

立法會
Legislative Council

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**Paper for the House Committee meeting
of 3 January 2014**

**Questions scheduled for the
Legislative Council meeting of 8 January 2014**

Questions by:

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| (3) | Hon James TIEN | (Oral reply) |
| (4) | Hon Claudia MO | (Oral reply) |
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| (8) | Hon WONG Kwok-hing | (Written reply) |
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| (10) | Hon Ronny TONG | (Written reply) |
| (11) | Hon Cyd HO | (Written reply) |
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| (21) | Hon Alice MAK | (Written reply) |
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註 :

NOTE :

議員將採用這種語言提出質詢

Member will ask the question in this language

Monitoring the use of bitcoins

(1) Hon CHAN Kam-lam (Oral reply)

It has been reported that speculation on bitcoins, a virtual currency, is rife all over the world at present, with their prices surging by a hundred-fold within a short period of one year. In his reply to a question raised by a Member of this Council on 18 December last year, the Secretary for Financial Services and the Treasury advised that such a product generated from the virtual world was not an electronic currency (“e-currency”) and it was not qualified to be an e-currency as a medium of payment since its value persistently surged and plunged substantially. The Secretary also reminded members of the public of the risks of investments in bitcoins and said that the Government would monitor its development closely. In this connection, will the Government inform this Council:

- (1) given that the Notice on Precautions Against the Risks of Bitcoins, issued on 5 December last year jointly by five mainland ministry/commissions such as the People’s Bank of China, has pointed out that bitcoins have no legal status equivalent to that of a currency, and the Notice has expressly required that at the present stage all financial institutions and payment institutions must not embark on any bitcoin-related businesses, including the provision of services such as payment, clearing and settlement for transactions involving bitcoins, whether the Government has approached the mainland authorities to understand these policies and measures regarding bitcoins; whether it will consider implementing similar policies and measures in Hong Kong; if it will not, of the reasons for that; and
- (2) as it has been reported that the Hong Kong Monetary Authority advised earlier that bitcoins were outside its regulatory ambit but it would monitor the use of bitcoins in Hong Kong, whether the authorities know the current situation concerning the use of bitcoins in Hong Kong; whether they have drawn up contingency measures to deal with the situation where speculation on bitcoins has impacted on the financial system of Hong Kong?

Admission of students outside
the Joint University Programmes Admissions System

(2) Hon IP Kin-yuen (Oral reply)

At present, institutions funded by the University Grants Committee (“UGC-funded institutions”) may admit, through the non-Joint University Programmes Admissions System (“non-JUPAS”), local applicants who hold non-local public examination results or academic qualifications (“doubly non-JUPAS applicants”) to funded undergraduate programmes. UGC-funded institutions may also admit non-local students who hold overseas academic qualifications (“non-local students”) to undergraduate programmes beyond their approved student number targets. It has been reported that the proportions of doubly non-JUPAS applicants and non-local students admitted by some programmes are on the high side. For example, among the 35 students admitted in this academic year to the undergraduate programme of Architecture Studies of The Chinese University of Hong Kong, only 17 (i.e. less than half) were admitted through JUPAS; and the number of non-local students admitted in the last academic year to the three-year and four-year business and administration programmes of the University of Hong Kong accounted for about 30% of the total student intake. The press report has also pointed out that such a situation reflects that doubly non-JUPAS applicants enjoy advantages in applying for programmes with keen competition, thus reducing JUPAS applicants’ chances for admission, and that as non-local students take up the various resources of UGC-funded institutions, the resources available to local students will be reduced correspondingly. In this connection, will the Government inform this Council:

- (1) whether it knows the names of the top 10 funded undergraduate programmes, offered by each UGC-funded institution, which admitted the most doubly non-JUPAS applicants (in terms of number and percentage respectively) in each of the past five years; the number of doubly non-JUPAS applicants admitted to each of such programmes, as well as their percentage and median admission score; and the number of JUPAS applicants admitted to each of such programmes and their median admission score;
- (2) whether it knows the names of the top 10 undergraduate programmes, offered by each UGC-funded institution, which admitted the most non-local students (in terms of number and percentage respectively) in each of the past five years; the number of applicants of this type admitted to each of such programmes, as well as their percentage and median admission score; and the number of JUPAS applicants admitted to each of such programmes and their median admission score; and
- (3) whether it will review the arrangements relating to non-JUPAS, including the method for comparing different academic qualifications, the

procedure and criteria for assessing non-JUPAS applications, and if a ceiling should be set for the proportion of non-JUPAS applicants to be admitted by various funded programmes?

