

立法會
Legislative Council

LC Paper No. CB(1)150/14-15
(These minutes have been seen
by the Administration)

Ref : CB1/PL/TP/1

Panel on Transport

**Minutes of meeting held on
Friday, 18 July 2014 , at 10:45 am
in Conference Room 3 of the Legislative Council Complex**

- Members present** : Hon CHAN Kam-lam, SBS, JP (Chairman)
Hon Gary FAN Kwok-wai (Deputy Chairman)
Hon LEE Cheuk-yan
Hon James TO Kun-sun
Hon WONG Kwok-hing, BBS, MH
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon Mrs Regina IP LAU Suk-yeet, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon LEUNG Kwok-hung
Hon Albert CHAN Wai-yip
Hon Michael TIEN Puk-sun, BBS, JP
Hon Frankie YICK Chi-ming
Hon WU Chi-wai, MH
Dr Hon KWOK Ka-ki
Hon POON Siu-ping, BBS, MH
Hon TANG Ka-piu, JP
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen, BBS
- Members absent** : Hon Ronny TONG Ka-wah, SC
Hon CHAN Hak-kan, JP
Hon CHAN Han-pan, JP
Dr Hon Elizabeth QUAT, JP
Ir Dr Hon LO Wai-ki, BBS, MH, JP

**Public Officers
attending** : **Agenda item III**

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

Ms Ivy LAW
Deputy Secretary for Transport and Housing
(Transport) 3

Mr Paul Edwin STRIPP
Chief Superintendent of Police (Traffic)
Hong Kong Police Force

Mr Albert SU
Assistant Commissioner for
Transport/Management & Paratransit
Transport Department

Mr Edmond POON
Principal Transport Officer/New Territories
Transport Department

Agenda item IV

Ms Ivy LAW
Deputy Secretary for Transport and Housing
(Transport) 3

Ms Cordelia LAM
Principal Assistant Secretary for Transport and
Housing (Transport)2

Mr Paul Edwin STRIPP
Chief Superintendent of Police (Traffic)
Hong Kong Police Force

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

Staff in attendance : Ms Macy NG
Senior Council Secretary (1)2

Ms Emily LIU
Legislative Assistant (1)2

Action

I Confirmation of minutes of meeting

(LC Paper No. CB(1)1802/13-14 - Minutes of meeting on
11 April 2014)

The minutes of the meeting held on 11 April 2014 were confirmed.

II Information papers issued since the last meeting

(LC Paper No. CB(1)1768/13-14(01) - Extract of minutes of the
meeting-cum-luncheon
between Islands District
Council members and
Legislative Council
Members on 8 May 2014
about the outlying island
ferry services and related
policies

LC Paper No. CB(1)1825/13-14(01) - Letter from Dr Hon KWOK
Ka-ki on the first report
issued by the Independent
Board Committee of MTR
Corporation Limited on the
Hong Kong Section of the
Guangzhou
-Shenzhen-Hong Kong
Express Rail Link project)

2. Members noted the above papers issued since the last meeting.

3. Mr Frankie YICK expressed concern about the impact of the introduction of a premium transport service mobile application in Hong Kong, namely Uber, on taxi trade business. He requested that the Panel should discuss the matter in its future meetings. The Chairman proposed and members agreed that the matter should be included in the Panel's list of outstanding items for discussion.

III **Illegal carriage of passengers for hire or reward by light goods vehicles**

- (LC Paper No. CB(1)1791/13-14(01) - Administration's paper on illegal carriage of passengers for hire or reward by some light goods vehicles
- LC Paper No. CB(1)1791/13-14(02) - Paper on illegal carriage of passengers for hire or reward by light goods vehicles prepared by the Legislative Council Secretariat (background brief)
- LC Paper No. CB(1)1435/13-14(01) - Joint submission from associations of the urban and New Territories taxis, and public light buses
- LC Paper No. CB(1)1621/13-14(08) - Submission from Logistics Industry & Container Truck Drivers Union
- LC Paper No. CB(1)1692/13-14(01) - Submission from Taxi & PLB Concern Group
- LC Paper No. CB(1)1823/13-14(01) - Further submission from Logistics Industry & Container Truck Drivers Union
- LC Paper No. CB(1)1823/13-14(02) - Further submission from Taxi & PLB Concern Group)

4. Upon invitation, Under Secretary for Transport and Housing ("USTH") briefed members on the actions taken by the Government to tackle the problem on the illegal carriage of passengers for hire or reward by some light goods vehicles ("LGVs").

