

立法會
Legislative Council

LC Paper No. CB(3) 403/13-14

**Paper for the House Committee meeting
of 21 February 2014**

**Questions scheduled for the
Legislative Council meeting of 26 February 2014**

Questions by:

- | | | |
|------|-----------------------|-----------------|
| (1) | Hon CHAN Yuen-han | (Written reply) |
| (2) | Hon Dennis KWOK | (Written reply) |
| (3) | Hon SIN Chung-kai | (Written reply) |
| (4) | Hon CHAN Kin-por | (Written reply) |
| (5) | Dr Hon LAM Tai-fai | (Written reply) |
| (6) | Hon TANG Ka-piu | (Written reply) |
| (7) | Dr Hon KWOK Ka-ki | (Written reply) |
| (8) | Hon Paul TSE | (Written reply) |
| (9) | Hon Charles Peter MOK | (Written reply) |
| (10) | Hon Frederick FUNG | (Written reply) |
| (11) | Hon Kenneth LEUNG | (Written reply) |
| (12) | Hon WU Chi-wai | (Written reply) |
| (13) | Hon LEUNG Kwok-hung | (Written reply) |
| (14) | Hon TANG Ka-piu | (Written reply) |
| (15) | Dr Hon KWOK Ka-ki | (Written reply) |
| (16) | Hon Paul TSE | (Written reply) |
| (17) | Hon Albert HO | (Written reply) |
| (18) | Hon WONG Yuk-man | (Written reply) |
| (19) | Hon CHAN Hak-kan | (Written reply) |
| (20) | Hon Dennis KWOK | (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

Impact of the development projects on
Anderson Road on the traffic in Kowloon East

(1) Hon CHAN Yuen-han (Written Reply)

The Anderson Road Public Housing Development and the Development of Anderson Road Quarry site are in progress and will take in their first batch of residents in 2015-2016 and 2022-2023 respectively. Upon completion of these two projects, the population of Kwun Tong will increase by 73 000. Yet, some members in the community opine that the relevant transport planning fails to tie in with such developments, and are therefore concerned that the traffic congestion problem in Kwun Tong will worsen further. In this connection, will the Government inform this Council:

- (1) as some residents have pointed out that although the junction of New Clear Water Bay Road and Lee On Road has been open for public use upon the completion of the extension works there, the traffic congestion problem of the district has not improved, whether the authorities have assessed the relevant traffic flows and congestion situations at the relevant road sections before and after the completion of the said works; if they have, of the details such as the data about the traffic flows of the relevant roads during peak hours and non-peak hours;
- (2) given that the section of Clear Water Bay Road adjacent to Choi Hung Estate cannot be widened due to insufficient space, and Choi Hung Estate has been completed for some 52 years, whether the Government will conduct studies on the redevelopment of Choi Hung Estate to release some land for the purpose of widening the relevant road section, thereby alleviating the traffic congestion situation there; if it will, of the details; if not, any proposal the authorities have in place to extend the relevant road section;
- (3) of the impact of the two aforesaid development projects on the traffic flows of the major roads in Kowloon East from 2017 to 2022 (including the data about the traffic flows during peak hours and non-peak hours) as estimated by the authorities; and
- (4) whether it will further raise the maximum plot ratio of the residential site in the Development of Anderson Road Quarry site; if it will, whether it has assessed the impact of the additional population on the traffic loads in Kwun Tong District; if it will not, of the reasons for that?

Financial products offered by mainland financial institutions

(2) Hon Dennis KWOK (Written Reply)

It has been reported that partly due to the policy of the State Council on the reform of the financial system on the Mainland, financial disintermediation, interest rate deregulation and development of Internet finance have all gathered pace on the Mainland in recent years. These have resulted in an increase in the range of financial products offered by mainland financial institutions, but the risks of such products are uncertain due to inadequate regulation of such products and related financial institutions and the volatile situation of the “shadow” banking industry on the Mainland. However, quite a number of Hong Kong people and financial institutions have been attracted by the high returns of such products and invested directly or indirectly in such products, sometimes through unofficial or even unlawful channels. In this connection, will the Government inform this Council if it knows whether the Hong Kong Monetary Authority as well as the Securities and Futures Commission:

- (1) have plans to introduce measures to protect the interests of Hong Kong investors who have invested or intend to invest in mainland financial products (e.g. launching education campaigns, enhancing cooperation with mainland authorities); if so, of the details; if not, the reasons for that; and
- (2) have assessed the short-term and long-term risks of mainland financial products posed to the Hong Kong financial system, including assessing whether the financial institutions in Hong Kong are over-exposed to the risks of mainland financial products; if so, of the details and whether they have formulated and implemented corresponding regulatory measures; if they have not assessed, the reasons for that?

