry is stocked in their stalls from 8 pm to 5 am the following day. In addition, to further protect public health, poultry stall owners must thoroughly clean their stalls and equipment at the close of business every day. Cleansing contractors engaged by the FEHD also clean all parts of the poultry stalls, including walls, floors, poultry cages and individual scalding room, using high pressure hot water jet cleaner with disinfectant every night. Besides, all live poultry must not be kept outside the poultry stall areas, except during loading and unloading or for other reasons acceptable to the Director of Food and Environmental Hygiene.

As for ventilating and air-conditioning systems, independent ventilating systems have been installed in 19 poultry stalls in nine markets, and independent air-conditioning has been provided for 21 poultry stalls in ten air-conditioned markets, so that exhaust gases from poultry stalls can be treated separately from the central ventilating system of the market. As for other poultry stalls, independent ventilating systems cannot be installed mainly due to limited space. The Government will continue to monitor the general hygienic conditions of poultry stalls in markets.

Finally, I would like to talk about the poultry slaughtering centre (PSC) proposed in Mr Vincent FANG's original motion. In deciding whether it is necessary to develop a PSC, the Government's primary consideration is public

health. We also need to assess, on a scientific basis, whether the overall risk of AI has been kept at a relatively low and stable level and whether the preventive and control measures in place in Hong Kong are adequate and effective. Besides, we have commissioned a consultant to conduct a commercial viability study to re-assess market interest in running a PSC in the light of the trend of public demand for live chickens. We will consult this Council when the detailed analytical results of the studies are available.

I understand that certain Members are representatives of different industries of the live poultry trade, and they hold different views on issues, such as whether the quantity of live poultry raised in local chicken farms should be raised and whether the quantity of imported live chicken from the Mainland should be increased before festivals. I am prepared to listen to Members' views and will further explain the Government's positions in my concluding remark.

Thank you, Deputy President.

MR TAM YIU-CHUNG (in Cantonese): Over the past couple of years, thanks to the implementation by the Government of various initiatives on all fronts, including detection measures, Hong Kong has attained success in preventing avian influenza. Since 1998, the Government has been implementing a comprehensive monitoring programme for local and imported live poultry. At the farm level, officers of the Agriculture, Fisheries and Conservation Department (AFCD) inspect local poultry farms regularly. These farms must vaccinate chickens and implement stringent biosecurity measures. The Government also regularly collects blood and faecal samples from live poultry kept in farms for avian influenza testing. Furthermore, every batch of local chickens must be tested for AI before marketing, and only those with negative results are allowed to be sold. At the import level, all live poultry imported into Hong Kong must be accompanied by a health certificate issued by official authorities to prove that the live poultry is adequately immunized against avian influenza virus, have no clinical symptoms of avian influenza, and have been inspected by the local government veterinary surgeons prior to export. Hong Kong has to carry out serological and virus tests for imported live poultry. At the retail level, the Government has, starting from July 2008, imposed a ban on overnight stocking of live poultry at retail outlets and required that thorough cleaning and disinfection be carried out at retail outlets every evening. At the market level, the measure of

separating customers from live poultry has also been adopted. More stringently, once there are cases of poultry infected with avian influenza in our neighbouring provinces, Hong Kong will ban the import of all live chickens from the Mainland. If there is a local outbreak of AI, all chickens will be culled.

In order to complement the Government's public hygiene policy and safeguard public health, the practitioners of live poultry trade has made great sacrifices over the past couple of years. The decisions to ban the import of live poultry and birds from the Mainland on several occasions have dealt a severe blow to wholesalers, transporters, retailers and farmers of the live poultry trade in Hong Kong. Many operators, including operators of farms and retail outlets, have been forced to close down their business, and wage earners are forced out of job. At present, there are only 23 live poultry farms left, which is less than half of the 50 live poultry farms operated previously. The number of live chicken retail stalls has also dropped from 469 to 131. In addition, more than 70% of retailers have been forced to accept the buyout scheme and quit the live poultry business permanently. At present, the supply of live chickens is capped by the Government at only around 14 000 a day, with 7 000 from local farms and another 7 000 from the Mainland. Therefore, the remaining operators are faced with even greater operational difficulties at present than when Hong Kong was hit by avian influenza. Chicken retailers have to close their stalls after working two to three hours every day because there is no more supply of chickens. Therefore, people going to the market will find chicken stalls operate for only a period of time in the morning and cease to operate in the afternoon. Because of limited profits, chicken stall operators can hardly make ends meet.

As stated publicly by the Secretary earlier, the risks of avian influenza outbreaks have greatly reduced. In fact, no local infected case has been reported in Hong Kong except in 1997. As pointed by me at the beginning of my speech, the epidemic-prevention measures in Hong Kong are not only stringent but also effective. The preventive and quarantine measures introduced for locally raised chickens and farms supplying chickens to Hong Kong can already ensure that the chickens are healthy and free from virus. Over the past years, the laboratory results of the faeces of locally raised chickens had proved that there was no H5N1 virus. The reply by the AFCD has also pointed out that the vaccines currently in use can still provide adequate protection. Therefore, on the premise of safety, the Government should proactively consider allowing the market to increase the

supply of live chickens to meet the needs of the public and provide more job opportunities for practitioners in the live poultry trade.

As regards whether central slaughtering of live poultry should be implemented, I think that the Government should adopt a pragmatic attitude in making a correct evaluation of such need, given that the risks of avian influenza have now been reduced substantially. The commercial viability of central slaughtering has been questioned, because the costs and prices of producing chilled chickens by setting up slaughterhouses in North New Territories can hardly compete with the chilled chickens produced by setting up slaughterhouses on the Mainland, which is just separated by a river. Furthermore, the operating expenses can hardly be met if only 10 000-odd live chickens are allowed to be slaughtered a day. The most direct impact is, once central slaughtering is implemented, there will be no more supply of live chickens in the markets. The mid-stream practitioners of the live poultry trade will lose their jobs. There are about 34 000 practitioners engaging in such related work as retail, transport, and so on. Furthermore, theoretically, central slaughtering can only reduce the chances of the public coming into contact with live chickens in the markets. It can in no way prevent outbreaks of avian influenza in chicken farms or slaughterhouses. Central slaughtering can simply not resolve the problem of avian influenza once and for all. Hence, the Democratic Alliance for the Betterment and Progress of Hong Kong cannot see sufficient justifications for implementing central slaughtering for live poultry. On the contrary, the Government should provide additional resources to upgrade the hygiene standard of live poultry retail outlets. Moreover, the Government should expedite the upgrading of facilities in public markets, including improving the ventilation systems and installing more air-conditioners, for the purpose of improving the operational environment for practitioners of the live poultry trade while stepping up prevention of avian influenza (*The buzzer sounded*)

DEPUTY PRESIDENT (in Cantonese): Speaking time is up.

DR SAMSON TAM (in Cantonese): Deputy President, the outbreak of avian influenza in 1997 not only greatly affected the live poultry trade in Hong Kong, but also changed the traditional eating culture of Hong Kong people. The numerous initiatives launched by the Government at that time were indeed very

effective, though at the same time, many local chicken farmers and stall traders selling live chickens in markets were forced out of business, dealing a severe blow to the trade. Furthermore, the Chinese traditional of fresh chicken consumption was also forced to change. As many people might not be able to get fresh chickens, they could only switch to chilled chickens. I understand that these initiatives launched by the Government were sought to safeguard food safety and make the environment of the Hong Kong as a whole healthier and safer. However, should the Government conduct an appropriate review after the implementation of the policy for a period of time, so as to respond to market need under the market mechanism by reducing intervention and providing scope for long-term development for the poultry trade?

In order to ensure food safety and avoid stifling the trade, the Government should, apart from implementing the appropriate policies, consider making better use of technology, especially the radio frequency identification (RFID) technology, which has recently become a heated topic in Hong Kong. For instance, when we visited the Hong Kong Pavilion at the World Expo, we were each given a hand band, of course, we were not live poultry, but still our experience can be used for illustration. When Members wore their hand bands, the system could make clear identification. Actually, through the application of RFID technology, the Internet can really turn into the "Internet of Things", whereby things get interconnected, so that intelligent identification and management can be achieved.

I know that under a trial test conducted by the Government on imported live pigs in 2006, Guangdong enterprises supplying live pigs to Hong Kong were required to fit RFID electronic ear tags on all new-born piglets. The electronic labels recorded data at various stages, including feed, vaccination, drug administration, exit quarantine, and so on. Each electronic ear tag has its unique identification, as if each pig has its own "electronic identity card".

In addition to live pigs supplied to Hong Kong, it was reported in the press last month that Panyu would a testing point in Guangdong to apply RFID technology to vegetables supplied to Hong Kong. All information about the vegetables will be recorded, including the type of vegetable, quantities, planting bases, sowing, application of fertilizers, drug administration, harvesting, as well

as the licence plates of vehicles and departure times of vehicles, so as to achieve real-time identification, tracking and monitoring with a view to monitoring the entire process, from raw materials to production, transportation and even sales.

In the past, many people in the live poultry trade and Members of this Council have requested the Government to apply RFID technology in poultry management. This can, on the one hand, prevent the smuggling of live chickens into Hong Kong, that was the last thing we want to see, as the safety of live chicken consumption is a matter of public concern; and, on the other hand, promote the live poultry trade in Hong Kong, thereby encouraging the trade to raise live poultry with more added value and thus providing scope for long-term development for the local live poultry trade.

Given the successive application of RFID technology to live pigs and vegetables currently supplied to Hong Kong, has the Government studied when this technology should be applied to live poultry in Hong Kong, so that they will also have a chance to obtain "electronic identity cards"?

Deputy President, I think that a responsible government must, apart from safeguarding public health and social safety, keep abreast of the times and review its policies from time to time. There are presently voices in various quarters in the community, unanimously asking the Secretary to consider whether it is now an appropriate time to reduce intervention, so that the live poultry market can develop again, and the Chinese tradition of having live chickens for food during festivals and Hong Kong's culinary culture to be preserved.

Deputy President, I so submit.

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

MR TOMMY CHEUNG (in Cantonese): Deputy President, I would like to thank Mr Vincent FANG for proposing this motion. I would also like to take this opportunity to tell the Secretary for Food and Health, Dr York CHOW, that since the implementation of the measure of no overnight stocking of live poultry at retail outlets, a large number of live poultry stalls had to close down. Most

eateries have been forced to cook with chilled chickens, rather than live chickens, in view of the spiraling prices and limited supply of live chickens. Nowadays, we can only eat delicious, freshly slaughtered chickens at high-end food establishments. However, the prices of such chickens are not affordable to ordinary people.

Secretary Dr York CHOW should well understand the far-reaching implications of the ban on overnight stocking. The local catering industry has all along been taking pride in the advantage enjoyed by Hong Kong as a "gourmet's paradise", which has also proved to be the greatest attraction to overseas tourists. Compared to western countries, fresh food is always available in Hong Kong at affordable prices. However, owing to the intervention by administrative means, fresh ducks, geese, pigeons are no longer available in ordinary eateries. Nowadays, not everyone can enjoy fresh chicken consumption. The status of Hong Kong as a "gourmet's paradise" is now being threatened by our neighbours.

I would like to point out that the "drying up" policy adopted by the authorities to facilitate governance has not only resulted in shrinkage of a traditional trade, but also compromised the healthy development of the eating culture in Hong Kong.

We can see from the figures provided by the authorities that 80% of the members of the public have now switched to chilled chickens. It is not because chilled chickens taste almost the same as live chickens — the Secretary might find them taste more or less the same — but because the people simply have no choice as a result of the artificial restriction on the demands for live chickens.

After the outbreaks of avian influenza, the number of imported live chickens was first reduced to an average of 30 000 a day in order to reduce the risks, and later further reduced to 6 000 to 7 000 a day for safety concerns. The authorities have merely insisted that the actions were taken for public safety consideration without explaining clearly how the safe level of live chickens is determined. Under such circumstances, to what extent can the factor of safety be lowered? Will it be 1%, 0.1%, 0.01% or 0.0001%? Nothing has been mentioned at all.

However, as we can all see, due to the continuous efforts made over the years in funding applications, resource allocation, upgrading the avian influenza preventive system, setting up biosecurity laboratories, upgrading the avian influenza virus testing technology and configuration, as well as the active collaboration of the trade, there is a substantial rise in the overall safety of the live poultry retail and wholesale sales chain. Substantial improvements have been made compared to the major outbreaks of avian influenza in 1997.

There have been no outbreaks of human infection of avian influenza in Hong Kong since 2003. It was reported that the H9 viruses detected in markets, wholesale markets and farms merely accounted for 0.1% to 0.5%.

So, why should the authorities always behave in such a stubborn manner and fail to appreciate the hardships caused to the public as a result of exorbitant chicken prices? Can the authorities slightly relax the quantity of imported live chickens and chickens raised in local farms in order to ameliorate the problem caused by spiraling chicken prices? Can the authorities at least appropriately increase the supply of live chickens during traditional festivals?

I would like to remind the authorities that, even though it is not a festival today, a live chicken costs at least \$140 in the market. Moreover, the live chicken must be reserved in advance, or else no chicken can be bought. In fact, people going to the market to buy food at 11 am or 12 noon will often find that they cannot buy any live chickens in the market, because chicken stalls will cease to operate at 12 noon, since no more live chickens are available for sale. The Secretary might as well go to the market to see for himself. Given that Renminbi is expected to appreciate and is likely to rise 10% against other currencies in the world, I believe a live chicken might cost far more than \$100 in the second half of the year.

This is why I very much agree to the proposals put forth in the original motion and amendments that the authorities should reduce market intervention by administrative means as far as possible, appropriately increase the supply of live poultry according to market demand, and appropriately relax the ceiling on the quantity of live poultry raised in local farms, especially during festivals.

Under the leadership of Secretary Dr York CHOW, the agricultural industry in Hong Kong has continued to shrink. However, in the face of the

spiraling prices of imported food, I think it is time for the Secretary to reconsider whether there is a need for change. Does the Secretary intend to wipe out local farms, so that Hong Kong has to rely entirely on imported food, and Hong Kong people will have to bear the adverse consequences in the end?

Last week, the authorities hinted to the media that, according to the findings of a \$1 million-odd study conducted by the consultancy commissioned by the authorities to evaluate the feasibility of a central slaughterhouse, there is no urgency for the implementation of central slaughtering in Hong Kong. I mean the Government was just "hinting" to the media. I have no idea if what it said is true. Actually, we told the Secretary a long time ago that this sum of money would be wasted. Is there a need for central slaughtering to be implemented in Hong Kong? I have all along held the view that should central slaughtering be implemented in North District, it might as well be implemented in Shenzhen, for the two places are only separated by a river. It would take less than an hour for chickens, whether chilled or freshly slaughtered, to be delivered to Hong Kong. In terms of distance, setting up a central slaughterhouse in Shenzhen or North district makes no great difference. However, insofar as prices are concerned, if I remember correctly, chickens slaughtered in Shenzhen would be cheaper than chilled chickens sold in Hong Kong by at least 50%. Under such circumstances, what is the purpose of implementing central slaughtering? Hence, Hong Kong will definitely not be able to compete with the Mainland.

Two years ago, I advised the authorities in this Chamber to make some efforts in replanning the live poultry trade in Hong Kong. Instead of spending money on studying central slaughtering, the authorities should consider how to help local chicken farmers to develop high value-added farms. Live chickens can be slaughtered on the farms and the hygienic freshly slaughtered chickens can be delivered to public markets and food establishments in various districts by vehicles equipped with facilities to keep the slaughtered chickens warm and fresh.

In fact, over the past decade or so, some farms have all along refused to give up the live poultry market in Hong Kong and have made constant investments to proactively build their own brand names. Instead of allowing them to run their own course under the "drying up" policy, why do the authorities not work out proper solutions to formulate supporting measures to assist them in

launching retail and wholesale businesses, so as to give the live poultry trade in Hong Kong a new face?

In so doing, we can preserve and maintain the characteristics of our food culture and make some effort to contribute to building Hong Kong as a "gourmet's paradise". We can also encourage the live poultry trade to adopt a new mode of development to satisfy market need (*The buzzer sounded*)

DEPUTY PRESIDENT (in Cantonese): Speaking time is up.

MR TOMMY CHEUNG (in Cantonese): Deputy President, I so submit.

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

DR LEUNG KA-LAU (in Cantonese): Deputy President, since Samson has made a few comments earlier, I may as well say a few words. First of all, let me state this very clearly: Do not think that doctors know just everything. I am not engaged in studies on microbiology, and I only look at this issue from the angle of a general medical practitioner. I enjoy the consumption of live chickens and I always think that homemade dishes with live chickens are most delicious.

I am always against a total ban on the live chicken trade in Hong Kong. My view is that if the ban on the live chicken trade is to be assessed from a scientific angle, we would have to base the judgment on the risks and benefits involved. With regard to the benefits, first, live chickens are tasty; second, many people rely on the live chicken trade to make a living, and third, this is a matter of culture.

Then what are the risks? To me, health risks are of utmost importance. Let us look at the relevant scientific data. Judging from the health risks alone, I have all along considered that the risks are very low and this is why I do not agree to banning the live chicken trade. Why do I say that the risks are low? Because if we just look at the statistics, over the years, the number of deaths caused by avian influenza — Other than the several cases in 1997, in fact, it

appears that no such case has happened in Hong Kong. Besides, from an objective point of view, as live chickens are available in Shenzhen and with hundreds of thousands of people crossing the border every day, if there is an outbreak of avian influenza in Shenzhen, giving rise to public hygiene problems of a massive scale, Hong Kong, being such a small place, can hardly remain unaffected.

In Hong Kong, there are many other health problems. For instance, there are tens of thousands of deaths caused by smoking annually, and this shows that the resources being put into this area have remained inadequate. In comparison, the health problem caused by avian influenza is far less serious.

