OFFICIAL RECORD OF PROCEEDINGS

Wednesday, 10 December 2014

The Council met at Eleven o'clock

MEMBERS PRESENT:

THE PRESIDENT
THE HONOURABLE JASPER TSANG YOK-SING, G.B.S., J.P.

THE HONOURABLE ALBERT HO CHUN-YAN

THE HONOURABLE LEE CHEUK-YAN

THE HONOURABLE JAMES TO KUN-SUN

THE HONOURABLE CHAN KAM-LAM, S.B.S., J.P.

THE HONOURABLE LEUNG YIU-CHUNG

DR THE HONOURABLE LAU WONG-FAT, G.B.M., G.B.S., J.P.

THE HONOURABLE EMILY LAU WAI-HING, J.P.

THE HONOURABLE TAM YIU-CHUNG, G.B.S., J.P.

THE HONOURABLE ABRAHAM SHEK LAI-HIM, G.B.S., J.P.

THE HONOURABLE TOMMY CHEUNG YU-YAN, S.B.S., J.P.

THE HONOURABLE FREDERICK FUNG KIN-KEE, S.B.S., J.P.

THE HONOURABLE VINCENT FANG KANG, S.B.S., J.P.
THE HONOURABLE WONG KWOK-HING, B.B.S., M.H.

PROF THE HONOURABLE JOSEPH LEE KOK-LONG, S.B.S., J.P., Ph.D., R.N.

THE HONOURABLE JEFFREY LAM KIN-FUNG, G.B.S., J.P.

THE HONOURABLE ANDREW LEUNG KWAN-YUEN, G.B.S., J.P.

THE HONOURABLE WONG TING-KWONG, S.B.S., J.P.

THE HONOURABLE RONNY TONG KA-WAH, S.C.

THE HONOURABLE CYD HO SAU-LAN, J.P.

THE HONOURABLE STARRY LEE WAI-KING, J.P.

THE HONOURABLE CHAN HAK-KAN, J.P.

THE HONOURABLE CHAN KIN-POR, B.B.S., J.P.

DR THE HONOURABLE PRISCILLA LEUNG MEI-FUN, S.B.S., J.P.

DR THE HONOURABLE LEUNG KA-LAU

THE HONOURABLE WONG KWOK-KIN, S.B.S.

THE HONOURABLE IP KWOK-HIM, G.B.S., J.P.

THE HONOURABLE MRS REGINA IP LAU SUK-YEE, G.B.S., J.P.

THE HONOURABLE PAUL TSE WAI-CHUN, J.P.

THE HONOURABLE ALAN LEONG KAH-KIT, S.C.

THE HONOURABLE LEUNG KWOK-HUNG

THE HONOURABLE ALBERT CHAN WAI-YIP
THE HONOURABLE KWOK WAI-KEUNG

THE HONOURABLE DENNIS KWOK

THE HONOURABLE CHRISTOPHER CHEUNG WAH-FUNG, S.B.S., J.P.

DR THE HONOURABLE FERNANDO CHEUNG CHIU-HUNG

THE HONOURABLE SIN CHUNG-KAI, S.B.S., J.P.

DR THE HONOURABLE HELENA WONG PIK-WAN

THE HONOURABLE IP KIN-YUEN

DR THE HONOURABLE ELIZABETH QUAT, J.P.

THE HONOURABLE MARTIN LIAO CHEUNG-KONG, S.B.S., J.P.

THE HONOURABLE POON SIU-PING, B.B.S., M.H.

THE HONOURABLE TANG KA-PIU, J.P.

DR THE HONOURABLE CHIANG LAI-WAN, J.P.

IR DR THE HONOURABLE LO WAI-KWOK, B.B.S., M.H., J.P.

THE HONOURABLE CHUNG KWOK-PAN

THE HONOURABLE CHRISTOPHER CHUNG SHU-KUN, B.B.S., M.H., J.P.

THE HONOURABLE TONY TSE WAI-CHUEN, B.B.S.

MEMBERS ABSENT:

DR THE HONOURABLE LAM TAI-FAI, S.B.S., J.P.

