

立法會
Legislative Council

LC Paper No. CB(3) 445/12-13

**Paper for the House Committee meeting
of 22 March 2013**

**Questions scheduled for the
Legislative Council meeting of 27 March 2013**

Questions by:

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|------|--|--------------------------------|
| (1) | Hon James TO Kun-sun | (Oral reply) |
| (2) | Hon LEUNG Che-cheung | (Oral reply) (New question) |
| | <i>(Replacing his previous question)</i> | |
| (3) | Hon WONG Yuk-man | (Oral reply) |
| (4) | Hon Cyd HO Sau-lan | (Oral reply) |
| (5) | Hon WONG Kwok-hing | (Oral reply) |
| (6) | Dr Hon KWOK Ka-ki | (Oral reply) |
| (7) | Ir Dr Hon LO Wai-kwok | (Written reply) |
| (8) | Hon SIN Chung-kai | (Written reply) |
| (9) | Hon MA Fung-kwok | (Written reply) |
| (10) | Dr Hon Elizabeth QUAT | (Written reply) |
| (11) | Hon Mrs Regina IP LAU Suk-yee | (Written reply) |
| (12) | Hon CHAN Hak-kan | (Written reply) |
| (13) | Dr Hon Kenneth CHAN Ka-lok | (Written reply) |
| (14) | Dr Hon Joseph LEE Kok-long | (Written reply) |
| (15) | Dr Hon CHIANG Lai-wan | (Written reply) |
| (16) | Hon TANG Ka-piu | (Written reply) |
| (17) | Hon Albert HO Chun-yan | (Written reply) |
| (18) | Hon Alan LEONG Kah-kit | (Written reply) (New question) |
| | <i>(Replacing his previous question)</i> | |
| (19) | Hon Albert CHAN Wai-yip | (Written reply) |
| (20) | Dr Hon LAM Tai-fai | (Written reply) (New question) |
| | <i>(Replacing his previous question)</i> | |

註 :

NOTE :

議員將採用這種語言提出質詢

Member will ask the question in this language

跨境學童的交通安排

(2) 梁志祥議員 (口頭答覆)

有新界西的學校校長和學生家長向本人反映，現時跨境學童在落馬洲支線管制站入境後可乘搭持有封閉道路通行許可證(下稱“許可證”)的本地校巴上學，但當局沒有向本地校巴簽發進入深圳灣管制站的許可證。現時每日有不少內地學童經由深圳灣管制站入境後到新界西的學校上學，他們在入境後只能等候乘搭從內地開出的跨境校巴上學，以致該等學童需花上更多時間上學，而且跨境校巴的車費較本地校巴為高。就此，政府可否告知本會：

- (一) 上學年分別有多少名學童每日跨境到香港就讀幼稚園、小學及中學，並按他們所經的出入境管制站，列出分項人數及他們獲發的禁區通行證的數目；
- (二) 現時途經深圳灣管制站的跨境校巴服務的詳情(包括路線及每日的架次)為何；有否評估該項服務是否足夠；若有，結果為何；及
- (三) 政府會否考慮採用落馬洲支線管制站的同一安排，向本地校巴簽發進入深圳灣管制站的許可證以便接送跨境學童上學，以減少在內地輪候過境的跨境校巴數目，以及為學生家長提供多一項選擇；若會，詳情為何；若否，原因為何？

Transport arrangements for cross-boundary students

(2) Hon LEUNG Che-cheung (Oral reply)

Some school principals and parents of students in New Territories West have relayed to me that, at present, after entering Hong Kong via the Lok Ma Chau Spur Line Control Point, cross-boundary students may take local school buses with Closed Road Permits (“CRPs”) to attend school, but the authorities have not issued CRPs to local school buses for entering the Shenzhen Bay Control Point. At present, quite a number of mainland students attend school in New Territories West after entering Hong Kong via the Shenzhen Bay Control Point every day, and after entering the territory, they can only wait to take the cross-boundary school coaches (“CBSCs”) departing from the Mainland to attend school. As a result, these students need to spend more time travelling to school, and the fares of CBSCs are also higher than those of local school buses. In this connection, will the Government inform this Council:

- (a) of the respective numbers of students crossing the boundary every day to attend kindergarten, primary school and secondary school in Hong Kong in the past school year, with a breakdown, by the control point they went through, of such numbers and the number of Closed Area Permits issued to them;
- (b) of the details of the services provided by CBSCs that go through the Shenzhen Bay Control Point at present (including their routes and the daily number of trips made); whether it has assessed if such services are adequate; if it has, of the outcome; and
- (c) whether the Government will consider adopting the same arrangement as that in the Lok Ma Chau Spur Line Control Point by issuing CRPs to local school buses for entering the Shenzhen Bay Control Point to take cross-boundary students to school, thus reducing the number of CBSCs waiting on the Mainland to cross the

boundary, and providing an additional choice for parents of students; if it will, of the details; if not, the reasons for that?

就與公眾遊行及公眾集會相關的罪行
而作出的拘捕和檢控

(18) 梁家傑議員 (書面答覆)

最近有多名政黨成員因曾於接近一年前參與公眾遊行及公眾集會而被警方拘捕並控以非法集結罪。據報，警方表示於收到律政司的指示後已經盡快聯絡相關人士協助調查。關於當局調查與公眾遊行及公眾集會相關的罪行和提出起訴的事宜，政府可否告知本會：

- (一) 2004至2012年及本年首兩個月，警方以涉嫌觸犯未經批准集結、非法集結、在公眾地方造成阻礙及公眾妨擾等罪行拘捕參與公眾遊行、示威及公眾集會人士的數目為何(按表一列出)；

(表一)

年份	涉嫌觸犯的罪行				
	未經批准集結	非法集結	在公眾地方造成阻礙	公眾妨擾罪	其他相關罪行
2004					
2005					
2006					
2007					
2008					
2009					
2010					
2011					
2012					
2013 (截至2月)					

- (二) 第(一)項所述的人士當中，

- (i) 被警方即場拘捕的人數為何(使用與表一相同格式的表格按年列出)；
- (ii) 就非即場拘捕的個案而言，被捕人士參與有關的遊行、示威或集

會的日期與拘捕日期相距的平均日數、中位日數及最長日數分別為何(使用與表二相同格式的表格按年列出)；

(表二)

年份：_____

涉嫌觸犯的罪行	平均日數	中位日數	最長日數
未經批准集結			
非法集結			
在公眾地方造成阻礙			
公眾妨擾罪			
其他相關罪行			

(iii) 最終被律政司起訴的人數為何(使用與表一相同格式的表格按年列出)；起訴日期與拘捕日期相距的平均日數、中位日數及最長日數分別為何(使用與表二相同格式的表格列出)；及

(三) 鑒於律政司刑事檢控科的服務承諾中列明，在接獲執法機關提供法律指引的要求，或關於檢控決定的查詢時，會於14個工作天內作覆，如問題較為複雜，亦會在這限期內給予初步回覆，律政司每年處理涉及第(一)項所述人士的個案中，達到該等服務承諾的百分比為何；如該比率並非百分之一百，原因為何；有否個案延誤提出檢控；若有，有否研究是否警方的責任？

Arrests and prosecutions for public processions
and public assemblies-related offences

(18) Hon Alan LEONG Kah-kit (Written Reply)

Recently, a number of political party members have been arrested by the Police and charged with the offence of unlawful assembly on the ground that they had participated in public processions and public assemblies nearly a year ago. It has been reported that the Police said that after receiving the instructions from the Department of Justice (“DoJ”), they had expeditiously contacted the persons concerned to assist in the investigation. Regarding the issues relating to the investigations into and the institution of prosecutions for public processions and public assemblies-related offences, will the Government inform this Council:

- (a) from 2004 to 2012 and in the first two months of this year, of the numbers of participants of public processions, demonstrations and public assemblies who had been arrested by the Police for the alleged offences of unauthorized assembly, unlawful assembly, obstruction of public place and causing public nuisance, etc. (set out in Table 1);

(Table 1)

Year	Alleged offences				
	Unauthorized assembly	Unlawful assembly	Obstruction of public place	Causing public nuisance	Other related offences
2004					
2005					
2006					
2007					
2008					
2009					
2010					
2011					
2012					
2013 (up to February)					

- (b) among the persons mentioned in (a),
 - (i) of the numbers of those who were arrested by the Police on the spot (set out by year in a table of the same format as Table 1);
 - (ii) for cases in which the persons concerned were not arrested on the spot, of the respective average, median and maximum numbers of days between the dates on which the arrested persons participated in the processions, demonstrations or assemblies concerned and the dates of arrests (set out by year in tables of the same format as Table 2); and

(Table 2)

Year: _____

Alleged offences	Average number of days	Median number of days	Maximum number of days
Unauthorized assembly			
Unlawful assembly			
Obstruction of public place			
Causing public nuisance			
Other related offences			

- (iii) of the numbers of persons who were eventually prosecuted by DoJ (set out by year in a table of the same format as Table 1); the respective average, median and maximum numbers of days between the dates of prosecutions and the dates of arrests (set out by year in tables of the same format as Table 2); and
- (c) as the performance pledges of the Prosecutions Division under DoJ state that upon the receipt of a request from a law enforcement agency for legal advice or upon the receipt of an enquiry on matters relating to prosecution decision, the

Division will provide such advice or reply to such enquiry within 14 working days, and in more complex cases, it will also provide an interim reply within this period, among the cases involving the persons mentioned in (a) which were handled by DoJ, of the percentage of cases in which these performance pledges were fulfilled each year; if the percentages are not 100%, of the reasons for that; whether there were cases in which prosecutions had been delayed; if there were such cases, whether it has examined if the responsibility rests with the Police?

訪港內地旅客急增帶來的影響

(20) 林大輝議員 (書面答覆)

有市民向本人反映，雖然內地人士個人遊計劃(俗稱“自由行計劃”)的實施，帶來巨大的經濟效益，但本地的設施未能承受旅客人數急增所帶來的壓力，加上政府近日限制嬰幼兒配方奶粉出口的措施(“限制措施”)被批評造成“中港矛盾”，政府有必要全面檢討香港的旅遊及民生等各方面的資源的承受能力。就此，政府可否告知本會：

- (一) 會否考慮成立跨政府部門的專責委員會，統籌及處理自由行計劃所引起的相關問題；如會，詳情為何；如否，原因為何；
- (二) 鑒於有旅遊業人士指出，自由行旅客“迫爆”香港，反映香港的旅遊配套設施滯後和追不上需求，在自由行政策不變的前提下，政府會否就香港的旅遊和社區資源的整體承受能力，進行全面的檢討；如會，詳情為何；如否，原因為何；
- (三) 有否評估，酒店房間的供應及住宿服務質素、旅遊相關的服務、旅遊巴士司機及導遊的數目，以至旅遊景點的泊車位等等，是否足以應付未來的旅客增長；如評估結果為不足夠，有何改善措施；
- (四) 鑒於有市民指出，海洋公園和香港迪士尼樂園已成為內地遊客的主要旅遊目的地，本地居民進場的比例日漸減少，政府會否確保該兩個主題公園增建旅遊設施時，考慮本地居民的需要，例如增建符合港人喜好的休閒設施；如有，詳情為何；如否，原因為何；
- (五) 當局推出限制措施前，有否評估內地當局和民眾的反應；如有，詳情為何；如否，原因為何；