Residence requirement for Comprehensive Social Security Assistance

(3) Hon James TIEN (Oral reply)

The Court of Final Appeal (“CFA”) has earlier delivered its judgment on an appeal, lodged by a new arrival who came to settle in Hong Kong, against the rejection of her application for Comprehensive Social Security Assistance (“CSSA”), declaring that the requirement of seven-year residence in Hong Kong (“residence requirement”) stipulated by the Government for the CSSA Scheme was unconstitutional. As a result, the residence requirement must be restored to one year. Some members of the public have expressed the concern that the shortening of the residence requirement might have far reaching impact on Hong Kong, including a possible substantial increase in welfare expenditure. In this connection, will the Government inform this Council:

- (1) given that the Government has advised that it is comprehensively assessing the impact of CFA judgment, of the way in which such an assessment is being conducted and its specific scope, as well as when it will publish the assessment outcome;
- (2) given that Article 145 of the Basic Law specifies that “[o]n the basis of the previous social welfare system,” the Government may “on its own, formulate policies on the development and improvement of this system in the light of the economic conditions and social needs”, whether the Government will, in view of the shortening of the residence requirement under the CSSA Scheme, adjust its policies or adopt corresponding measures, e.g. requesting the mainland authorities to set “financially self-sufficient and possession of earning capacity” as one of the conditions for approving Mainlanders’ applications for settlement in Hong Kong, so as to ensure proper use of public resources; if it will, of the details; if not, the reasons for that; and
- (3) whether it has studied if the shortening of the residence requirement under the CSSA Scheme will place a heavy financial burden on Hong Kong, as well as the solution to that problem; if it has conducted such a study and the outcome indicates that seeking the interpretation of the relevant provisions of the Basic Law by the Standing Committee of the National People’s Congress is the only solution, whether the Government will do so?

Review of policies and measures with differential treatment for permanent and non-permanent residents of Hong Kong

(4) Hon Claudia MO (Oral reply)

The Court of Final Appeal has earlier handed down its judgment on an appeal case, declaring that the requirement of seven-year residence in Hong Kong stipulated by the Government for the Comprehensive Social Security Assistance Scheme was unconstitutional. As there are quite a number of government policies which accord differential treatment to permanent residents of Hong Kong (“PRs”) and non-PRs, some members of the public are concerned whether those policies have contravened Article 25 of the Basic Law (“BL”), which stipulates that “[a]ll Hong Kong residents shall be equal before the law”. In this connection, will the Government inform this Council:

- (1) given that non-PRs are subject to both Buyer’s Stamp Duty and the enhanced ad valorem stamp duty rates, which were introduced by the Government in October 2012 and February 2013 respectively, but all PRs are not subject to the former while some PRs are not subject to the latter, whether the authorities have assessed if such taxes have contravened the aforesaid BL provision; if the assessment outcome is in the affirmative, of the solution;
- (2) as the leases for the sites sold pursuant to the “Hong Kong Property for Hong Kong People” measure specify that the residential flats built on them can only be sold to PRs, whether the authorities have assessed if such terms and conditions have contravened the aforesaid BL provision; if they have assessed, of the details; if not, whether they will conduct such an assessment promptly and make public the results; and
- (3) whether it has assessed if other measures and policies, which restrict business practices and accord differential treatment to different groups of residents, have contravened the aforesaid BL provision; if it has, of the outcome; if not, the reasons for that, and whether it will conduct such an assessment promptly?

Compliance with the land leases by The Link Management Limited

(5) Hon LEE Cheuk-yan (Oral reply)

It has been reported earlier that after alteration works were carried out by The Link Management Limited (“The Link”) in various shopping malls (including the Stanley Plaza, Cheung Fat Plaza and Lung Cheung Plaza) under its management, the floor areas of these malls have exceeded the permissible floor areas stipulated in the respective land leases. In this connection, will the Government inform this Council:

- (1) given that in its reply to a question raised by a Member of this Council in February 2012, the Government advised that the District Lands Office/Hong Kong West and South was then examining the information submitted by The Link on the alteration and addition works of the Stanley Plaza and it is now almost two years since then, why the authorities have not yet released the examination results and what the latest progress of the examination is;
- (2) whether it has investigated if the conversion works carried out by The Link in Cheung Fat Plaza and Lung Cheung Plaza have rendered the floor areas of these two malls to exceed the permissible floor areas stipulated in the land leases; if it has, of the details; if not, the reasons for that; and
- (3) whether it has comprehensively examined whether the floor areas of various properties managed by The Link have exceeded the permissible floor areas stipulated by the land leases upon completion of alteration works; if it has, of the details and the follow-up actions the authorities had taken when they uncovered violations of the land lease conditions; if it has not, the reasons for that?

