

立法會
Legislative Council

LC Paper No. CB(1)575/13-14
(These minutes have been seen
by the Administration)

Ref: CB1/BC/1/13

Bills Committee on Peak Tramway (Amendment) Bill 2013

**Minutes of the first meeting held on
Friday, 25 October 2013, at 10:45 am
in Conference Room 3 of the Legislative Council Complex**

Members present : Hon Jeffrey LAM Kin-fung, GBS, JP (Chairman)
Hon CHAN Kam-lam, SBS, JP
Hon WONG Kwok-hing, BBS, MH
Hon Ronny TONG Ka-wah, SC
Hon Frankie YICK Chi-ming
Hon YIU Si-wing
Dr Hon Kenneth CHAN Ka-lok

Members absent : Hon KWOK Wai-keung
Hon SIN Chung-kai, SBS, JP
Hon TANG Ka-piu

Public Officers attending : **Agenda item II**

Mr YAU Shing-mu, JP
Under Secretary for Transport and Housing

Mr Andy CHAN
Deputy Secretary for Transport and Housing
(Transport) 2

Miss Carrie CHANG
Principal Assistant Secretary for Transport and
Housing (Transport) 1

Mrs Miranda YIM
Assistant Commissioner for Tourism 3
Commerce and Economic Development Bureau

Ms Cindy YAU
Senior Assistant Law Officer (Civil Law)
Department of Justice

Ms Angie LI
Senior Government Counsel
Department of Justice

Ms Doris CHOW
Assistant Director of Lands (Hong Kong)

Dr LEUNG Kin-man
Assistant Director of Electrical and Mechanical
Services (Railways)

Clerk in attendance : Ms Sophie LAU
Chief Council Secretary (1)2

Staff in attendance : Miss Evelyn LEE
Assistant Legal Adviser 10

Ms Macy NG
Senior Council Secretary (1)2

Ms Emily LIU
Legislative Assistant (1)2

Action

I Election of Chairman

1. Mr CHAN Kam-lam, the member who had the highest precedence among those present at the meeting, presided at the election of Chairman of the Bills Committee. He invited nominations for the chairmanship of the

Action

Bills Committee.

2. Mr YIU Si-wing nominated Mr Jeffrey LAM, and the nomination was seconded by Mr WONG Kwok-hing. Mr Jeffrey LAM accepted the nomination.

3. There being no other nominations, Mr Jeffrey LAM was elected Chairman of the Bills Committee.

II Meeting with the Administration

- | | |
|---------------------------------|--|
| (LC Paper No. CB(3)5/13-14 | - The Bill |
| File Ref: THB (T) L 2/5/7 | - The Legislative Council Brief issued by the Transport and Housing Bureau |
| LC Paper No. LS2/13-14 | - Legal Service Division Report on the Bill |
| LC Paper No. CB(1)138/13-14(01) | - Paper on Peak Tramway (Amendment) Bill 2013 prepared by the Legislative Council Secretariat (background brief) |
| LC Paper No. CB(1)138/13-14(02) | - Marked-up copy of the Bill prepared by the Legal Service Division) |

4. The Administration briefed members on the Peak Tramway (Amendment) Bill 2013 ("the Bill").

5. The Bills Committee deliberated (index of proceedings attached at **Annex**).

Clause-by-clause examination of the Bill

6. Assistant Legal Adviser 10 confirmed that no difficulties in the drafting and legal aspects of the Bill had been identified. The Bills Committee completed clause-by-clause examination of the Bill.

Follow-up actions required of the Administration

Admin 7. The Administration was requested to provide the following information –

Action

- (a) whether the Peak Tramways Company Limited ("PTC") would continue to maintain or improve the safety and service performance of the peak tramway during the interim operating period (i.e. from 1 January 2014 to 31 December 2015); and
- (b) if so, the resources which PTC was going to invest for such maintenance or improvement during the said period.

(Post-meeting note: The Administration's supplementary information paper was issued to members on 31 October 2013 vide LC Paper No. CB(1)198/13-14(01).)

Legislative timetable

Admin
Clerk

8. The Bills Committee completed the scrutiny of the Bill. The Administration advised members that it would liaise with the clerk on the date to resume the Second Reading debate on the Bill. Members agreed.