Measures to tackle the problem of illegal LGV service

5. Mr WONG Kwok-hing considered that the definition of "goods" under the Road Traffic Ordinance (Cap. 374) ("RTO") unclear. As a result, members of the public with luggage were confused about whether the LGV service used by them was legitimate or not. He, together with Mr POON Siu-ping, considered that the Administration should strengthen public education to facilitate the general public and the LGV trade to fully

understand the permitted services of LGVs and the implications of using LGV service in an illegal manner.

6. USTH advised that under RTO, "goods" included burden of any description. Due to the various sizes, volume, shapes and quantities, it was difficult to refine the definition of "goods". He drew members' attention that the gist of the problem was whether LGVs were used for carrying passengers for hire or reward, rather than the definition of "goods". The Court would judge, having considered a number of factors, on whether the LGV operators were engaging in illegal transport activities. USTH added that the problem involved only some of LGV operators. He agreed that the Administration should strengthen the public education on the implications of using LGV service illegally.

Admin

7. Mr WONG Kwok-hing, Mr POON Siu-ping and Mr TANG Ka-piu asked about the number of cases in which LGVs, which provided illegal passenger carriage service, were involved in traffic accidents; and whether the passengers were protected by the third party insurance or not. USTH advised that the Administration did not have the relevant information on hand and agreed to provide it after the meeting.

(Post-meeting notes: the supplementary information provided by the Administration was issued vide LC Paper No. CB(1)1972/13-14(01) on 4 September 2014.)

8. Mr LEE Cheuk-yan pointed out that there were inevitably a few black sheep in each of the transport trade. In view of the large number of LGVs in Hong Kong, he considered the problem of illegal LGV service not serious. He urged the Hong Kong Police Force ("the Police") and the Transport Department ("TD") to meet with the LGV trade and brief them on the legal provisions and the consequences of contravention.

9. USTH said that TD had been communicating with LGV and other transport trades through regular meetings, impressing upon their members the importance to abide by the law and providing the necessary assistance. In response to the request of the LGV trade, the Police would also be invited to attend these meetings as appropriate.

10. Mr LEUNG Kwok-hung attributed the illegal practice of LGV service to the high taxi licence premium. Not being able to acquire a taxi licence, many drivers had switched to join the LGV trade for a living. Due to keen competition, some of them were forced to take passengers for reward to maintain their living. As such, he disagreed to the suggestion of reducing

the maximum passenger seating capacity of LGVs to tackle the problem. He also said that it would be difficult to prove whether the LGV drivers had carried passengers for reward as they could claim that they were carrying their friends free of charge.

11. Mr Frankie YICK considered that the illegal LGV activities had adverse impact on the business of taxi operators who had to bear very high taxi license premium and insurance cost while that of LGV operators did not have to. He pointed out that the current problem was that the Chinese description for "LGVs" was inconsistent with its English counterpart, which might mislead the public into believing that LGVs could be used for passenger carrying purposes. In addition, members of the public had difficulties in differentiating whether the vehicle was a LGV or a private car due to their similar appearance. He proposed to introduce mandatory labelling of all LGVs for easy identification.

12. USTH noted the view of Mr YICK. He advised that TD was discussing with the trade on the suggestion of putting labels on the body of LGVs on a voluntary basis for easy identification.