Health risks aside, what other risks are involved? There would be political risks, or risks for the Secretary and for the Government. What I am trying to say is that even though scientifically, the health risks are not significant; if anything should go wrong, the Secretary would have to apologize to the public and step down anytime. Even our Government would be affected. So, I think this is often a factor that the Secretary and the Government may take into careful consideration insofar as public health policies are concerned.

Some friends have put forward their views earlier on and perhaps let me say a few words. I have listened to the speeches made by Mr Vincent FANG and Mr WONG Yung-kan. What they have said seems to be just the opposite of each other. Mr Vincent FANG called for an increase in the supply of chickens from the Mainland, whereas Mr WONG Yung-kan stressed the need to increase the supply of chickens locally. Should we increase the supply of chickens from the Mainland or chickens reared locally? I do not consider it expedient to be involved in their argument. So, I may as well leave it for their discussion.

Besides, on the question of whether or not overnight stocking of live chickens should be allowed, this is what I think: As regards whether or not chickens can be kept overnight, some people said that they must all be culled at 8.00 pm, and some people suggested that they should all be culled early in the morning. But why not cull the live chickens at eleven o'clock, one o'clock or two o'clock? What is the rationale behind? I think the rationale behind should be that chickens really infected with avian influenza must either be killed or consumed before they fall ill or before they pass the virus to other chickens, so

that the public will know nothing about it.*(Laughter)* Yes, this must be it. So, the earlier the chickens are culled, the better. The question of whether or not chickens should be kept overnight is actually for the sake of convenience. Could it be that chicken stalls in markets are open till midnight? This is why chickens must all be culled at 8.00 pm. The wholesale market may perhaps operate through midnight and so, chickens can be culled early in the morning.

In fact, to put it simply, the principle should be that if the place where chickens are kept can provide space for separate placement, then the chickens can be kept for a longer time. In other words, if, in a wholesale market, chickens are kept at place A, then they must not be mixed with the new chickens until the old batch of chickens are all sent away or sold. Then, place A can be entirely cleansed and before that, the new chickens should be kept in place B instead. The chickens kept in place A and those in place B must not be mixed up. This should be able to meet the same purpose. So, the point is not whether chickens are kept overnight or not. The point is whether or not there is enough space to avoid mixing up the chickens while they are kept in a place, and to ensure that the chickens with the virus do not have time to fall ill and pass the virus to other chickens.

Regarding the point made by Mr Fred LI earlier about the necessity to conduct studies, this is actually very simple, for this purely depends on the availability of space. If greater space can be made available, it would not be a problem to allow more chickens to be kept overnight, provided that the chickens are not mixed up.

On the question of central slaughtering, a number of Members also suggested earlier to implement central slaughtering not in Hong Kong, but in Shenzhen on the opposite side of the river. Chickens can then be transported to Hong Kong and this can be even more efficient. I think this proposal will require no further consideration.

Lastly, I hope that the live chicken trade can progress with the times. Even though there is not any case of avian influenza, the environment in the market, their habits, and so on, actually have to be improved in line with the way the world moves on. Efforts must be made to ensure that the floor is not wet and that chicken feathers do not fly around everywhere. Importance will have to be

attached to hygiene in the trade, while maintaining flexibility at the same time because although the sale of live chickens may still be permitted today, there is no guarantee as to whether or not virus mutation would occur next year or in the year after next, which would require the Government to implement certain new policies. What I mean by maintaining flexibility is that the trade should make improvements to the environment by all means to meet hygiene standards, so that the entire trade can survive for a long time.

Thank you, Deputy President.

PROF PATRICK LAU (in Cantonese): Deputy President, after the outbreaks of avian influenza in 1997 and 2003, the Government has implemented some measures to prevent the spread of avian influenza, such as culling of all live poultry, voluntary surrender of licence by chicken vendors, and so on. The Government has also planned to implement segregation of human beings from live chickens as a long-term solution to avian influenza, and one of the measures to this end is central slaughtering. But it has been 12 years since the idea was first hatched up and there has not yet been a final proposal. The past decade or so saw a great deal of changes in Hong Kong. For this reason, I consider it necessary for the Government to review afresh the policy on live poultry. As many Members said earlier, it is necessary to reduce the risks of avian influenza outbreak in the future.

Although there has not been a case of indigenous human avian influenza in Hong Kong since 1997, which is certainly very encouraging, once there is a case of avian influenza occurred in the community, the consequences can be serious. So, I think it is necessary for the Government to continuously step up random testing and monitoring of poultry to ensure the safety of the consumption of live poultry by the public. Meanwhile, it is also necessary for the Government to enhance publicity and education, especially during the peak season of influenza, in order to foster public awareness of hygiene. This is essential to the prevention of the outbreak of avian influenza.

As to whether or not the Government should implement central slaughtering, I think as the environment in which the proposal of central slaughtering was discussed back then is greatly different from that at present, I hope that the Government will reconsider the current circumstances before

making a decision. In fact, with the enforcement of no overnight stocking of live chickens in markets by the Government since 2008, hygiene conditions have been improved in markets and the chance of the spread of virus by live chickens has been effectively reduced. Besides, as the Government has greatly reduced the quantity of imported live chickens, coupled with the surrender of licence by chicken vendors in 2008, there are now far less channels for the public to come into contact with chickens. In the meantime, the daily supply of live chickens has also been reduced substantially from some 60 000 in the past to a daily average of 15 000. The rate of reduction is considerable. From this we can see that the implementation of central slaughtering may not necessarily be cost-effective and there may not be a pressing need for its implementation either.

Indeed, there is still a great demand for live chickens in the market, and it is all because of the price that the public go for the second best. Since the reduction of the supply of live chickens by the Government, it has become very difficult for the public to buy fresh chickens. They have become expensive and difficult to buy. Faced with the expensive cost of fresh chickens, 80% of local restaurants have swapped to using frozen chickens instead. But to us Chinese, we always maintain that fresh chickens are obviously better. So, if Hong Kong people want to consume fresh chickens, they have to go to Shenzhen — many Members have mentioned this point earlier — and this will jeopardize the development of the catering industry in Hong Kong. I think the Government has to relax the limit on the daily supply of live chickens according to the market demand, so that there can be more chances for the public to consume fresh chickens.

Meanwhile, Chinese people attach great importance to traditional festivals. As a tradition, the public will buy chickens and offer them as sacrifices to their ancestors as a way to court luck and to achieve peace of mind. But now, one may not be able to buy a live chicken even if one has the money. Will the Government consider increasing the supply of live chickens during major traditional festivals, in order to meet the special needs of the market?

Deputy President, I certainly agree to the proposal made in an amendment of improving the hygiene and ventilation in public markets. The Secretary should have listened to my past speeches in which I said that there are actually ways to solve these problems. Many new markets have now moved indoors. They are completely different from traditional markets in that they operate in an air-conditioned environment. The biggest problems with indoor markets are

poor circulation of air, wet and slippery floor, and the need to make constant improvements to their hygiene and ventilation systems. So, I propose to break down walls and untie strings for all indoor markets, and I mean breaking down all the external walls of these markets. Market is actually very simple, meaning a marketplace on the street. The streets are all open for air to circulate freely. They are not enclosed by one wall after another and so, fresh air and natural light can go in by natural ways. Only in this way can ventilation and hygiene be improved, and only in this way can energy conservation be achieved.

In fact, a building can be built like a street which is all open. Streets can be placed inside the building. There can be many storeys of streets, or different storeys of streets. This is what markets should really be like. I think this can solve the problems raised by Members. This new concept of building markets will be environmentally friendly, for it obviates the need for retrofitting air-conditioners, because the most important thing is that even the provision of air-conditioning cannot address the problem of foul smell in markets. If fresh air can go in the markets to increase air circulation, there would no longer be this problem. Certainly, the Government must still clean the stalls in markets regularly, so that members of the public can do their shopping in markets with good hygiene conditions.

I so submit. Thank you, Deputy President.

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

(No Member indicated a wish to speak)

DEPUTY PRESIDENT (in Cantonese): Mr Vincent FANG, you may now speak on the three amendments. You may speak for up to five minutes.

MR VINCENT FANG (in Cantonese): Deputy President, today, two Honourable colleagues from the functional constituencies have proposed their amendments. We all hope that the supply of live chickens can be increased under safe circumstances so that it will be easier for the public to buy live chickens and at a reasonable price. Moreover, we hope that stall owners and elementary workers

who engage in the related trade can continue to make their living. Hence, the Liberal Party supports the amendments of Mr WONG Kwok-hing and Mr WONG Yung-kan.

Mr WONG Kwok-hing's amendment suggests that the authorities should seriously consolidate the successful and valuable experience of the measures adopted in the prevention of avian influenza and on the basis of such foundation and experience, promote the development of the local live poultry trade to bring about an increase in the local supply of live poultry while creating more new opportunities for setting up business and employment. Although it is very difficult to start a business in the live poultry trade these days, this is consistent with the view held by the Liberal Party which urges the Government to create employment. People affected by the surrender of licence policy implemented by the Government do not have any outlook for the future. I meet them occasionally and they all say that they have been selling chickens for decades and they do not know what they should do. They just idle away their time. The former licence holders would use the money received to speculate in the stock market, but wage earners would have to apply for the CSSA. So I hope the Secretary would understand that when the Government is to ban a certain trade, the public money spent would actually not be confined to the *ex gratia* payments. Workers who could contribute in the past are now out of work and they will become a long-term burden for society. This is much to be regretted.

Regarding the amendment of Mr WONG Yung-kan, as I have just said, we do not agree that the Government should take actions lightly to ban any particular trade. As a matter of fact, the scale of live poultry farming has shrunk considerably as the Government has tightened the relevant policy. Since the Government also considers that the chances of avian influenza outbreaks have been significantly reduced, does this mean that there is a possibility that the quantity of poultry raised in local farms can be raised appropriately? This will not only increase the supply of live chickens but also ease the pressure on prices. However, if the supply of live poultry from local farms is raised, we also hope that the quantity of imported live chickens from the Mainland can be maintained according to the established practice, that is, the number of live poultry from the Mainland supplied to the local markets every day should be the same as that supplied by local farms.

As regards Mr Fred LI's amendment which suggests studying the introduction of a policy of banning overnight stocking of live poultry in wholesale markets, I think this shows that Mr LI does not understand quite well the actual operations of the trade. As the supply of live chicken is reduced greatly, retailers cannot buy live chickens every day. In order to maintain the daily operation of their market stalls and, as some retailers have to supply live chickens to restaurants or other places, retailers will tend to buy more chickens from wholesalers who are in the upper stream of the supply chain when live chickens are available. However, for the sake of public health, overnight stocking of live chickens in retail markets are not permitted. So these retailers ask the Government to allow them to stock their live chickens in wholesale markets where non-trade members cannot get in. Also, chickens can only be kept in wholesale market for one night. If Mr Fred LI worries that the stocking of live chickens in wholesale markets would increase the risks of avian flu, the trade considers that one or two rest days can be designated every month for cleansing the chicken stocking areas, similar to the practice adopted in markets. Hence, in considering the operation needs of the trade, I cannot support Mr Fred LI's amendment.

Thank you, Deputy President.

SECRETARY FOR FOOD AND HEALTH (in Cantonese): Deputy President, some members of the public, especially those who enjoy cooking, love consuming live chickens. Other members of the public also think that the texture and taste of live chickens are better than those of chilled or frozen chickens. However, as I said in my opening remark, the Government has a responsibility to adopt appropriate measures based on scientific risk assessments to protect public health and minimize the risks of avian influenza (AI) infection in live chickens from local chicken farms and those imported from the Mainland, and make every effort to avoid direct contact of the public with live chickens.

(THE PRESIDENT resumed the Chair)

In his motion, Mr FANG pointed out that there has not been a case of AI infection in human in Hong Kong recently and there was no case of AI infection in chicken over the past year. As such, he urged the Government to duly adjust the policy on live poultry, in particular, to increase the supply of live chickens. The existing policy on live poultry was developed in the light of our experience in fighting AI over the years. As the risks of AI are always there, we must assess the overall risk in Hong Kong through thorough scientific argumentation. Any rash decision to increase the supply of live chickens might undermine Hong Kong's capability to guard against AI.

I would first like to analyse the risks at the retail level. In 2008, we launched the "no live poultry overnight" measure for markets and in parallel introduced the buyout package, and were able to achieve significant results. According to an independent surveillance programme conducted by the University of Hong Kong at live chicken retail outlets, the load of the H9N2 virus, which is an indicator of the activity level of the AI virus, has substantially reduced from 5.11% before the introduction of the "no live poultry overnight" measure and the buyout package for the live poultry trade in 2008 to 0.09% recently. This shows that the risks of AI at retail outlets have reduced to a lower level.

At the end of 2008, cases of AI infection in chickens were reported in a chicken farm in Yuen Long, and some of the chickens which died from the infection had been vaccinated against AI. In response, the Government immediately set up an expert investigation group to conduct research and analysis on the efficacy of the existing H5N2 vaccine. The group also studied the effectiveness and quality of alternative vaccines to see if they were suitable for use in Hong Kong, so as to gather more information to facilitate the authorities in the choice of vaccine.

I cited these situations in the hope that Members and the trade will understand that all measures for the live poultry trade have been formulated and implemented on a scientific basis. Thus, the co-operation and efforts of the trade are vitally important.

President, I will now analyse the overall supply of live chickens and the market trend in recent years and then move on to elucidating the Government's position on Mr FANG's motion regarding the supply of live chickens.

With the advancement in technologies for chilled food products, the texture and taste of chilled chickens have been getting closer to those of live chickens. As evidenced by the significant increase in the market share of chilled and frozen chickens over the past few years from 60% in 2003 to almost 95% last year, members of the public have gradually got used to consuming chilled and frozen chickens.

As for live chickens, including imports from the Mainland, the risks of AI over the past decade or so have inevitably given rise to a change in chicken consumption among members of the public. The supply of live chickens has dropped by 80%, from an average of some 90 000 per day in 2003 to only some 10 000 in 2009. The market share of live chickens has also substantially decreased from almost 40% in 2003 to 6% at present.

Although some Members think the existing supply of live chickens is unable to meet public demand, other Members have pointed out in the debate today that there is overstocking of live poultry in the Cheung Sha Wan Temporary Wholesale Poultry Market. We have learned from the trade that market for live chickens has been unsatisfactory in recent months, and quite a large number of unsold chickens have to be stocked overnight in poultry wholesale markets every day, which shows that the existing supply of live chickens can fully meet public demand. Therefore, there is not sufficient justification for increasing the daily imports of live chickens. With the maturity of chilling technologies, the preferences and food consumption behaviour of the public have also changed. We think there is not sufficient evidence at this stage to support the argument that public demand for live chickens has increased substantially. To increase the supply of live chickens rashly under these circumstances, whether by increasing the regular imports of chickens or otherwise, may not only be commercially unviable but also pose a threat to the current low risks of AI.

Regarding the proposal of increasing the quantity of imported live chicken from the Mainland before festivals put forward by Mr FANG and other Members, I think the Government can only make a decision having regard to a few aspects pertaining to the period preceding the festivals. These include the prevailing threat of AI in Hong Kong, whether the overall supply of local and imported live chickens in the market remains stable and whether it can meet the demand, and whether the overnight stocking of chickens in the Cheung Sha Wan Temporary Wholesale Poultry Market has improved.

Take Lunar New Year as an example. In the week preceding the Lunar New Year this year, although the daily imports of live chickens from the Mainland were maintained at 7 000, there was, on average, a daily supply of 36 000 live chickens in the market, representing an increase of 10 000 over the same period of last year. At the same time, the year-on-year retail price of live chickens also dropped. This shows local chicken farms will also increase their supply with the approach of festivals to meet the surge in public demand for live chickens during festivals.

The way forward for a poultry slaughtering centre (PSC) is also worth discussing. The Government is now examining whether it is still necessary to develop a PSC previously proposed in the face of high risks of AI. We have commissioned a consultant to study and analyse market interest in running a PSC and the trend of public demand for live chickens. Preliminary results of the consultancy study show that a PSC may not be commercially viable mainly because the market share of live chickens is diminishing in recent years and live chickens are gradually substituted by chilled and frozen chickens. Therefore, the quantity of live chickens to be slaughtered in the future may not be able to support the operation of a PSC financially. Second, members of the public may not accept the freshly slaughtered chickens supplied by a PSC. In particular, they may not be willing to pay the same amount of money for a freshly slaughtered chicken as they now pay for a live chicken. I understand that like many members of the public, Members hope the tradition of consuming live chickens can be retained in Hong Kong. We will take this into consideration in deciding whether it is still necessary to develop a PSC and provide a briefing to the relevant Panels of this Council as soon as possible.

Members are just like me in that all of us have been keeping in view the future development of the live poultry trade. Although the risks of AI have always been there, the Government has been making incessant efforts to maintain or even increase the room for survival for the trade. We have launched the buyout package to enable members of the trade to make their own choices: those who opt to cease business will receive an *ex gratia* payment and may at the same time change job or switch to selling chilled chickens to make a living; while those who opt to continue business can also make a living. According to what we have seen of late, their business is not bad. As I mentioned earlier, we have overcome quite a number of difficulties before the risks of AI can be reduced from the level over a decade ago to the current level. Now, we must enforce

various preventive and control measures vigorously and maintain the existing state of operation of different levels of the trade. The Government will also assess the risks of AI on a regular basis to facilitate the formulation of appropriate policies.

Drawing on overseas experiences, we can see that quite a number of places have ceased selling live chickens at retail outlets. These places include big cities in countries such as Singapore, Japan, Australia and New Zealand. Therefore, the live poultry trade in Hong Kong should also undergo constant transformation to cope with changes in the public's consumption preferences for different types of chickens, the impact on public health and the development of the trade.

