

立法會

Legislative Council

立法會CB(3) 93/12-13號文件

2012年11月2日內務委員會會議文件

定於2012年11月7日立法會會議上提出的質詢

提問者：

- | | | |
|------|----------------------------|---------------|
| (1) | 馮檢基議員 | (口頭答覆) |
| (2) | 梁繼昌議員 | (口頭答覆) |
| (3) | 鍾國斌議員 | (口頭答覆) |
| (4) | 陳恒鏞議員 | (口頭答覆) |
| (5) | 黃碧雲議員 | (口頭答覆) (新的質詢) |
| | <i>(取代其原先提出的質詢)</i> | |
| (6) | 黃毓民議員 | (口頭答覆) |
| (7) | 湯家驊議員 | (書面答覆) |
| (8) | 何秀蘭議員 | (書面答覆) |
| (9) | 葉劉淑儀議員 | (書面答覆) |
| (10) | 梁志祥議員 | (書面答覆) |
| (11) | 鍾樹根議員 | (書面答覆) |
| (12) | 陳家洛議員 | (書面答覆) |
| (13) | 黃毓民議員 | (書面答覆) (新的質詢) |
| | <i>(梁國雄議員已放棄編配給他的質詢時段)</i> | |
| (14) | 范國威議員 | (書面答覆) |
| (15) | 陳克勤議員 | (書面答覆) |
| (16) | 莫乃光議員 | (書面答覆) |
| (17) | 林大輝議員 | (書面答覆) (新的質詢) |
| | <i>(取代其原先提出的質詢)</i> | |
| (18) | 謝偉俊議員 | (書面答覆) |
| (19) | 陳偉業議員 | (書面答覆) |
| (20) | 張國柱議員 | (書面答覆) |

註 :

NOTE :

議員將採用這種語言提出質詢

Member will ask the question in this language

公眾場所的廁所

(5) 黃碧雲議員 (口頭答覆)

公眾場所女廁經常出現排隊現象。當局於2012年2月向立法會提交文件，建議修訂有關的建築物規例。建議修訂包括按照對不同類別場所內男性和女性使用人士數目的評估，提升衛生設備供應的標準，以及採納1:1.5的比例用作估算處所內男性和女性人數，以取代現時1:1的比例。另一方面，據悉美國國會在2010年提出的法例，要求男女廁格比例提升至1:2，而台灣則在2010年立法規定在電影院及車站內的男女廁格比例不得低於1:5。此外，有市民向本人指出，公眾場所的廁所亦欠缺讓不同性別的家庭成員照顧嬰幼兒、長者及兒童如廁的設施。關於公眾場所的廁所，政府可否告知本會：

- (一) 上述修訂法例的工作的最新進展，以及預計於何時向立法會提交修訂規例；
- (二) 鑒於一如上述，現時香港男性廁格(連尿廁)與女性廁格的比例低於其他地區，加上香港人口中女性多於男性，而且女性使用廁所時間一般較男性長，當局會否考慮把男女廁格比例進一步提升至不少於1:2；及
- (三) 當局會否考慮立法改善公眾場所內男、女廁所的設施，例如增設扶手、掛鉤、防滑地板，以及讓不同性別的家庭成員均可照顧嬰幼兒、長者及兒童如廁的設施，以落實家庭友善政策；會否考慮參考外國例子，研究設立獨立的中性衛生設施，方便需要照顧異性家人的使用者；若會，詳情為何；若否，原因為何？

Toilets in public places

(5) Dr Hon Helena WONG Pik-wan (Oral reply)