13. The Deputy Chairman asked whether the Administration would consider regulating the mobile phone application software companies which offered hiring services of LGVs. He asked of the convicted cases of illegal LGV service, whether passengers concerned had made use of application software for calling LGV service. He also expressed disagreement to the suggestion of reducing the maximum passenger seating capacity of LGVs as this would render the LGVs failing to satisfy the genuine needs of some users.

14. USTH said that mobile phone application software companies were required to adhere to the relevant legislation and would be subject to penalty for contravention. The Administration was keeping an eye on the development of those applications in the market. He added that the Police and TD would follow up and investigate those cases where the mobile phone application software was used for "soliciting" any person for hire or reward to travel in an LGV.

15. Chief Superintendent of Police (Traffic) ("CSP(T)") advised that applications were found to have been used for some arrested cases. However, the majority use of the applications was legitimate and the Police were unlikely to secure sufficient evidence to support the prosecution against the operation of the applications.

Admin

16. Mr TANG Ka-piu asked about the reasons for LGVs having two to five seating capacity. Assistant Commissioner for Transport/Management & Paratransit of TD ("AC/M&P") advised that under the legislation, box trucks having a permitted gross vehicle weight not exceeding 5.5 tones were also classified as LGVs. Those box trucks were usually used for labour-intensive moving activities. As such, there was a genuine need for having higher seating capacity to carry the labourers who were in charge of the goods and/or equipment being carried. At present, companies could purchase LGVs with different seating capacity ranging from two to five to meet their operational needs. At the request of Mr TANG Ka-piu, AC/M&P agreed to provide information on the respective number of LGVs with a seating capacity of two, three, four and five after the meeting.

(Post-meeting notes: the supplementary information provided by the Administration was issued vide LC Paper No. CB(1)1972/13-14(01) on 4 September 2014.)

17. Mr Jeffrey LAM expressed concern over the rampant illegal LGV activities which had affected the businesses of taxis and public light buses. He opined that before finding a long-term solution to tackle the problem, the Administration should take some interim measures such that LGV drivers would not solicit business at the Airport or on roads.

18. CSP(T) said that a number of restrictions were already enforced on LGVs operating around the airport. AC/M&P supplemented that apart from stepping up publicity and education to LGV operators, since 2007, the Airport Authority had imposed restrictions on the use of goods loading and unloading area in view that some LGVs and taxis carried out illegal transport activities in the airport area. Under the revised arrangement, taxis could drop off passengers at the departure hall of the Airport while LGVs could not. He advised that since the implementation of the above restrictions, there had not been conflicts between the taxi trade and LGV trade.

19. Mr Albert CHAN attributed the illegal transport activities to the Administration's policy of regarding railway as the backbone of Hong Kong's transport system. Due to the expansion of market share of railways, other transport trades had encountered operational difficulties. He indicated that he would not support the suggestion of reducing the maximum passenger seating capacity of LGVs as there were genuine needs for LGVs to carry passengers apart from goods.

20. USTH stressed that LGVs carrying passengers were not illegal itself. However, it was illegal to carry passengers for hire or reward. The

Administration was of the view that regulating the number of maximum passenger seating capacity of LGVs would not help combat the illegal LGV activities.

21. Mr Frankie YICK and Mr Paul TSE asked if the Police considered the penalty against LGV engaging in illegal activities sufficient to impose a deterrent effect.

22. CSP(T) advised that the average fine imposed by the Court in the past ranged from \$500 to \$2,000 for illegal carriage of passengers. As for driving without a valid third party insurance, there were cases of disqualification of driving licence for twelve months and jail sentence. Two convicts were given suspended imprisonment sentence. The Police was satisfied that the penalty of holding invalid third party insurance was quite severe.

23. Dr KWOK Ka-ki noted that many small and medium enterprises relied heavily on LGVs for provision of transport service. Strict enforcement of the law would wipe out the LGV trade and the practitioners. He also disagreed to the suggestion of reducing the maximum passenger seating capacity of LGVs as this would create difficulties when more than two passengers were required to travel together with goods.