Finally, we hope to take this opportunity to appeal for the joint efforts of various industries of the live poultry trade to maintain the effectiveness of different measures against AI. Chicken farmers, wholesalers and retailers should work together to avoid overstocking chickens overnight in wholesale markets in order to continuously control the risks of AI. Only through the collaborated efforts of various sectors to uphold the effective enforcement of different preventive and control measures can we enable the public to consume live chickens with peace of mind.

Thank you, President.

PRESIDENT (in Cantonese): I now call upon Mr WONG Kwok-hing to move his amendment to the motion.

MR WONG KWOK-HING (in Cantonese): President, I move that Mr Vincent FANG's motion be amended.

Mr WONG Kwok-hing moved the following amendment: (Translation)

"To delete "in view of" after "That," and substitute with "given that Hong Kong has been effective in preventing avian influenza and"; to delete "and" after "those festivals;"; and to add "; and (e) to seriously consolidate the successful and valuable operational experience of the local live poultry trade in being able to continue to raise, distribute, retail, transport and slaughter live poultry, etc., when facing unprecedented difficulties,

and on the basis of such foundation and experience, to promote the development of a new form of local live poultry trade to bring about an increase in the local supply of live poultry while creating more new opportunities for setting up businesses and employment" 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 Vincent FANG'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 WONG Yung-kan, as Mr WONG Kwok-hing'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. You may now move your revised amendment.

MR WONG YUNG-KAN (in Cantonese): President, I move that Mr Vincent FANG's motion as amended by Mr WONG Kwok-hing be further amended by my revised amendment.

Mr WONG Yung-kan moved the following further amendment to the motion as amended by Mr WONG Kwok-hing: (Translation)

"To add "; (f) to appropriately raise the ceiling on the quantity of live poultry raised in local farms; and (g) to strengthen the monitoring of avian influenza on a farm-to-retail basis, and to allocate additional resources to improve the hygiene of wholesale markets and public markets and to expeditiously improve the ventilating systems and install additional air-conditioning facilities in public markets, etc., so as to comprehensively raise the standard of hygiene in selling live poultry, thereby enabling people to continue to consume safely live poultry" immediately before the full stop."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That Mr WONG Yung-kan's amendment to Mr Vincent FANG's motion as amended by Mr WONG Kwok-hing 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 Fred LI, as the amendments by Mr WONG Kwok-hing and Mr WONG Yung-kan 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. You may now move your revised amendment.

MR FRED LI (in Cantonese): President, I move that Mr Vincent FANG's motion as amended by Mr WONG Kwok-hing and Mr WONG Yung-kan be further amended by my revised amendment.

It is all very simple. I propose to add something at the end, urging the Government to study the introduction of a policy of banning overnight stocking of live poultry in wholesale markets — it is the word "study" that I am talking about.

Mr Fred LI moved the following further amendment to the motion as amended by Mr WONG Kwok-hing and Mr WONG Yung-kan:
(Translation)

"To add "; and (h) to consider, while flexibly increasing the supply of live poultry, studying the introduction of a policy of banning overnight stocking of live poultry in wholesale markets to further reduce the risks of avian influenza outbreaks" immediately before the full stop."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That Mr Fred LI's amendment to Mr Vincent FANG's motion as amended by Mr WONG Kwok-hing and Mr WONG Yung-kan be passed.

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

(Members raised their hands)

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

(Members raised their hands)

Mr Fred LI rose to claim a division.

PRESIDENT (in Cantonese): Mr Fred LI 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 Margaret NG, Mr WONG Yung-kan, Prof Patrick LAU, Dr LAM Tai-fai, Mr CHAN Kin-por, Dr LEUNG Ka-lau, Mr IP Kwok-him and Dr Samson TAM voted for the amendment.

Dr Philip WONG, Ms Miriam LAU, Mr Tommy CHEUNG, Mr Vincent FANG and Mr CHIM Pui-chung voted against the amendment.

Mrs Sophie LEUNG, Ms LI Fung-ying, Dr Joseph LEE, Mr Jeffrey LAM, Mr Andrew LEUNG, Mr IP Wai-ming and Dr PAN Pey-chyou abstained.

Geographical Constituencies:

Mr Fred LI, Mr James TO, Mr CHAN Kam-lam, Mr Andrew CHENG, Mr TAM Yiu-chung, Mr Frederick FUNG, Ms Audrey EU, Mr CHEUNG Hok-ming, Mr Ronny TONG, Mr KAM Nai-wai, Ms Cyd HO, Ms Starry LEE, Mr CHAN Hak-kan and Dr Priscilla LEUNG voted for the amendment.

Mrs Regina IP voted against the amendment.

Mr LEE Cheuk-yan, Mr LEUNG Yiu-chung, Mr WONG Kwok-hing and Mr WONG Kwok-kin abstained.

THE PRESIDENT, MR JASPER TSANG, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 20 were present, eight were in favour of the amendment, five against it and seven abstained; while among the Members returned by geographical constituencies through direct elections, 20 were present, 14 were in favour of the amendment, one against it and four 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): Mr Vincent FANG, you may now reply. You have up to one minute six seconds.

MR VINCENT FANG (in Cantonese): President, the Secretary has repeatedly stressed that the dietary tastes of Hong Kong people have changed, and that the number of people choosing to eat chilled chickens has increased. This is simply not the case in reality. People's change is entirely due to the administrative intervention of the Government. "LAU Ka-leung" is also a medical doctor — it should be "LEUNG Ka-lau". *(Laughter)* Dr LEUNG Ka-lau has pointed out that the risk is not very great from the scientific perspective. Therefore, speaking of the risk referred to by the Secretary, I do not know whether it is some kind of medical risk or political risk. I hope the Secretary can review the relevant policy in the light of market changes. Thank you, President.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Mr Vincent FANG, as amended by Mr WONG Kwok-hing and Mr WONG Yung-kan, 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 motion as amended passed.

PRESIDENT (in Cantonese): Second motion: Protecting the safety and health of employees at work in inclement weather.

Members who wish to speak in the debate on the motion will please press the "Request to speak" button.

I now call upon Ms LI Fung-ying to speak and move her motion.

PROTECTING THE SAFETY AND HEALTH OF EMPLOYEES AT WORK IN INCLEMENT WEATHER

MS LI FUNG-YING (in Cantonese): President, I move that the motion, as printed on the Agenda, be passed. I have proposed today a debate on the motion on protecting the safety and health of employees at work in inclement weather, and noted that three Honourable colleagues have proposed amendments related to air pollution. The Honourable Members who proposed the amendments and I are equally concerned about the matter and would like to protect the safety of employees at work when the air pollution levels are high. I have not included

air pollution in the scope of review due to a very simple understanding of mine that, the Environmental Protection Department (EPD) only gives the public a very vague advice on the basis of the Air Pollution Index (API) and the Government has not issued any guidelines concerning API, thus we cannot review a policy that does not exist. But, now that this is a motion on protecting the safety and health of employees at work in inclement weather, air pollution is naturally included in the scope of debate. In this sense, the original motion and the amendments are consistent. However, it is beyond doubt that the amendments, in placing emphasis on air pollution, give prominence to the problem.

Mr IP Wai-ming's amendment contains proposals for the protection of employees working in inclement weather. I can only say that these proposals merit further discussion. First of all, I hope this Council can reach a consensus on urging the Government to conduct a comprehensive review of measures and legislation related to employees working in inclement weather, and avoid failing to pass the motion because of divergent views on the particulars of the review and causing the review to fall through. I trust Honourable colleagues would not like that to happen, and that is why I have not added my advocacy to the wordings of the motion.

President, I have participated in labour movements for decades and I have a profound understanding of the incomplete protection of employee interests in our labour legislation. We have fragmented legislation for the protection of employees working in inclement weather which fails to keep abreast with the times, making a comprehensive review essential. At present, provisions on such protection are scattered in such ordinances as the Occupational Safety and Health Ordinance (OSHO) and the Factories and Industrial Undertakings Ordinance, and there are some relevant provisions under the Employment Ordinance and the Employees' Compensation Ordinance. Given such fragmented arrangements, the provisions on the protection of employees appear to be more complicated and cumbersome, making them difficult to understand. The Factories and Industrial Undertakings Ordinance is a product of the 1950s in the last century, and despite frequent amendments, they are just piecemeal measures, the contents of some of which are similar to the provisions on protection under the OSHO. I urge the Government to comprehensively review the relevant legislation on protection of the safety of employees at work, and to systematically and explicitly achieve

consolidation of the relevant arrangements and provisions to enable employees to readily understand their interests and employers to comply more easily.

The OSHO prescribes the general responsibilities for safety at work, and it has invariably been used as an excuse by the Government for shirking its responsibilities and some employers ignoring their responsibilities. A more obvious example is the work arrangements in times of typhoons and rainstorms. In times of typhoon or rainstorm warnings, the Government will in general issue a press release, reminding employers of their responsibilities under the OSHO for assuring safety in their workplaces, and that is all. Regarding the working out of work arrangements in times of typhoons and rainstorms through consultations between employers and employees, the Government has shown no consideration for the lack of equity in the rights of employers and employees in our labour market, and for the fact that employees basically do not have the conditions for bargaining with employers in connection with work arrangements. Nowadays, when a typhoon signal is hoisted, more and more restaurants and food premises, cinemas and shopping centres continue to operate as usual, and even the cleaners working outdoors are required to work. That is the result of the so-called consultations between employers and employees. For quite a few employers, a criterion of safety at work under the relevant legislation is whether a work injury has been sustained in a workplace, and even whether a work injury that cannot be covered up has been sustained.

Concerning the protection for employers working in times of typhoons and rainstorms, it is actually only specified under the Employees' Compensation Ordinance that an employer is liable to pay compensation to an employee commuting between home and the workplace within a period of four hours before or after working hours. When an employee is forced to work under a violent storm and has an accident when travelling to and from his place of work, his employer has an obligation to pay compensation to him, and interests are out of the question. On the contrary, the risks and pressures borne by employees working in times of typhoons and rainstorms are entirely been overlooked. Such risks and pressures include worries about their safety when commuting between home and the workplace, worries about what will happen to their families when they have reported for duty, and that nobody will take care of their children, as well as the extra travelling expenses to be incurred in inclement weather. Are

the current arrangements made between employees and employers and the compensations under the Employees' Compensation Ordinance too unreasonable or too harsh? Given the lack of equity in the rights of employers and employees, changes must be made to the present work arrangements worked out through consultations between employers and employees. I suggest that the Government should amend the legislation to require employers who ask employees to work in times of typhoon or rainstorm warnings to seek employees' consent and give employees allowances for working in inclement weather and in times of typhoons and rainstorm warnings, so that employees will be given substantive compensations.

President, summer has just arrived in Hong Kong and the weather is getting hotter and hotter. During the past few years, the Observatory issued very hot weather warnings more frequently and for longer and longer periods of time year on year. The Observatory issued very hot weather warnings nine times in 2007, 10 times in 2008, 15 times in 2009; and the total number of hours during which very hot weather warnings were issued was 403 hours 55 minutes in 2007. The number dropped slightly to 331 hours 40 minutes in 2008 but increased to 653 hours 25 minutes in 2009, which broke the records of the past decade. The numbers cited by me are not a complete representation of the facts for they are just about very hot weather warnings issued by the Observatory in Hong Kong. There are also quite a number of workplaces such as the kitchens of restaurants and food premises and confined spaces where the very hot temperature of 33°C has been recorded. Nevertheless, our measures for protecting the safety of employees working in very hot weather are falling far behind practical needs.

The deficiencies include: (a) the Labour Department only started sorting out cases of heat strokes at work as confirmed by doctors in May last year; (b) heat strokes at work are hitherto not considered as work injuries, and the employees concerned will not be granted work injury sick leave or allowances; (c) the Labour Department's present guidelines for employees at work under very hot weather actually exist in name only. Hong Kong and Shenzhen are just separated by just a river, and their weather conditions can be described as very similar. But if we compare the Provisional Measures for Labour Protection in Hot Weather of the Shenzhen Municipality with the Labour Department's leaflet on the Prevention of Heat Strokes at Work in a Hot Environment, we will find that they are immensely different.

According to the Provisional Measures for Labour Protection in Hot Weather of the Shenzhen Municipality, when the highest temperature reaches 40°C, work shall be suspended on that day; when the temperature reaches 38°C, workers shall work not more than four hours; and when the temperature reaches 35°C, workers shall suspend outdoor work between 12 noon and 3 pm. If work cannot be suspended, workers shall not work continuously for more than two hours. The room temperature in hot work rest areas provided by the employing units shall be under 30°C; and workers who often work while temperatures exceed 35°C shall be given high temperature health maintenance fees. Does the SAR Government or Secretary Matthew CHEUNG not feel ashamed in the face of these provisions? There is no protection in our ordinances for employees at work in very hot weather. I ask the Government to incorporate heat strokes into the scope of protection for work injuries. In a work environment where the temperature consistently exceeds 33°C, employees should have an additional half-hour rest every three hours. The work guidelines on the prevention of heat strokes at work in a hot environment should also be included in the ordinances in order to step up prosecution of non-compliant employers.

President, insofar as air pollution is concerned, Mr KAM Nai-wai moved a debate on the motion "Improving Air Quality" in this Council last week, and Honourable colleagues discussed the issue in detail. I am not going to repeat the points here, but under the existing legislation, there is no protection for employees working outdoors when the air pollution level is very high or severe. According to the EPD advice, when the roadside API is at a very high level, persons with existing heart or respiratory illnesses are advised to avoid prolonged stay in areas with heavy traffic. When the roadside API is at a severe level, all citizens should avoid prolonged stay in areas with heavy traffic. I demand that this principle be applied to all employees engaged in outdoor work; when the roadside API consistently remains at a very high level, employers must give employees engaged in outdoor work with existing heart or respiratory illnesses an additional half-hour rest every three hours. And, when the roadside API consistently remains at a severe level, employers must give all employees engaged in outdoor work an additional half-hour rest every three hours.

President, I have proposed this motion today because I find that our society has all along neglected the protection of employees working in inclement weather. In making some specific proposals on improving the safety and health

of employees at work in inclement weather, I am just throwing a sprat to catch a mackerel. I welcome views from Honourable Members. All of us should make efforts together to improve the safety and health of employees at work in inclement weather.

Lastly, I would like to add that inclement weather in Hong Kong does not only include the times when there are typhoons and rainstorm warnings, very hot weather warnings and when air pollution remains at a high level, it also includes cold weather warnings and frost warnings. In all of these conditions, we should protect the safety and health of employees at work. In considering these factors, it occurred to me that this Council would begin to scrutinize the Motor Vehicle Idling (Fixed Penalty) Bill soon. If the Bill *per se* is passed, how can we protect some 100 000 members of the transport sector? I hope Honourable colleagues will seriously consider these issues. Thank you, President.

Ms LI Fung-ying moved the following motion: (Translation)

"That this Council urges the Administration to review the relevant guidelines and legislation for employees at work under very hot weather warnings, typhoon or rainstorm warnings so as to enhance the protection of employees' safety and health when working in inclement weather."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Ms LI Fung-ying be passed.

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

I will call upon Mr CHAN Hak-kan to speak first, to be followed by Ms Audrey EU, Mr IP Wai-ming and Mr LEE Cheuk-yan; but no amendments are to be moved at this stage.

MR CHAN HAK-KAN (in Cantonese): President, to a certain extent, the motion moved by Ms LI Fung-ying today carries on the motion debate last week on

"Improving Air Quality", and it is echoed by the amendment proposed by me. On the basis of the original motion, my amendment requests the Government to introduce relevant guidelines and legislation to protect the safety of employees when there is severe air pollution. I note that the amendments by Ms Audrey EU, Mr IP Wai-ming and Mr LEE Cheuk-yan amendments are similar to mine, proving that many Honourable colleagues are concerned about the impacts of outdoor work in inclement weather on the health of workers and when there is severe air pollution.

President, Hong Kong people have experienced first-hand the impacts of climate change in recent years. One of the most conspicuous examples is the increasingly long summer time with temperatures getting higher and higher. On the hottest days in July and August, the daily average temperature reaches 33°C or 34°C, and it even rises up to 36°C in some areas in the New Territories.

When we go outdoors on such days, we feel as if we would melt under the sun, and we really want to dash into shopping malls or return home at once. While we can have this option, the wage earners working outdoors are not that lucky. What will happen to them? They can only stick to their posts, exposed to the scorching sun, and continue to work. Summer in Hong Kong is the most uncomfortable because it is very humid and the heat is very difficult to dissipate, thus more people tend to suffer heat strokes. In the past, there were cases of workers working outdoors dying of suspected heat strokes.

Apart from the hot weather, climate change brings other meteorological problems to Hong Kong such as rainstorms and typhoons. For example, in the past few days this early in May, heavy rain has been non-stop and thunderstorm warnings have been issued for several days in a row; and an Amber rainstorm warning signal was issued on one of these days. However, the sun came out soon after heavy rain and there was abundant sunshine. People working indoors will fall ill easily when it is sometimes hot and sometimes cold. Many Honourable colleagues in this Council have fallen ill and are wearing masks today. What about workers working outdoors? As we expect more and more extreme weather conditions in the future, workers working outdoors will have to work in a deteriorating environment. Hence, I have added this item to my amendment.

President, I would like to take this opportunity of discussing climate change to convey my dissatisfaction with the Government. Back in 2008, the Government commissioned a consultancy to conduct a study on climate change,

which included assessing the impacts of climate change on Hong Kong and working out specific measures and responses for the further control of greenhouse gas emissions. The Environment Bureau initially said that the study report would be completed late last year, but it was later postponed to early this year. When I asked the same question at a special meeting of the Finance Committee early this year, I was told by the Environment Bureau that the report would only be completed in the middle of this year. It just keeps procrastinating and I wonder if there are any specific measures. When will the measures be implemented? The answer is "no".