Co-location of immigration and customs facilities at the West Kowloon Terminus of the Guangzhou-Shenzhen-Hong Kong Express Rail Link

(3) Hon SIN Chung-kai (Written Reply)

The project to construct the Hong Kong section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (“XRL”) is targeted for completion in 2015, and the authorities expect XRL to be commissioned in 2016. In reply to a question raised by a Member of this Council in October last year regarding the implementation of the arrangements for co-location of immigration and customs facilities of the Mainland and the Hong Kong Special Administrative Region (“co-location arrangements”) at the West Kowloon Terminus of XRL (“the XRL Terminus”), the Government said that the detailed operation of the co-location arrangements involved complex legal and constitutional issues, and the Government had been negotiating with the mainland authorities. In connection with the implementation of the co-location arrangements at the XRL Terminus, will the Government inform this Council:

- (1) whether the Department of Justice as well as the Transport and Housing Bureau have conducted detailed studies, either on their own or by commissioning consultants, on the feasible options and issues of implementing the co-location arrangements, including the legal and constitutional problems which may arise from allowing the enforcement of mainland laws and permitting mainland law enforcement officers to take law enforcement actions within the Hong Kong territory; if they have conducted such studies, of the details, including the commencement and expected completion dates of such studies, and (if consultants have been commissioned) the expenditure involved, etc.; if not, whether they will conduct such studies;
- (2) as the design of the XRL Terminus has set aside space for the provision of future boundary control facilities for the Mainland and Hong Kong, of the details of the location and area of the space set aside;
- (3) whether it has discussed with the mainland authorities the arrangements in the event that the co-location arrangements cannot be implemented at the XRL Terminus, e.g. whether it is necessary to provide immigration facilities at various XRL stations on the Mainland; and
- (4) given that when this Council scrutinized the Shenzhen Bay Port Hong Kong Port Area Bill in 2007, some Members had criticized the Government for not giving this Council sufficient time to scrutinize the Bill, resulting in their not being able to study in detail the related legal and constitutional issues, whether the Government will make an undertaking to this Council that should enactment of legislation be required in the future for implementation of the co-location arrangements

at the XRL Terminus, it will allow no less than one year for this Council to scrutinize the relevant bill?

Reciprocal notification mechanism between
the mainland public security authorities and the Hong Kong Police Force

(4) Hon CHAN Kin-por (Written Reply)

Information from the Hong Kong Police Force reveals that in 2012, 1 341 mainland visitors were arrested for having allegedly committed offences in Hong Kong, representing an increase of 11.2% from 2011. According to the reciprocal notification mechanism between the Mainland and Hong Kong, Hong Kong Police regularly forward to the mainland public security authorities for them to follow up the particulars of those mainland visitors who have been subject to criminal prosecutions or imposed criminal compulsory measures for having allegedly committed offences in Hong Kong, and such persons will not be issued travel documents to come to Hong Kong within two to five years (“period of non-issuance of permits”). In this connection, will the Government inform this Council:

- (1) of the specific operation of the aforesaid notification mechanism;
- (2) of the number of mainland visitors reported to the mainland public security authorities by the authorities in each of the past 10 years, together with a breakdown by the type of offence allegedly committed by such visitors and the period of non-issuance of permits;
- (3) whether it knows the criteria adopted by the mainland authorities for deciding whether mainlanders whose period of non-issuance of permits has expired will be issued travel documents to come to Hong Kong; among those who were re-issued travel documents to come to Hong Kong in the past three years, whether any of them has committed offence(s) again in Hong Kong; if so, of the detailed figures; and
- (4) whether it conducted, in the past three years, any detailed study on mainland visitors committing crimes in Hong Kong, and whether it will review in collaboration with the mainland authorities the operation of the existing notification mechanism (including conducting studies on the extension of the period of non-issuance of permits or not issuing travel documents to such persons for coming to Hong Kong forever, etc.); if it will, of the details; if not, the reasons for that?

Impact of the expansion of the Individual Visit Scheme on Hong Kong

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

According to the Assessment Report on Hong Kong's Capacity to Receive Tourists completed by the Commerce and Economic Development Bureau in December last year, the projected annual visitor arrivals will increase from 54 million in 2013 to 100 million in 2023, whilst the percentage of arrivals of mainland residents under the Individual Visit Scheme ("IVS") in the total visitor arrivals will also rise year on year. The Secretary for Commerce and Economic Development said that aspects such as the handling capacity of boundary control points, the capacity of tourism facilities and the public transport network, Hong Kong would generally be able to cope with the demand of visitors up to 2017, but the supply of hotel rooms would continue to be tight. Yet, there are views that Hong Kong may not have adequate capacity to receive visitors, and the continuous growth in mainland visitor arrivals will aggravate the problem of smuggling/parallel trading activities by mainlanders. In this connection, will the Government inform this Council:

- (1) of the respective projected growths in mainland visitor arrivals in each of the coming five years, with a tabulated breakdown by pilot city implementing IVS/the multiple-entry permit arrangement;
- (2) whether the Government has, prior to putting forth the proposals of not increasing the number of IVS pilot cities and not expanding the scope of the multiple-entry permit arrangement for the time being ("not increasing the number of pilot cities"), assessed the impacts of such proposals on the relationship between the Mainland and Hong Kong; if it has, of the details; if not, the reasons for that;
- (3) whether it has assessed the impacts on the economy of Hong Kong brought about by the decision not to increase the number of pilot cities; if it has, of the details; if not, the reasons for that;
- (4) whether it has assessed the impacts of the decision not to increase the number of pilot cities for the time being on tourism-related industries (including the hotel, catering, retail and transportation industries); if it has assessed, of the impacts on such industries in respect of their business turnovers, employment rates and the income levels of employees;
- (5) whether it has considered introducing measures to develop overseas source markets, so as to attract more visitors to Hong Kong; if it has, of the details; if not, the reasons for that;
- (6) of the respective numbers of visitor arrivals from the Mainland and their average lengths of stay in Hong Kong during the Lunar New Year, Labour Day, "National Day Golden Week" and Christmas holidays in

each of the past five years; whether it has assessed if these visitors have brought heavier pressure year on year on the tourism facilities in Hong Kong during such periods;

