

立法會
Legislative Council

LC Paper No. CB(3) 18/13-14

**Paper for the House Committee meeting
of 4 October 2013**

**Questions scheduled for the
Legislative Council meeting of 9 October 2013**

Questions by:

- | | | |
|------|---------------------------------|-----------------|
| (1) | Hon Frederick FUNG Kin-kee | (Oral reply) |
| (2) | Hon WU Chi-wai | (Oral reply) |
| (3) | Hon Christopher CHEUNG Wah-fung | (Oral reply) |
| (4) | Hon Paul TSE Wai-chun | (Oral reply) |
| (5) | Hon Charles Peter MOK | (Oral reply) |
| (6) | Hon Steven HO Chun-yin | (Oral reply) |
| (7) | Hon Alice MAK Mei-kuen | (Written reply) |
| (8) | Dr Hon LAU Wong-fat | (Written reply) |
| (9) | Hon SIN Chung-kai | (Written reply) |
| (10) | Hon KWOK Wai-keung | (Written reply) |
| (11) | Hon WONG Kwok-kin | (Written reply) |
| (12) | Hon Gary FAN Kwok-wai | (Written reply) |
| (13) | Hon YIU Si-wing | (Written reply) |
| (14) | Hon POON Siu-ping | (Written reply) |
| (15) | Hon Claudia MO | (Written reply) |
| (16) | Hon LEUNG Kwok-hung | (Written reply) |
| (17) | Hon Albert HO Chun-yan | (Written reply) |
| (18) | Hon MA Fung-kwok | (Written reply) |
| (19) | Dr Hon CHIANG Lai-wan | (Written reply) |
| (20) | Hon TAM Yiu-chung | (Written reply) |
| (21) | Hon Kenneth LEUNG | (Written reply) |
| (22) | Hon CHAN Chi-chuen | (Written reply) |

註 :

NOTE :

議員將採用這種語言提出質詢

Member will ask the question in this language

Review of the use of military sites

(1) Hon Frederick FUNG Kin-kee (Oral reply)

It has been reported that military sites in Hong Kong have a total area of 2 700 hectares and some of them are not actually put to any military uses, and have even been left idle for a long time. It has been learnt that the Shek Kong airfield as a military site has a low utilization rate but lands in its periphery are subject to building height restrictions to avoid obstruction to the landing or taking off of military aircraft, resulting in the lands not being put to optimal use. There are also comments that certain military sites situated in the urban areas are suitable for public use such as public housing construction. Meanwhile, Article 13 of the Law of the People's Republic of China on the Garrisoning of the Hong Kong Special Administrative Region provides that "[a]ny land used by the Hong Kong Garrison for military purposes, when approved by the Central People's Government to be no longer needed for defence purposes, shall be turned over without compensation to the Government of the Hong Kong Special Administrative Region for disposal", and "[i]f the Government of the Hong Kong Special Administrative Region needs for public use any part of the land used for military purposes by the Hong Kong Garrison, it shall seek approval of the Central People's Government; where approval is obtained, the Government of the Hong Kong Special Administrative Region shall make reprovision of land and military facilities for the Hong Kong Garrison at such sites as agreed to by the Central People's Government, and shall bear all the expenses and costs entailed". In this connection, will the Government inform this Council:

- (a) of the distribution of military sites and their respective areas; whether it knows the utilization rates of the military sites, and the use of those situated in urban areas and reportedly have been left idle for a long time (e.g. the Kowloon East Barracks and the Gun Club Hill Barracks);
- (b) whether the authorities will consider discussing with the Hong Kong Garrison the optimization of the flight paths of the airspace in the vicinity of the Shek Kong airfield

so that the building height restrictions on the lands nearby can be relaxed to enable more effective use of such lands; if not, of the reasons for that; and

- (c) whether the authorities will raise with the Central People's Government the turning over to the SAR Government without compensation those military sites left idle for a long time, with low utilization rates and suitable for public use, or the reprovisioning of those military sites at alternative sites; if not, of the reasons for that?

Incorporation of enclaves into country parks

(2) Hon WU Chi-wai (Oral reply)

Currently, the Government refers to private lands or government lands adjacent to country parks or surrounded by country parks but not included in country parks as “enclaves”. According to a paper submitted by the Government to this Council earlier, there are 77 enclaves in the territory in early 2010, with a total area of some 2 076 hectares. Among such enclaves, 23 have been included in Outline Zoning Plans (“OZPs”). It has been reported that the Town Planning Board (“TPB”) is considering proposals to amend the OZPs concerned to zone parts of the two enclaves in Hoi Ha and Pak Lap of Sai Kung East Country Park as “Village Type Development”. Some members of the public have relayed to me that Hoi Ha Wan is a designated marine park, and dumping of wastes has been spotted earlier in Pak Lap. They are worried that once those enclaves are zoned “Village Type Development” by TPB, the ecology of the country park will be seriously ruined. In this connection, will the Government inform this Council:

- (a) whether it will consider incorporating all enclaves into country parks; if it will, of the timetable for incorporation of the respective enclaves; if not, the reasons for that; and
- (b) given the Government has decided to introduce relevant subsidiary legislation to the Legislative Council to incorporate Sai Wan and several enclaves into the country parks concerned at the end of this year in response to the grave public concern arising from the unauthorized excavation works carried out in the enclave of Sai Wan in 2010, whether the Government will follow the same principle to impose control on developments of privately-owned enclaves when incorporating other enclaves into country parks in future?