President, back to the question of debate today, besides climate change, another focal point in my amendment is the concern about the impact of air pollution on the health of workers working outdoors.

Our air quality is not so good even on ordinary days, and I will describe workers working outdoors every day as human vacuum cleaners who suck up all the emissions on the street. A sandstorm that hit Hong Kong earlier on even highlighted the fact that the Government has not formulated sound contingency measures for days when there is severe air pollution. Not only workers working outdoors but also all Hong Kong people were affected.

When we talked about outdoor work in the past, we mostly thought of construction workers, road repair workers, cleaners and hawkers, but many people in the services sectors frequently work outdoors today and they are exposed to bad air quality. For instance, those people marketing broadband and telecommunications services, salesmen, and workers providing document courier services and fast-food delivery services are exposed to serious threats to their health because of bad air quality.

President, the Subcommittee on Improving Air Quality under the Panel on Environmental Affairs held a meeting yesterday at which the Environment Bureau indicated that the advice to workers working outdoors had been revised. For example, when the Air Pollution Index (API) reaches the "severe" level, the Government would suggest that an employee should consult a doctor when he has questions about whether he is physically fit for outdoor work or feel unwell, and also notify his employer of the doctor's advice so that corresponding arrangements can be made.

President, I guess many Members from the labour sector would share my view that the so-called health advice appears ineffective because most workers working outdoors belong to the lower classes, working from hand to mouth. Will they consult doctors and get sick leave certificates from doctors, and tell their bosses that they cannot report for duty just because of the worsened air quality? I think their bosses will eventually tell them not to report for duty anymore. Thus, we think that the Government's advice does not work. Yet, in comparison, the Mainland has more explicit and specific measures in response to early sandstorm warnings. After the most serious red sandstorm warning signal has been issued, the meteorological bureaux will ask people to stay in places protected against the wind and dust, and refrain from engaging in outdoor activities.

Certainly, if work suspension is announced in Hong Kong because the API reaches the severe level, it may stir up a great controversy and it will be very difficult to ask everyone to work indoors. Nevertheless, under extremely adverse circumstances, for example, when the concentration of pollutants has immediate impacts on the public, or the situation will persist for a long time, I think we should really give workers working outdoors appropriate protection. For instance, we can arrange for them to take more rest or, as Ms LI Fung-sing has just said, to reduce manual labour. Alternatively, we can consider if their employers be required to provide them with the most basic protective gear such as masks. "Prevention is better than cure", so if an employee has to take sick leave and cannot work because of inclement weather, his employer will eventually be affected and the loss may outweigh the gain.

President, for the sake of the health of wage earners, the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) supports the original motion and all the amendments. President, I so submit.

MS AUDREY EU (in Cantonese): President, we debated a topic of the same kind last week and the same topic was also discussed at the meeting of the Subcommittee on Improving Air Quality I attended yesterday. Under Secretary Dr Kitty POON was there yesterday while Secretary Matthew CHEUNG is here today when the same topic is discussed. President, there are a few amendments today with the same objective, which reflects that Hong Kong people have really become aware of drastic weather changes. It is getting hotter and hotter in

summer, and increasingly colder in winter, and pollution is worsening. Besides, storms, strong typhoons, rainstorms, and red and amber rainstorm warnings substantively affected our lives. President, I originally intended to amend Ms LI Fung-ying's original motion, including the parts on suspending classes and the disadvantaged groups. But, as you considered that the scope of the original motion involves employees only, I can only talk about the labour sector. However, what we are talking about actually applies to the elderly, the disadvantaged groups and the chronically ill, and also to school children of course.

President, I have been handing out leaflets on the street these days, from the morning to the afternoon and the evening every day, appealing for people's support. I would get a sore throat within an hour, which reflects that there is very serious air pollution on the street. Pollution not only affects workers working outdoors over a long period of time, it also affects the health of ordinary people. Let us refer to the relevant paper for the meeting of the Subcommittee on Improving Air Quality yesterday in which the Government explained to us the section on particulates, especially PM_{2.5} which would penetrate deeper into our lungs. It has been proved by all the experts that ordinary people will also be affected. Nevertheless, it is a great pity that we still regard these problems as a heap of figures no matter how serious they are, instead of problems affecting our health, simply because economic development is regarded as very important in Hong Kong.

President, when we discussed the problem yesterday, we referred to some guidelines, and I have brought along with me two sets of guidelines today. As we can see, the Labour Department has published the "Guide on Safety at Work in times of Inclement Weather", the Occupational Safety and Health Council has published the "Guidelines for Working in Hot Weather", and the Construction Industry Council has published the "Guidelines on Site Safety Measures for Working in Hot Weather". Nonetheless, after reading these guidelines, including the latest guidelines just mentioned by Mr CHAN Hak-kan, we find that employees are simply told to consult doctors, without any clear definition or illustration on how for example, the level of air pollution, or the degree to which the temperature surges in hot weather, and how long a worker should have worked before taking a rest or when workers should not be allowed to work outdoors. There are no clear guidelines in this connection, unlike the amber, red

and black rainstorm warnings which cause people to pay attention to rainfall in the next few hours and when they should stay indoors or where they are or when students do not need to go to school. There are very explicit guidelines on these areas but not on respect of very hot weather or pollution.

When I asked the Environmental Protection Department (EPD) a question at the meeting yesterday, I was given an explanation that: firstly, employers had the responsibilities and they should know how to handle the situations; secondly, the conditions of people's health differed, and it was very difficult to issue very explicit and sweeping guidelines. Yet, as I said just now, experts have actually told us that the current air pollution levels jeopardize our health. Furthermore, we referred to the Hedley Environmental Index during our debate last week. The Index is based on the research conducted by the World Health Organization and it tells us the pollution level at which some people will have problem in breathing, especially asthma patients. Thus, so long as the Government has the intention to take action, it must be able to do something. Besides, the Government as the largest employer can specify that workers engaged in certain types of work, for example, roadside road repair workers, must not work more than a certain number of hours when the temperature reaches a certain degree, or they must rest for 15 minutes and drink some water after working for an hour, or they can rest for half an hour in cool places after working for two hours. President, the Government should not say that it cannot do so under the pretext that there are too many work types; it will just be shirking responsibilities.

If the Government as the largest employer does not take the lead, how can we expect other employers to fulfil their due legal responsibilities for taking care of employees' safety after the guidelines are issued? President, the Government has claimed that it is a good employer insofar as a five-day week is concerned, and it has thus taken the lead to implement a five-day week. Regarding hot weather and pollution, there are undoubtedly indices and the levels can be measured, yet, why do we not have very explicit guidelines specifying the number of hours beyond which workers working outdoors cannot work in such weather for compliance by everybody? The Government cannot shirk responsibilities and simply say that the employers know how to handle the situations because the physical conditions of employees differ. Some employees are physically weaker of course but, besides those weaker employees, ordinary people may also suffer heat strokes or feel unwell. We have come across such cases and the Government cannot remain indifferent.

Furthermore, I would like to say that numerous places have drawn up adaptation plans in response to extreme weather. President, I have said many times in this Chamber that the SAR Government actually needs to have adaptation plans. For instance, there is the Climate Impacts Programme in the United Kingdom, the Climate Change Partnership in London, the National Climate Change Adaptation Programme in Australia, the Inter-Agency Committee on Climate Change in the Philippines, and the National Committee on Climate Change in Indonesia.

Let us look at our Environmental Protection Department, which has an Interdepartmental Working Group on Climate Change, chaired by a Deputy Director of Environmental Protection. Probably because the Working Group is a low-level body which seldom convenes meetings, it has just outsourced a consultancy study on climate change since its establishment a few years ago. As we have observed, not much has been done, nor has it introduced any specific policies or action plans. I have looked up information on this Interdepartmental Working Group, and Secretary Matthew CHEUNG can later correct my mistakes, if any. The Working Group comprises five Policy Bureaux and 16 departments but it does not include any representative from the Labour and Welfare Bureau or the Labour Department. Can Secretary Matthew CHEUNG confirm this later? Therefore, it seems that the studies on climate have completely neglected workers' welfare or rights.

President, let us take a look at the Air Pollution Index (API) that we have discussed time and again. Since its introduction in 1987, no amendments have been made hitherto and the indices are already outdated. So, even if the API reaches 100, that is, below the limit, there is actually serious pollution. The API even exceeded 500 when Hong Kong was hit by a sandstorm not long ago.

As Mr CHAN Hak-kan said in his speech just now, it was stated last year that the result of the consultancy report would be announced early this year, but President, in spite of the fact that we have been asking the Government for the result since early this year, and we have asked it the same questions whenever we have meetings, the result has yet to be announced. At our meeting yesterday, Under Secretary Dr Kitty POON told us that there was a new team comprising some experts from universities to study whether guidelines should be formulated when the API was at a high level, or whether early warnings should be issued

when a sandstorm was approaching. President, there is yet another committee. Nevertheless, when she was asked when a report would be available, she answered that it might be available this year. When I then asked her in which month of the year a report would be available, she told me that it would probably be available by the end of this year. The Government keeps procrastinating and we do not know what we can do.

In fact, this Council has repeatedly discussed the same issue many times and members of the public sometimes complain or query if this Council and the Government has been working. I can only say that we have repeatedly discussed the same issue and the relevant motion debate each year is more or less the same. Yet, there has been no progress despite numerous discussions, and the situation is actually deteriorating. President, I earnestly hope that Secretary Matthew CHEUNG really knows that different parties and groupings have reached a consensus in this connection. As far as workers are concerned, we at least hope that the Government will not only have guidelines; we hope it will also consider formulating administrative measures to look after the welfare of workers in hot or inclement weather and when there is pollution.

MR IP WAI-MING (in Cantonese): Today, Ms LI Fung-ying has proposed the motion on "Protecting the safety and health of employees at work in inclement weather". We consider the issue very important for, at present, protection for employees at work in inclement weather is only covered by the general duties provisions of the Occupational Safety and Health Ordinance or the Factories and Industrial Undertakings Ordinance. Particularly when hot weather and the season of typhoons and rainstorms are drawing near, we wish to urge the Government to review the relevant aspect through this timely discussion.

President, at present, only three guidelines are truly related to working in inclement weather, namely the Guide on Safety at Work in times of Inclement Weather, the Code of Practice in times of Typhoons and Rainstorms and the Prevention of Heatstroke at Work in a Hot Environment. However, these guidelines only serve as reference with no binding effect. If anything happens to employees in inclement weather, say suffering a heat stroke, the employer ordering them to report duty will have no responsibility in the incident. On the other hand, the employees concerned will unlikely receive protection for work

injury caused by the weather, and they may not even be granted extra rest breaks. Hence, I agree with Ms LI Fung-ying's proposal on review. I also hope that the Government will amend the relevant legislation upon the completion of a comprehensive review to ensure that the safety and health of employees at work in inclement weather as mentioned above are protected.

President, what kind of weather and environment warrants our special attention to the safety and health of wage earners at work? According to the information provided by the Hong Kong Observatory (HKO) on "Safety at Work under Inclement and Hot Weather: the application of weather information", the most common inclement weather in Hong Kong includes rainstorms, tropical cyclones, very hot weather and cold weather, and so on. These weather conditions happen in Hong Kong frequently every year. Hence, I think there is really a need for the authorities to state clearly what kind of protective gear and measures employers should provide to employees at work, particularly outdoor, in inclement weather. At the same time, specific requirements on rotational work and rest breaks should be laid down for working in inclement weathers. Moreover, the responsibilities to be borne by employers for requiring employees to work in inclement weathers should be stated unequivocally.

President, as mentioned by Ms LI Fung-ying earlier, more and more workers are now required to work when the typhoon signal is hoisted, such as those working in the catering industry and certain entertainment businesses. These workers do not want to brave the heavy rain to report duty. But since their companies do not close and continue providing services during those hours, and their bosses still want to do business, they cannot but report duty in such weather out of the fear of losing their jobs. President, it is stipulated in the Employees' Compensation Ordinance that employees are entitled to compensation if they sustain injuries on the way to or back from work when a Red or Black Rainstorm Warning or Typhoon Warning Signal No. 8 or above is in force. But I do not think any employee would want to get such compensation. They indeed hope that they are provided with proper protection in this course, which means they are offered appropriate protection on their way to and back from work in inclement weather.

President, I remember clearly why this amendment was made to the Employees' Compensation Ordinance, that is when a Red or Black Rainstorm Warning or Typhoon Warning Signal No. 8 or above is in force, employees travelling to and back from work are entitled to protection. Many years ago, when the typhoon signal No. 8 was in force, a supermarket cashier living in Cheung Shan Estate, Tsuen Wan, waited at a bus stop in heavy rain for the bus to go to work, and the cashier was killed in a landslide. According to the legislation at the time, employees were not entitled to compensation protection under such circumstance. The trade union concerned made strenuous efforts to fight for compensation for the cashier from the employer, and eventually the employer offered some so-called *ex gratia* compensation. Later, the Labour Department introduced an amendment to the Ordinance to address the situation.

President, we do not wish to see the Government making an effort to respond to our request only after another accident occurred. Hong Kong is experiencing increasingly extreme weather conditions nowadays, and inclement weather conditions occur more frequent. Take the weather last year as an example, there were 30 days when the highest temperature reached 30°C or above, and the very hot weather warning had been in force for 40 days. For employees required to work outdoor for long periods of time, such as workers at construction sites, delivery workers and couriers, they are exposed to high temperature for more than 10 hours daily non-stop to perform outdoor duties. They may easily suffer from exhaustion and hyperthermia, leading to serious conditions like heat exhaustion and shock from heat stroke. Hence, in the second point of my amendment, I stress in particular that employees should be provided with rest breaks and arranged to take turns to work in inclement weather. The request is not unfounded, for more often than not, it is difficult for employees to even take a glass of water. Moreover, since heat stroke may cause certain high-risk fatal conditions like a heart failure or shortness of breath, the Hong Kong Federation of Trade Unions proposes that heat stroke attributable to work should be regarded as an occupational disease entitled to compensation. We are indeed handling a case, President, where an employee working in the stuffy environment of a construction site was struck by a heart attack. Even now, we are still arguing with the company concerned whether the heart attack should be attributed to the stuffy weather or it was a spontaneous heart attack.

Second, we consider that the problems of working in cold weather should not be overlooked. In 2009, the HKO issued the cold weather warning seven times for a total duration of 651 hours, which was as long as 27 days. In the first five months of this year, the cold weather warning has been issued five times for a total of 344 hours.

In most cases, employers just provide the same outfits for their employees for both hot and cold weather, which cannot keep out the cold. For instance, many security guards have to work overnight, but the uniform provided to them is nothing other than a shirt, and they are prohibited from wearing extra clothing that would obscure the logo of the company. For this reason, when cold weather persists, security guards on overnight shifts can only improvise to keep warm. In 2006, a security guard working at the airport suffered a sudden death from complications caused by hypothermia.

That case was also handled by our trade union. In 2004, a watchman on overnight shift at a construction site died in an accident resulted from burning wood to keep warm. These incidents occurred because the employers concerned failed to provide adequate outfits for their employees to keep out the cold. Given the wind-chill effect, the temperature is lower in higher wind speed or at higher altitude. Hence, people working outdoor and at height may lose temperature easily on exposure to strong wind and cold weather, which may result in accidents. Hence, I propose in my amendment including the cold weather warnings. I am not making a mountain out of a molehill. I only hope that the authorities will give categorical instructions to employers, stating that employers are obliged to provide adequate outfits, such as caps and clothing, for employees working outdoor to keep out the cold in cold weather, rather than leaving employees to their own improvisations to keep warm. I hope the authorities will consider this proposal.

President, as for the case of serious air pollution, many colleagues have mentioned it earlier, so I would not dwell on it. I recalled Secretary Edward YAU said last time that the Labour and Welfare Bureau should also be responsible for this. Since employees have to seek advice from medical practitioners and then inform their employers of such advice all by themselves, I think it is indeed "working in the cloud", though not to the extent of "asking them to take meat congee instead". For the authorities just do not understand the actual situation faced by grass-root workers and their powerlessness in making a

bargain. We thus hope that the Government will double its efforts in alleviating air pollution.

President, I hope Members after hearing my remarks will understand that we wish to take a step forward in this respect. We are not resorting to legislation lightly, but more often than not, certain employers are just unwilling to follow the guidelines. Despite the issue of guidelines, employers simply turn a blind eye to them because they are not binding. Hence, we hope that the Government will consider following the arrangement adopted for the Wage Protection Movement, that is to enact legislation when the guidelines fail to achieve the desired effect, so that workers will receive proper protection. I hope Members will consider the proposals in my amendment.

Thank you, President.

MR LEE CHEUK-YAN (in Cantonese): Just now outside the Council building, a member of a trade union of construction site workers gave me this hat. It represents the need to wear the hat to blot out the sun in very hot weather on the one hand, and the importance of safety and health on the other. I hope that existing construction site workers will really pay attention to their own safety and health.

However, President, the subject today is protection for employees at work in inclement weather. I believe the Secretary for Labour and Welfare will tell us shortly that relevant guidelines have been put in place. The greatest difference between us and the Government lies here. The Government usually relies solely on guidelines in addressing problems and considers that all the problems will be solved by introducing guidelines. But what is the case in reality? None of the problems has been solved by the guidelines.