- (7) whether it has assessed, by District Council (“DC”) district, the capacities of tourism and transport ancillary facilities in various major tourism districts (including Yau Tsim Mong, Central and Western District, Wan Chai and North District, etc.) for receiving visitors; if it has, of the details; if not, the reasons for that;
- (8) whether it has set maximum capacities of public transport services in Hong Kong, assessed if such services can cope with the growth in visitor arrivals in the coming five years, and assessed whether such growth will adversely affect the level of transport services provided to local residents; if it has, of the details; if not, the reasons for that;
- (9) given that the authorities plan to provide, in collaboration with the 18 DCs in the territory, more tourism attractions to spread out visitors so that all districts can have a share in the relevant economic benefits, of the specific measures to be implemented;
- (10) of the justifications for the Chief Executive’s claim that the proposal of imposing an arrival tax on visitors entering the territory on land is infeasible, and the details of the studies previously conducted by the Government for the implementation of such similar measures;
- (11) of the number of mainland visitors arrested by the authorities for breaching their conditions of stay due to involvement in parallel trading activities, and the number of mainland visitors denied entry into Hong Kong due to their frequent entries/departures within one single day, in each of the past five years;
- (12) of the quantities of smuggled goods seized by the authorities of Hong Kong from mainland visitors on their departure from Hong Kong in each of the past five years, with a breakdown by type of such goods;
- (13) of the number of mainland visitors arrested in Hong Kong for suspected involvement in smuggling activities during the Lunar New Year, Labour Day, National Day Golden Week and Christmas holidays in each of the past five years; and since the implementation on 1 March 2013 of the new requirement on carrying powdered formula for infants and young children on departure from Hong Kong, of the quantities of powdered formula illegally carried by mainland visitors on their departure from Hong Kong which was seized by the authorities;
- (14) given that some members of the public initiated a “protest against IVS mainland visitors” and hurled abuses at the latter along Canton Road in Tsim Sha Tsui on the 16th of this month, which developed into a war of words and obstructing the shops nearby from carrying out their business,

whilst a number of principal officials condemned such behaviour one after another on the following day, whether the Government has assessed the impact of the incident on the relationship between the Mainland and Hong Kong; if it has, of the details; if not, the reasons for that;

- (15) whether it has assessed if protests similar to that referred to in (14) will dampen mainland visitors' desire to visit Hong Kong, thus reducing the arrivals of such visitors; if it has, of the details; if not, the reasons for that;
- (16) whether it has assessed if the protest referred to in (14) has adversely affected the tourism industry of Hong Kong and undermined its international image; and
- (17) given that some members of the public raised the flag of Hong Kong under British colonial rule during the protest referred to in (14), whether it has assessed the impact of such an act on the successful implementation of the principle of "one country, two systems" in Hong Kong?

Liquefied petroleum gas filling stations

(6) Hon TANG Ka-piu (Written Reply)

When the Government launched the Liquefied Petroleum Gas (“LPG”) Taxi Scheme in 1999, it provided sites for dedicated LPG filling stations at nil land premium in order to support the Scheme. All dedicated LPG filling stations are operated under the Design, Build and Operate (“DBO”) contracts signed with the Government for a period of 21 years. LPG pump prices at dedicated LPG filling stations are capped by a Pricing Formula while non-dedicated LPG filling stations are free to adjust their pump prices. Given that the DBO contracts for the first batch of dedicated LPG filling stations will expire in 2020, and that the pump prices at dedicated LPG filling stations are lower than those at non-dedicated LPG filling stations, some members of the taxi trade have expressed great concern about the arrangements after the expiry of those DBO contracts. In this connection, will the Government inform this Council:

- (1) of the number of dedicated LPG filling stations whose DBO contracts will expire in the next 10 years, and set out in a table the addresses, names of contractors and dates of expiry of such DBO contracts; whether the DBO contracts contain any renewal clause; if so, of the details; if not, the reasons for that and how the authorities will handle the renewal of DBO contracts with the operators;
- (2) given that currently there are only two non-dedicated LPG filling stations on Lantau Island for use by taxis while the dedicated LPG filling stations in other districts are far away, thus leaving Lantau taxis with no alternative but to have their taxis filled with LPG at the two non-dedicated LPG filling stations, where the pump prices are higher, whether the authorities have assessed if such a situation constitutes regional price discrimination; if they have assessed, of the outcome;
- (3) whether it knows the respective total numbers of vehicles and, among such vehicles, the respective numbers of taxis having LPG filled at dedicated and non-dedicated LPG filling stations, as well as the sales volume of LPG at these two types of filling stations in each month of the period from January 2000 to January 2014 (set out in tables of the same format as Table 1);

Table 1 Year:

| | | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total |
|------------------------------------|-----------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Dedicated LPG filling stations | Total no. of vehicles having LPG filled | | | | | | | | | | | | | |
| | No. of taxis having LPG filled | | | | | | | | | | | | | |
| | Sales volume of LPG | | | | | | | | | | | | | |
| Non-dedicated LPG filling stations | Total no. of vehicles having LPG filled | | | | | | | | | | | | | |
| | No. of taxis having LPG filled | | | | | | | | | | | | | |
| | Sales volume of LPG | | | | | | | | | | | | | |

- (4) whether it knows the current number of LPG filling nozzles at each dedicated and non-dedicated LPG filling station (set out in Table 2);