Staging of Formula E motor racing championship series in Hong Kong

(6) Hon Michael TIEN (Oral reply)

In early 2013, the Financial Secretary said in his Budget speech that in view of the fact that our neighbouring cities had organized events such as Formula 1 Races in recent years, the Government would take the initiative to seek to host more mega events. It is learnt that Hong Kong was once listed a few months ago by the organizer of Formula E motor racing championship as one of the host cities for its 2014 tentative programme, but in the official programme unveiled early last month, Hong Kong was no longer on the list. In this connection, will the Government inform this Council:

- (1) whether it has assessed the benefits of staging Formula E motor racing championship series (“championship series”) in Hong Kong on building the “Hong Kong” brand, promoting tourism, attracting more mega events to be held in Hong Kong, as well as promoting sports development; if it has assessed, of the outcome;
- (2) whether, before the official programme of Formula E motor racing championship was unveiled, the Government had deployed staff to discuss with the event organizer to strive for staging the championship series in Hong Kong; if so, of the progress at that time, as well as the difficulties encountered; and
- (3) as it has been reported that one of the reasons for the failure in the bid to stage the championship series in Hong Kong this time was that the races would impede the access of the Chief Executive and other officials to their offices as the proposed race track covered the vicinity of the Central Government Offices, of the details of the problem and whether it has explored the solution to the problem; if so, of the outcome?

Abduction and human trafficking crimes

(7) Hon Dennis KWOK (Written reply)

Regarding the crimes of abduction and human trafficking, will the Government inform this Council:

- (1) of the number of reported cases involving abduction and human trafficking crimes in the past five years; among such cases, the respective numbers of those in which the victims were children and those which have been detected; and
- (2) whether the Police have set up a dedicated team to investigate such cases; if they have, of the establishment of the team; if they have not, the reasons for that?

Improving the facilities at public transport interchanges

(8) Hon WONG Kwok-hing (Written reply)

Some members of the public and members of the transport industry have complained to me that quite a number of semi-confined public transport interchanges (“PTIs”) mainly for use by franchised buses have outdated designs. For instance, at the PTIs, the illumination was insufficient, pedestrian crossings were narrow, the road signs were unclear, barrier-free facilities were inadequate, and the ventilation was poor, resulting in passengers having to wait to board in PTIs with stuffy and polluted air. In this connection, will the Government inform this Council:

- (1) in respect of the various PTIs at present, of (i) their locations, (ii) their years of commissioning, (iii) the numbers of bus routes that can be accommodated there, (iv) the maximum numbers of waiting passengers that can be accommodated there, and (v) the numbers of complaints received last year and their contents, with a breakdown by name of PTI set out in a table;
- (2) of the respective design standards for the illumination level, the width of pedestrian crossing facilities (including pedestrian crossings between bus bays) and traffic signs of the PTIs;
- (3) whether it has updated the design standards and guidelines regarding the ventilation systems of PTIs in the recent three years; if so, of the details; if not, the reasons for that; whether the authorities have regularly monitored the air quality of various PTIs, so as to safeguard the health of passengers waiting to board; and
- (4) whether it will invite members of the transport industry and other relevant stakeholders (including bus companies, bus drivers, trade unions of the transport industry and passenger representatives) to participate in a comprehensive review of the designs of PTIs, and formulate improvement plans and work schedule; if so, of the details; if not, whether the authorities will consider conducting studies on improvement plans, so as to safeguard the health and safety of passengers waiting to board and bus drivers using PTIs?

Road safety involving crane lorries

(9) Ir Dr Hon LO Wai-kwok (Written reply)

It has been reported that on 14 September of last year, the crane of a crane lorry in motion hit a directional sign which was six metres above the ground, paralyzing the traffic for more than two hours, and less than a month later, the crane of another crane lorry running on the road snapped two overhead cables of the Light Rail Transit System, causing disruption of the Light Rail service for several hours. Regarding road safety involving crane lorries, will the Government inform this Council:

- (1) of the number of traffic accidents in the past five years involving crane lorries the cranes of which had not been folded properly and the resultant casualties;
- (2) whether it will tighten the safety measures for regulating crane lorries running on the road; if it will, of the details; if not, the reasons for that; and
- (3) as some members of the engineering sector have pointed out that fitting warning flashers on crane lorries to remind drivers and crane operators to pay attention to the height of the crane may reduce accidents, whether the authorities have considered requiring that all crane lorries be fitted with such safety device; if they have, of the details and the implementation timetable; if not, the reasons for that?