THE HONOURABLE CHEUNG KWOK-CHE

THE HONOURABLE WONG YUK-MAN
PUBLIC OFFICERS ATTENDING:

THE HONOURABLE MRS CARRIE LAM CHENG YUET-NGOR, G.B.S., J.P.
THE CHIEF SECRETARY FOR ADMINISTRATION

THE HONOURABLE RIMSKY YUEN KWOK-KEUNG, S.C., J.P.
THE SECRETARY FOR JUSTICE

THE HONOURABLE MATTHEW CHEUNG KIN-CHUNG, G.B.S., J.P.
SECRETARY FOR LABOUR AND WELFARE

PROF THE HONOURABLE K C CHAN, G.B.S., J.P.
SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY

THE HONOURABLE LAI TUNG-KWOK, S.B.S., I.D.S.M., J.P.
SECRETARY FOR SECURITY

THE HONOURABLE EDDIE NG HAK-KIM, S.B.S., J.P.
SECRETARY FOR EDUCATION

THE HONOURABLE WONG KAM-SING, J.P.
SECRETARY FOR THE ENVIRONMENT

MR KEVIN YEUNG YUN-HUNG, J.P.
UNDER SECRETARY FOR EDUCATION

CLERKS IN ATTENDANCE:

MR KENNETH CHEN WEI-ON, S.B.S., SECRETARY GENERAL

MISS ODELIA LEUNG HING-YEE, ASSISTANT SECRETARY GENERAL

MR MATTHEW LOO, ASSISTANT SECRETARY GENERAL
PRESIDENT (in Cantonese): A quorum is not present now. Will the Clerk please ring the bell to summon Members to the Chamber.

(After the summoning bell had been rung, a number of Members entered the Chamber)

**TABLING OF PAPERS**

The following papers were laid on the table under Rule 21(2) of the Rules of Procedure:

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<tr>
<th>Subsidiary Legislation/Instruments</th>
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<td>Chinese Nationality (Miscellaneous Provisions) Ordinance (Amendment of Schedule) Order 2014</td>
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<th>Other Papers</th>
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<tr>
<td>No. 44 — The Prince Philip Dental Hospital 2013/14 Annual Report The Board of Governors</td>
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<td>No. 45 — Communications Authority Annual Report 2013/14</td>
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No. 46 — The Government Minute in response to the Annual Report of The Ombudsman 2014

Report No. 6/14-15 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments

ADDRESSES

PRESIDENT (in Cantonese): Address. The Chief Secretary for Administration will address the Council on "The Government Minute in response to the Annual Report of The Ombudsman 2014".


CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): President, the Annual Report of The Ombudsman 2014 (the Annual Report) was presented to the Legislative Council on 2 July this year. I will now present to this Council the Government Minute in response to the recommendations made in the Annual Report.

The former Ombudsman has summarized six direct investigation and 321 full investigation cases, and made a total of 283 recommendations in the Annual Report. Save for rather a few exceptions, the Government and relevant public bodies have accepted all recommendations from The Ombudsman and have taken or are taking various measures to implement those recommendations. For individual recommendations which could not be accepted, explanations were given to The Ombudsman by relevant departments, as detailed in the Government Minute.

President, I notice that the former Ombudsman has mentioned in the Annual Report that freedom of information is the bedrock for an open and accountable public sector. In this connection, the Office of The Ombudsman has conducted direct investigation and made recommendations respectively regarding the access to information regime and public records management in Hong Kong.
As regards the access to information regime, the Office of The Ombudsman released its direct investigation report on the effectiveness of administration of the Code on Access to Information (the Code) in 2010, in which various recommendations were made, which include, to organize more, and timely, training; to add a Chinese version of the guidelines on application to the webpage on the Code, to follow up with other public bodies within The Ombudsman's purview and request them to adopt the Code or similar guide. All such recommendations have been implemented.

In the current Annual Report, The Ombudsman made further recommendations on the access to information regime, including requesting the Government to consider introducing a law to underpin citizens' right of access to information. The Access to Information Sub-committee of the Law Reform Commission (LRC) is currently studying this complex legal issue. Upon its completion of the study, we will consider the recommendations comprehensively.

As for other recommendations conducive to improving the current regime and involving no legislative issue, including enriching the content of the Code website, providing more information to the public about the Code, compiling a list of precedent cases, providing more advice and support to Policy Bureaux and departments on the interpretation and application of the Code, the Government will study proactively on how to follow up. Also, reference will be made to other jurisdictions' practices in these aspects, so as to optimize current arrangements to facilitate public access to Government in accordance with the Code.