Let me tell Members what the relevant guidelines are here. According to the guidelines drawn up by the Government on arrangements for typhoons and Black Rainstorm Warning, it is stressed that employers and employees should work out the relevant arrangements through discussion and come to an agreement. Members should understand that the power and position of employers and employees are not equal, where the power of employees is weak but that of employers is strong. Given the unequal footing, how can there be discussion and agreement? In the end, employers will ride roughshod over the

arrangement. Can employees choose not to report duty? If employers require their employees to report for duty when the Black Rainstorm Warning or Typhoon Warning Signal No. 8 is in force, will employees dare to refuse reporting for duty? If they do not report for duty, they will be fired. This is the reality in society. So, those guidelines are no solution to this fundamental problem. It only creates the false impression that the problem can be solved by the agreement reached between employers and employees through discussion, but in actuality, the problems remain unsolved.

Let us take a look at how ridiculous these guidelines are. In the guidelines, it is stated that: "If at all possible, employers should provide transport service for employees who are required to report for duty when Typhoon Warning Signal No. 8 or above or Black Rainstorm Warning is in force, or give them a special travelling allowance". First, Members may see how the guideline is worded. It states that a travelling allowance may be provided if at all possible, but this requirement is not legally binding. In other words, employers have the choice of not providing any travelling allowance or transport service. So, guidelines are nothing but empty talk.

Then, it states that "for staff who have practical difficulties in reporting duty or resuming work promptly, employers should be sympathetic to them and handle each case flexibly". But if an employee is dismissed, what kind of protection is he entitled to? This is not mentioned in the guidelines. As for the following guideline: "employers should not deduct wages of employees who are absent from work because of inclement weather or other factors beyond their control", I would like to clarify that employers are only advised that they "should not" do so. But what if they do deduct the wages of employees, what can be done? Honestly, nothing can be done about that, for this is only a "should-not" clause, where employers may just ignore it. It is also stated in the guidelines that a travelling allowance may be provided to employees as an encouragement, but it makes no mention that this is a must.

Regarding the rules on reporting for duty, it sounds quite impressive, but it is too ineffective. It says, "When Pre-No. 8 Special Announcement or Typhoon Warning Signal No. 8 or above is issued, for safety reasons, employers should not require their employees to report for work unless prior agreement to the contrary has been made", what does it mean? Certainly, an "agreement" would have been made. Though the guidelines state that employees should not be required

to report for duty, their employers have at the outset told them that they have to work in such circumstance. An "agreement" has surely been made. There is no chance that such an agreement has not been made. Again, this rule is nothing but empty talk.

What if Typhoon Warning Signal No. 9 or No. 10 is in force? The guideline says, "When Typhoon Warning Signal No. 9 or No. 10 is in force, to ensure safety, employers should not require their employees to report for duties unless their services are absolutely essential." Who is responsible for defining what kind of services are "absolutely essential", Secretary? Should this be defined by the Secretary? If employers require their employees to report for duty when it is not absolutely essential, will the Secretary intervene? No.

Through and through, the guidelines are not legally binding. Since TSO Sing-hin, who is responsible for occupational safety in the Labour Department, is sitting beside the Secretary, I guess the Secretary will probably say that employers have the general duties to do so. I guess the Secretary will say that the general duties include everything, which definitely include the responsibility of ensuring the safety of their employees when a typhoon signal or the Black Rainstorm Warning is in force. But in reality, has the Government ever initiated a prosecution against an employer who fails to consider the safety of his employees when the Black Rainstorm Warning or typhoon signal is in force? Has it ever done so? Perhaps it has, but under what circumstances? I guess it is probably after the occurrence of some accidents that the authorities may examine the possibility of initiating prosecution. If there is no accident, it will do nothing. However, should we put a bet on the lives of workers? When no accident occurs, the Government will not Honestly, in times of typhoon or when the Black Rainstorm Warning is in force, the Government will not carry out inspections. So, in the end, it will only initiate prosecution after an accident. But it will not be useful then, will it?

So, Secretary, what do we earnestly wish to achieve? We have been talking about this for years. We urge the Secretary to enact legislation on certain requirements included in the guidelines to make such requirements regulations in actuality. For instance, the guidelines state that employers should not require their employees to work if it is not essential, but if employers do require their employees to report for duty, they should give "triple pay" to their employees. If employers are required to give "triple pay", they will just stop

providing the service. Actually, who say such services must be provided? Do restaurants really need to open for business in such weather conditions? I am always pondering why restaurants and supermarkets must open for business during those times. There is no such need indeed. When Hong Kong people play mahjong during those times, why can they not cook for themselves but have to eat out at restaurants? Out of safety concern, they had better stay at home. Certainly, some trades must maintain operation during those times. If so, should not the employees concerned be given "triple pay"? Since employers are not required under the guidelines to provide a travelling allowance, if employees are given "triple pay", it will at least help them to cover some of their travelling expenses. We think that only by enacting legislation on the important content of the guidelines will employees be provided with true protection. This is the first point.

Second, on the protection in very hot weather, at present, there is no legislation on this, and it all depends on the agreement reached voluntarily between employers and employees. But, as I said earlier, since employers and employees are not on an equal footing, negotiation is not practicable. According to a survey conducted by trade unions of construction site workers in the past, between June and August 2008, 6% of the workers suffered from heat stroke, while 40% of the workers felt unwell after working in very hot weather. On the question of whether extra rest breaks were provided for construction site workers, only 16.5% of such workers were given extra rest breaks, and 83.5% of the respondents indicated that there were no extra rest breaks.

For this reason, they have given me this prop to express clearly that they are given no rest breaks and no water. In view of this, will the authorities stipulate that rest breaks be offered to them when the very hot weather warning is in force? Ms LI Fung-ying has read out many regulations adopted in Shenzhen, and I think they are definitely good reference, for instance, there should be a half-hour break every three hours. When the very hot weather warning is issued, workers should stop working immediately and take a half-hour rest break. Many problems require provisions in law before they can be resolved, otherwise, the problems will never be solved. Besides, have employers provided facilities to provide portable water to employees? In the case of the Government, I have received complains from employees on non-civil service contract terms that the Health Department required them to report for duty when the Black Rainstorm Warning and typhoon signal were in force. Moreover, since workers of the

following shift did not report for duty, they had to work continuously for 24 hours without meals and performed outdoor duties without protective gear. They complained to me that the Government being the largest employer had also failed to fulfil its obligation.

Lastly, I would like to talk about air pollution, which is mentioned in my amendment. Out of the concern that more elderly people and students may feel unwell when there is air pollution, a lot of measures have been put in place. But why has no measure been implemented to address the need of workers? Hence, I earnestly hope that the Secretary will ensure that justice is done to workers at work in inclement weather. He should intervene, and he should not back off What is the present situation? The policies now will only "fatten businessmen while abusing the public", completely ignoring the lives of workers. I hope that the authorities will do justice to workers and offer protection to their lives and safety. Thank you, President.

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, I have to thank Ms LI Fung-ying for proposing a motion debate on "Protecting the safety and health of employees at work in inclement weather", and Mr CHAN Hak-kan, Ms Audrey EU, Mr IP Wai-ming and Mr LEE Cheuk-yan for proposing amendments to the motion.

I would like to stress that the Government attaches great importance to the occupational safety and health of employees. We adopt a multi-pronged approach, which includes the enactment of legislation and law enforcement, publicity and promotion and education and training, to protect the safety and health of employees at work.

According to laws on occupational safety and health now enforced by the Labour Department (LD), including the Occupational Safety and Health Ordinance and the Factories and Industrial Undertakings Ordinance, and the subsidiary regulations under these two Ordinances, it is the responsibility of employers to ensure, so far as reasonably practicable, the safety and health at work of employees, which includes the provision of safe workplaces and plant and systems of work, and so on. The objective of the requirement under this general duties provision is to provide comprehensive coverage for all kinds of situations, including working conditions or work arrangement not stipulated in

express provisions under the legislation, to ensure that employers must fulfil the responsibility of ensuring occupational safety and health. As such, this provision is also applicable to work in inclement weather, which includes very hot weather, typhoons or rainstorms where the rainstorm warning is in force. In other words, employers are obliged to exercise proper control over weather-related factors posing possible danger to employees, which include assessing the risk concerned and minimizing possible danger so far as reasonably practicable.

Moreover, specific provisions on individual situations are included under existing laws. For instance, according to the Factories and Industrial Undertakings Regulations and the Occupational Safety and Health Regulation, employers must provide portable water to employees. Under the Construction Sites (Safety) Regulations, contractors of construction sites must provide wholesome drinking water and a room or covered area where workmen can take shelter in inclement weather on the site.

In addition to requirements under the general duties provisions, for outdoor work involving the use of lifting appliances and suspended working platforms, employers must comply with the requirements in the Factories and Industrial Undertakings (Lifting Appliances and Lifting Gear) Regulations and the Factories and Industrial Undertakings (Suspended Working Platforms) Regulations, where the appliances should not be used under weather conditions likely to endanger their stability. If appliances have been exposed to weather conditions likely to affect their stability, employers must arrange for the appliances to be tested by competent examiners. By the same token, in respect of scaffolding work, if the scaffolds have been exposed to weather conditions likely to affect its strength and stability, or displace any part, contractors must arrange for competent persons to inspect the scaffolds again to ensure safety.

Focusing on relatively high-risk outdoor work, such as construction sites, cleansing workplaces, container terminals and container yards, staff of the LD will carry out surprise inspections at workplaces and special enforcement campaigns in their daily routine to ensure the compliance with requirements stipulated in laws mentioned by me earlier by employers and contractors. The LD will also urge them to take proper safety measures in inclement weather, which include assessing the risk at work and the formulation of safe systems of work, contingency plans and work arrangements, and so on. For employers or contractors violating the requirements, the LD will enforce the law strictly, which

includes issuing "suspension notices" and "improvement notices", and even initiating prosecution.

The LD has produced publications like the Guide on Safety at Work in times of Inclement Weather and the Code of Practice in times of Typhoons and Rainstorms to provide practical guidelines on relevant work arrangements and matters relating to occupational safety and health for reference of employers and employees. Staff of the LD will distribute and explain the relevant guidelines and publications on safety matters during inspections. Moreover, free training courses and seminars on occupational safety and health will be organized from time to time for employers, employees and stakeholders.

Concerning the work arrangement in very hot weather, since the working environment of different trades and different positions may vary, the LD all along encourages employers and employees to assess the risk of heat stroke of individual jobs and take appropriate preventive measures, for instance, the provision of sheltered work and rest areas, the provision of drinking water, and the provision of information, instruction and training for workers in preventing heat stroke. The LD has also produced a series of publications, including the guidelines on the Prevention of Heat Stroke at Work in a Hot Environment and the checklist on the Risk Assessment for the Prevention of Heat Stroke at Work, and two specific checklists on risk assessment of heat stroke at work for construction sites and cleansing workplaces respectively. These publications aim to enhance the understanding of employers and employees of risk factors causing heat stroke and the relevant preventive measures, and provide practical guidelines on risk assessment of heat stroke.

Moreover, staff from the LD will focus on outdoor workplaces at a higher risk of heat stroke, including construction sites, outdoor cleansing workplaces, container terminals and container yards, and will carry out special inspection actions. During inspections, they will check whether the employer has conducted the risk assessment for heat stroke for the employees, and examine in particular the adequacy and effectiveness of the heat stroke preventive measures implemented in the workplace. If violations of occupational safety and health laws are identified, the LD will take appropriate enforcement actions. The special enforcement campaign this year already commenced in April.

As for publicity and promotion work, the LD makes use of short stories broadcast on radio and press releases to remind employers and employees that since the typhoon and rainstorm season is drawing near, they should make early work arrangements for those times and implement relevant safety measures for work in inclement weather. For individual industries, such as the container industry and construction sector, the LD will collaborate with stakeholders of the industries concerned, including industry groups, trade unions and business associations, to organize regular seminars or carry out site visits for publicity and education.

In the prevention of heat stroke at work, the LD organizes health talks, broadcasts Announcements of Public Interest on radio, shows educational videos on mobile advertising media and distributes publications through different channels, including paying site visits to construction sites. Moreover, the LD partners with relevant stakeholders, such as the Occupational Safety and Health Council, the Construction Industry Council, employers' associations and trade unions, to encourage the construction sector and the cleansing industry to adopt the two specific checklists on risk assessment for heat stroke drafted for the two industries, which I have mentioned earlier. Besides, the LD will work closely with the Civil Service Bureau to remind government departments undertaking relatively more outdoor work to pay attention to this aspect and to ensure that appropriate preventive measures are implemented to effectively protect government employees and workers employed by contractors (but not only civil servants) from heat stroke at work.

I am eager to listen to the valuable opinions of Members on the motion. I will give a consolidated reply later in the debate.

Thank you, President.

MR WONG KWOK-HING (in Cantonese): President, last week, this Council discussed the motion on "Improving air quality", and the public officer concerned gave a reply to a relevant oral question during question time. I pointed out at the debate that regarding the serious air pollution occurred in Hong Kong in March this year, the Environment Bureau had failed to give a comprehensive reply to address the three criticisms and 10 questions put forth, hence, I very much hoped that the impact of air pollution on the health of workers would be discussed at the

Panel on Manpower. I hope that Secretary Matthew CHEUNG, at hearing my call, will later submit a paper to the Panel on Manpower for follow-up discussion. Actually, apart from air pollution, inclement weather will have significant impact on the occupational safety and health of workers, too.

President, the humid and hot summer weather is drawing near in Hong Kong, and in summer, the temperature may often exceed 30°C. In July and August, the sun is hot and scorching, and the temperature may often rise to 37°C or above. To the many wage earners who have to work outdoor, the high temperature not only adds hardship to their work, but also has significant impacts on their lives, safety and health. Working in high temperature will easily result in heat stroke and respiratory illnesses, which may be life threatening in serious cases. Moreover, for injuries and accidents at work resulted from inclement weather like high temperature, more often than not, the employees will not receive any protection or accident compensation. This is really unfair to wage earners.

Among these industries, workers in the construction sector and barge industry have to cope with the heavy physical demand of the job and put up with the blazing sun and rain, so they may easily suffer heat stroke in a high temperature environment. President, in 2008, the Lighter and Cargo-boat Transportation Workers Union of the Hong Kong Federation of Trade Unions (FTU) received a death case suspected to have been caused by heat stroke. It was suspected that the stevedore, who had been working in the stuffy cabin for long hours, passed out and fell into a coma, and he was certified dead despite receiving rescue treatment at the hospital. For deaths resulting from fainting in stuffy environment, particularly in times of hot and stifling weather, no coverage is provided under the existing employees' insurance. The company will say unilaterally that it is a matter of individual fitness for the employee to suffer heat stroke, and thus refuse to give employees' compensation for injuries at work. I think this issue warrants concern and review by the Labour and Welfare Bureau.

President, under the employees' compensation system in Hong Kong, heat stroke is not listed as an occupational disease entitled to compensation. Actually, this is consummate proof that the Occupational Safety and Health Ordinance and the employees' compensation policies in Hong Kong are lagging far behind that in other places, failing to afford employees adequate protection.

As early as 2004, heat stroke was listed by the Mainland as an occupational disease caused by physical factors. It is stated unequivocally that if an employee suffers heat stroke at work and in the workplace, the employee will be entitled to compensation for injury at work. The protection system of the Mainland has already provided for protection requirement in this respect. In 2005, the Shenzhen Municipality introduced the High Temperatures Shenzhen Interim Measures for Labour Protection. When the temperature reaches 40°C, workers should stop working on that day. When the temperatures reaches 38°C, workers should not work more than four hours on that day. When the temperature reaches 35°C, taking into account the production condition, measures should be implemented to allow workers to take rest breaks in turn, so as to shorten the hours of continuous work, and overtime arrangement is disallowed. During the stoppage of work, workers should receive 80% of the standard wage according to the requirement. Moreover, each year, from July to September, employers must give a health allowance of not less than \$150 monthly to each worker working outdoor. Members can now see that our neighbouring Shenzhen has already implemented those advanced measures, providing protection to workers working outdoor or in closed and stuffy workplaces in high temperature. In comparison, is Hong Kong not lagging behind? I think this warrants careful consideration of the Secretary.

President, I would like to mention the Motor Vehicle Idling (Fixed Penalty) Bill recently submitted to this Council by the Government. Regarding this Bill, which requires the switching off of engines of idling vehicles, the transport trade has expressed grave reservation and some members have even staged opposition. For in the hot summer, drivers of taxis, minibuses, light vans and coaches still have to stay in the cabin during work. If the engines of idling vehicles have to be switched off, the temperature of the cabin will inevitably rise rapidly. Actually, in the summer of 2008, the Motor Transport Workers General Union of the FTU invited me and officials of the Environmental Protection Department to experience staying in idling vehicles with engines switched off. The result was that when the temperature outside the vehicle reached 36°C, the temperature inside the cabin went up to 47°C — President, it was 47°C. If they have to work in such an environment, they will easily suffer heat stroke, and their health will be affected because of their work. Hence, I urge the Government to take into account the occupational health of workers before enacting the legislation. It should negotiate with the transport trade to achieve consensus. In this connection, I have not seen any intervention from the Labour and Welfare Bureau and the Labour Department, nor have they put forth any opinions. So, I call on

Secretary Matthew CHEUNG to pay attention to this issue. He should not think that he is not involved in this Bill on motor vehicle idling, which falls under the purview of the Environment Bureau, for the Bill also involves the protection of the health of workers.

With these remarks, President, I support the motion.

DR PAN PEY-CHYOU (in Cantonese): President, occupational safety and health have all along been the most important matter of concern to the labour sector. To the majority of wage earners, the greatest reward of work is, of course, to be able to earn sufficient money to feed their families. To their family members, one of their utmost concerns is to see the wage earners go to work with peace of mind and return home in good health.

However, with the ever-changing global climate, Hong Kong is prone to a higher chances of extreme weather conditions. Climate warming has pushed up the city temperature, and this phenomenon has further been aggravated by the heat island effect. Therefore, the protection of wage earners' occupational safety and health when working in inclement weather has become an important issue that the SAR Government must address.