Vetting of and approval for applications for new listings

(3) Hon Christopher CHEUNG Wah-fung (Oral reply)

It has been reported that Alibaba Group, an Internet giant on the Mainland, has discussed with Hong Kong Exchanges and Clearing Limited (“HKEx”) earlier about listing in Hong Kong, and proposed that a partnership system be adopted by the company after listing, so that partners holding only minority interests will have the right to nominate a majority of directors. However, this system violates the current listing requirement of “same rights for same shares”. It has also been reported that such discussion has rekindled concerns of some market participants about the issues of HKEx having conflicts of interests in performing its function to vet and approve new listings, and of deficiency in the existing regime for vetting and approving listings. In fact, in as early as 2003, the Report by the Expert Group to Review the Operation of the Securities and Futures Market Regulatory Structure (“the Report”) had raised numerous issues concerning conflicts of interests and roles on the part of HKEx as both a commercial entity and a regulator, and had put forward a number of recommendations. In this connection, will the Government inform this Council:

- (a) how it ensures that HKEx, while seeking more listings of overseas and mainland companies in Hong Kong, will not neglect its duties to ensure that listed companies are of good quality and investors’ interests are safeguarded, and how it ensures that HKEx will make appropriate choices between the two aspects;
- (b) whether it has assessed if the existing regulatory mechanism is adequate to ensure that a balance is struck between the interests of HKEx as a commercial entity and as a public body, and whether it will adopt the recommendations put forth in the Report which had not been adopted, including removing the function of HKEx to vet and approve applications for new listings; and
- (c) whether it will consult the public on the various forms of shareholding structures available for new listings; if it will, of the details; if not, the reasons for that?

Transparency of the work of the Government

(4) Hon Paul TSE Wai-chun (Oral reply)

It was reported in the press that in September this year, the Government appointed members to the “Country and Marine Parks Board” (the “Parks Board”) for a new term, and on 1 August, it uploaded the “Guidelines for the Chief Executive in Handling Potential Cases of Conflict of Interest and Acceptance of Advantages and Entertainment Concerning Politically Appointed Officials” (the “Guidelines”) onto the official web site of the Office of the Chief Executive. However, on both occasions, the Government had not, pursuant to the established practice, issued any press release. The media had twice enquired with the Chief Executive why the Government had not issued any press release on the appointment of members to the Parks Board, but the Chief Executive had not given a reply. The press report also pointed out that the Secretary for Development mentioned in his blog on 8 September that he attended on invitation a forum on land supply organized by a think tank in July this year, but the Development Bureau refused to give details of the forum when the media enquired about them. In this connection, will the Government inform this Council:

- (a) why the Government had not, pursuant to the established practice, issued any press release on the appointment of members to the Parks Board and on the implementation of the “Guidelines”;
- (b) whether it has assessed if the refusal of the Development Bureau to give details of the aforesaid forum is a violation of the Code on Access to Information; whether The Ombudsman has commenced an investigation into this matter; if it has not so assessed, whether it will immediately conduct such an assessment; and
- (c) whether it has assessed if the aforesaid practices of the Government have undermined the transparency of policy implementation by the Government and the operation of the Political Appointment System, and whether these practices have infringed the public’s right to information about the Government’s operation?

Renewal of existing domestic
free television programme service licences

(5) Hon Charles Peter MOK (Oral reply)

Quite a number of members of the public have relayed to me that since the Communications Authority (“CA”) has ruled earlier that the two existing licensees (“TV stations”) of domestic free television programme service licence (“free TV licence”) had violated the Broadcasting Ordinance, the authorities should prudently consider their licence renewal applications and conduct studies on how competition may be introduced into the free TV market. The Government should also expeditiously announce the vetting and approval results of the three applications for free TV licences. In this connection, will the Government inform this Council:

- (a) whether it will make public the procedure for processing free TV licence applications, and when it will announce the commencement of the vetting and approval work on the licence renewal applications of the two existing free TV stations, to enable the public to understand the decision-making process and considerations of the authorities (including whether competition can be effectively induced) in processing the applications, so as to address concern; if it will, of the details; if not, the reasons for that;
- (b) as the Secretary for Commerce and Economic Development, in response to a media question regarding a free TV station being ruled to have engaged in anti-competitive practices, stated that CA would process the licence renewal applications in accordance with the law and then submit its recommendations to the Chief Executive in Council, whether it knows if CA has planned to make recommendations, to the Chief Executive in Council, which are material to affect licence renewal in view of the two existing free TV stations having violated the Broadcasting Ordinance earlier; if CA has planned to do so, of the legal basis for making

the recommendations and details of such recommendations; if not, the reasons for that; and

- (c) as the authorities have stated that upon expiry of the existing third generation (“3G”) mobile services licences or 3G mobile services spectrum assignments, the persons concerned should not have legitimate expectation on any right of first renewal of such licences or spectrum assignments, and the authorities have recommended recalling the spectrum for re-allocation through a market-driven approach to induce competition, whether the Government will adopt the same principle and issue free TV licences through open tender or some other means upon expiry of the existing free TV licences, so as to promote market competition; if it will not, of the reasons for that?