24. USTH affirmed the important role of LGVs in Hong Kong's economy and the transport trade. However, it was the Administration's duty to take enforcement actions against any illegal LGV activities.

Concerns about the decoy operations mounted by the Police

25. Mr POON Siu-ping asked whether the mounting of decoy operations was the only means to combat the problem of illegal carriage of passengers for hire or reward by some LGVs, and whether it was legitimate for passengers with pets to use the LGV service.

26. CSP(T) said that the Police was aware of the concern over the means it employed while carrying out the enforcement actions. He said that the decoy operations were perceived as the best way to tackle the problem. It was because some LGV operators had advertised their illegal service on the newspaper in a blatant manner. The successful arrest of these illegal operators would serve a deterrent effect to the rest of the trade. He further advised that pets should be classified as goods.

27. USTH supplemented that in March and April 2014, the Police had arrested a total of nine LGV drivers for the offence of the illegal carriage of

passengers for hire or reward, and that six of them had already been convicted after trial. For these six cases, the Court had also laid penalty for the offence of having failed to hold a valid third party insurance.

28. Mr LEE Cheuk-yan expressed concern on the Police's decoy operations as he noted that the Police had deliberately set up traps to catch some LGV drivers. Mr LEUNG Kwok-hung and Dr KWOK Ka-ki shared with Mr LEE. Dr KWOK considered the decoy operations draconian.

29. CSP(T) said that he was aware that some news reports had alleged that the Police had improperly targeted some LGV drivers. However, he clarified that this was not the case and that the case reflected in the news reports had been successfully prosecuted in the Court with no indication that there had been anything improper in the way in which the decoy operation was conducted.

30. Mr Paul TSE asked whether the Police had carried out similar enforcement actions against illegal LGV activities in the past two years apart from the one carried out in March and April 2014.

31. CSP(T) explained that the Police allocated the manpower resources according to priority. In this instance, due to the enhanced publicity in the newspapers and the prevalent use of mobile phone application software for hiring LGVs, the Police allocated some additional resources to tackle the illegal LGV activities. He said that once the Police achieved the objective of alerting the trade to the need to abide by law, the Police would stop the operation. At the moment, the Police believed that the problem had been solved to a large extent. He said that the Police also carried out similar operations a number of years ago in the Airport and the operations carried out in March and April 2014 were the most recent ones.

Motion

32. The Chairman said that the motion to be moved by Mr Frankie YICK had been tabled for members' reference. He invited members to note that Mr YICK had deleted from the original wording of the motion the suggestion of reducing the maximum passenger seating capacity of LGVs.

33. Mr Frankie YICK explained that the removal of the relevant suggestion was to cater for the practical situation that LGVs might include all types of goods vehicles having a permitted gross vehicle weight not exceeding 5.5 tones.

34. In response to Mr LEE Cheuk-yan's enquiry on the Chinese rendition of LGVs in the legislation, USTH advised that the Chinese rendition of van-type LGV was "客貨車". He stressed that since the name of "客貨車" was commonly used in the community, the effect of amending the Chinese rendition of LGVs would be limited.

35. After discussion, Mr Frankie YICK moved the following motion, which was seconded by Mr Tony TSE –

"就輕型貨車非法「載客取酬」一事，本會除促請警方繼續加強執法打擊外，亦促請運輸及房屋局局長立即進行下列改善措施：

1. 將「輕型貨車」之中、英文名統一，現時英文之稱呼為「**Light Good Vehicle**」，但中文則譯為「客貨車」，中文譯名明顯不正確，導至市民誤以為「輕型貨車」可作載客用途；
2. 強制要求所有「輕型貨車」加貼標籤以資識別(與傷殘人士車輛之識別方法一致)；
3. 加大宣傳工作，提醒市民錯誤選擇此等非法服務，是不受保險條例所保證。"

(Translation)

"That, concerning illegal carriage of passengers for hire or reward by light goods vehicles, apart from urging the Police to continue to step up enforcement actions against such activities, this Panel also urges the Secretary for Transport and Housing to adopt the following enhancement measures immediately:

1. to make the Chinese description for "light goods vehicles" consistent with its English counterpart, as the former is now referred to as "客貨車" (vehicles for carrying passengers and goods) while the latter as "light goods vehicles"; the Chinese rendition is obviously incorrect and may mislead the public into believing that "light goods vehicles" can be used for passenger carrying purposes;
2. to introduce mandatory labelling of all light goods vehicles for easy identification (the same method used for identification of vehicles driven by persons with disability);

3. to step up publicity to remind the public that they will not be covered by insurance protection if they have mistakenly chosen such illegal services."

36. The Chairman put the motion to vote. Five members voted for and three members voted against it. The Chairman declared that the motion was carried.

IV Report of work on combating drink driving and drug driving

(LC Paper No. CB(1)1791/13-14(03) - Administration's paper on latest progress of combating drink and drug driving

LC Paper No. CB(1)1791/13-14(04) - Paper on the Administration's work on combating drink driving and drug driving prepared by the Legislative Council Secretariat (background brief))

37. Upon invitation, Deputy Secretary for Transport and Housing (Transport)3 ("DS(T)3") briefed members on the latest progress of the Government's work in combating drink and drug driving.

38. Mr WONG Kwok-hing referred to a recent report of the Audit Commission which criticized the Police for not having adopted a risk-based approach when carrying out the random breath test ("RBT") to tackle drink driving. He asked whether the Administration would carry out more tests during night-time when drink driving was more rampant. Noting that the Police had set up a Mobile Breath Test Centre for conducting on-the-spot evidential breath tests on drivers who were suspected of drink driving, he asked whether the Police had planned to set up more such Centres.

39. DS(T)3 said that the traffic flow during daytime was rather busy. Apart from combating drink driving and drug driving, more police officers were required to carry out enforcement actions against other transport-related offences and to handle traffic accidents. She advised that the Police were examining whether it could allocate more resources to combat drink driving during night-time.

40. CSP(T) supplemented that the Police were indeed carrying out the majority of RBT (i.e. about 60%) during night-time. To strengthen the

enforcement actions, the Police had recently applied for funding for setting up three more Mobile Breath Test Centres. Subject to availability of funds, the Police expected that they would be set up within 18 months to two years.

41. Mr TANG Ka-piu asked whether the problem of drink driving was more serious during the World Cup 2014, and whether the Police had stepped up the enforcement actions against the offence during that period. He also enquired about the number of drug driving in recent years.

42. DS(T)3 advised that during the World Cup 2014, the Police had stopped some 14 000 vehicles, conducted 823 RBTs on drivers, and prosecuted 52 of them for drink driving. Compared to the same period in 2013, there was not a significant increase in the number of drivers involved in drink driving. She advised that apart from stepping up the enforcement actions, the Police had also visited the bar areas and conducted about 200 anti-drink driving promotional and educational activities during the World Cup 2014. With respect to drug driving, she advised that since the Government had adopted a "zero tolerance" control over the six most commonly abused drugs, the number of prosecutions instituted against drug driving had decreased significantly.

43. The Deputy Chairman noted that although the Police were empowered under the law to conduct Rapid Oral Fluid Test ("ROFT") on a motorist without the need for a suspicion, the one-off use of the instrument and also the relatively high unit cost precluded its random use. He expressed concern that it would create pressure for frontline police officers on the use of the instrument in the future and undermine its function of combating drug driving. Noting that according to the preliminary assessment by the Police, the unit cost of ROFT would range from about \$100 to \$400, he asked about the reasons for the big variation in cost.

44. DS(T)3 advised that a police officer was empowered under the law to require a motorist to undergo one or more of the three preliminary drug tests, namely Drug Influence Recognition Observation ("DIRO"), Impairment Test ("IT"), and ROFT. At present, the relevant provision on ROFT had yet to become effective because the Police were still looking for an accurate and reliable ROFT device. Thus, police officers mainly adopted DIRO and IT currently as means to test whether the drivers concerned were under the influence of drugs. She advised that if motorists failed the IT or ROFT, they would be required to provide blood or urine specimen for laboratory tests to determine the presence and amount of drugs in blood or urine. There were clear guidelines for frontline police officers on how and when to conduct the preliminary drug tests.