Commercial leasing procedures of the Airport Authority Hong Kong

(10) Hon Ronny TONG (Written reply)

It has been reported that in awarding the leases of two flagship retail shops in East Hall, SkyMart in the restricted area of the passenger terminal building, the Chief Executive Officer (“CEO”) of the Airport Authority Hong Kong (“AA”) exercised discretion not to follow the principle of awarding the contracts to bidders offering the highest bids, resulting in AA suffering substantial rental loss. In addition, a group of middle-level management staff of AA have complained to me, alleging that AA has not actively followed up the aforesaid incident so far. In this connection, will the Government inform this Council if it knows:

- (1) whether the CEO of AA altered the tender assessment criteria and the weightings concerned (“assessment method”) in the aforesaid lease tendering exercise; if he did, (i) of the reasons and details for that, (ii) the differences in the assessment methods before and after the alteration, (iii) whether such alteration violated the relevant guidelines issued by the Independent Commission Against Corruption; if so, whether the authorities will take further follow-up actions; if not, the justifications for that, and (iv) whether AA has evaluated the rental loss due to the alteration in the assessment method;
- (2) whether AA has set up an independent investigation committee to follow up the aforesaid incident; if not, of the reasons for that; if AA has, of the details, and whether any person has been found to have violated the rules; if violations have been found, whether the authorities have taken follow-up actions; and
- (3) whether AA will consider reviewing the assessment method for lease tendering exercises; if so, of the details; if not, the reasons for that?

Restrictions imposed on drivers of mainland commercial vehicles while driving such vehicles in Hong Kong

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

I have recently received complaints alleging that some mainland drivers of cross-boundary vehicles are suspected of violating the relevant regulations by providing passenger-carrying service in Hong Kong, thus affecting the work opportunities and livelihood of local drivers. In this connection, will the Government inform this Council:

- (1) of the number of mainland commercial vehicles issued with a licence to run on the roads in Hong Kong at present; the number of mainland commercial vehicles entering Hong Kong as well as the number of trips involved in each of the past three years; and
- (2) of the restrictions currently imposed on drivers of mainland commercial vehicles when driving such vehicles in Hong Kong, apart from those stipulated in the Road Traffic Ordinance (Cap. 374) and its subsidiary legislation; the measures taken by the Government for monitoring whether such drivers have violated such restrictions; whether any such driver was prosecuted in the past three years for violating such restrictions; if so, of the number of prosecutions instituted and the penalty generally imposed in respect of each restriction; if not, the reasons for that?

Manpower of the Buildings Department for performing frontline duties

(13) Hon CHAN Han-pan (Written reply)

Some staff members of the Buildings Department (“BD”) have said that the Government has introduced a number of new policy initiatives in recent years in respect of building management and maintenance (including the Mandatory Building Inspection Scheme and Mandatory Windows Inspection Scheme, Validation Scheme for unauthorized signboards, Minor Works Control System, etc.) and has also stepped up the inspection of old buildings across the territory and expedited the removal of unauthorized building works. However, BD, which is responsible for undertaking the tasks, has not increased the number of its frontline staff accordingly, thus putting tremendous work pressure on the staff concerned. It has been reported that the frontline staff of BD held an assembly and went on a symbolic strike for 1.5 hours some time ago to demand the Department to expand the staff establishment and improve staff benefits. In this connection, will the Government inform this Council:

- (1) of the (i) numbers, (ii) notional annual mid-point salaries (“NAMS”), (iii) fringe benefits, and (iv) scope of duties of frontline BD staff (including Structural Engineers, Building Surveyors, Survey Officers/Technical Officers, Building Safety Assistants, Building Safety Officers, clerical staff and drivers) undertaking the aforesaid tasks in each of the past five years (set out in tables of the same format as Table 1, broken down by whether the staff member was (a) a civil servant, or (b) a non-civil service contract (“NCSC”) staff);

Table 1 (Year)