Law enforcement actions relating to
articles causing obstruction in public places

(6) Hon Steven HO Chun-yin (Oral reply)

According to section 104A of the Public Health and Municipal Services Ordinance, any person displaying or affixing a bill or poster (including displaying roadside publicity materials) on government land without the written permission of the Authority commits an offence. Recently, some members of the public have complained to me that very often a large number of banners have been illegally hung by various bodies on the roadside railings at busy road sections with heavy pedestrian flows (including those in major business districts, popular tourist spots and traffic hubs), which obstruct the view of motorists and distract their attention, thus posing hazards to road safety. In addition, some of the banners have been damaged or loosened with the passage of time, causing obstruction to pedestrians and vehicles, as well as affecting the streetscape. In this connection, will the Government inform this Council:

- (a) of the number of complaints received by the authorities in the past three years regarding illegal hanging of banners; details of the law enforcement actions taken by the authorities (including the numbers of inspections conducted, illegal banners removed, and prosecutions instituted against the persons concerned, and the total amount of fines imposed on the persons concerned);
- (b) whether the authorities have considered compiling a list of black spots at which banners have been illegally hung, so as to facilitate targeted inspections and law enforcement actions; if they have, of the details; if not, the reasons for that; and
- (c) given that some members of the public have pointed out that in recent years, some people often hang anonymous or impersonated banners containing defamatory contents in public places when the patrol staff of the Food and Environmental Hygiene Department are off duty, of the number of such complaints received in the past three years and the follow-up actions taken by the authorities?

Work of the Hospital Authority Review Steering Committee

(7) Hon Alice MAK Mei-kuen (Written reply)

Given comments that the management of the Hospital Authority (“HA”) is plagued with problems, including “fattening the top and thinning the bottom” in the management, the lack of co-ordination among hospital clusters, the uneven distribution of resources among the various clusters and the excessively long waiting time for patients, etc., coupled with the challenges arising from ageing population, the Food and Health Bureau has earlier established the Hospital Authority Review Steering Committee (“Steering Committee”). In this connection, will the Government inform this Council:

- (a) of the approach of the review; who will be responsible for monitoring the review process; how the public may participate in the review;
- (b) of the review timetable, including the estimated dates of completion and release of the report;
- (c) as there are criticisms that the Steering Committee lacks representatives from frontline healthcare personnel and patients’ rights groups, whether the authorities will adopt any measure to enhance the representation of the Steering Committee, such as making additional appointments of various stakeholders as its members; if so, of the details; if not, the reasons for that;
- (d) of the scope of the review, and whether it will include the issue of uneven distribution of resources among the hospital clusters; if so, of the details; if not, the reasons for that; whether any priority area for review has been set; if so, of the details; if not, the reasons for that; and
- (e) as some healthcare practitioners have relayed to me that the authorities have all along lacked an effective mechanism to regularly review the operation of HA, resulting in HA being plagued with problems, whether the authorities will consider establishing such a mechanism; if so, of the details; if not, the reasons for that?

Impact of the abolition of duties on wine on alcohol abuse

(8) Dr Hon LAU Wong-fat (Written reply)

According to press reports, the results of a study conducted by The Chinese University of Hong Kong indicated that the percentage of people who ever drank in the population increased from 65% in 2006 to 85% in 2012. Among them, 10% consumed alcoholic beverages for the first time after the Government abolished in 2008 the duties on wine and on liquor with an alcoholic strength of not more than 30% (“alcohol duties”). The scholars who conducted the study suggested examination by the Government of the reinstatement/increase of the alcohol duties. In this connection, will the Government inform this Council:

- (a) whether it has contacted the scholars who conducted the aforesaid study to examine the results of the study and the recommendations concerned;
- (b) whether it has studied if there has been an obvious upward trend in the number of alcoholics in Hong Kong since the abolition of the alcohol duties; and
- (c) whether it has considered providing additional resources to enhance the assistance and treatment for alcoholics, as well as to step up the publicity targeted at young people regarding the health hazards of alcohol abuse?

Statistics on salaries tax

(9) Hon SIN Chung-kai (Written reply)

Regarding the statistics on salaries tax, will the Government inform this Council of:

- (a) the amount of salaries tax paid by persons not paying at the standard rate, the average percentage of the amount of salaries tax in their income, as well as the highest and lowest amounts of salaries tax paid by them, in each of the past three years of assessment;
- (b) the percentage of tax payers paying salaries tax at the standard rate, and the percentage of the amount of salaries tax paid at the standard rate, in each of the past three years of assessment; and
- (c) the following data on salaries tax revenue for the year of assessment 2011-2012?