Long queues are often seen in female toilets in public places. In a paper submitted to the Legislative Council (“LegCo”) in February 2012, the authorities proposed to amend the relevant building regulations. The proposed amendments include enhancing the standard of provision of sanitary fitments, taking into account the assessed numbers of male and female users in different types of venues, and adopting a ratio of 1:1.5 (replacing the current ratio of 1:1) for assessing the numbers of male to female in the premises. On the other hand, it has been learnt that legislation was proposed in the United States Congress in 2010 demanding that the male-to-female (“M/F”) toilet compartment ratio be increased to 1:2, and Taiwan introduced in 2010 legislation requiring the M/F toilet compartment ratio in cinemas and bus stations not lower than 1:5. In addition, some members of the public have pointed out to me that toilets in public places also lack facilities which allow family members of different genders to take care of infants, the elderly and children in using toilets. Regarding toilets in public places, will the Government inform this Council:

- (a) of the latest work progress of the aforesaid legislative amendments, and the expected time for submission of the amendment regulations to LegCo;
- (b) given that, as mentioned above, the current M/F toilet compartment (including urinals) ratio in Hong Kong is lower than the ratios in other regions, coupled with the facts that women outnumber men in Hong Kong’s population and that females usually use toilets for a longer time than males do, whether the authorities will consider further increasing the M/F toilet compartment ratio to not lower than 1:2; and
- (c) whether the authorities will consider introducing legislation to improve the facilities in male and

female toilets in public places, for example, installing handrails, coat hooks, skid-proof flooring, as well as facilities which will allow family members of different genders to take care of infants, the elderly and children in using toilets, so as to implement family-friendly policies; whether they will consider making reference to overseas examples and studying the provision of stand-alone unisex sanitary facilities, so as to facilitate those users who need to take care of family members of the opposite gender; if they will, of the details; if not, the reasons for that?

法定和諮詢組織非官方成員的委任

(13) 黃毓民議員 (書面答覆)

政府委任法定或諮詢組織的非官方成員時，一般需遵從“六、六指引”，即每個被委任的人不可同時擔任超過6項該類公職，也不應出任有關組織的同一職位超過6年。就此，政府可否告知本會：

- (一) 目前有多少個法定和諮詢組織的主席或委員是由政府作出委任的；
- (二) 目前有多少人同時擔任4項或以上的法定或諮詢組織的非官方成員；及
- (三) 鑒於有報道指出，政府曾經委任一些與離任成員屬同一黨派或商會的人士擔任有關公職、在有關成員離任一兩年後重新委任他們擔任相同公職，甚至有一些人獲委擔任相同公職超過6年因而違反“六、六指引”，當局採取這些做法的原因為何？

Appointment of non-official members
of statutory and advisory bodies

(13) Hon WONG Yuk-man (Written reply)

In appointing non-official members of statutory or advisory bodies, the Government generally needs to follow the “6-6 Rules”, i.e. each person appointed should not hold more than six such public offices at any one time and should not serve on a body in the same capacity for more than six years. In this connection, will the Government inform this Council:

- (a) of the current number of statutory and advisory bodies the chairpersons or members of which are appointed by the Government;
- (b) of the current number of persons serving concurrently on four or more statutory or advisory bodies as non-official members; and
- (c) given that it has been reported that the Government has appointed persons from the same political parties or chambers of commerce to which the outgoing members are affiliated to fill the vacated offices, has re-appointed persons to the same public offices which they have left one to two years ago, and there are even incidents where some people have been appointed to the same public offices for over six years thus violating the “6-6 Rules”, of the reasons why the authorities have adopted such practices?

分間樓宇單位、床位寓所及板間房

(17) 林大輝議員 (書面答覆)