III Any other business

9. There being no other business, the meeting ended at 11:15 am.

Council Business Division 1
Legislative Council Secretariat
17 December 2013

**Proceedings of the first meeting of
the Bills Committee on Peak Tramway (Amendment) Bill 2013
on Friday, 25 October 2013, at 10:45 am
in Conference Room 3 of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action required
Agenda item I – Election of Chairman			
000132 – 000252	Mr CHAN Kam-lam Mr Jeffrey LAM Mr YIU Si-wing Mr WONG Kwok-hing	- Election of Chairman - Mr Jeffrey LAM was elected as the Chairman of the Bills Committee ("BC").	
Agenda item II – Meeting with the Administration			
000347 – 000643	Chairman Administration	- Briefing by the Administration on the Peak Tramway (Amendment) Bill 2013 ("the Bill")	
000644 – 001420	Chairman Mr WONG Kwok-hing Administration	- Mr WONG indicated that he supported the Bill and the Administration's two-stage approach to the legislative amendment exercise. However, he expressed concerns about whether the two-year interim period was sufficient for the Administration to resolve all the issues related to the long-term arrangements for the operation of the peak tramway; and whether the Peak Tramways Company Limited ("PTC") would continue to invest to maintain/improve the safety and service performance of the peak tramway during the interim period. He requested to have information on the latter in writing. - The Administration assured members that the two-year period, though a bit tight, should be sufficient for the parties concerned to work out the long-term arrangements and complete the necessary legislative amendments for them. During the two-year interim period, PTC still had to maintain its safety and service performance standards.	Administration to provide information/response (paragraph 7 of minutes)
001421 – 002055	Chairman Mr YIU Si-wing Administration	- Mr YIU expressed support for the Bill. However, he expressed concerns over the fare level of the peak tramway and whether there should be a notification mechanism for fare adjustments. He also enquired about the details pertaining to complaints made against the peak tramway service. Mr YIU suggested that the Administration should take the opportunity to explore whether the policy responsibility to grant an operating right for the peak tramway should be transferred from the	

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		<p>Transport and Housing Bureau to the Commerce and Economic Development Bureau, given that the peak tramway had long become a tourism facility, rather than a form of public transport for the general public.</p> <ul style="list-style-type: none"> - The Administration replied that: <ul style="list-style-type: none"> (a) the fares of the peak tramway were de-regulated in 1980s. The Administration believed that any fare adjustment would be carefully considered by PTC having regard to the market situation; (b) PTC maintained good safety and service performance over the years. On average, there were less than two complaints from the public against the peak tramway service each year, nor did the Travel Industry Council of Hong Kong receive major complaints against the peak tramway service ; and (c) the Administration took note of Mr YIU's views on the notification mechanism for fare adjustments and long-term governance of the peak tramway. 	
002056 – 002524	Chairman Mr CHAN Kam-lam Assistant Legal Adviser 10 ("ALA10") Administration	<ul style="list-style-type: none"> - Clause-by-clause examination of the Bill - ALA10 confirmed that no difficulties in the drafting and legal aspects of the Bill had been identified. - Mr CHAN recommended that the Bill should be passed. 	
002525 – 002756	Chairman Mr Frankie YICK Administration	<ul style="list-style-type: none"> - Mr YICK enquired whether there would be any measures to improve the queuing environment for passengers and reduce waiting time for the peak tramway during the two-year interim period. - The Administration advised that PTC had already implemented various measures to improve the situation. They included arranging separate queues for passengers holding different kinds of tickets to get aboard and allowing pre-booked tickets. Also, the Administration would examine PTC's upgrading plan for the peak tramway system 	

Time marker	Speaker	Subject(s)	Action required
		and services in due course for improvements in the long run.	
002757 – 002845	Chairman Administration	- Legislative timetable	
002846 – 002953	Chairman Mr WONG Kwok-hing Administration	- Mr WONG urged the Administration to discuss with PTC to improve the queuing arrangements for passengers during the two-year interim period as soon as possible. He considered that passengers should best be provided with shelter while queuing.	
002954 – 003043	Chairman	- Legislative timetable	