Amount of salaries tax (HK\$)	Number of persons required to pay the salaries tax listed on the left	Percentage of such number of persons in the work force
Not required		
1 to 1,000		
1,001 to 2,000		
2,001 to 5,000		
5,001 to 10,000		
10,001 to 15,000		
15,001 to 20,000		
20,001 to 30,000		
30,001 to 40,000		
40,001 to 50,000		
50,001 to 60,000		
60,001 to 70,000		
70,001 to 80,000		
80,001 to 90,000		
90,001 to 100,000		
100,001 to 200,000		
200,001 to 500,000		
500,001 to 1,000,000		
over 1,000,000		

Manpower situation of the retail,
construction and catering industries

(10) Hon KWOK Wai-keung (Written reply)

It has recently been reported in the press that some members of the business sector have pointed out that certain industries (particularly the retail, construction and catering industries) have encountered a manpower shortage and they therefore have suggested the importation of foreign labour. Yet, some members of the trade unions are of the view that the manpower shortage in the industries concerned can be attributed to the unsatisfactory remuneration packages of the relevant positions, causing a brain drain to other industries, while the overall supply of local labour is sufficient. In this connection, will the Government inform this Council:

- (a) of the respective numbers of (i) people employed, (ii) job seekers, (iii) people who were dismissed or made redundant and (iv) people who resigned, in the retail, construction and catering industries in each of the past five years, as well as the respective percentages of the numbers of (ii), (iii) and (iv) in the number of people employed in the industries concerned (with a breakdown by year and age group as set out in the table below);

(Industry) / (Year)				
Age group	(i) Number of people employed	(ii) Number of job seekers (Percentage of such number in the number of people employed)	(iii) Number of people dismissed or made redundant (Percentage of such number in the number of people employed)	(iv) Number of people resigned (Percentage of such number in the number of people employed)
19 or below				
20-29				
30-39				
40-49				
50-59				
60 or above				
Total				

- (b) of the average vacancy rates, average unemployment rates, average monthly wages and average weekly working hours in the retail, construction and catering industries in each of the past five years, with a breakdown in the table below;

(Industry)

Year	2008	2009	2010	2011	2012
Average vacancy rate					
Average unemployment rate					
Average monthly wage					
Average weekly number of working hours					

- (c) whether the Government's assessment of the occurrence or otherwise of manpower shortage or wastage in Hong Kong's retail, construction and catering industries is made on the basis of the information in (a) and (b) above; if not, how the Government assesses the situation; and
- (d) of the new measures to attract Hong Kong people to join the retail, construction and catering industries and to reduce the manpower wastage in those industries?

Training of technical personnel

(11) Hon WONG Kwok-kin (Written reply)

Recently, a number of trade unions have relayed to me that as the Government has all along overlooked vocational training, Hong Kong will experience the ageing of and a succession gap among technical personnel in the next few years, and there is hearsay that the Electrical and Mechanical Services Department (“EMSD”) also encounters difficulties in recruiting new blood to join the department, thus seriously affecting the economic development and urban infrastructure of Hong Kong. In this connection, will the Government inform this Council:

- (a) of the respective numbers of craftsmen, technicians, assistant engineers and engineers recruited by EMSD each year from 2008 to 2012, with a breakdown by the age groups listed in Table 1, as well as their average ages respectively;

Table 1 Number of technical staff recruited by EMSD

Year:		Craftsmen	Technicians	Assistant engineers	Engineers
29 years old or below	Number of persons				
30 to 39 years old					
40 to 49 years old					
50 to 59 years old					
60 years old or above					
Total number of persons					
Average age					

- (b) whether it knows the number of basic craft courses (“BCCs”) organized by the Vocational Training Council (“VTC”) and the number of places offered by such courses each year from 2008 to 2012; the number of graduates of such courses joining the Apprenticeship Scheme; and the employment rates of such trainees in the relevant trades after completing the apprenticeship programmes (set out in Table 2);

Table 2 Information on BCCs organized each year from 2008 to 2012:

Year	Number of courses	Course title	Number of places	Number of graduates joining the Apprenticeship Scheme	Employment rates of such trainees in the relevant trades
2008					
2009					
2010					
2011					
2012					

- (c) whether it knows the number of part-time craft programmes organized by VTC and the number of places offered by such programmes each year from 2008 to 2012;
- (d) whether it knows the work done by VTC, the Employees Retraining Board (“ERB”) and the Education Bureau respectively in publicizing and promoting the Apprenticeship Scheme, retraining courses and the New Senior Secondary (“NSS”) academic structure as well as the expenditure from 2008 to 2012 (set out separately in Table 3);

Table 3 Information in each year from 2008 to 2012

Year:	Work done by VTC in publicizing the Apprenticeship Scheme	Work done by ERB in publicizing retraining courses	Work done by the Education Bureau in publicizing the NSS academic structure
Publicity expenditure			
Number of times publicity videos were broadcast on television			
Number of times advertisements were placed in newspapers and magazines			
Number of promotional activities held in secondary schools			
Number of publicity activities held in shopping malls or streets			

- (e) whether it knows if VTC or other training bodies had jointly organized in the past three years any apprenticeship or other vocational training programme with public utilities such as the MTR Corporation Limited, Kowloon Motor Bus Company (1933) Limited, New World First Bus Services Limited, CLP Power Hong Kong Limited, Hongkong Electric Company Limited and the Hong Kong and China Gas Company Limited, etc.; if so, of a list of the titles and number of trainees of such programmes by year; and
- (f) of the new measures in place to attract young people to join the apprenticeship programmes, so as to actively nurture technical personnel in Hong Kong?