First of all, I wish to talk about the relation between very hot weather and work. Summer is approaching. Those wage earners who have to work in a hot environment for long hours, such as construction workers, road repair workers, stevedores and kitchen workers, have to be prepared to face the nuisance of very hot weather again. As for the ban on idling vehicles with running engines mentioned by Mr WONG Kwok-hing just now, we hope those drivers will not be required to work in such a high temperature as a result.

Most obviously, those people working in high temperature for long hours are exposed to a higher risk of heat stroke. From the medical point of view, the human body can regulate its own temperature. However, in case the environment hinders heat dissipation, say, when both humidity and temperature are very high, body temperature will rise gradually. Once the so-called core temperature reaches 41°C, human beings may fail to regulate their body temperature. As a result, the body temperature will rise further, leading to

dehydration and electrolyte unbalance, which will in turn increase burden on the heart and cause failure of the circulatory system. These are the primary syndromes of heat stroke.

Medically, heat stroke is an acute disease, with a high mortality rate of nearly 20%. In recent years, cases of employees working outdoors struck by heat stroke occurred from time to time, and some of them even died of heat stroke. For example, a stevedore working on a barge fainted as he had worked inside the hot cabin for long hours and died eventually. Last year, there were also a number of cases in which construction workers who worked in very hot weather were suspected of dying of heat stroke. Although there is no evidence to substantiate that their deaths were attributed to heat stroke in some cases, I suspect that, for those working in such an environment, heat stroke may very probably be one of the reasons why they died of heart disease or heart attack in workplaces.

As we all know, working in very hot weather will directly affect employees' health and safety. However, the Labour Department has only issued non-binding leaflet on "Prevention of Heat Stroke at Work in a Hot Environment" so far. It carries merely educational guidelines that have no substantive or legal effect at all. Thus, the protection for these employees in the labour law is severely inadequate. In view of this, the Federation of Trade Unions (FTU) urges the Government to review the existing law, so as to allow employees who have heat stroke in very hot weather to get compensation for work injury and include heat stroke as an occupational disease prescribed for compensation purpose.

Next, I wish to talk about the relation between air pollution and outdoor work. Air pollution in Hong Kong has reached a critical level actually. The relevant index has been on the high side over a long period of time, which has somehow scared a lot of tourists away. In many regions, air pollution in Hong Kong has been used as a travel advisory, making many tourists shy away from Hong Kong.

It must be noted that sulphur dioxide, nitrogen dioxide and other suspended particulates in the air will cause irritation to our respiratory system, which will make breathing difficult and lead to a higher risk of contracting such diseases as chronic bronchitis, asthma and emphysema. I believe many people must have had the experience of finding it hard to breathe when crossing roads with heavy

traffic under the scorching sun. In fact, this is attributed to some irritative gases produced by the chemical reaction of exhaust gases in the air taking place in sunlight or ultraviolet rays.

Just imagine when the Air Pollution Index (API) is on the high side, and if you are not allowed to stay indoors or in a place with good ventilation, but have to continue to work in a gloomy and stuffy environment for the whole day, what will you feel? Can your body tolerate it? This is precisely the plight faced by people who have to work outdoors for long hours. No matter how high the API is, they still have to work as instructed by their supervisors and are forced to breathe in those harmful pollutants.

According to a relevant study conducted by the University of Hong Kong sometime ago, if the concentration of sulphur dioxide and suspended particulates below 10 micrometres in the air increases by 10 mg per cu m, the mortality rate of blue-collar workers will rise 1% to 4%; and if the concentration of ozone increases by the same rate, their mortality rate will rise to 3.7%. In view of these figures, the Government can no longer act like an ostrich, pretending that it does not notice it at all. Rather, it is duty-bound to protect workers' occupational safety and health.

The FTU considers that the Government should enact legislation expeditiously, so as to allow those wage earners working outdoors for long hours to suspend their work when air pollution is serious. I think it is necessary for the SAR Government to perform its duty of protecting employees' occupational safety and health. Moreover, it should also make appropriate and timely guidelines and policies, so as to ensure that they can work in a safe environment even in inclement weather. These are what a government which cares about its people should do.

I so submit.

MR CHAN KIN-POR (in Cantonese): It is very meaningful for Ms LI Fung-ying to propose this motion. As climate becomes more extreme, we will experience more inclement weather. In particular, those employees who have to work outdoors will face higher risks and greater chances of injury. Therefore, it

is necessary for the Government to review its guidelines and legislation on protection of employees working in inclement weather.

With continual global warming, there have also been great changes in the ecology. Glaciers and permafrost melt, while the sea level rises, leading to more disasters such as floods and droughts, affecting not only agricultural production, but also people's livelihood and economy. Moreover, with the ever-increasing emission of greenhouse gases, severe air pollution is resulted. The health of human beings is inevitably at risk, and Hong Kong can in no way be immune to it.

As we all remember, sandstorms in Xinjiang and Inner Mongolia earlier on dealt a great blow to Japan, Korea, Taiwan and Hong Kong. A number of air quality monitoring stations in Hong Kong recorded an Air Pollution Index (API) of over 500, which was a record high over the past years.

Today, a number of amendments are made to address the serious problem of air pollution in Hong Kong, so as to protect employees' safety and health.

In fact, the serious problem of air pollution in Hong Kong has become one of the reasons for many overseas investors being deterred from making investments here. Over the years, Anthony HEDLEY, Chair Professor of the Department of Community Medicine of the University of Hong Kong, has made great effort to examine ways to improve air pollution in Hong Kong. Surprisingly, he also indicated in an interview by the media earlier on that he had decided to leave Hong Kong upon retirement this month, for he could no longer bear the air pollution here.

Prof HEDLEY considers that there are a number of measures with immediate effects that the Government should take right away. He has proposed to grant more allowances to encourage vehicle owners to replace their pre-Euro and Euro I vehicles. I fully agree with him. In my opinion, the Government should even perfect this subsidy scheme, as there may be many reasons for vehicle owners being reluctant to replace their vehicles. For example, they are worried about the uncertainties in future. Therefore, the new scheme, apart from subsidizing owners to replace their vehicles, should offer a buy-back package for those who do not wish to do so. Moreover, the repurchased vehicles should be destroyed afterwards, so as to prevent them from selling their old vehicles with

high emissions to others, which will in turn cause pollution to the environment continuously.

President, Prof HEDLEY said that he was very lucky, for he could choose to leave Hong Kong. However, many people have no choice at all. Some even have to work in inclement weather. Therefore, the Government and employers are absolutely duty-bound to protect them.

I always believe that employees are the most precious asset of employers. Without the employees, there can be no employers, either. Therefore, employers should provide a safe and healthy working environment to employees, so that they can work for their companies with peace of mind.

I fully subscribe to most of the proposals put forth by Mr IP Wai-ming in his amendment, which include: to provide employees with rest breaks or arrange for them to take turns to work when working in inclement weather; to require the Labour Department to step up inspections; and to ask employers to take appropriate preventive measures and install suitable facilities to protect the occupational safety and health of their employees. However, as for the proposal "to stipulate that employees who have contracted a disease attributable to working in inclement weather may be regarded as suffering from work injury and are entitled to statutory compensation" put forth in his amendment, I think we should examine it very carefully. Regarding this proposal, the major difficulties lie in proving that the disease is attributable to work in inclement weather and defining its relation to work. This is really very difficult. Moreover, as this proposal will increase the premium of labour insurance, I think we should consult employers and obtain their consent before implementing it.

Nonetheless, as most of the proposals put forth in this amendment are very meaningful and warrant our support, I will vote for this amendment.

I so submit.

MR LEUNG YIU-CHUNG (in Cantonese): President, with the incessantly deteriorating problem of climate change, the threats to our safety have changed from being mostly typhoons in the past to rainstorms, hot weather and air

pollution nowadays. In view of this change, we should reflect deeply on whether or not the existing system can protect the occupational safety of workers.

Today, Ms LI has proposed this excellent motion urging the Government to review comprehensively whether or not the existing measures can effectively protect the safety of workers at work, and I think this point is very important. In fact, a number of Honourable colleagues have mentioned that in the past, the Government also kept telling us not to worry, saying that it had many guidelines to enable employers and employees to hold discussions and if an agreement could be reached, the problems could then be solved. However, can this approach really solve the problems? Of course, we should count ourselves lucky in view of the fact that no serious accident has happened in recent years, but we cannot ignore the problem just because no serious accident has happened. For example, regarding the tragic case of attacks that happened in Kwai Shing recently, originally, there was no problem apparently until that incident. However, it was only after the incident had happened that we realized there were actually many problems with the system, only that we had been acting like an ostrich all along, simply ignoring them. I think the situation should not continue in this way.

In fact, we all know that this kind of weather and environment will not only pose a serious threat to outdoor workers, they also pose serious threats to employees who work indoors when they travel to and from work. We should formulate better measures to deal with this matter. We really do not wish to take remedial actions only after an incident has happened. This would really be meaningless. If we take remedial actions only after lives have been lost, how possibly can we have a clear conscience regarding those people who lost their lives? Since something has to be done, why do we not do so early to pre-empt the occurrence of accidents?

President, it never occurred to me that some employees would tell me that I notice that in the comments made by the Secretary just now, he said that particular attention would be paid to the occupational safety of government employees and contract staff members working outdoors. One government contract staff member, who has to perform such outdoor work as cleansing in the countryside, told me that he often felt worried because he was very worried about being struck by lightning in times of thunderstorm. He wanted to stop working immediately but he dared not say so to his supervisor — President, I believe you

also know the reason because if he tells his supervisor what he thinks, the supervisor would say, "If you do not want to do it, so be it. Other people can take over." For this reason, often, they had no alternative but to go on working and bear with it quietly. However, each time when he has to work in a storm, he is very worried, not knowing what he can do to get protection.

Apart from this contract staff member, a small property owner in a private housing estate is very kind-hearted. He took some video footage of a cleansing worker performing cleansing duties in a garden in lashing wind and rain. He found this most unacceptable, so he showed this video footage to me, asking me to talk to the management company to see if this employee could be told to stop working in such adverse conditions as a storm. Subsequently, I talked to the management company and it was willing to accept my view, saying that next time, the worker did not have to work in this kind of condition.

However, President, had the small property owner not shown me this video footage and had I not talked to the management company, the employee would have had to work in this kind of condition again. Why? We all know that in Hong Kong, many people are worried about losing their jobs. Although so far, the unemployment rate has been on the decline, there are still more people looking for jobs than *vice versa*. Such is the situation at present. For this reason, often, in the face of this kind of problems, elementary workers dare not say anything or point out to their employers the areas that calls for improvement. Therefore, in these circumstances, I think that it is necessary to revise the guidelines laid down in the past. If the guidelines are a success, that is, even employers are willing to comply with them, what problem is there in enacting legislation? However, if the guidelines have been proved unsuccessful and employers are unwilling to follow them, thus making employees boil in fear and apprehension, we should all the more consider enacting legislation on this.

For this reason, on these two premises, it is essential that legislation be enacted and we should refrain from stressing that since labour relations are so good, this issue should be resolved through discussion. Secretary, I think this would not work because in the present circumstances, often, the socially disadvantaged groups are really at a disadvantage. Those disadvantaged dare not express their dissatisfaction to employers or the management. This problem exists because due to the pressure of making a living, they dare not express their dissatisfaction, so enacting legislation can protect and help them, much in the

same way as our demand for legislation on a minimum wage. Secretary, just think about whether or not you had any success in encouraging employers to pay employees more reasonable wages. Encouragement alone did not take us anywhere. In the end, you also had to enact legislation.

Therefore, we think that we cannot evade this issue and must face the reality, so we hope that legislation can be enacted to protect them. Only in this way can the best protection be given. Of course, I believe the Secretary will say later on that he could not do so because many workers have to work even in very adverse conditions, for example, officers in rescue services must continue to work, so does anyone mean that the Government should enact legislation to prohibit them from working? I think if the Secretary really gives this issue some consideration, it is actually possible for the law to grant exemptions of some degree, for example, certain types of jobs can be exempted and jobs in some settings can also be exempted. Therefore, this proposal is not infeasible. So long as the Secretary can carry out an analysis and collect information carefully, it is entirely possible to enact legislation. To attach little importance to occupational protection for the great majority of workers on account of a small number of job types is, in my opinion, not a desirable approach.

For this reason, today, I am very grateful to Ms LI Fung-ying for raising this proposal on conducting a review because summer is coming soon. We cannot enact legislation in time now and the legislation cannot come into effect immediately but if we still do not face up to this problem and accidents happen time and again, that would be most undesirable.

President, lastly, I wish to say that I absolutely do not wish to see that it is after the occurrence of tragedies that we will enact legislation. In that case, it would be unjust and unfair to the victims.

MS MIRIAM LAU (in Cantonese): President, Hong Kong is a blessed piece of land, for we do not have any earthquake, extreme climate, snowy weather as in the Antarctic and Arctic or droughts as in desert regions. Even so, as Hong Kong is situated in the subtropical region, it is usually very hot and humid in summers and vulnerable to typhoons, rainstorms and very hot weather. This will, to a certain extent, pose threats to the health and safety of those wage earners who have to work outdoors. To the Government, employers and

employees alike, they all have responsibilities and obligations to jointly protect the safety and health of employees when they are working outdoors.

As stipulated in section 6 of the existing Occupational Safety and Health Ordinance in Hong Kong, "Every employer must, so far as reasonably practicable, ensure the safety and health at work of all the employer's employees". Moreover, the Labour Department (LD) has compiled the Code of Practice in times of Typhoons and Rainstorms, such that appropriate arrangements can be made for employees in respect of resumption of work and release from work. These guidelines are very useful. And regarding air pollution, the Government presented a proposal to the Subcommittee on Improving Air Quality yesterday, stating that the LD would give advice to employers and those workers working outdoors what they should do when the Air Pollution Index (API) reached a critical level. Also, the LD has issued similar guidelines for very hot weather. We do have such guidelines. But the question is, even though the Hong Kong Observatory has issued a Very Hot Weather Warning, the public have no idea about what it means. In fact, we do not know what temperature and humidity will be regarded as very hot weather. There is no standard at all. Therefore, the Government should draw up clear standards for this expeditiously, so as to enable the public to understand what it means and take preventive measures expeditiously.

Today, many Honourable colleagues from the labour sector have spoken boldly to uphold justice and voiced their views vehemently to strive for labour welfare, hoping that labour welfare can be given due regard. I see a water tank over there, with the words "no rest, no water to drink" written on it. I wonder it is not merely a complaint lodged by employees. In fact, various trades in Hong Kong may also face such a problem. Worse still, they are neither employees nor employers. What I am referring to are those front-line staff of the transport sector. On the one hand, we strive for rest breaks for employees, but have we ever seen that drivers of taxis, light buses and buses take rest when Typhoon Warning Signal No. 8 is hoisted? Precisely at this moment, it is most necessary for them to serve the public. Likewise, in times of typhoons and rainstorms when we are all rushing home, members of the transport sector still have to serve the public on the streets.

Some Honourable colleagues have mentioned just now that in case employees have to work during stormy weather, they should receive triple pay as compensation. However, have we ever seen that taxi drivers ask for a "typhoon

surcharge"? Does anyone dare to make such a suggestion? Will the Government support it? Will the public support it? Does anyone care about their situation?

Why did I raise these questions today? It is because the Government has just introduced the Motor Vehicle Idling (Fixed Penalty) Bill (the Bill) to the Legislative Council. Every one of us is concerned about environmental protection and will support the Bill, thinking that there should not be too many exemptions. Honourable colleagues have stated loudly, "There is already too many exemptions. We should improve air quality." Of course, air quality should be improved. The transport sector also very much supports the ban on idling vehicles with running engines. However, the Government has put forth the proposed ban at the expense of their room of operation, which has not only brought about great losses to the trade, but also endangered the health of professional drivers at the front-line. I think we will not be so unreasonable, requesting them to support the Government to enact such a law.

Today, we have spoken boldly to uphold justice and voiced our views vehemently, so as to urge for the occupational safety and health for workers. I hope, when scrutinizing the Bill on the ban, we can bear in mind that professional drivers do not have any surcharge, triple pay or double pay at all. They have already served us under other circumstances. When taking forward the legislation on the ban, should we ask them to put their health at stake and support the Government's policy?

Mr WONG Kwok-hing mentioned just now that they had conducted a test. In fact, I had also conducted a test with members from the taxi trade last August. The test, being conducted at two taxi stands, involved five taxis and lasted for a whole afternoon. As proposed by the Government, only the first five taxis at a taxi stand could be exempted, while all other taxis waiting in the queue should not idle their vehicles with running engines. We then followed the Government's proposal, tracing these taxis from the end of the queue to the fifth place. What are the results of our test? From the 30th place (the end of the queue) to the fifth place, the temperature inside the cabin raised from 28°C before the engine was turned off for the first time to 47°C when the taxi moved to the fifth place. Indeed, the cabin was as hot as a "steamer". Certainly, one should not be surprised when a taxi driver sitting inside such a hot cabin dies of heat

stroke. Moreover, as taxi drivers have to turn on and off their engines alternatively, the temperature inside the car will fluctuate greatly. I believe this will also pose a great threat to their health. Moreover, it is also required in the legislation that they should turn off their engines when it is raining. If they open the windows, their cabins will be soaked completely. If they turn off their engines, a lot of mist will be accumulated inside their cabins, which will affect not only their health but also their driving safety. Therefore, in view of this, we very much hope that the Government can grant an exemption to taxi drivers, so as to enable them to operate smoothly, rather than making the temperature inside their cabins fluctuate between 28°C and 47°C.