關於政府就本人於2012年10月24日提出有關分間樓宇單位(俗稱“劏房”)、床位寓所(俗稱“籠屋”)及板間房的書面質詢作出的答覆，政府可否告知本會：

- (一) 鑒於政府在2007年至2012年9月30日期間曾就41張清拆命令進行檢控，當中分別涉及的劏房、籠屋和板間房的數目、涉案人士被定罪的個案數目及判罰為何；
- (二) 為何有關的政府部門沒有備存全港違例的劏房、籠屋及板間房的數目和住戶人數；有否計劃進行相關統計；如有，何時進行及完成；如否，原因為何；
- (三) 鑒於有傳媒報道，政府向長遠房屋策略督導委員會(“長策會”)提交的文件顯示，截至去年年中，居住於板間房、床位寓所和閣樓的住戶合計約65 000人，商廈及工廈“住戶”則有約6 200人，合計總“劏房及板房戶”或達到71 000人，政府為何答覆本人的質詢時表示，有關的政府部門並沒有備存全港違例的劏房、籠屋及板間房的數目和住戶人數；政府可否向本會提供該份文件；如否，原因為何；
- (四) 鑒於政府表示，板間房及劏房在《建築物條例》(第123章)下並沒有定義，執法當局如何對違例的板間房及劏房採取有效的執法行動，以及有否計劃修訂該條例，以加入有關定義；如否，原因為何；
- (五) 鑒於政府表示，屋宇署一直有就涉及分間單位的違例建築工程發出清拆命

令，但沒有就劏房、籠屋及板間房作分類，為何沒有作出分類，以及有否計劃作出分類；

- (六) 現時全港持牌床位寓所的總數為何，以及估計現時共有多少間無牌經營的床位寓所；
- (七) 鑒於政府表示，過去5年，民政事務總署牌照事務處就懷疑無牌經營床位寓所提出兩次檢控，涉案人士被法庭定罪並分別被判處罰款3,000元及9,740元，政府有否評估檢控數字是否偏低及判罰是否過輕；如有，詳情為何；如否，原因為何；
- (八) 鑒於政府表示，屋宇署一般並不會把在執法行動中就違例的劏房、籠屋及板間房的物業所發出的警告信於土地註冊處註冊(俗稱“釘契”)，原因為何；
- (九) 鑒於政府表示，如果業主沒有在指定的日期前遵從清拆命令，屋宇署可安排政府承建商進行有關工程，並於其後向業主悉數追討工程費連監工費及附加費，過去5年，屋宇署每年安排承建商進行有關工程的個案數目、涉及的費用及是否已全數從有關業主收回；
- (十) 鑒於由2007年至2012年9月，屋宇署共發出527張清拆命令，已遵從的命令為166張，但仍有361張仍未遵從並正在跟進中，該361宗個案涉及甚麼問題、至今未作出檢控的原因為何，以及會如何跟進該等個案；
- (十一) 鑒於有長策會成員建議將工廠大廈改建成宿舍，變成“合法劏房”，政府會否評估該建議的可行性；如否，原因為何；如會，詳情為何，政府會否考慮放寬工廠大廈改作該用途時的地積

比；如會，具體的建議為何；如否，原因為何；

- (十二) 為何有關的政府部門沒有關於劏房、籠屋及板間房的意外及事故的統計數字，以及會否計劃進行相關統計；如否，原因為何；
- (十三) 鑒於政府未有答覆行政長官承諾會就劏房、籠屋及板間房制訂的合適的安全和衛生標準的內容為何，政府可否直接回答；如否，原因為何；
- (十四) 鑒於政府未有答覆何時開始及完成制訂合適的安全和衛生標準，以及提出長遠和全面解決相關問題的政策，政府可否直接回答；如否，原因為何；及
- (十五) 鑒於政府未有答覆有否擬訂解決違例的劏房、籠屋及板間房問題的工作指標、目標或時間表，政府可否直接回答；如否，原因為何？

Sub-division of flat units, bedspace apartments and
cubicle apartments

(17) Dr Hon LAM Tai-fai (Written Reply)

Regarding the Government's reply to my written question raised on 24 October 2012 concerning sub-division of flat units ("commonly known as "sub-divided units"), bedspace apartments ("commonly known as "caged homes") and cubicle apartments, will the Government inform this Council:

- (a) given that the Government instituted prosecutions in respect of 41 removal orders between 2007 and 30 September 2012, of the respective numbers of sub-divided units, caged homes and cubicle apartments involved in those cases, as well as the number of those in which the persons involved were convicted and the penalties imposed on them;
- (b) why the government departments concerned have not kept records on the numbers of unauthorized sub-divided units, caged homes and cubicle apartments in Hong Kong, as well as the numbers of households living therein; whether they have any plans to compile the relevant statistics; if so, when they will do so and complete the task; if not, of the reasons for that;
- (c) as it has been reported by the media that in its paper submitted to the Long Term Housing Strategy Steering Committee ("SC"), the Government indicated that as at mid 2011, a total of 65 000 people were living in cubicle apartments, bedspace apartments and cocklofts and around 6 200 people were living in commercial and industrial buildings, making the total number of those living in sub-divided units and cubicle apartments to around 71 000, why the Government said in its reply to my question that the government departments concerned had not kept records on the numbers of unauthorized

sub-divided units, caged homes and cubicle apartments in Hong Kong as well as the numbers of households living therein; whether the Government will provide the paper to this Council; if not, of the reasons for that;

- (d) as the Government has said that cubicle apartments and sub-divided units are not defined in the Buildings Ordinance (Cap. 123), how the law enforcement authorities take effective enforcement actions against unauthorized cubicle apartments and sub-divided units, and whether it has any plan to amend the Ordinance to add the definitions; if not, of the reasons for that;
- (e) as the Government has said that the Buildings Department (“BD”) has been issuing removal orders against unauthorized building works in sub-division of flat units, but it has not categorized such units into sub-divided units, caged homes and cubicle apartments, why it has not made such categorization, and whether it has any plans to do so;
- (f) of the total number of licensed bedspace apartments and the estimated number of unlicensed bedspace apartments throughout the territory at present;
- (g) as the Government has said that in the past five years, the Office of the Licensing Authority under the Home Affairs Department instituted prosecutions against two cases of suspected operation of unlicensed bedspace apartments, and those involved in the cases were convicted by the court and fined \$3,000 and \$9,740 respectively, whether the Government has assessed if the number of prosecutions instituted was on the low side, and whether the penalties were too light; if it has, of the details; if not, the reasons for that;

- (h) as the Government has said that normally BD does not register at the Land Registry warning letters issued during enforcement actions in respect of unauthorized sub-divided units, caged homes and cubicle apartments (commonly known as “imposing an encumbrance”), of the reasons for that;
- (i) as the Government has said that if the owners do not comply with the removal orders within a specified period of time, BD may carry out the works concerned through government contractors and the costs of the works, together with supervision and additional charges, shall be recoverable fully from the owners, of the annual number of cases in which BD carried out such works through government contractors in the past five years, the costs involved and whether they had been fully recovered from the owners concerned;
- (j) as BD issued a total of 527 removal orders during the period from 2007 to September 2012, of which 166 orders have been complied with while 361 orders have not and are being followed up, of the problems involved in those 361 cases and the reasons for not instituting prosecutions so far, and how BD will follow up such cases;
- (k) given that a member of SC has suggested converting industrial buildings to hostels, thereby turning them into “legalized sub-divided units”, whether the Government will assess the feasibility of the suggestion; if it will not, of the reasons for that; if it will, the details, and whether the Government will consider relaxing the plot ratios for industrial buildings being converted to such purpose; if it will, of the specific recommendations; if not, the reasons for that;
- (l) why the government departments concerned do not have statistics of accidents and incidents

related to sub-divided units, caged homes and cubicle apartments, and whether they have any plans to compile the relevant statistics; if not, of the reasons for that;

- (m) as the Government has not given answers in respect of the details of the appropriate safety and hygiene standards which the Chief Executive has pledged to set, whether it can provide a direct response to this question; if not, of the reasons for that;
- (n) as the Government has not given answers in respect of the time to start and finish drawing up the appropriate safety and hygiene standards, as well as setting long-term policies to solve the problem comprehensively, whether it can provide a direct response to these questions; if not, of the reasons for that; and
- (o) as the Government has not answered whether any work indicators, objectives and timeframe have been drawn up for tackling the problem of unauthorized sub-divided units, caged homes and cubicle apartments, whether it can provide a direct response to this question; if not, of the reasons for that?