Immigration statistics

(12) Hon Gary FAN Kwok-wai (Written reply)

Regarding figures on the migrant population and the immigration policy of Hong Kong, will the Government inform this Council:

- (a) in each year from 2003 to August 2013, of the number of people who had come to Hong Kong for settlement on One-way Permits (“OWPs”) (set out in Table 1), and the respective numbers of people who had applied and had been given approval for entry to / staying in Hong Kong under the (i) Quality Migrant Admission Scheme, (ii) Capital Investment Entrant Scheme, (iii) Admission Scheme for Mainland Talents and Professionals, and (iv) Immigration Arrangements for Non-local Graduates (set out in Table 2);

(Table 1)

Year	Number of people coming to Hong Kong on OWPs
2003	
...	
...	
2013 (as at August)	

(Table 2)

Year	Means of entry	Number of people							
		(i)		(ii)		(iii)		(iv)	
		Application submitted	Approval granted	Application submitted	Approval granted	Application submitted	Approval granted	Application submitted	Approval granted
2003									
...									
...									
2013 (as at August)									

- (b) of the distribution of the country or territory of origin of those people who had been granted approval to enter Hong Kong by means of the (i) Quality Migrant

Admission Scheme, (ii) Capital Investment Entrant Scheme, and (iii) Immigration Arrangements for Non-local Graduates, from 2003 to August 2013 (set out in Table 3);

(Table 3)

Country/ territory of origin	Means of entry		
	(i)	(ii)	(iii)
Mainland			
Taiwan			
Japan and South Korea			
Russia			
Middle East			
Europe			
Africa			
Australasia			
Southeast Asia			
South America			
North America			
Others			

- (c) among the mainland people who came to Hong Kong for settlement on OWPs from 2003 to August 2013, of the annual numbers of those who had been granted entry to Hong Kong for reasons other than family reunion, and the five most common reasons for granting these people entry to Hong Kong (e.g. collection of estate, unsupported children coming to Hong Kong to join their relatives, etc.) and the respective numbers of the people concerned (set out in Table 4);

(Table 4)

Reasons for granting entry	Number of people concerned
1.	
2.	
3.	
4.	
5.	

- (d) given that Article 22(4) of the Basic Law provides that: “[f]or entry into the Hong Kong Special Administrative Region, people from other parts of China must apply for approval. Among them, the number of persons who enter the Region for the purpose of settlement shall be determined by the competent authorities of the Central People’s Government after consulting the government of the Region”, whether the SAR Government has held discussions with the Central People’s Government since the reunification so as to adjust the quota for mainland people coming to Hong Kong for settlement on OWPs and the related policies; if not, of the reasons for that;
- (e) of the respective numbers of live births born to mainland women whose spouses were not Hong Kong permanent residents (“doubly non-permanent resident (“DNR”) babies”) in public and private hospitals in Hong Kong in each year from 2003 to August 2013, and the relevant monthly figures from January 2012 to August 2013 (set out in Tables 5 and 6);

(Table 5)

Year	Number of DNR babies born in Hong Kong	
	public hospitals	private hospitals
2003		
...		
2013 (as at August)		

(Table 6)

Year	Month	Number of DNR babies born in Hong Kong	
		public hospitals	private hospitals
2012	1		
	.		
	.		
2013	1		
	.		
	.		
	8		

- (f) among the non-local graduates who had been granted approval to stay and work in Hong Kong by the means of entry under (iv) mentioned in (a), of the respective numbers of those attending publicly-funded and self-financing undergraduate programmes; and
- (g) given that it has been reported that some mainland people have been granted OWPs for settlement in Hong Kong despite having criminal records in Hong Kong, whether mechanisms are in place in respect of the five existing means of applying for entry to Hong Kong mentioned in (a) to reject the entry of those people with criminal records in Hong Kong or overseas; if not, of the reasons for that, and whether the SAR Government and the mainland authorities have plans to set up such mechanisms?

Promotion of cycling tourism

(13) Hon YIU Si-wing (Written reply)

I have learnt that as cycling tourism is recognized as an environment-friendly and healthy sport, quite a number of countries are actively planning and developing cycle track facilities. The Civil Engineering and Development Department is developing by phases the cycle track network in the New Territories (“NT”) according to the pledge in the Policy Agenda for 2007-2008. Works relating to the sections from Sheung Shui to Ma On Shan and from Tuen Mun to Sheung Shui are expected to be completed by the end of 2013 and 2016 respectively. By then, there will be a cycle track network with a total length of 82 kilometres in NT. On the other hand, the Government is gradually reducing the coverage of the Frontier Closed Area (“FCA”) in NT. In this connection, will the Government inform this Council:

- (a) whether it has any plan to extend the cycle track network to areas which are no longer within FCA; if it has, of the details; if not, the reasons for that;
- (b) whether it has any plan to incorporate the development of cycle tracks into the relevant planning when developing the harbourfront areas; if it has, of the details; if not, the reasons for that;
- (c) whether it has formulated new measures to manage cycle tracks to tie in with the continuous expansion and development of cycle tracks; whether it will, with reference to overseas experience, set up a public bicycle hiring system and promote cycling tourism; if it will, of the details; if not, the reasons for that; and
- (d) whether it has formulated publicity plans to promote cycling tourism; if it has; of the details; if not, the reasons for that?

