

**立法會**  
**Legislative Council**

LC Paper No. CB(1)893/10-11  
(These minutes have been seen  
by the Administration)

Ref : CB1/SS/3/10/1

**Subcommittee on Waterworks (Amendment) Regulation 2010**

**Minutes of meeting held on  
Friday, 19 November 2010, at 10:45 am  
in Conference Room A of the Legislative Council Building**

**Members present** : Hon Tommy CHEUNG Yu-yan, SBS, JP (Chairman)  
Hon LEE Wing-tat  
Hon Tanya CHAN

**Member absent:** Hon CHEUNG Hok-ming, GBS, JP

**Public officers attending** : Mr CHUI Wing-wah  
Principal Assistant Secretary for Development (Works)<sup>3</sup>

Mr LEE Kwong-ming  
Assistant Director / Finance and Information  
Technology  
Water Supplies Department

Mr WONG Man-ching  
Senior Mechanical Engineer / Maintenance (2)  
Water Supplies Department

Mr LEUNG Wing-tai  
Senior Engineer / Customer Services (Kowloon)  
Water Supplies Department

Mr KWOK Yau-ting  
Senior Chemist (2)  
Water Supplies Department

Ms Karmen KWOK Man-yi  
Government Counsel  
Department of Justice

**Clerk in attendance :** Mr Stephen LAM  
Chief Council Secretary (1)4

**Staff in attendance :** Ms Clara TAM  
Assistant Legal Adviser 9

Ms Sharon CHUNG  
Senior Council Secretary (1)5

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Action

**I Meeting with the Administration**

Administration's response to issues raised at the meeting on 10 November 2010

(LC Paper No. CB(1)441/10-11(01) -- Administration's response to issues raised at the meeting on 10 November 2010)

Background information on the Regulation

(L.N. 129 of 2010 -- The Waterworks (Amendment) Regulation 2010

LC Paper No. LS2/10-11 -- Legal Service Division Report

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LC Paper No. CB(1)368/10-11(01) -- Marked-up copy of the Waterworks (Amendment) Regulation 2010

LC Paper No. CB(1)368/10-11(02) -- Paper on Waterworks (Amendment) Regulation 2010 prepared by the Legislative Council Secretariat (Background brief))

The Subcommittee deliberated (index of proceedings attached at **Annex**). In response to the Chairman's enquiry, the Administration reiterated that it had no intention to withdraw or amend any parts of the Waterworks (Amendment) Regulation 2010 (the Amendment Regulation).

2. The Subcommittee scrutinized the Amendment Regulation section by section.

3. The Chairman concluded that the scrutiny of the Amendment Regulation had been completed. He would submit a report to the House Committee meeting on 26 November 2010. He advised that, if individual member wished to move a motion to amend the Amendment Regulation at the Council meeting on 8 December 2010, the deadline for giving notice of the motion would be 1 December 2010.

## **II Any other business**

4. There being no other business, the meeting ended at 11:05 am.

Council Business Division 1  
Legislative Council Secretariat  
22 December 2010

**Subcommittee on Waterworks (Amendment) Regulation 2010**

**Proceedings of meeting  
on Friday, 19 November 2010, at 10:45 am  
in Conference Room A of the Legislative Council Building**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
000000 – 000059	Chairman	Opening remarks	
000100 – 000602	Administration	<p>The Administration's briefing on:</p> <p>(a) the details of cases, amount of fees collected, level of cost recovery rates based on existing fees and proposed fees for each of the 18 fee items proposed to be revised; and</p> <p>(b) the reason for charging different fees for testing meters of different diameters</p> <p>(The details were given in the Administration's paper (LC Paper No. CB(1)441/10-11(01) (the Administration's paper)).</p>	
000603 – 000655	Chairman Administration	<p>The Chairman's enquiry about whether the fee for reconnecting a fire service or inside service (item 1 in Annex I to the Administration's paper) mainly applied to property developers</p> <p>The Administration's response that fee under item 1 would be chargeable on individual customer for reconnecting water supply:</p> <p>(a) when water supply to him/her had been terminated due to non-payment of water charges, or</p> <p>(b) upon his/her request for water supply to premises where the meter had been removed because such premises had been vacated for one to two month(s)</p>	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
000656 – 000947	Chairman Administration	<p>The Chairman's views that the increase of fees for items 2 and 3 in Annex I to the Administration's paper (providing and installing a meter and providing a meter) were not objectionable because it mainly affected property developers</p> <p>The Chairman's enquiry on whether the Administration had considered withdrawing the revision of some of the fee items, such as items 1, 5 to 7 (which were related to testing a meter or a private check meter) and 12 (which was related to examination of a water sample) in Annex I to the Administration's paper because the amount of revenue was immaterial and the number of users was relatively small</p> <p>The Administration's response that:</p> <ul style="list-style-type: none"> <li>(a) the fees to be revised under the Amendment Regulation were service charges, of which the costs should be recovered as far as possible under the 'user pays' principle and not to be subsidized by public monies;</li> <li>(b) the fees were not directly related to people's livelihood;</li> <li>(c) the impact of the increases on users were minimal;</li> <li>(d) the increases were modest and the services would still be below full cost recovery even after this fee revision; and</li> <li>(e) the Administration had no intention to amend the 18 items of fees proposed to be revised under the Amendment Regulation</li> </ul>	
000948 –	Chairman	The Chairman's remarks that it would be	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
001026	Clerk	<p>for individual members to decide whether or not to support the proposed fee revisions</p> <p>The Chairman's enquiry on the deadline for moving the motion to amend the Amendment Regulation</p> <p>The Clerk's reply that the deadline for giving a notice of a motion to amend the Amendment Regulation would be 1 December 2010</p>	
001027 – 001030	Miss Tanya CHAN	Miss CHAN's remarks that, according to the Administration's paper, most users of item 2 (providing and installing a meter) were individual customers	
001031 – 001530	Administration Chairman	<p>Section-by-section scrutiny of the Amendment Regulation</p> <p>Members raised no questions on the sections</p> <p>Completion of the section-by-section scrutiny</p>	
001531 – 001710	Chairman	<p>The Chairman's remarks that:</p> <p>(a) he would submit a written report on behalf of the Subcommittee to the House Committee meeting on 26 November 2010;</p> <p>(b) unless members requested another meeting to discuss amendments to be proposed by the Subcommittee, the Subcommittee would not hold further meeting</p> <p>Closing remarks</p>	