45. CSP(T) supplemented that the Police had yet to decide on the type of device to be used for ROFT. At present, two systems were on the test and they varied in price from \$100 to \$400 per unit. DS(T)3 believed that with technology advancement, the unit cost of ROFT device was expected to be lower in future.

46. Mr POON Siu-ping questioned why the number of traffic accidents involving drink driving had increased from 212 in 2010 to 234 in 2013. He also asked about the reasons for the drop in the number of IT conducted in 2013 (i.e. 20), as compared to that of 2012 (i.e. 32).

47. DS(T)3 said that the Administration was aware that the number of traffic accidents involving drink driving had slightly increased from 2012 to 2013. She assured members' that the Administration would step up the publicity and educational efforts, as well as strengthening the enforcement actions against the offence.

48. CSP(T) clarified that there was indeed a slight drop in the number of traffic accidents involving drink driving from 2010 to 2011. Compared to the significant drop in the figure in 2009, the increase from 2012 to 2013 was considered small. Nevertheless, the Police would continue its efforts in combating drink driving. He further advised that the number of IT conducted was affected by various factors, say, if the driver concerned required to receive immediate medical treatment after a traffic accident, the Police would carry out blood test rather than IT.

49. Mr Albert CHAN considered that the 3-tier penalty system for drink driving offence could not serve a sufficient deterrent effect to the rich as they could hire drivers when their driving licences were disqualified. He pointed out that in Nordic countries, persons who were convicted of drink driving offences would be liable to immediate custodial sentence. In addition, the amount of fine would be set in proportion to the level of income. He considered that the Administration should make reference to those countries while determining the penalty level.

50. DS(T)3 said that the legislation had already provided that persons who committed drink driving offence would be liable to a maximum imprisonment of three years. Depending on the circumstances, the Court might impose immediate custodial sentence.

51. Mr Frankie YICK supported the Administration's efforts in combating drink driving and drug driving. However, he noted that the Court often imposed light penalties for the two offences. He proposed that the Police

should make an appeal to the Court where appropriate for heavier penalties for these offences to achieve a deterrent effect. DS(T)3 noted the view of Mr YICK. She advised that where justified, the Department of Justice would request the Court to review the sentence.

52. In response to Mr Frankie YICK's further enquiry on the figures of motorists arrested in RBT operations, CSP(T) explained that the figures had reflected that the number of drivers involved in drink driving had decreased in recent years despite the increase in actions against drink driving. In addition, the Police were arresting more people before they got into traffic accidents through the conduct of RBT.

53. The Chairman was of the view that if the penalty level of drink driving was set in proportion to the offenders' income, it might not serve a deterrent effect for the low-income groups. This might also have a cross implication to other traffic offences. He hoped that the Administration would continue its efforts in combating drink driving and drug driving.

V Proposal to set up a subcommittee to discuss the future Comprehensive Transport Study in Hong Kong

(LC	Papers	Nos. - Joint letter from Hon
CB(1)1791/13-14(05)		and WONG Kwok-hing and
CB(1)1830/13-14(01)		Hon TANG Ka-piu and the
		Administration's response)

54. The Chairman referred to the joint letter submitted by Mr WONG Kwok-hing and Mr TANG Ka-piu on the proposal to set up a subcommittee to discuss the future Comprehensive Transport Study in Hong Kong. He also invited members to note the Administration's response, which stated that the Administration had no intention to carry out the Fourth Comprehensive Transport Study. Instead the Administration would carry out a study on some key issues pertaining to the long-term development of public transport ("the Public Transport Strategy Study", PTSS) after the completion of the Review and Update of the Railway Development Strategy 2000.