Disbursement of pay to members of
the Auxiliary Medical Service attending training

(14) Hon POON Siu-ping (Written reply)

Recently, I have received complaints from members of the Auxiliary Medical Service (“AMS”) who alleged that the management staff of AMS had requested AMS members to attend, without compensation, training and briefing sessions (“training”) in relation to some large-scale events and asked them to sign the Non-claim Consent Form (commonly called “blue shift form”) to state that they voluntarily give up the relevant pay, and that those members refusing to sign the Form would lose the opportunities for taking part in the related duties. However, according to section 9 of the Auxiliary Forces Pay and Allowances Ordinance (Cap. 254) (“the Ordinance”), members are eligible to be paid while undergoing training. In this connection, will the Government inform this Council:

- (a) of the number of AMS members who were on duty in various territory-wide large-scale events (such as the Standard Chartered Hong Kong Marathon, Oxfam Trailwalker, etc.) in the past three years and, among them, the number of members who had signed the Non-claim Consent Form; and
- (b) of the criteria adopted by the management staff of AMS for deciding to request members to sign the Non-claim Consent Form, and whether they have assessed if such a practice has violated the aforesaid provision of the Ordinance?

Issuance of additional free television programme licences

(15) Hon Claudia MO (Written reply)

This Council passed a motion last November urging the Government to undertake to issue additional domestic free television programme service licences (“free TV licences”) by the end of March this year, and the Chief Executive has also indicated earlier that the applications would be handled expeditiously. However, some members of the public have relayed to me that while opening up the domestic free television market has already been a general consensus, the Government has been procrastinating on the issuance of free TV licences as the vetting and approval results are still pending after the applications have been processed for more than two years, and no detailed account of the progress has been made public throughout the period. In this connection, will the Government inform this Council:

- (a) of the progress of the issuance of additional free TV licences by the Government since last November; why the vetting and approval of applications has taken such a long time;
- (b) given the press report that the Chief Executive (“CE”) in Council discussed last month the procedure for the issuance of free TV licences, whether the Executive Council Secretariat has provided any information or support to assist the CE in Council in the deliberations on the issue; if so, of the details; and
- (c) given that the Communications Authority has ruled earlier that the Television Broadcasts Limited (“TVB”) violated the competition provisions of the Broadcasting Ordinance (Cap. 562) and has imposed a fine of \$900,000, but some members of the public have queried if the aforesaid ruling can prevent TVB from abusing its dominance, whether the Government will issue additional free TV licence shortly to reverse the situation in which the market is dominated by one television broadcaster; if it will, of the specific timetable; if not, the reasons for that?

Rising property prices and rents

(16) Hon LEUNG Kwok-hung (Written reply)

Quite a number of members of the public have complained to me that despite the introduction of a series of measures to cool down the overheated property market in the last two years by the Government, the prices and rents of private residential flats have not dropped. Moreover, quite a number of recipients under the Comprehensive Social Security Assistance (“CSSA”) Scheme have also complained to me in tears that the rent allowance they received from the Social Welfare Department was insufficient to cover the rent of a unit in subdivided flats (commonly known as a “subdivided unit”), forcing them to sleep underneath flyovers. In this connection, will the Government inform this Council:

- (a) whether it knows the respective current numbers of street sleepers in the District Council districts in Hong Kong;
- (b) given that some members of the public have pointed out that the prices and rents of private residential flats have not dropped after the introduction of a series of measures to cool down the overheated property market by the Government, whether it has assessed if the current prices and rents of private residential flats have already reached a level beyond the affordability of members of the public, and if such a situation is due to the Directors of Bureaux or government officials concerned misjudging the circumstances and making a series of mistakes in housing policy; if the assessment result is in the affirmative, whether it will hold the Chief Executive and Directors of Bureaux concerned politically accountable and require them to step down; if the assessment result is in the negative, of the reasons for that; and whether the Government has evaluated by how much the current property prices and rents should further rise before they are considered unreasonable; if it has, of the results;
- (c) whether it knows the average monthly rental per-square-foot for subdivided units in buildings with lifts in Sham Shui Po, Kwun Tong and Kowloon City districts at present; and

- (d) of the number and percentage of CSSA recipients receiving rent allowance at present; whether it has assessed if the current rent allowance provided to single or elderly CSSA recipients is sufficient to cover the rentals for private residential flats; if the assessment result is in the affirmative, of the size of flats that those recipients can afford to rent in the districts mentioned in (c) with the current rent allowance; if the assessment result is in the negative, whether it will raise the amount of rent allowance?

Government lands in the North-west New Territories

(17) Hon Albert HO Chun-yan (Written reply)

With respect to the government lands in the approved Outline Zoning Plans (“OZPs”) for (i) Pat Heung, (ii) Shek Kong, (iii) Kam Tin South, (iv) Kam Tin North, (v) Tai Tong and (vi) Tong Yan San Tsuen, will the Government inform this Council:

- (a) of the following information on each lot of government land zoned for agricultural or open storage use in the aforesaid OZPs;

Name of OZP:				
Address registered with Land Registry	New Territories lot number registered with Land Registry	Land use specified in OZP (agricultural /open storage use)	Area (square metre)	Current use (e.g. idle, leased on short-term lease and others)(please specify)
1.				
2.				