Table 2

| Location of LPG filling station | No. of LPG filling nozzles |
|-----------------------------------|----------------------------|
| Dedicated LPG filling station | |
| | |
| | |
| | |
| Non-dedicated LPG filling station | |
| | |
| | |
| | |

- (5) as the Government introduced a new pricing adjustment mechanism in 2006, under which LPG prices can be adjusted once every month instead of once every six months, and stated that the mechanism would help strike a better balance between the supply of and demand for LPG at dedicated and non-dedicated LPG filling stations, whether the authorities have assessed if the supply of and demand for LPG at these two types of LPG filling stations have reached a balance at present; if the assessment outcome is in the affirmative, of the justifications; if the assessment outcome is in the negative, whether any review will be conducted;
- (6) whether the authorities received in the past five years any complaint that dedicated LPG filling stations had not utilized all their LPG filling

nozzles; if they did, of the number of such complaints, and whether the authorities conducted any surprise check on the LPG filling stations under complaint; and

- (7) given the comments of some members of the taxi trade that LPG prices at both dedicated and non-dedicated LPG filling stations have been rising recently, and that LPG prices are “quick to rise and slow to drop”, whether the Government will conduct a study on allowing taxi drivers to levy passengers a fuel surcharge; if it will, of the timetable; if not, the reasons for that?

Kwai Chung Park development project

(7) Dr Hon KWOK Ka-ki (Written reply)

In 2000, the Leisure and Cultural Services Department (“LCSD”) took over the Kwai Chung Park development project to develop the restored landfill site of 27 hectares (“ha”) in the Park. However, except for the international BMX park developed on a platform of about four ha in the Park by the Hong Kong Cycling Association which was opened in 2009, the remaining 23 ha of land have so far been left idle without any facility open for use by the public. It has been reported that LCSD had completed the preliminary studies on the use of the Park at the end of last year, which proposed to build sports facilities such as cricket ground, football pitch and golf driving range, etc. in the Park. In this connection, will the Government inform this Council:

- (1) of the specific expenditure incurred in the past five years in handling landfill gas and in maintaining and managing the facilities in Kwai Chung Park;
- (2) of the specific reasons for the absence of recreational, sports or sitting-out facilities in most part of Kwai Chung Park over the years; whether the authorities have, since 2000, considered changing the land use of the Park and taken any measure to expedite the construction of such facilities in the Park; if they have, of the details;
- (3) when LCSD commenced the aforesaid studies, and whether it has consulted the residents in the district concerned on the land use of Kwai Chung Park; if it has, of the details; and
- (4) of the estimated expenditure on the aforesaid sports facilities intended to be built in Kwai Chung Park, and the respective dates of commencement and completion of the works concerned?

Review of the mechanism for appointment of the Commissioner of
the Independent Commission Against Corruption and
anti-corruption legislation

(8) Hon Paul TSE (Written reply)

At present, the Commissioner of the Independent Commission Against Corruption (“ICAC”) (“the Commissioner”) is appointed by the Central People’s Government on nomination and report by the Chief Executive (“CE”) and the Deputy Commissioner of ICAC (“the Deputy Commissioner”) is appointed by CE. It has been reported that a former Deputy Commissioner has pointed out that since CE is involved in the appointment of the Commissioner and the Deputy Commissioner, in the event that ICAC launches an investigation against CE, the scenario akin to “a subordinate investigating his/her superior” may arise and give rise to a conflict of roles. He has therefore suggested that the appointment of these two posts should be entrusted to an independent authority. Besides, he has pointed out that, due to difficulties in gathering evidence, it is difficult for the existing anti-corruption legislation to effectively combat corruption acts in the grey area, such as the adoption of “policies benefitting friends” by public servants so as to accept or solicit intangible, deferred, inter-generational (e.g. the children of public servants) advantages. In this connection, will the Government inform this Council:

- (1) whether it will make reference to the aforesaid views of a person well versed in ICAC’s operation and entrust the appointment of the Commissioner and the Deputy Commissioner to an independent authority; if it will, of the relevant arrangements and the implementation timetable;
- (2) whether it has studied and made reference to the anti-corruption legislation in overseas countries for the purpose of amending the Prevention of Bribery Ordinance (Cap. 201) to prevent public servants from capitalizing on their powers and functions to benefit their family members; and
- (3) of the reasons why the recommendations on amending the Prevention of Bribery Ordinance made by the “Independent Review Committee for the Prevention and Handling of Potential Conflicts of Interests” chaired by the former Chief Justice of the Court of Final Appeal have so far not been implemented; whether an implementation deadline can be set; if so, of the details; if not, the reasons for that?

Hongkong Post e-Cert and smart identity cards

(9) Hon Charles Peter MOK (Written reply)

The Government started promoting Electronic Service Delivery many years ago, introduced the Hongkong Post e-Cert (“e-Cert”) in 2000 and started issuing smart identity (“ID”) cards to members of the public in June 2003. In this connection, will the Government inform this Council:

- (1) of the number of e-Certs expected to be issued in each of the years from 2000 to 2014 when the authorities launched the e-Cert in 2000, and the actual numbers of e-Certs issued and renewed respectively in each year of the same period, with a breakdown by type of e-Cert;
- (2) whether it knows the annual revenue, expenditure and profit/loss situation of the e-Cert business since 2007; if it cannot provide the relevant figures, of the reasons for that;
- (3) of the government services which currently accept e-Certs or other recognized digital certificates for verification of the identity of service users; the government departments providing those services, the details of such services and the person-times using e-Cert each year; whether the authorities will take measures to boost the person-times using e-Certs or other recognized digital certificates; if they will, of the details of the measures and the expected effectiveness;
- (4) of the government departments which currently make use of the data storage and processing functions of the chips embedded in smart ID cards to provide public services, as well as the details of those services; whether the Government has plans to introduce new technology in the second-generation smart ID cards; if so, of the details; whether there is any government department which has planned to make use of new technology to provide public services; if so, of the details and implementation timetable; and
- (5) of the designed service life of the current smart ID cards; the up-to-date number and percentage of smart ID cards replaced due to damage of the chips; as the authorities stated last year that they were planning to conduct a study on the smart ID card system, of the progress and outcome of the study; whether it has plans to replace the ID cards of members of the public with the second-generation smart ID cards; if it has, of the details and timetable?

Support for athletes participating in major international sport games

(10) Hon Frederick FUNG (Written reply)

An athlete representing Hong Kong participated in the Olympic Winter Games (“OWG”) held this month in Sochi, Russia. The athlete alleged that he had repeatedly requested, before his departure for the Games, the Sports Federation and Olympic Committee of Hong Kong, China (“SFOC”) to arrange for a team doctor to accompany him, but the request was turned down by SFOC on the ground that all the places of the Hong Kong Delegation had been taken up. Moreover, senior officials of SFOC on the Delegation rarely showed concern for his training when they were in Sochi. There are comments that Hong Kong athletes participating in previous OWG had received scant support from the Government and SFOC apart from the funding provided by the Government for their participation in such sport games. In this connection, will the Government inform this Council:

- (1) whether it knows the criteria adopted by SFOC for determining the composition of the Hong Kong Delegation to Sochi OWG (including the numbers of different types of members and the relevant candidates); whether there is any difference between such criteria and those adopted for previous participation in Olympic Games or other major international sport games; how the composition compares with that of the delegations from countries or regions which sent one to three athletes to participate in the Games, and whether team doctors were included in their delegations;
- (2) whether it knows the duties and itineraries of various members of the Hong Kong Delegation to Sochi OWG when they were there (including the name and contents of each function they participated, and the percentages of the time involved in such functions in the entire trip, as well as their free time);
- (3) whether it has assessed if the medical services provided by the hosts of sport games can cover all the services of a team doctor, as well as the impact of the absence of the support of a team doctor on the performances of Hong Kong athletes; and
- (4) whether it will require SFOC to make comprehensive care for the needs of athletes participating in competitions as its fundamental principle when determining the composition of Hong Kong delegations to major international sport games in future and such delegations must include team doctors; if it will not, of the reasons for that?

Internal control of procurement activities
by policy bureaux and government departments

(11) Hon Kenneth LEUNG (Written reply)

In recent years, the media have successively uncovered that a former Chief Executive and some former public officers had used public money while in office to pay for extravagant expenses on entertainment and overseas duty visits, as well as to procure expensive gifts and supplies, giving rise to public queries and criticism about the Government's lack of proper internal control of entertainment and procurement. In this connection, will the Government inform this Council:

- (1) of the upper limits of the current monthly allowances for entertainment and overseas duty visits payable to politically appointed officials, directorate Administrative Officers and personnel of statutory bodies with remuneration packages equivalent to those of directorate civil servants ("directorate officers");
- (2) as Chapter 8 of the Director of Audit's Report No. 59 points out that the Government introduced the purchasing card programme in 2000 to require policy bureaux/government departments ("B/Ds") to use purchasing cards as the normal means to purchase low value stores and services not exceeding \$50,000, whether the authorities have provided purchasing cards to politically appointed officials and directorate officers; if they have not, whether the Government has provided them with corporate credit cards to facilitate their payment for official expenses; if it has not, whether they need to make advance payments for the expenses concerned; if such officers need to do so, of the means by which such expenses are paid, the procedures for applying for reimbursement of advance payments, and the relevant internal control procedures;
- (3) among the purchases made by B/Ds in 2012 and 2013, of the respective numbers of purchases (i) made by purchasing cards, (ii) made with exemption from using purchasing cards and (iii) made not by purchasing cards without approval, as percentages of the total numbers of purchases, and the respective amounts of money involved; and
- (4) of the respective numbers of civil servants admonished, punished or prosecuted for violating the procurement requirements each year from 2009 to 2013; whether the authorities have assessed if the purchasing card programme has enhanced the internal control of procurement by B/Ds; if they have, of the details; whether the authorities have plans to expand the scope of application of the purchasing card programme; if they have, of the details?

Publication of public policy research reports

(12) Hon WU Chi-wai (Written reply)

The work of the Central Policy Unit (“CPU”) includes conducting policy researches in the social, political and economic spheres and commissioning experts to conduct thematic consultancy studies by way of contracts where necessary. In addition, the Government launched the Public Policy Research Funding Scheme (“the Scheme”) in 2005 to promote public policy researches. Since 2013-2014, CPU has taken over the administration of the Scheme from the Research Grants Council under the University Grants Committee and relaxed the eligibility criteria for the Scheme. Some members of the public have pointed out that for some of the research projects made public on CPU web site, only executive summaries, which are very brief, of their reports are available, rendering it impossible for members of the public to know the results of the research projects funded by CPU. Such practice has not only deprived the public of their right to know, but also affected the desire of scholars and researchers of community think tanks to participate in the relevant work. In this connection, will the Government inform this Council:

- (1) in respect of each of the research projects made public by CPU on its web site since 2004, (i) whether the projects were publicly-funded; if so, of the amounts of funding, and (ii) the reasons for not making public the full texts of some of the research reports (set out such information by the name of project and year in Table 1);

Table 1

| Name of project (year) | (i) | (ii)(if applicable) |
|--------------------------------------------------------------------------------------------------------|-----|---------------------|
| Hong Kong’s Economic Integration with the Pearl River Delta: Quantifying the Benefits and Costs (2004) | | |
| ... | | |

- (2) of the criteria and mechanism adopted by CPU for determining whether the reports of research projects should be published in full or in part; whether it will make public reports of the research projects the full texts of which are not yet available; if so, of the details; if not, the reasons for that;
- (3) whether the reports mentioned in (1) cover all research projects which CPU commissioned other organizations to conduct since 2004; if they do not, of the details of the research projects which have not been made public, including (i) whether the projects were publicly-funded; if so, of the amounts of funding, (ii) the reasons for not making public any part of the research reports, and (iii) whether the data, contents, analyses or policy proposals set out in the research reports have been adopted by the

Government; if so, of the details of the policies or legislation so formulated or amended by the Government, and set out such information by the name of project and year in Table 2;

Table 2

| Name of project (year) | (i) | (ii) | (iii) |
|------------------------|-----|------|-------|
| | | | |
| | | | |

- (4) of the details of the research projects the reports of which have never been published by CPU or the Research Grants Council since the launch of the Scheme (except the research projects mentioned in (3)), including (i) the reasons for not publishing the research reports and (ii) whether the data, contents, analyses or policy proposals set out in the research reports have been adopted by the Government; if so, of the details of the policies or legislation so formulated or amended, and set out such information by the name of project in Table 3;

Table 3

| Name of project | (i) | (ii) |
|-----------------|-----|------|
| | | |
| | | |

- (5) regarding the research projects mentioned in (4) and those to be funded by the Scheme in future, whether the Government will make an undertaking and draw up a code for the release of the contents of the reports of the research projects for public access within a certain time after they have been submitted to the Government; if so, of the details; if not, the reasons for that;
- (6) whether the Government will make an undertaking to release for public access the research results of public policy research projects to be funded by public money in future, irrespective of whether the projects are conducted or commissioned by CPU, unless the disclosure of such information, including information on the administration of justice, defence or foreign affairs, will undermine public interest or if such information contains commercially sensitive materials; and
- (7) as there are views that the information obtained from the research projects conducted by CPU is very important to the promotion of public policy research, whether the Government will, in its guidelines to CPU, ensure that CPU will not refuse to release research reports for public access on the ground that the reports might involve “information relating to incomplete analysis, research or statistics which could be misleading”?

Follow-up actions taken on
Lehman Brothers-related Minibonds incident

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

Will the Government inform this Council, since the outbreak of the Lehman Brothers-related Minibonds incident:

- (1) of the number of additional staff members employed by the Hong Kong Monetary Authority (“HKMA”) to handle the work relating to the incident; whether HKMA has terminated the employment of any such staff member so far; if it has, of the number of staff members involved; if not, the reasons for that;
- (2) of the number of complaints received by HKMA regarding mis-selling of investment products by banks; the number of complaints referred by HKMA to the Securities and Futures Commission for follow-up and, among these cases, the number of substantiated cases which involved irregularities; and
- (3) of the measures taken by HKMA, other than requesting banks to submit information on their internal control systems, to strengthen its efforts in monitoring the sale of investment products by banks, so as to prevent the recurrence of similar incidents?

Human resources policies and pay systems of statutory bodies

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

In respect of the various statutory bodies which employ their own staff (such as the Hospital Authority as well as the Hong Kong Examinations and Assessment Authority), will the Government inform this Council:

- (1) whether it knows the following information:
 - (a) for each statutory body in each of the years 2011-2012 and 2012-2013, (i) the ranks of the three posts with the highest annual remunerations (including salaries, bonuses and other cash allowances), (ii) the expenditure on the total encashed compensation for these three posts, (iii) the total number of employees, (iv) the total payroll cost, and (v) the total revenue and the percentage of Government's recurrent subvention in the total revenue;
 - (b) the number of persons with disabilities ("PWDs") currently employed by and its percentage in the total number of employees of each statutory body; the number of statutory bodies which have not employed any PWD; the number of statutory bodies which have drawn up policies or guidelines on the employment of PWDs;
 - (c) the retirement age stipulated, and the respective numbers of days of paternity leave, maternity leave, study leave and parental leave provided to its employees by each statutory body; and
 - (d) the number of employees who are currently employed at the statutory minimum wage rate by each statutory body;
- (2) whether the Government has monitored the human resources policies and pay systems (including the remunerations for and the number of employees at management level, as well as the appropriate number and terms of employment for various ranks of employees) of such statutory bodies; if it has, of the details; if not, the reasons for that; and
- (3) as there are comments that some statutory bodies have adopted a pay structure which "fattens the top and slims the bottom" or wasted public money by paying cash rewards to their staff, whether the authorities will request the governing bodies of various statutory bodies to conduct a comprehensive review on their human resources policies and pay systems and to establish well-defined mechanisms on accountability and penalties; if they will, of the details; if not, the reasons for that?