- (六) 當局在落實限制措施前，有否與內地海關研究該措施的可行性，以及雙方對打擊水貨客是否有共識；如有共識，詳情為何；如否，原因為何；
- (七) 當局有否制訂指標，以評估限制措施的成效；如有，詳情為何；如否，原因為何；
- (八) 政府有否評估限制措施對嬰兒奶粉的進口商、批發商及零售商的營業額的影響；如有，詳情為何；如否，原因為何；
- (九) 政府有否研究如何協助進口商、批發商及零售商增加奶粉供應；
- (十) 現時本地嬰兒奶粉的供應情況(包括供應商數目，以及各品牌的嬰兒奶粉的入口數目及最近6個月的銷量)為何；及
- (十一) 鑒於政府決定在“五一黃金周”、“十一黃金周”及農曆新年假期3個內地長假期實施預訂貝澳營地的新安排，讓香港居民預訂營位，當局會否加強向內地民眾宣傳該新安排，以免兩地居民因“爭營地”而發生磨擦？

Impact of the surge of mainland visitors to Hong Kong

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

Some members of the public have relayed to me that although the implementation of the Individual Visit Scheme (“IVS”) for Mainland people have brought substantial economic benefits, the local facilities cannot cope with the pressure brought about by the surge of visitors. Moreover, the Government’s control measures implemented recently against export of formula products for infants and young children from Hong Kong (“control measures”) have been criticized as creating conflicts between the Mainland and Hong Kong. It is necessary for the Government to comprehensively review the coping capacity of Hong Kong’s resources for tourism and people’s livelihood, etc. In this connection, will the Government inform this Council:

- (a) whether it will consider setting up an inter-departmental task force to coordinate and handle the related problems arising from IVS; if it will, of the details; if not, the reasons for that;
- (b) as some members of the tourism industry have pointed out that mainland visitors have “overcrowded” Hong Kong, which shows that Hong Kong’s tourism supporting facilities lag behind and fail to meet the demand, whether the Government will review comprehensively the overall coping capacity of Hong Kong’s tourism and community resources on the premise that the IVS policy remains unchanged; if it will, of the details; if not, the reasons for that;
- (c) whether it has assessed if the supply of hotel rooms and quality of hotel accommodation services, provision of tourism-related services, number of coach drivers and tourist guides, as well as parking spaces at scenic spots, etc. can cope with the growing number of visitors in future; if the outcome of the assessment is in the negative, of the improvement measures;

- (d) as some members of the public have pointed out that the Ocean Park and the Hong Kong Disneyland have become major tourist destinations of mainland visitors, and the proportion of Hong Kong residents visiting the parks is decreasing, whether the Government will ensure that the needs of local residents will be taken into account when additional tourism facilities are to be provided in the two theme parks, e.g. providing additional leisure facilities preferred by Hong Kong people; if it will, of the details; if not, the reasons for that;
- (e) whether the authorities had assessed the responses of the mainland authorities and people before launching the control measures; if they had, of the details; if not, the reasons for that;
- (f) whether the authorities had studied, in collaboration with the mainland customs, the feasibility of the control measures before implementing such measures, and whether both parties have reached a consensus on combating parallel traders; if they have reached such a consensus, of the details; if not, the reasons for that;
- (g) whether the authorities have formulated indicators for assessing the effectiveness of the control measures; if they have, of the details; if not, the reasons for that;
- (h) whether the Government has assessed the impact of the control measures on the business turnover of infant formula product importers, wholesalers and retailers; if it has, of the details; if not, the reasons for that;
- (i) whether the Government has studied how to help importers, wholesalers and retailers increase the supply of formula products;
- (j) of the supply of infant formula products in Hong Kong at present (including the number of suppliers, the import volume of different brands

of infant formula products, and their respective sales volume in the recent six months); and

- (k) as the Government has decided to implement new arrangements for booking Pui O Campsite during the three long holidays on the Mainland, namely the Labour Day Golden Week, the National Day Golden Week and Lunar New Year, allowing Hong Kong residents to reserve the camp bays in advance, whether the authorities will step up efforts in publicizing the new arrangements to the mainland people so as to avoid conflicts between Hong Kong and mainland residents arising from “competition for the use of the Campsite”?