- (b) whether the Government has found any illegal occupation of government lands in the aforesaid OZPs during the period from 2005 to 31 July 2013; if so, of the number of the relevant complaints received, the number of substantiated cases and the follow-up actions taken each year; and
- (c) of the respective numbers of planning applications, received, approved and rejected by the Town Planning Board from 2007 to 31 July 2013, for changing the land use of government lands in the aforesaid OZPs from agricultural/open storage use to other uses, and a breakdown of these numbers by year and OZP?

Transport services for students

(18) Hon MA Fung-kwok (Written reply)

Recently, a number of District Council members have relayed to me that they received many cases in which parents sought assistance regarding school bus service. Those parents pointed out that school bus service for the current school year is acutely inadequate, but school bus fares had surged. Due to the reduced number of vehicles providing school bus service, school bus routes had to be lengthened in order to pick up students living in various areas and as a result the students had to leave home earlier. As some schools were unable to arrange for school bus service, the parents concerned had to escort their children to and from schools, and some students were even forced to change schools. However, currently about 3 500 non-franchised public buses (“NFBs”) were issued with the student service (A03) endorsement, and there was no significant reduction in the number of such vehicles in the past few years. Moreover, the number of school private light buses (“nanny vans”) has increased from last year’s about 1 500 to the current 1 700. Some members of the public have pointed out that the shortage of school buses is mainly attributable to the fact that many public NFBs with student service endorsement have not been used to provide student service. In this connection, will the Government inform this Council:

- (a) of the respective numbers of NFBs and nanny vans providing student service in each of the past five years;
- (b) of the number of NFBs with both student service endorsement and other service endorsements in each of the past five years; what the other service endorsements are, together with a breakdown of the numbers of NFBs by such other service endorsements;
- (c) of the number of NFBs providing student service on a regular basis in each of the past five years; if it is unable to provide the relevant figures, the reasons for that;
- (d) whether it has compiled statistics on the current number of students who need school bus service in order to assess if a balance between the supply and demand of

school bus service has been achieved; if not, of the reasons for that; what other means by which the authorities assess whether school bus service is adequate;

- (e) whether the Education Bureau has established a communication mechanism with the Transport Department to gauge the supply and demand situation of school bus service in various districts and assist those schools which are unable to arrange for school bus service in solving the problem;
- (f) of the plans in place to prevent the inadequacy of school bus service from worsening; and
- (g) whether it will consider providing incentives or taking other measures to encourage the operators of NFBs with student service endorsement to accord priority to the provision of transport service for students?

Regulation of the services of intermediaries for
foreign domestic helpers

(19) Dr Hon CHIANG Lai-wan (Written reply)

Some employers of foreign domestic helpers (“FDHs”) have complained to me that some intermediaries for FDHs (“intermediaries”) were alleged to have colluded with FDHs to entice, by using various tactics, the employers into termination of the employment contracts with the FDHs, so that the FDHs could obtain free passages to return to their places of domicile, one month’s wages in lieu of notice and relevant service charges. However, those FDHs did not comply with the requirement of returning to their places of domicile. Instead, they left Hong Kong for a short while and then returned to Hong Kong to look for new employers, so as to stay in Hong Kong to work. These employers have also pointed out that certain intermediaries had included unfair terms into service agreements, e.g. allowing the intermediaries to breach the agreement unilaterally without payment of compensation, or prohibiting employers from seeking a refund in case of failure of the intermediaries in providing services in the end. In this connection, will the Government inform this Council:

- (a) of the number of complaints received by the authorities in the past five years about FDHs not returning to their places of domicile as required, upon early termination of employment contracts with their employers; of the authorities’ measures to ensure that FDHs comply with such requirement;
- (b) given that the Employment Ordinance (“EO”) (Cap. 57) provides that an employer may summarily dismiss an employee without notice or payment of wages in lieu of notice if the employee wilfully disobeys a lawful and reasonable order, misconducts himself, is guilty of fraud or dishonesty, or is habitually neglectful in his duties, whether the authorities have studied ways to step up publicity on EO to enable employers to understand their legitimate rights and interests and the redress channels in place;

- (c) of the number of complaints received by the authorities involving intermediaries in the past five years, and the major contents of such complaints; the follow-up actions taken by the authorities, and whether they have studied ways to step up regulation of intermediaries' fees and charges as well as contract terms, e.g. requiring intermediaries to submit details of their fees and charges; and
- (d) given that the Trade Descriptions (Unfair Trade Practices) (Amendment) Ordinance 2012 (“Amendment Ordinance”) has come into operation since 19 July 2013 and the services provided by intermediaries to employers are subject to regulation under the Amendment Ordinance, whether the authorities have received any complaint so far about violation of the Amendment Ordinance by intermediaries, and of the follow-up actions taken?