We also hope that the Government can make reference to the practice adopted in Canada to waive the ban in hot weather above 27°C or in cold weather below 5°C. Such a waiver is rational and reasonable. Of course, someone may cite the United Kingdom and Singapore as examples, alleging that they have legislation on the ban without granting any exemption. However, I have to point out that in these two places, no prosecution have ever been instituted after the legislation has come into effect, for they have dealt with such a situation with discretion. Thank you, President.

MR IP KWOK-HIM (in Cantonese): President, I would like to thank Ms LI Fung-ying for proposing a motion on "Protecting the safety and health of employees at work in inclement weather". Mr CHAN Hak-kan has proposed on behalf of the DAB an amendment to the motion which highlighted the factor of air pollution in view of the aggravating problem of global climate change and increasingly severe air pollution, and the impacts of a sandstorm on Hong Kong these days. Therefore, I am not going to express my views on air pollution.

Among the occupational casualties in recent years, apart from some major industrial accidents, many other accidents were closely related to the weather such as very hot days, typhoons and rainstorms, as well as wind gusts. However, we currently do not have any local legislation specifying the weather conditions under which workers must suspend work. Concerning regulation in this connection, the only health and safety legislation in force is the Occupational Safety and Health Ordinance which specifies the general responsibilities of

employers of providing employees with safe and healthy workplaces, and there are also some non-binding guidelines on work in inclement weather.

With climate warming, temperatures keep rising during the summer in Hong Kong. Just now, Members from the labour sector and the industry representatives have described how the taxi trade feels about working in very hot weather. In early September last year, very hot weather warnings remained in force for over 100 hours, which broke all records over the years. There has recently been a continuous surge in the number of people who suffered heat strokes in summer. Information shows that, between 2005 and 2008, a total of 325 people suffered heat strokes or passed out in very hot weather, and 23 of them died as a result. In other words, 5.8 persons died each year on average because of heat strokes or after they had passed out in very hot weather. Hence, the casualty rate is four times that during thunderstorms and lightning strokes. For this reason, the Observatory announced last year that a "Heat Stress Index" would be introduced in the future, which would take into account such factors as air temperature, humidity and wind speed in calculating an index that could better reflect the actual feelings of people for reference by those engaging in outdoor activities. Moreover, the Observatory will discuss with the Labour Department (LD) and the Department of Health and work out guidelines for people working outdoors, as well as issue warnings when the indices are very high.

Pinpointing workers who may suffer heat strokes at work, the LD has currently compiled two Heat Stress Assessment Checklists applicable to the construction sector and outdoor cleaning industry. When assessing the heat stress at their workplaces, the employers from the construction sector and outdoor cleaning industry can make reference to these checklists. As regards the assessment of heat stress in ordinary workplaces, reference can be made to the pamphlet "Risk Assessment for the Prevention of Heat Stroke at Work".

Nevertheless, these guidelines and checklists are not legally binding on employers. Even if employers have not made sufficient efforts in this regard, when some employees suffered heat strokes, it would not be easy for them to prove that their illnesses or casualties were caused by the employers' dereliction of duty. More often than not, when some workers are injured after falling from height because they have suffered heat strokes and feel dizzy, the LD only regard their injuries as ordinary work injuries in determining the relevant compensations

and leave arrangements. In addition, if workers have hidden diseases and are engaged in manual jobs under the scorching sun or high room temperatures, they will sweat a lot and develop lower blood pressures, thus the incidence of heart attacks or any other diseases will happen very easily when they have high body temperatures, faster heart rates and elevated metabolism. Also, a large number of workers engaged in outdoor work are casual workers or employees engaged in outsourced work. They are living from hand to mouth and do not have a high awareness of occupational health and safety, and they may even not be employed under "4+1+8" continuous contracts. In that case, it is very difficult for employees to claim compensations on the ground of suffering heat strokes and sustaining injuries in the course of work.

Hence, the DAB urges the Government to expeditiously discuss with the Observatory on co-ordination with the introduction of Heat Stress Index in the future, and consider working out brand new guidelines or regulations concerning the suspension of outdoor work and prevention of heat strokes in the light of the actual circumstances in Hong Kong with a view to enhancing employees' health and safety at work.

Similarly, the Government has only specified in the current Code of Practice in Times of Typhoons and Rainstorms and the guidelines on work arrangements that work should be immediately suspended when the Black Rainstorm Warning is in force, but workers are not required to suspend work in other inclement weather conditions. The DAB hopes that the Government will issue explicit guidelines on this.

I so submit. Thank you, President.

MR PAUL CHAN (in Cantonese): President, first of all, I would like to thank Ms LI Fung-ying and other Honourable Members for proposing the original motion and the amendments. Global climate change has led to problems of extreme and ever-changing climate. Especially in Hong Kong, we find such hot weather most unbearable. "People die due to very hot weather" is no longer a pet phrase, but something that will really happen. Worse still, with the crowded environment and worsening air pollution, many Hong Kong people have even contracted various degrees of respiratory troubles.

I have checked the information of the Hong Kong Observatory (HKO). Since 2008, the number of times of hoisting Typhoon Warning Signal No. 8 or above has decreased from four to three last year, while that of hoisting the Red and Black Rainstorm Warnings has also decreased from nine to two. However, President, only the number of times of hoisting the Very Hot Weather Warning has been on the rise, from nine in 2007 to 10 in 2008 and even 15 last year. According to the HKO's overview on the climate of last year, the annual mean temperature was 23.5°C, ranking the ninth highest on record with 1991 and 2006. Moreover, there were altogether 30 days with the daily maximum temperatures standing at 33°C or above last year, which was the highest over the past 47 years. Besides, the Very Hot Weather Warning was in effect for a total of 40 days, the highest number since the introduction of the warning.

President, I think I need not say too much on the worsening air pollution here, as Honorable colleagues have also mentioned it just now. However, let us just take a look at the extremely high Air Pollution Index (API) of 500 recorded in Hong Kong on 22 March this year because of the sandstorm from the North. We will then notice that Hong Kong, being such a small place, is quite helpless in face of climate changes. Human beings are insignificantly small in face of the power of nature. Even so, it does not mean that there is nothing we can do.

The crux of Ms LI Fung-ying's motion lies in the role of the Government. In fact, during the debate on the motion on "Urging the Government to promote a new occupational culture campaign for work-life balance" raised by Mr CHAN Kin-por last year, I quoted the five-day work week system introduced by the SAR Government of this term as an example, pointing out that so long as the Government was willing to take the lead, immediate results could be achieved in such a campaign which was beneficial to employment relations.

At present, the Labour Department (LD) has issued a code of practice in respect of working in times of typhoons and rainstorms for employers and employees to follow, so as to enable them to draw up work arrangements in inclement weather. The LD makes reference the Employment Ordinance, the Occupational Safety and Health Ordinance and the Employees' Compensation Ordinance in this code of practice, specifying the relevant responsibilities of employers and employees and compensations. I think it is also appropriate for

the Government to apply this code when the Very Hot Weather Warning is issued or the level of API is high.

However, President, during the discussion on measures that should be taken by the Government to address serious air pollution incidents (including sandstorms) at the meeting of the Subcommittee on Improving Air Quality under the Legislative Council yesterday, public officers said that they could only rely on employers and employees to jointly draw up appropriate measures in times of serious air pollution, so as to reduce the risk of work in inclement weather. As for those non-urgent jobs, they could arrange to get them done the next day; and as for employees with respiratory diseases, they should make arrangements accordingly. Public officers of the LD even said that in inclement weather, the Government would issue press releases to remind employees working outdoors that they should be aware of the change in weather.

President, after listening to such comments, we cannot help asking the Government, is it really impossible to exercise some flexibility on the issue of climate change? Does it have no intention to promote employment relations at all?

President, as a matter of fact, the Council for Sustainable Development released consultation papers and reports in 2007 and 2008 respectively, suggesting that the Government should stipulate a mechanism of early warnings on days with high air pollution levels and examine practical measures, so as to protect employees who have to work outdoors, such as construction workers and the police. Most regrettably, the Government only responded that it had commissioned academics to review the API system and examine what kinds of activities should be prohibited on days with high air pollution levels. But no concrete proposal has been made so far. Perhaps, the Secretary can give us an account on this point later.

Although the temperature is now fluctuating greatly, as shown by the figures I have just mentioned, more Very Hot Weather Warnings may be issued in the coming summer. If the Government fails to review the existing guidelines and legislation expeditiously to enhance protection for employees, it will be doing employees a disservice.

President, I have spoken in support of the original motion and various amendments, including Mr IP Wai-ming's amendment. Although I do not fully subscribe to item (a) of Mr IP's amendment, I support the spirit of his amendment as a whole. Thank you, President.

MR WONG SING-CHI (in Cantonese): President, today, Ms LI Fung-ying has proposed this motion on a labour issue which warrants our grave concern, and four Honourable colleagues have proposed amendments to it. The Democratic Party supports the original motion and these amendments.

President, over the past years, we have actually discussed time and again issues relating to occupational safety and health in this Chamber. But very regrettably, commitments and concrete follow-ups made by the authorities are inadequate indeed, failing to meet the public expectation in many respects. Regarding inclement weather, as the public have become increasingly concerned about the problems of global climate change and air pollution in recent years, they will no longer regard inclement weather and extreme climate as an environmental protection issue only. Rather, they have come to realize that their daily life has already been upset by inclement weather. The occurrence of sandstorms in March not only alerted many Hong Kong people to the need to address environmental protection seriously, but also arouse public concern about their own safety, in particular, those chronically ill. Indeed, the ever-changing climate does have a great impact on many issues relating to labour protection.

President, we may of course say that global climate is ever-changing and no one has such a strong power to control it. Even so, the Government cannot use it as an excuse for doing nothing. We hope that with emergence of the problem, the Government can at least make some policies and contingency measures to protect the safety of the public. People in Hong Kong know that a number of early warning systems have been put in place over the years, including the Very Hot Weather Warning, Typhoon Warnings, Rainstorm Warnings, Thunderstorm Warning and Air Pollution Index. It seems that all these systems are very comprehensive and handy. But how can they be incorporated into our living? As we can see, they do have some deficiencies. For example, how can we protect employees' safety and health in inclement weather effectively? All these questions warrant our deep thoughts. At present, with advances in astronomical technologies, the Hong Kong Observatory can somehow make early

warnings or forecasts, telling us when there will be typhoons, rainstorms and thunderstorms. However, this is still not enough. The authorities should also draw up policies to address these climate problems correspondingly and review the relevant legislation and guidelines comprehensively, so as to minimize the possible risk faced by wage earners in inclement weather, especially those working outdoors. This is what a responsible government should do. But seemingly, there are some deficiencies on this part now.

President, as we can see, employers and employees in Hong Kong have been on no unequal footing in the labour market over the years, with employees being persistently on the weak side. Even though it is stated clearly in the International Labour Convention that employees should be entitled to occupational protection, occupational safety and health, comprehensive social protection, as well as the right to form trade unions, participate in collective bargaining and go on strike, Hong Kong does not have any comprehensive legislation to assure these reasonable rights and benefits. Employees are, in fact, in a very unfavorable position. President, regarding occupational safety and health, we stress that it is an issue relating to not only their rights and benefits but also human lives. Therefore, the authorities are absolutely duty-bound to protect human lives and properties. But most regrettably, there is really room for the SAR Government to enhance employees' occupational safety and health in inclement weather. First of all, over the years, the Labour Department (LD) has only issued the Code of Practice in times of Typhoons and Rainstorms. However, it may not be able to protect wage earners effectively. Why? The reason is very simple, for it is only a guideline with no binding effect in law. Therefore, its actual operation depends on the agreement made between employers and employees. How can such a code of practice make wage earners, in particular those working outdoors, rest assured? I think it goes without saying that there are still deficiencies in a lot of areas.

Next, I also wish to talk about whether the relevant guidelines and legislation in respect of work in inclement weather can keep abreast of the times. It seems that no corresponding measure has been taken so far. As global climate is ever changing, it is absolutely impossible for us to stick to the same approach all the time. The Secretary may say, "It does not matter. In case anything happens, various kinds of protection or whatsoever are readily available." However, protection can only be offered after an incident. By that time, the

workers involved may have died and suffered injuries. It is not adequate if protection and compensation can be offered only after a problem has emerged. Therefore, the Government should make more efforts in advance or formulate relevant policies before any problem arises. I believe that the LD, when drawing up the Code of Practice in times of Typhoons and Rainstorms a few years ago, had never imagined that there would be sandstorms. Of course, I will not put the blame on it, for there has not been any sandstorm until recently. However, in case the Government can forecast the occurrence of such an incident or problem but fails to take any action, I think such a government will be doing wage earners a disservice. We hope that the Government will not just make efforts to address the problems of sandstorms or air pollution perfunctorily. Recently, I find that many people working in hot weather are, in fact, prone to heat stroke or sunburn. Therefore, the Government should also pay attention to it and endeavour to suggest a direction for improvement. Where necessary, it can even consider amending the legislation or introducing relevant bills to the Legislative Council, so as to further protect employees' occupational safety and health in inclement weather. I hope the Bureau and the LD will not let the public down again.

President, I so submit.

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

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): Ms LI Fung-ying, you may now speak on the four amendments. You may speak for up to five minutes.

MS LI FUNG-YING (in Cantonese): President, although four Honourable colleagues have proposed amendments. Although they come from different political parties and groupings, with some of them being directly-elected Members returned by geographical constituencies and some others by functional constituencies, their amendments all unanimous in pointing out the need to care for the safety of employees in times of inclement weather and air pollution. So the amendments are entirely in line with my motion, and I will support their

amendments. Here, I hope the Secretary can hear the aspirations voiced by Members on behalf of employees and refrain from acting wilfully by talking about the so-called guidelines or guidance. Nor should he change his bureaucratic style only after some employees have paid a heavy price.

President, I so submit.

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, I thank Members for making a lot of valuable suggestions on this subject. I will now give a consolidated response to Members' views on various issues.

The Government has all along been very concerned about the occupational safety and health of employees. As the department responsible for enforcing the policy on occupational safety and health, the Labour Department (LD) has all along been committed to protecting the occupational safety and health of people at work through a multi-pronged strategy that includes legislation, law enforcement, publicity and promotion, education and training. The same strategy is also applied to the work arrangements for employees in inclement weather.

As I pointed out at the beginning of the motion debate, employers have the responsibility to ensure the occupational safety and health of their employees. The present legislation on occupational safety and health has laid down explicit provisions to deal with specific situations and I have already mentioned them in detail earlier. They include the requirement that employers must provide drinking water to employees, the responsibility of a contractor of a construction site to provide on the site a supply of wholesome drinking water and a room or covered area where workmen can take shelter in inclement weather as well as the requirements for work involving the use of cranes, suspended working platforms or scaffolds. Moreover, the general duties provisions of the relevant legislation cover various kinds of work conditions and environment as well as inclement weather. Of course, inclement weather includes hot weather warnings, typhoons, rainstorm warnings and even poor air quality. According to these provisions, if the employers in various trades and industries require employees to work in inclement weather, they have the responsibility to assess the risks involved appropriately and take corresponding measures to avoid the relevant hazards.

Since the job nature and requirements of various positions in various industries and organizations are different and some industries providing essential services, such as the public transport, public utilities, medical service, hotel, security service and emergency service sectors, have to maintain normal operation even in inclement weather, if some of these services are suspended immediately in inclement weather, for example, when Typhoon Warning Signal No. 8 is hoisted, apart from causing inconvenience to the public, this may also pose operational difficulties to trades relying on these services.

In addition, inclement weather differs from one case to another and add to this the diversity of jobs types in various trades and industries and their different environment, it is difficult to impose standard regulation on the specific work arrangements for inclement weather by way of legislation. For this reason, the Government has all along encouraged employers and employees to hold discussions to work out beforehand the work arrangements and contingency measures for such situations as typhoons and rainstorm warnings. In order to help employers and employees to make proper arrangements, the LD has published the Code of Practice in times of Typhoons and Rainstorms to offer advice and practical guidance to both sides and emphasize the factors in occupational safety and health, including employers' responsibility to provide and maintain a safe workplace for their employees, and if employers require employees to work in times of typhoons or rainstorm warnings, they have the responsibility to provide and maintain safe plants and systems of work as well as suitable personal protective equipment, so as to ensure that occupational risk factors are appropriately controlled and the degree of occupational hazard is minimized as far as reasonably practicable.

Although the Code of Practice is not part of law, we encourage employers to make reference to the guidelines and adopt a flexible approach in making appropriate work arrangements for inclement weather together with their employees.

As regards the question of whether or not legislation should be enacted to require the suspension of all outdoor work in hot weather, we must consider this issue prudently from various angles, in particular, from that of practical enforcement and operation.

As we all know, the risk of heat stroke is determined by a number of factors, for example, environmental factors including temperature, humidity, thermal radiation and air flow; and work factors which include the nature of the work process and workload, for example, whether or not the work process involves great physical exertion, whether or not the tools in use generate a lot of heat and whether or not the clothes worn by workers are suitable and such personal factors as the ability to adapt to a hot work environment. Even on the same day and at the same time, different workplaces may have different temperatures and even the different work processes in the same workplace may have varying degrees of thermal hazards. It is difficult to impose a single requirement and a single mode on diverse workplaces and conditions. Doing so will definitely seriously hamper the flexibility of individual industry or occupation in deploying manpower according to their unique circumstances, particularly when the physical condition of every individual is different, so it is not possible to ascertain the risk of heat stroke for different workers purely on the basis of the temperature.

For this reason, when assessing the risk of heat stroke, we must consider all relevant factors and cannot make a judgment simply on the basis of temperature. In fact, at present, some countries like the United States, the United Kingdom, New Zealand and Singapore and some states of Australia have adopted the approach of risk assessment to comprehensively consider the factors that may make employees succumb to heat stroke while working, rather than using temperature as the sole criterion. In recent years, some cities on the Mainland have also begun to adjust the practice of using temperature as the sole criterion, and the adoption of approaches akin to risk assessment is encouraged.