Grade		Number	NAMS	Fringe benefits	Scope of duties
Structural Engineer	a				
	b				
Building Surveyor	a				
	b				
Survey Officer/ Technical Officer	a				
	b				
Building Safety Assistant	a				
	b				
Building Safety Officer	a				
	b				
Clerical staff	a				
	b				
Driver	a				
	b				

- (2) of the numbers of (i) new recruits, (ii) departed staff of the grades mentioned in (1), in each of the past five years (broken down by whether the staff member was (a) a civil servant or (b) a NCSC staff), and (iii) NCSC staff appointed as civil servants (set out in tables of the same format as Table 2);

Table 2 (Year)

Grade		Number of new recruits	Number of departed staff	Number of NCSC staff appointed as civil servants
Structural Engineer	a			
	b			
Building Surveyor	a			
	b			
Survey Officer/ Technical Officer	a			
	b			
Building Safety Assistant	a			
	b			
Building Safety Officer	a			
	b			
Clerical staff	a			
	b			
Driver	a			
	b			

- (3) whether BD has adopted any mechanism or criteria for projecting the relevant manpower requirement when introducing new policy initiatives; if so, of the details; if not, the reasons for that;
- (4) as BD's drivers have relayed to me that some of them have to take public transport to perform miscellaneous tasks e.g. dispatch of documents owing to the inadequacy of government vehicles under the Department, of the number of vehicles under BD at present, as well as the number of rides on public transport taken by BD's drivers in performing miscellaneous tasks last year; and
- (5) whether, in the light of the recent labour dispute, BD will adopt improvement measures accordingly (e.g. whether it will increase the opportunities for its NCSC staff to be appointed as civil servants and improve the fringe benefits and terms of employment of NCSC staff); if BD will, of the details; if not, the reasons for that?

Safety of the use of electric wheelchairs

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

Electric wheelchairs are the means to achieve mobility for some persons with disabilities and certain elderly people. It has been reported that quite a number of wheelchair users have modified their electric wheelchairs (e.g. increasing the travelling speed of the wheelchairs as well as retrofitting shopping baskets and creating space for standees, etc.). Given that electric wheelchairs are not categorized as a mode of transport, they are not regulated by the Transport Department. However, some members of the public have pointed out that electric wheelchairs travelling at high speed on pavements and pedestrian crossings might pose safety hazards to wheelchair users and pedestrians. In this connection, will the Government inform this Council:

- (1) of the number of complaints received by the authorities from 2010 to 2012 about electric wheelchairs posing safety hazards or causing obstruction to pedestrians;
- (2) whether it has formulated safety standards in respect of the structure, weight and maximum travelling speed of electric wheelchairs, and how it ensures that modified electric wheelchairs are in compliance with these standards; if it has, of the details; if not, the reasons for that; and
- (3) other than section 4(8) of the Summary Offences Ordinance (Cap. 228), whether there are other laws imposing penalties on persons using electric wheelchairs improperly; if there are, of the details; if not, the reasons for that?

Government policy on internal circulation of documents

(15) Hon Gary FAN (Written reply)

It was reported that on 22 November last year, a total of over 100 people comprising Executive Council Members and senior officials such as politically appointed officials, the Permanent Secretaries of various policy bureaux and the heads of various government departments, attended a government internal seminar at which the Deputy Secretary-General of the Standing Committee of the National People's Congress cum Chairman of the Hong Kong Special Administrative Region Basic Law Committee ("BLC Chairman") spoke on the selection of the Chief Executive by universal suffrage. Subsequently, the Office of the Chief Secretary for Administration issued a circular encouraging the Secretaries and Directors of Bureaux, Permanent Secretaries, Heads of Departments, Under Secretaries and Political Assistants to share with the senior civil servants in their bureaux/departments ("B/Ds") the speech delivered by the BLC Chairman at the seminar. When circulating the speech internally, some departments even required civil servants who had read the speech to initial it for record. In this connection, will the Government inform this Council:

- (1) of the code it has drawn up on internal circulation of documents, and whether such a code has stipulated what documents or under what circumstances that civil servants should be required to initial the documents for record after reading them;
- (2) of the foreign or mainland officials whose speeches were circulated by the Government among the politically appointed officials and civil servants in the past five years, and set out the details in the table below;

Date of delivery of the speech	Local official in charge of the event	Name of speaker	Theme of speech	B/Ds which circulated the speech internally	Reason(s) for circulation

- (3) whether it has assessed if the authorities requesting civil servants to read documents issued or speeches delivered in Hong Kong by mainland officials relating to constitutional development and interpretation of the provisions of the Basic Law will undermine the political neutrality of civil servants and is in breach of the principle of "Hong Kong people ruling Hong Kong"; and
- (4) whether it has assessed if the participation of civil servants in the aforesaid seminar during office hours is an activity outside the scope of their duties and if the speech concerned is a document outside the scope

of their duties; if it has conducted such an assessment and the outcome is in the affirmative, whether the Government has assessed if it has violated the terms of employment of civil servants by requiring them to participate in such activities and read such documents?