Supply of and demand for powdered formula for infants and young children

(15) Dr Hon KWOK Ka-ki (Written reply)

Since March 2013, the Government has implemented the requirement that no more than a total net weight of 1.8 kilograms of powdered formula for infants and young children under the age of 36 months (“powdered formula”) may be carried by each person aged 16 or above on his/her departure from Hong Kong within a 24-hour period (“restriction on powdered formula”). The Government commissioned a consultant last year to conduct stress tests on the supply of powdered formula during and around the “National Day Golden Week”, and subsequently decided to maintain the aforesaid requirement. Meanwhile, the survey results issued by the Government last month reveal that powdered formula is still in short supply in some districts, such as the Eastern District and Yuen Long. In this connection, will the Government inform this Council:

- (1) whether it knows, since the launch of the “milk powder coupon scheme” (“coupon scheme”), the monthly (i) number of members of Parents’ Clubs, (ii) quantity of powdered formula purchased via the hotlines set up by suppliers of powdered formula, (iii) number of persons receiving milk powder coupons, (iv) average number of milk powder coupons received by each person, and (v) percentage of coupons used for collecting powdered formula at designated pharmacies in the total number of coupons given, broken down by the major brand of powdered formula as set out in the table below;

(Year/month)

| Brand of powdered formula | (i) | (ii) | (iii) | (iv) | (v) |
|---------------------------|-----|------|-------|------|-----|
| Abbott | | | | | |
| Cow & Gate | | | | | |
| Friso | | | | | |
| Mead Johnson | | | | | |
| Nestle | | | | | |
| Wyeth | | | | | |
| Snow Brand | | | | | |

- (2) whether it knows the following information in respect of each type of powdered formula of the major brands since the launch of the coupon scheme: (i) monthly rate of change in retail prices, (ii) the current highest retail price and the districts concerned, and (iii) the current lowest retail price and the districts concerned;
- (3) whether it has any new measure to encourage the suppliers and retailers of powdered formula to further improve the supply chain for powdered formula, so as to ensure that local infants and young children can have an adequate supply of powdered formula at reasonable prices; if so, of the details; if not, the reasons for that; and

- (4) whether it will consider reducing the maximum quantity of powdered formula that may be carried out of Hong Kong to 0.9 kilogram under the restriction on powdered formula, so as to ensure a sufficient supply of powdered formula in the local market?

Immigration policy and
Comprehensive Social Security Assistance for new immigrants

(16) Hon Paul TSE (Written reply)

There are press comments that despite their vast territories and having natural resources which are far more abundant than Hong Kong, Switzerland, Britain, Canada and Taiwan have recently raised their immigration requirements, tightened their policies on welfare benefits for new immigrants, and even abolished with immediate effect their business migration programmes which have been implemented for many years, after such countries/places have considered factors such as the impacts of immigrants on the local economy and the livelihood of local people, as well as the harms probably outweighing the benefits brought by accepting immigrants. On the other hand, the Court of Final Appeal of Hong Kong (“CFA”) has ruled earlier in a case that the requirement for seven-year residence in Hong Kong (“residence requirement”) stipulated by the Government for the Comprehensive Social Security Assistance (“CSSA”) Scheme is unconstitutional and the residence requirement has to be restored to one year which was the requirement before 1 January 2004. Some members of the public are worried that allowing the new arrivals to apply for and receive CSSA will inevitably lead to a significant increase in welfare expenditure. In this connection, will the Government inform this Council:

- (1) whether it will make reference to the practices of the aforesaid countries/places and draw up corresponding options for alleviating the pressure posed by the new arrivals on welfare expenditure, e.g. amending CSSA’s residence requirement or imposing appropriate additional conditions by means of administrative orders, legislative amendments or enactment of legislation; if it will, of the details; if not, the reasons for that;
- (2) of the policies and measures put in place to step up the checking of whether CSSA applicants possess assets outside Hong Kong of value exceeding the asset limits for applying for CSSA;
- (3) of the total number of CSSA applications received by the Social Welfare Department since the aforesaid CFA judgement from applicants who have not yet resided in Hong Kong for seven years; and
- (4) whether, in respect of cases similar to the aforesaid case which involve major social issues that are rather controversial, the Secretary for Justice will conduct studies and review on whether the adoption of a subjective “proportionality analysis” by judges as the basis for their rulings may give rise to the impression in the community of “judges making laws”, or even the constitutional problem of the judiciary overriding the legislature, particularly when the legislature cannot, due to the political reality, rectify court rulings by means of enacting legislation even though

such rulings have enormous repercussions in society; and based on the results of the studies and review, draw up relevant policies or solutions to address the issues?

Statistics related to mainland visitors to Hong Kong

(17) Hon Albert HO (Written reply)

According to the Assessment Report on Hong Kong's Capacity to Receive Tourists released by the Government last month, there has been a continuous growth in the overall visitor arrivals to Hong Kong in the past 10 years, and the percentage of mainland visitors in the annual overall figure has increased from about 50% when the Individual Visit Scheme was introduced to over 70% at present. In addition, it is projected that visitor arrivals in 2023 will surpass 100 million. In this connection, will the Government inform this Council:

- (1) of the respective overall spendings in Hong Kong by (i) overnight visitors and (ii) same-day visitors from the Mainland in 2012 and 2013;
- (2) of the respective numbers of jobs created by mainland visitors' spendings in Hong Kong last year for the (i) retail, (ii) catering, (iii) hotel, (iv) transport and (v) tourism industries, with a breakdown by monthly salary band (as set out in Table 1) of such jobs; and

Table 1

| Monthly salary (HK\$) | Retail | Catering | Hotel | Transport | Tourism |
|-----------------------|--------|----------|-------|-----------|---------|
| 10,000 or below | | | | | |
| 10,001 - 15,000 | | | | | |
| 15,001 - 20,000 | | | | | |
| 20,001 - 25,000 | | | | | |
| 25,001 - 30,000 | | | | | |
| 30,001 or above | | | | | |

- (3) of the (i) highest daily visitor arrivals in 2013, (ii) average daily visitor arrivals in 2013, and (iii) the projected year by which the handling capacity will be saturated, at the land boundary control points in Hong Kong, with a breakdown by name of boundary control point as set out in Table 2?