Because of these reasons, the Government considers that encouraging employers and employees to fully assess the risk of heat stroke, with a view to adopting appropriate preventive measures, better suits the exigencies of actual circumstances.

In order to raise the awareness of employers and employees of the risk factors leading to heat stroke, the LD has prepared a set of guidelines entitled "Prevention of Heat Stroke at Work in a Hot Environment" (the work guidelines) and provided practical guidance on effective preventive measures. To further help employers and employees more effectively assess the risk of heat stroke at their workplaces, the LD has also prepared and publicized a checklist on "Risk Assessment for the Prevention of Heat Stroke at Work" and promoted the use of

two specific checklists, one for the construction industry and the other for cleansing workplaces, for reference by the employers and employees of the industries concerned.

In late March this year, Hong Kong was, in a rare instance, affected by a sandstorm from Northern China and the Air Pollution Index (API) reached a rather high level. Some Members are concerned about the safety and health of employees working outdoors. Mr LEE Cheuk-yan, Mr CHAN Hak-kan, Ms Audrey EU and Mr IP Wai-ming all proposed amendments in this regard and I will now give a consolidated response.

We attach great importance to the impacts of air pollution on employees working outdoors. In fact, the Government, headed by the Environment Bureau and the Environmental Protection Department (EPD), has strengthened the notification arrangement involving various Policy Bureaux and departments, including the Education Bureau, the Civil Service Bureau, the Labour and Welfare Bureau and such public organizations as the Hospital Authority. The LD also took the initiative to take part in a relevant inter-departmental meeting held in March to discuss ways of improving the existing co-ordination mechanism and took immediate action to formulate guidelines for employers' reference. The LD has also compiled a "Checklist for Risk Assessment" (the Checklist) setting out various factors that employers should consider when assessing the risk of air pollution. The Checklist has been uploaded onto the website of the LD and copies of it are also distributed free of charge in the offices of the Occupational Safety and Health Branch. When carrying out routine inspections relating to occupational safety and health at the workplace, officers of the LD will also encourage employers and employees to use the Checklist.

The impact of air quality on health varies from person to person. The proposal to suspend all outdoor work according to the sole criterion of the air pollution having reached a certain level presents some difficulties in operation. In fact, the situations of various industries, job types and workplaces are all different, so it is difficult to decide whether or not outdoor work should be suspended solely because of the level of an index. When considering the impact of air pollution on work arrangements, we will definitely consider the factors in a number of areas prudently, including the unique situations of individual industries, workplaces and job types, and then assess the relevant risks

comprehensively and take appropriate preventive measures to protect the health of outdoors workers.

According to the general duties provisions of the Occupational Safety and Health Ordinance and the Factories and Industrial Undertakings Ordinance, employers should carry out risk assessments for their employees working outdoors, particularly for employees whose duties involve physical labour and in view of the results, take effective preventive measures, for example, with the help of tools or machinery to reduce the physical exertion of employees, to minimize the exposure of employees to other pollutants while at work, for example, the exhaust of engines, and to reduce the time spent by employees on outdoor work as far as practicable or reschedule the outdoor work to another day.

When exposed to a "very high" level of air pollution, people in general may experience such slight discomforts as coughing and sore throats and the health of people with heart disease or respiratory troubles may worsen slightly. In this regard, we suggest that employees with heart or respiratory diseases should pay attention to their physical condition and should they feel any discomfort, they should inform their employers and seek medical consultation immediately. They should also inform their employers of the advice of their doctors, such as the need to take sick leave.

To further remind employers and employees, the LD also plans to publish press releases when the API reaches the "very high" or "severe" levels and when the API is at the "severe" level, to issue appropriate advice to employers and employees through radio and television broadcasts. The relevant press releases will also remind employers to pay attention to the physical condition of their employees and carry out risk assessments. If outdoor workers have any complaint about unsafe work conditions and practices, they can call the LD's occupational safety and health complaint hotline at 2542 2172 immediately, so that follow-up action can be taken at once.

In addition, during its routine inspections of workplaces, the LD also encourages employers and employees to make reference to the Checklist compiled by the LD and discuss appropriate work arrangements in the light of their unique work conditions.

The motion moved by Ms LI Fung-ying is consistent with the policy objective of the Government. In response to such changes as social, economic and environmental ones, the Government will continuously review the legislation on occupational safety and health and the relevant guidelines and propose amendments or introduce new guidelines when necessary to ensure that the legislation and the relevant requirements can keep abreast of the times and meet the needs. Take the prevention of heat stroke as an example, as early as 2000, the LD compiled work guidelines with a view to raising the awareness of employers and employees of the risk factors leading to heat stroke and encouraging them to take effective preventive measures. After considering the views of various sectors on the work guidelines, we revised them in 2005 to set out in detail the areas requiring attention when employers and employees make work arrangements, for example, that employers should take heed of weather reports, so as to reschedule employees' duties to prevent them from working in a hot environment for extended periods of time.

In addition, in the past couple of years, the LD developed and publicized a checklist on "Risk Assessment for the Prevention of Heat Stroke at Work" to help employers and employees assess the risk of heat stroke at their workplaces more effectively. It has also provided two specific checklists for assessing the risk of heat stroke at work, one for the construction industry and the other for cleansing workplaces, so as to help employers and employees carry out effective risk assessments tailored to their actual situations.

The LD will continue with this direction of work, review the relevant guidelines and legislation from time to time and refine the relevant arrangements when necessary.

On law enforcement, I pointed out at the beginning of the motion debate that officers of the LD will target workplaces having greater risks in inclement weather, such as construction sites, cleansing workplaces, container terminals and container yards by conducting surprise inspections and special enforcement operations to ensure that employers and contractors comply with the relevant legislation. The officers will also issue suspension notices and improvement notices to and even institute prosecutions against employers and contractors found to have breached the legislation.

In May, June and September 2009, the LD conducted two special enforcement operations targeting the cargo handling and container handling industry specifically. During the operations, it conducted inspections on a total of 1 574 workplaces, issued 354 warnings and eight improvement notices, and initiated seven prosecutions.

The LD conducted a special enforcement operation targeting workplaces with a higher risk of heat stroke from April to September 2009. During the operation, it conducted a total of 9 416 inspections, issued 207 warnings and eight improvement notices, and initiated three prosecutions.

Mr IP Wai-ming expressed his concern about the compensation for employees whose illnesses are caused by working in inclement weather. I wish to point out that the Employees' Compensation Ordinance (ECO) provides that if an employee sustains an injury or dies as a result of an accident arising out of and in the course of his employment, his employer is definitely liable to paying compensation under the Ordinance. In addition, section 36(1) of the ECO also provides that even if a disease is not prescribed in the Ordinance as eligible for compensation but it can be proven in individual cases that a personal injury by accident arose out of and in the course of employment, a claim for compensation can be made. If an employee sustains a work injury or suffers from a related illness, for example, from heat stroke resulting from working in a hot environment or heart or respiratory diseases triggered by working in an environment with serious air pollution, thus resulting in temporary or permanent incapacity, the LD will offer advice to the employer and employee concerned on whether the illness is work-related in view of the specific circumstances of individual cases and when necessary, provide assistance to the employee in undergoing formalities to claim compensation. The employee concerned should notify his employer as soon as possible after an incident, so that his employer can notify the LD in accordance with the provisions of the ECO. The LD will definitely exert its utmost to provide assistance to employees.

If an employee sustains a work injury or dies in the course of his employment, his employer has to assume responsibility for compensation in accordance with the ECO. Generally speaking, no matter if an accident happens in times of typhoons or when a rainstorm warning is in force and no matter if the accident happens due to the mistakes made by or the negligence of the employee concerned, he will still be covered by the ECO.

Generally speaking, the working hours of an employee begins at the time he arrives at the workplace and ends on leaving it. Therefore, if an employee meets an accident on his way to or from work, since his time of employment has not yet started or has already ended, any injury sustained in an accident that happens during this period cannot be considered a work injury. In order to enhance reasonable protection for employees, a provision was added to the ECO in 1994 to expand the protection for employees in special circumstances to cover an accident that happens to an employee when Typhoon Warning Signal No. 8 or above or a Red or Black Rainstorm Warning is in force, and it shall be deemed to arise out of and in the course of employment if it happens to the employee when he is travelling from his place of residence to his place of work by a direct route within a period of four hours before the time of commencement of his working hours for that day, or from his place of work to his place of residence within a period of four hours after the time of cessation of his working hours for that day.

A number of Members proposed that heat stroke be included in the scope of occupational diseases. I wish to point out that according to the ECO, employers must report cases of occupational injuries or deaths to the LD. When some employers report such cases, they may rely on their non-professional understanding and observation and decide that the symptoms or injuries are perhaps the result of heat stroke. However, since the symptoms of heat stroke, such as dizziness, headache and fatigue, are similar to those of some illnesses, in the past, the LD did not keep a record of injuries and deaths that were claimed to be related to heat stroke suffered while at work. However, from May 2009 onwards, the LD began to compile figures of injuries and deaths resulting from heat strokes that were confirmed by doctors to be work-related. So far, there are a total of five such cases.

At present, various countries and regions adopt different approaches in handling compensation claims relating to heat stroke suffered by employees at work. Heat stroke is regarded as an occupational disease on the Mainland, while in Hong Kong and a number of other regions, such as the United Kingdom, Canada, Singapore and some states in Australia, it is regarded as work injury. Nevertheless, no matter if it is regarded as work injury or an occupational disease, the most important thing is that according to the ECO, the compensation is the same if the degree of incapacity caused by it is the same.

President, in sum, the issue of occupational safety and health of employees working in inclement weather is our main concern. We believe that encouraging employers and employees to carry out risk assessments on the work environment according to various kinds of inclement weather and actual work settings, discuss the work arrangements well in advance and implement preventive measures accordingly, to be complemented by active inspection and stringent law enforcement by the law-enforcement departments, is the most effective and practicable approach in protecting employees.

President, the Government is very concerned about the occupational safety and health of employees at work, including in inclement weather. We have established a well-developed legal framework and will review and revise the relevant legislation or guidelines from time to time in the light of such conditions as social environment and economic development and continue to co-operate sincerely with various partner organizations, such as the Occupational Safety and Health Council, the Construction Industry Council, employers' associations and trade unions, in taking forward and stepping up the relevant efforts.

Thank you, President.

PRESIDENT (in Cantonese): I now call upon Mr CHAN Hak-kan to move his amendment to the motion.

MR CHAN HAK-KAN (in Cantonese): President, I move that Ms LI Fung-ying's motion be amended.

Mr CHAN Hak-kan moved the following amendment: (Translation)

"To add ", in view of the aggravating problems of global climate change and air pollution, "after "That"; to add "and severe air pollution, "after "rainstorm warnings"; and to add "or severe air pollution, especially when working outdoors" immediately before the full stop."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mr CHAN Hak-kan to Ms LI Fung-ying'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): Members have been informed that Ms Audrey EU and Mr LEE Cheuk-yan will withdraw their amendments if Mr CHAN Hak-kan's amendment is passed. As this is the case now, Ms Audrey EU and Mr LEE Cheuk-yan have therefore withdrawn their amendments.

PRESIDENT (in Cantonese): Mr IP Wai-ming, as the amendment by Mr CHAN Hak-kan 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. You may now move your revised amendment.

MR IP WAI-MING (in Cantonese): President, I move that Ms LI Fung-ying's motion as amended by Mr CHAN Hak-kan be further amended by my revised amendment.

Mr IP Wai-ming moved the following further amendment to the motion as amended by Mr CHAN Hak-kan: (Translation)

"To add ", and formulate the relevant guidelines and legislation for employees at work under cold weather warnings and early warnings on sandstorms, which include: (a) to stipulate that employees who have

contracted a disease attributable to working in inclement weather may be regarded as suffering from work injury and are entitled to statutory compensation; (b) to provide employees with rest breaks or arrange for them to take turns to work when working in inclement weather, such as making arrangement for employees to take rest during periods of very hot weather, or to take turns to work in very hot and chilly workplaces, so as to shorten their period of working continuously in a very hot environment; (c) the Labour Department should step up inspections and strictly institute prosecutions against employers who have not taken appropriate preventive measures for their employees in accordance with the Occupational Safety and Health Ordinance or the Factories and Industrial Undertakings Ordinance; and (d) employers should take appropriate preventive measures and install suitable facilities to protect the occupational safety and health of their employees" immediately before the full stop."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That Mr IP Wai-ming's amendment to Ms LI Fung-ying's motion as amended by Mr CHAN Hak-kan 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 Miriam LAU rose to claim a division.

PRESIDENT (in Cantonese): Ms Miriam LAU 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 Margaret NG, Mr CHEUNG Man-kwong, Ms LI Fung-ying, Dr Joseph LEE, Mr Paul CHAN, Mr CHAN Kin-por, Dr LEUNG Ka-lau, Mr CHEUNG Kwok-che, Mr IP Wai-ming, Mr IP Kwok-him and Dr PAN Pey-chyou voted for the amendment.

Dr Raymond HO, Mrs Sophie LEUNG, Ms Miriam LAU, Mr Abraham SHEK, Mr Tommy CHEUNG, Mr Vincent FANG, Mr Jeffrey LAM, Mr Andrew LEUNG, Dr LAM Tai-fai and Dr Samson TAM abstained.

Geographical Constituencies:

Mr Albert HO, Mr LEE Cheuk-yan, Mr Fred LI, Mr James TO, Mr CHAN Kam-lam, Mr LEUNG Yiu-chung, Mr Andrew CHENG, Mr TAM Yiu-chung, Mr Frederick FUNG, Ms Audrey EU, Mr WONG Kwok-hing, Mr LEE Wing-tat, Ms Cyd HO, Ms Starry LEE, Mr CHAN Hak-kan, Mr WONG Sing-chi and Mr WONG Kwok-kin voted for the amendment.

Mrs Regina IP voted against the amendment.

Dr Priscilla LEUNG abstained.

THE PRESIDENT, Mr Jasper TSANG, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 21 were present, 11 were in favour of the amendment and 10 abstained; while among the Members returned by geographical constituencies through direct elections, 20 were present, 17 were in favour of the amendment, one against it and one abstained. Since the question was agreed by a majority of each of the two groups of Members present, he therefore declared that the amendment was passed.

PRESIDENT (in Cantonese): Ms LI Fung-ying, you may now reply and you have two minutes 19 seconds.

MS LI FUNG-YING (in Cantonese): President, I am very disappointed, for the Secretary has spent 20 minutes on only repeating the work now done by the authorities. Regarding the remarks made by Members during the earlier debate, he has not taken heed of any of the opinions expressed. It turns out his allusion to attaching great importance to occupational safety and health is nothing but a slogan.

President, the Government and the Secretary often say that when Members have reached a consensus on a certain issue, the Government will accord priority to it and work on it. Today, this Council has rarely arrived at a consensus, but why does the Secretary still insist on having his own way? Hence, I hope the Secretary will stop taking part for all. When he talked about the situation in certain industries, he pointed out that it was impossible for those industries to stop operation immediately. But among the dozen of Members who have spoken earlier, none of them mentioned the cease of operations in any circumstance. They only said that in times of very hot weather, typhoons and rainstorms where the Black Rainstorm Warning was in force, the authorities had to attend to the safety and health of employees at work, ensuring that they are provided with portable water or extra rest breaks. These are their humble requests. Hence, I urge the Government to conduct a comprehensive and serious review of the relevant legislation to provide more protection to employees. Thank you, President.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Ms LI Fung-ying, as amended by Mr CHAN Hak-kan and Mr IP Wai-ming, 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 am on Wednesday, 19 May 2010.

Adjourned accordingly at fourteen minutes to Six o'clock.

Appendix 1

REQUEST FOR POST-MEETING AMENDMENT

The Secretary for Labour and Welfare requested the following post-meeting amendment in respect of a supplementary question to Question 4

Line 6 to 7, first paragraph, page 14 of the Confirmed version

To amend "..... the public can telephone the SWD hotline at 2343 2244 for enquiry." as "..... the public can telephone the SWD hotline at 2343 2255 for enquiry." (Translation)

(Please refer to line 11 to 12, second paragraph, page 8125 of this Translated version)

Appendix I**WRITTEN ANSWER****Written answer by the Secretary for Financial Services and the Treasury to Mr Paul CHAN's supplementary question to Question 1**

As regards the operation of charitable organizations and funds, in general, if charitable bodies are disqualified for tax exemption status under section 88 of the Inland Revenue Ordinance because they have ceased operation or are untraceable, the Inland Revenue Department (IRD) would not recover back tax from them. If the charitable bodies are disqualified for other reasons, the IRD would take follow-up action accordingly. In the two financial years of 2008-2009 and 2009-2010, the IRD assessed the back tax liability for a total of 28 disqualified charitable bodies. However, the IRD does not have statistics on the amount of back tax recovered in the above cases.

Appendix II**WRITTEN ANSWER****Written answer by the Secretary for Food and Health to Mr WONG Yung-kan's supplementary question to Question 4**

As regards the details of the Agriculture, Fisheries and Conservation Department's (AFCD) arrangement for endangered animals sent to the department's Animal Management Centres, since 2009, the AFCD has repatriated two batches of live endangered animals to their countries of origin, including sending 300 Central Asian tortoises to Pakistan and 107 leopard tortoises to Tanzania. As for animals which cannot be repatriated, the AFCD will present those animals belonging to species with conservation value to local conservation bodies (such as Kadoorie Farm and Botanic Garden as well as Ocean Park). Besides, the AFCD will present suitable animals to other government departments as well as educational institutions for exhibitions with educational purposes.