Quality Migrant Admission Scheme

(16) Hon James TO (Written reply)

It has been reported that during the seven years starting from the introduction of the Quality Migrant Admission Scheme (“QMAS”) in 2006 until now, a total of over 2 000 applicants were granted approval for settlement in Hong Kong under QMAS, and 80% of such persons (“talents”) came from the Mainland. In this connection, will the Government inform this Council:

- (1) among the talents granted approval for settlement in Hong Kong, of (i) the respective numbers of them whose applications were assessed through the General Points Test and the Achievement-based Points Test under QMAS, (ii) the number of them who still live in Hong Kong, and (iii) the number of them who have already acquired the permanent resident status (and how many of them still live in Hong Kong);
- (2) whether it has measures to attract talents from places other than the Mainland to apply for settlement in Hong Kong under QMAS; if so, of the specific measures; if not, the reasons for that;
- (3) whether the talents or their dependants are entitled to the social welfare benefits for permanent residents before they have acquired the permanent resident status;
- (4) of the current number of talents employed by the Government, and how many of them have a length of service not less than seven years; their academic or professional qualifications in general, together with a breakdown by government department set out in a table; and
- (5) of the criteria and reasons for various government departments to employ talents; whether the reasons include the fact that too few local residents who meet the entry requirements applying for the relevant government posts; whether the talents applying for government posts will be exempted from the Common Recruitment Examination and the Basic Law Test?

Integrated Employment Assistance Programme for Self-reliance

(17) Hon Frankie YICK (Written reply)

Since January 2013, the Social Welfare Department (“SWD”) has commissioned 26 non-governmental organizations to implement the Integrated Employment Assistance Programme for Self-reliance (“IEAPS”). IEAPS aims to encourage and assist able-bodied Comprehensive Social Security Assistance (“CSSA”) recipients aged 15 to 59 to secure employment, by providing one-stop integrated employment assistance services and introducing the Work Exposure Services so as to help improve CSSA recipients’ chances of securing employment. In this connection, will the Government inform this Council:

- (1) of the total number of participants in IEAPS since its introduction and, among them, the respective percentages of those who have secured employment and those who have left the CSSA net;
- (2) of the respective current average working hours per day and total working hours per week of each IEAPS participant, as well as the average number of months of continuous work; and
- (3) whether SWD has recorded the attendance rates of IEAPS participants, and whether it has set a minimum requirement of attendance rate; whether it has put in place a mechanism to penalize participants for absence from work without reasons or for having an attendance rate lower than the minimum requirement (if any); if so, of the details; if not, the reasons for that?

Cessation of an insurance company to sell
life insurance policies through tied agents

(18) Hon LEUNG Che-cheung (Written reply)

It has been reported that Zurich Life Insurance (Hong Kong) (“the company”) had earlier on changed the distribution channel for its life insurance policies. Such products and after-sales services would no longer be offered through its tied agents and instead would be distributed by independent financial advisers and insurance agency companies. More than 700 insurance agents would be laid off and a total of 160 000 insurance policies would be affected. The press report also pointed out that similar arrangements would become a market trend, and other small and medium-sized insurance companies were expected to follow such practice of the company. In this connection, will the Government inform this Council:

- (1) whether the authorities have followed up the aforesaid incident; if so, of the progress and details of the follow-up actions;
- (2) whether it knows the number and nature of the requests for assistance received by the Office of the Commissioner of Insurance (“OCI”) from insurance agents and insurance policy holders in respect of the aforesaid incident;
- (3) as some affected insurance policy holders have alleged that they have tried to seek assistance from the Consumers Council but in vain, and OCI does not have the statutory power to intervene in commercial disputes involving insurance companies, insurance intermediaries and insurance policy holders, of the measures the authorities have in place to safeguard the interests of insurance policy holders in similar incidents;
- (4) as some affected insurance policy holders have claimed that it is set out in the insurance policies that the agents of the company will provide clients with after-sales services but the company has unilaterally terminated the arrangement, whether it has assessed if the company has breached any law; if it has made such an assessment, of the results;
- (5) as some members of the industry have pointed out that a similar incident once occurred in Hong Kong and the relevant insurance company eventually assisted the affected insurance agents in setting up insurance agency companies to keep on handling clients’ insurance policies to resolve the issue, whether it knows the relevant details of the incident (including when the incident occurred, its development, the number of affected insurance agents and insurance policy holders, the role and duties performed by OCI in that incident, as well as the final plan to resolve the disputes);
- (6) whether the authorities have assisted in resolving the disputes on commissions between the company and its insurance agents, or assisted

the affected insurance agents in setting up an independent insurance agency company; and

- (7) as there are views that the insurance company in the aforesaid incident has not hesitated to fundamentally change the traditional insurance agent system in order to save costs, and other insurance companies will follow such practice, of the forward-looking measures the authorities have in place to ensure the healthy development of the insurance market?

Arrangements for admission of members of the public
to forums on Policy Address and Budget

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

During the period from November to December last year, the Government held three regional forums (“the forums”) on the 2014 Policy Address and the 2014-2015 Budget. As admission tickets were distributed at around 9 am on the respective days of the forums outside the venues on a first-come-first-served basis, quite a number of members of the public who wanted to get the admission tickets queued up overnight and were tormented by the elements. However, in 2012, members of the public were allowed to register through a hotline for attending the forums held in that year. In this connection, will the Government inform this Council:

- (1) of the respective manpower deployed by the relevant government departments for distribution of admission tickets of and maintenance of order for the forum on 24 November last year;
- (2) why the Government has switched the approach for admission of members of the public to the forums from registration through a hotline in previous years to queuing up in person for admission tickets; whether the Government, in deciding to adopt queuing-up for distribution of admission tickets, had considered the personal safety of those who queued up in person and their suffering in the elements, the nuisances that might be caused by such queuing arrangements to residents in the vicinity and the police manpower required for maintaining order overnight; and
- (3) whether it has any plan to review the means through which members of the public are admitted to the forums, so as to ensure that people holding different views have equal opportunities to attend such forums and express their opinions at the forums, and at the same time, obviate the suffering of members of the public in queuing up overnight for admission tickets, and avoid causing nuisances to residents nearby; if it has, of the details; if not, the reasons for that?

Statistics about private residential care homes for the elderly

(20) Hon TANG Ka-piu (Written reply)

It has been reported earlier in the press that a staff member of a private residential care home for the elderly (“PRCHE”) was dismissed for reporting the abuse of an elderly resident of that PRCHE by another staff member, and the elderly abuse case has also given rise to public concern about the service quality of PRCHEs. In this connection, will the Government inform this Council:

- (1) in respect of subsidized residential care homes for the elderly and PRCHEs respectively, (i) of the number of cases received by the authorities about the abuse of elderly residents, and (ii) among them, the number of cases in which the abusers were convicted, and (iii) the number of staff members of residential care homes who were dismissed for reporting incidents of abuse, in the past five years;
- (2) of the existing number of elderly persons residing in PRCHEs and a breakdown by (i) District Council district where the PRCHEs concerned are located, (ii) their level of disability (i.e. in need of constant attendance, 100% disabled and able-bodied/50% disabled), (iii) the age group to which they belong, (iv) the number of children they have and (v) their marital status;
- (3) of the number of elderly persons currently residing in PRCHEs who received, in each of the past five years, assessments for ascertaining their service needs under the “Standardised Care Need Assessment” and, among them, the respective numbers and percentages of those (i) who were assessed to have different levels of disability, (ii) who were assessed as having had a significant change in health conditions, and (iii) who were allocated a place in a subsidized residential care home subsequently;
- (4) of the existing number of elderly persons residing in PRCHEs who are recipients of Comprehensive Social Security Assistance (“CSSA”) and, among them, of the number of those who started receiving CSSA only after admission to PRCHEs; the respective average amounts of CSSA payments received by residents of PRCHEs who have different levels of disability and are receiving CSSA;
- (5) of the number of elderly CSSA recipients currently residing in PRCHEs who were given supplements and special grants last year, as well as the average amounts they were given, and a breakdown by the level of disability;
- (6) among the elderly persons residing in PRCHEs, of (i) the respective numbers and percentages of those receiving CSSA of different standard rates according to their levels of disability, and (ii) the number and

percentage of those who were allocated a place in a subsidized residential care home, in the past five years;