55. Upon invitation, Mr TANG Ka-piu said that as the Administration had pledged to carry out the PTSS, he considered it necessary to set up a subcommittee to discuss the coverage of it. He hoped that the subcommittee would discuss the seven aspects mentioned in the joint letter and invite different transport trades to express their views to facilitate the conduct of the study by the Administration.

56. Mr TANG further said that although the Administration had advised in its letter that the matters raised in the joint letter and proposed to be covered by the PTSS would be reported to the Panel on Transport ("the Panel"), he considered it difficult to allocate sufficient time to discuss the matters given the large number of outstanding items to be discussed by the Panel. As such, he considered it necessary to set up the subcommittee. Concurring with Mr TANG, Mr WONG Kwok-hing solicited members' support for setting up the subcommittee to follow up the PTSS.

57. Mr Albert CHAN indicated support for the proposal and considered the matter urgent and important. In his view, the proposed subcommittee would facilitate better coordination among different government bureaux and departments with a view to minimizing faults. Noting that there were at present three subcommittees on the waiting list awaiting activation, he hoped that the proposed subcommittee could be accorded priority and commence its work as early as possible in the next legislative session.

58. The Deputy Chairman recognized that the seven aspects mentioned in the joint letter were important topics. However, he invited members to note that in the remaining two legislative sessions of the current term, it was foreseeable that members would be fully engaged in examining bills and subsidiary legislation. In addition, there was already one subcommittee, namely the Subcommittee on Matters Relating to Railways, formed under the Panel. If one more subcommittee was to be set up, members might not be able to effectively discharge their duties. In his opinion, the seven topics should be discussed by the Panel and be given priority in the future agenda of the Panel meetings.

59. Mr Frankie YICK and Mr Tony TSE opined that the seven issues mentioned in the joint letter would overlap with the work of the Panel. Mr YICK considered it more appropriate for the Panel to hold more meetings to discuss the matters. However, he had no objection to setting up a subcommittee to follow up just one or two of the issues. Mr TSE pointed out that the proposed scope of work of the subcommittee was too broad and considered that the subcommittee, if formed, should focus on discussing an issue which called for better coordination across different government bureaux and departments.

60. Mrs Regina IP appreciated the good intent of Mr WONG Kwok-hing and Mr TANG Ka-piu on the proposal to set up the subcommittee. However, she shared the view of some other members that the suggested scope of work of the subcommittee was too broad and expressed worries that the subcommittee could not complete its work within the next two years.

She also considered that if the subcommittee was to be set up, its scope of work should be confined to only one or two of the seven issues mentioned in the joint letter.

61. The Chairman advised that the Panel should have capacity to deal new agenda items, when some items on the Panel's list of outstanding items for discussion were time-limited and would require the Administration's response only after the policy had been formulated in due course. Out of the seven issues mentioned in the joint letter, six were covered by the scope of work of the Panel whereas one was outside the purview of the Panel. To be effective, he considered that the subcommittee, if set up, should deal with only one single policy issue. Alternatively, the Panel could choose to discuss the coverage of the PTSS to be conducted by the Administration without setting up a subcommittee. In his view, it was inappropriate for the Panel to make a decision at the last Panel meeting of the current legislative session on whether the subcommittee should be set up, bearing in mind that the new Panel to be set up in the coming legislative session should decide the matter on its own and might take a view different from the current Panel. However, he would let members decide whether the matter should be put to vote in this meeting.

62. Members considered that the matter should be put to vote. The Chairman put the matter to vote. Five members voted for and no members voted against the proposal to form a subcommittee on one single policy issue. The Chairman said that the view of the present Panel would be referred to the Panel of the next legislative session for consideration. It would be for that Panel to decide whether or not to set up the proposed subcommittee. He added that he would request the Administration and the Research Office of the Secretariat be prepared to provide information on the policy background of the PTSS for consideration by the Panel of the next legislative session.

Admin &
Research
Office

VI Any other business

63. There being no other business, the meeting ended at 12:25 pm.