Housing needs of retired staff of disciplined services

(20) Hon TAM Yiu-chung (Written reply)

Some disciplined services staff have relayed to me recently that quite a number of disciplined services staff had applied for public rental housing (“PRH”) flats under the Civil Service Public Housing Quota Scheme before they retired but had yet to be allocated a PRH flat when they formally retired, and were thus unable to move out from the married quarters for disciplined services staff (“married quarters”). The situation has seriously slowed down the turnover of married quarters, resulting in lengthening of the waiting time for serving disciplined services staff to move in such quarters. In this connection, will the Government inform this Council:

- (a) of the number of serving disciplined services staff who had applied for married quarters, and the number of retired/retiring disciplined services staff who had applied for a PRH flat under the Civil Service Public Housing Quota Scheme as at 1 September this year; of the respective average waiting time for these two types of applications;
- (b) of the number of retired disciplined services staff living in married quarters as at 1 September this year; why they have yet to move out from such quarters; of the anticipated number of retired disciplined services staff who will need to stay in married quarters in the coming three years because they have not been allocated a PRH flat; and
- (c) given the keen demand for PRH flats by retired disciplined services staff, whether the authorities have studied how to solve the problem; if they have, of the details; if not, the reasons for that?

Paper consumption by the Government

(21) Hon Kenneth LEUNG (Written reply)

In connection with the paper consumption by the offices of the Chief Secretary for Administration, the Financial Secretary and the Secretary for Justice (“offices of the Secretaries”), policy bureaux and the departments under their purview, will the Government inform this Council:

- (a) of the respective total weight of publications, government forms, paper stationery and other printed matters printed by the Printing Division of the Government Logistics Department (“GLD”) for various government departments each year between 2007 and 2012, with a breakdown by the type of paper products;
- (b) whether the printed matters of GLD are all currently printed with environment-friendly paper (including paper containing recovered fibre contents and wood-pulp from renewable forests); if they are, of the time when the relevant practice started; of the respective percentages by weight of the two aforesaid types of recycled paper in the printing paper used by GLD each year between 2008 and 2012;
- (c) of the existing standards adopted by the Government for procuring environment-friendly paper for printing purpose; whether such standards had been updated between 2008 and 2012; of the percentage of paper containing recovered fibre and post-consumer fibre among the recycled paper procured for printing purpose each year in that period;
- (d) of the respective quantities of the paper consumed, percentages of recycled paper used and quantities of paper recycled each year by the offices of the Secretaries, policy bureaux and the departments under their purview between 2008 and 2012, with a breakdown by the type of paper products;
- (e) whether the offices of the Secretaries, policy bureaux and the departments under their purview had procured any

paper products with local recycled paper as the raw material between 2008 and 2012; if they had, of the type, usage and quantity of the paper products procured; if not, the reasons for that;

- (f) whether it has considered ordering the offices of the Secretaries, policy bureaux and the departments under their purview to use recycled paper with recovered fibre content across the board whenever practicable for the purposes of office printing, photocopying and printing publications; if it has, of the implementation schedule; if not, the reasons for that; and
- (g) whether the offices of the Secretaries, policy bureaux and the departments under their purview have formulated procedures and guidelines to reduce the quantity of paper consumed and enhance separate recycling of waste paper; of the procedure to ensure proper disposal of waste paper containing confidential information, and that waste paper collected is genuinely recycled and not dumped at landfills; of the amount of waste paper generated and sent to landfills for disposal by various policy bureaux and the departments under their purview between 2008 and 2012?

Assistance provided for transgender people

(22) Hon CHAN Chi-chuen (Written reply)

Some overseas studies show that transgender people generally account for about 0.3% of the adult population, and on the basis of this, the transgender community in Hong Kong estimates that there are about 18 700 transgender people in the city. At present transgender medical diagnosis services are provided only by two sex clinics in Hong Kong, located respectively in the Prince of Wales Hospital in Shatin and Castle Peak Hospital in Tuen Mun (“the clinics”). Some transgender people have pointed out that these clinics do not provide comprehensive diagnosis services, and it takes time to wait for consultation appointments. Moreover, as qualified doctors with relevant diagnosis experience will retire one after another in the next few years, some transgender people are worried about the succession problem. In this connection, will the Government inform this Council:

- (a) of the number of attendances for medical service made by transgender people at the aforesaid clinics in the past five years, and the average waiting time for new cases at present;
- (b) of the current number of healthcare personnel (including plastic surgeons, psychiatrists and clinical psychologists) working at the aforesaid clinics who possess the experience or qualifications in transgender diagnosis and those who will retire in the coming five years;
- (c) whether there is any plan to increase the resource input for training healthcare personnel with qualifications in transgender diagnosis; if so, of the number of healthcare personnel of various professions (including plastic surgeons, psychiatrists and clinical psychologists) who will receive training in the coming five years; if not, whether the Government will undertake to draw up contingency plans in the coming year to address the manpower shortage;

- (d) whether no less than two clinics in public hospitals will be established to provide comprehensive transgender diagnosis services by healthcare personnel with relevant qualifications; and
- (e) given the judgment handed down earlier by the Court of Final Appeal on the civil appeal filed by a transsexual regarding marriage registration and the court's recommendation that the legislature introduce legislation similar to the United Kingdom's Gender Recognition Act 2004 to set up a machinery for an expert panel to vet gender recognition claims and grant gender recognition certificates which recognize successful applicants in his/her new sex, whether the Government has worked out a roadmap and a timetable for setting up the machinery?