Table 2

| Land boundary control point | Highest daily visitor arrivals in 2013 | Average daily visitor arrivals in 2013 | Projected year by which the handling capacity will be saturated |
|-----------------------------|----------------------------------------|----------------------------------------|-----------------------------------------------------------------|
| Lo Wu | | | |
| Hung Hom | | | |
| Lok Ma Chau Spur Line | | | |
| Lok Ma Chau (Huanggang) | | | |
| Man Kam To | | | |
| Shenzhen Bay | | | |
| Sha Tau Kok | | | |

Vietnamese boat people and refugees in Hong Kong

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

It has been reported that on 22 January 2014, a Vietnamese street sleeper was suspected to have been frozen to death under a flyover beside Tung Chau Street. It has also been reported that at present, more than 20 Vietnamese boat people/refugees (“boat people/refugees”) are street sleeping there. In this connection, will the Government inform this Council:

- (1) of the current number of boat people/refugees in Hong Kong, and, among them, the number of those who have obtained Hong Kong permanent resident status;
- (2) whether any application by boat people/refugees for settlement in Hong Kong has been refused; if so, of the reasons for that and the number of people involved; and
- (3) given that the boat people/refugees who have not obtained Hong Kong permanent resident status are ineligible to apply for social welfare in Hong Kong in accordance with normal procedures, how the Government helps them overcome the difficulties in their livelihood?

Proper treatment of sewage and utilization of reclaimed water

(19) Hon CHAN Hak-kan (Written reply)

According to the information on the web site of the Drainage Services Department, 93% of the population in Hong Kong are served by the existing sewage network. The types of sewage treatment facilities consist of preliminary treatment, primary treatment, chemically enhanced primary treatment, secondary treatment and tertiary treatment. Most of the facilities belong to the preliminary/screening or minor secondary types (the respective numbers of which are 22 and 32) and are mainly located in the old urban areas on Hong Kong Island and in Kowloon. The authorities are improving the sewage treatment facilities under a territory-wide sewage rehabilitation and improvement programme. Moreover, in an effort to explore new water resources, the Government of the previous term has launched pilot schemes of reclaimed water usage, under which wastewater is purified with a series of effective treatment processes as well as disinfection and sterilization procedures to become reclaimed water that meets the stringent standards of effluent reuse. Regarding the proper treatment of sewage and utilization of reclaimed water, will the Government inform this Council:

- (1) of the details of the aforesaid rehabilitation and improvement programme; how the authorities intend to treat properly the sewage generated by the remaining 7% of the population who are not served by the sewage network, and of the difficulties involved;
- (2) given that the Ngong Ping Sewage Treatment Works is the only tertiary treatment facility at present, whether the authorities will, in addition to upgrading Shek Wu Hui Sewage Treatment Works progressively to the tertiary level, study if there is a need to provide more tertiary treatment facilities; if so, of the details; if not, the reasons for that;
- (3) given that water resources in Hong Kong are very precious, whether it has assessed if the reclaimed water generated from the sewage treatment works is fully utilized at present; if so, of the outcome; whether it has any plan to expand the usage of reclaimed water; if so, of the details; if not, the reasons for that;
- (4) given that Hong Kong's sewage disposal strategy was formulated in 1989 and has been in use since then, for how long the relevant sewage treatment technologies and discharge licence standards (including the percentile and upper limit/monthly geometric mean) have been adopted; whether it has assessed if those technologies and standards are up to par with the latest international standards; if the assessment outcome is in the affirmative, of the details; if the assessment outcome is in the negative, whether it will conduct a review and introduce improvement;

- (5) given that amendments were made only in 1990 and 1993 to the Water Pollution Control Ordinance (“WPCO”) (Cap. 358) since its enactment in 1980, whether the authorities have assessed if WPCO is still effective in regulating the discharge and treatment of sewage; if so, of the outcome; and
- (6) as it has been reported that in addition to Shatin Sewage Treatment Works, the authorities also plan to relocate the sewage treatment works in Sai Kung and Sham Tseng to caverns, whether the authorities will take this opportunity to upgrade the treatment level of those two sewage treatment works; if so, of the details; if not, the reasons for that?

Statistics on convictions of foreign domestic helpers

(20) Hon Dennis KWOK (Written reply)

Will the Government inform this Council of the number of foreign domestic helpers convicted by court in Hong Kong in the past three years, with a breakdown by type of crimes in the table below?

| Type of crimes | Number of people convicted | | |
|------------------------------|----------------------------|------|------|
| | 2011 | 2012 | 2013 |
| Violent crime | | | |
| Robbery | | | |
| Burglary | | | |
| Theft | | | |
| Fraud and forgery | | | |
| Indecency (sexual offences) | | | |
| Serious drug offences | | | |
| Serious immigration offences | | | |
| Preventive crime | | | |
| Total | | | |