- (7) of the number of elderly CSSA recipients residing in PRCHes who passed away in each of the past five years and, among them, of the number of those who were waiting for admission to a subsidized residential care home when they passed away;
- (8) of the number of cases, in each of the past five years into which the authorities conducted investigations, concerning elderly CSSA recipients residing in PRCHes did not report the fact that their family members had paid part of the home fees for them, and the number of prosecutions instituted in respect of such cases;
- (9) of the respective numbers of PRCHes charging minimum home fees higher than the CSSA payments received by elderly residents of the relevant levels of disability; and
- (10) whether the Social Welfare Department will consider granting, apart from Residential Care Supplement, additional allowance to CSSA recipients residing in PRCHes, so as to make up for the differences between the CSSA payments and the home fees charged by PRCHes; if so, of the details; if not, the reasons for that; and whether it has studied the feasibility of allowing family members of CSSA recipients residing in PRCHes to pay part of the home fees for them without deducting their CSSA payments?

Industrial safety at container yards

(21) Hon Alice MAK (Written reply)

In November last year, an accident occurred in Kwai Chung Container Terminals, in which a worker was crushed to death by a toppled container. Regarding industrial safety at yards for loading, unloading and storage of containers (“container yards”), will the Government inform this Council:

- (1) of the respective numbers of various types of industrial accidents at container yards, the resultant casualties, as well as the causes and the job types involved in such accidents, in each of the past five years;
- (2) of the respective numbers of regular and surprise safety inspections conducted by the Labour Department at container yards in each of the past five years; whether cases of inappropriate storage and stacking of containers were found during inspections; if so, of the details and follow-up actions, including whether the personnel concerned were prosecuted; if no prosecution was instituted, of the reasons;
- (3) whether it knows the respective numbers of safety officers stationed at various container terminals at present; of the measures, apart from inspections, taken by the authorities to monitor the storage and stacking of containers at container yards in respect of their compliance with the safety requirements promulgated by the Government;
- (4) whether it has provided training and safety guidelines to workers at container yards, and required them to complete the relevant practical sessions and pass the assessment before they may take up the relevant jobs and operate heavy machinery; if it has, of the details; if not, the reasons for that;
- (5) whether it has monitored the maintenance and repair of mechanical equipment at container yards in respect of its compliance with the relevant safety standards; if so, whether the responsible persons of container yards are required to repair or replace within a specified timespan those pieces of equipment not meeting the specifications or having a mechanical failure; if so, of the relevant requirements; and
- (6) whether it has any plan to review the code of practice on work safety (including the timeframe for repairing or replacing equipment not meeting the specifications and the permitted stacking height of containers, etc.); if so, of the details and timetable; if not, the reasons for that?

Occupational safety of foreign workers working at construction sites

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

It has been reported that a fatal industrial accident occurred in November last year at a construction site in Yuen Long of the Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link project. A Filipino foreign worker was suspected of being electrocuted when working inside a tunnel 30 metres below the ground. In connection with the occupational safety of foreign workers working at construction sites, will the Government inform this Council:

- (1) of the respective numbers of foreign workers of various trades in the construction industry at present, with a breakdown by the labour importation scheme concerned;
- (2) of the resultant casualties of the industrial accidents which occurred at construction sites in the past three years (with a breakdown by the cause of the accident, casualty situation and trade), and among such accidents, the number and percentage of those involving foreign workers;
- (3) given that the Construction Workers Registration Ordinance (Cap. 583) prohibits unregistered construction workers from carrying out on construction sites construction work, whether this requirement applies to foreign workers;
 - (i) if so, of the number of foreign workers currently registered under the Ordinance, and whether any prosecution was instituted against employers who employed unregistered foreign workers in the past three years; if prosecutions were instituted, of the number of such cases;
 - (ii) if not, of the reasons for that, and whether it will consider bringing foreign workers under the coverage of the Ordinance;
- (4) whether it has required foreign workers in the construction industry to receive relevant technical training and obtain the same registration qualifications as local workers before they may carry out the relevant work; if it has, of the details and the regulatory regime; if not, the reasons for that; and
- (5) whether it has any plan to conduct a comprehensive review of the existing mechanism of and requirements for foreign workers coming to Hong Kong to work in the construction industry as well as to step up inspections of construction sites; if it has, of the details; if not, the reasons for that?