In respect of public records management, I would like to take this opportunity to reiterate that the Government always attaches great importance to this area of work. We fully recognize that records are valuable resources of the Government. Keeping of complete records may not only facilitate the making of evidence-based decisions by the Government to meet operational and regulatory requirements, it is also essential for an open and accountable government. Therefore, the Government has set up a comprehensive mechanism to manage and preserve public records with archival value.

We welcome the comprehensive and in-depth review of the management of public records in Hong Kong conducted by The Ombudsman. It is recommended in the investigation report that the Government should seriously consider introducing a law on public records and archives, and that an
independent body should be set up to advise on records management policies, practices and actions. In fact, the Archives Law Sub-Committee of LRC is now conducting a detailed study to review the current regime relating to the management and preservation of, and access to, government or public records with a view to considering whether reform is needed. Relevant departments have been actively participating in the LRC study, especially on the comparative analysis of relevant overseas legislation. The Government will examine carefully the recommendations to be made by LRC before mapping out the way forward.

Before the finalization of legislative issues, the Government has formulated a detailed action plan to further improve the current administrative arrangements on records management through a series of measures, which include, *inter alia*, facilitating more public organizations to observe the Good Records Management Practices, as well as further encouraging them to donate records with archival value to the Government Records Service (GRS) for archive; reminding all Policy Bureaux and departments to minimize deferral of transfer of time-expired records having archival value or potential archival value to GRS; examining the feasibility of uploading more information about record disposal as well as newly released records onto the GRS website with a view to enhancing transparency, and considering the pace of service-wide implementation of electronic recordkeeping system (ERKS) and determining an appropriate timeline for Policy Bureaux and departments to develop or adopt ERKS.

As evident from the above, the Government is determined to take necessary actions to further improve the existing records management system for proper management and keeping of public records with archival value, whereby enhancing the accountability and transparency of the Government.

In fact, The Ombudsman pointed out in many investigation cases that good documentation and records management are crucial to the effective handling of complaints, especially the cross-departmental cases. We will urge various departments to continue their efforts on records management.

President, when concluding his work over the five years, the former Ombudsman pointed out in the Annual Report that credit must be given to those government departments and public bodies which have recently taken the initiatives, where warranted, to review their existing practices and procedures; yet there are also some departments and public bodies that are still either too
complacent or conservative, such that they have failed to change with time in the provision of public service, ignoring the rising public expectations. The Government appreciates the former Ombudsman for his advice, and will keep urging various government departments to enhance liaison and endeavour to assess new public demands for timely update of the modes of service provision and supervision.

For instance, in tackling the problem of shop front extensions (SFEs), the Government has all along been adopting a multi-pronged approach, which includes:

(1) law enforcement by the departments concerned using powers under the relevant ordinances individually;

(2) joint operations led by District Officers for more complex cases involving several departments;

(3) close collaboration with the District Councils; and

(4) public education and publicity.

However, seeing that the problems have persisted, the Government has thus initiated a four-month public consultation in March this year to gauge views from the public extensively, with a view to exploring ways to combat SFEs more effectively, such as strengthening the law-enforcement measures against SFE offences and introducing a fixed penalty system to heighten the deterrent effect. The Government is collating the views from the public, and will release the consultation results as well as the way forward in due course.

President, in order to follow up more effectively those issues that members of the public often complain, one of the tasks is to review the current legislation, so as to plug the loophole or heighten the deterrent effect against the irregularities under complaint. For example, on 9 July 2014, the Government introduced the Land (Miscellaneous Provisions) (Amendment) Bill 2014 into the Legislative Council to amend the Land (Miscellaneous Provisions) Ordinance (Cap. 28) to increase the penalties for offences relating to unlawful occupation of leased Government land for deterrent effect.
Besides, the Government notes that The Office of The Ombudsman has been increasing the use of mediation in dealing with complaint cases that involve no or only minor maladministration in recent years. The number of complaint cases concluded after mediation has increased from seven in 2010-2011 to 38 in 2013-2014. Using mediation in settling disputes is a policy that the Government endeavours to promote. We support The Office of The Ombudsman to continue promoting the settlement of problems by mediation, and full co-operation will also be rendered by various government departments to the Office in this regard.

Lastly, I would like to thank Mr Alan LAI Nin, the former Ombudsman, for his contributions made to the enhancement of quality administration over the past five years. In the future, the Government will continue to co-operate closely with The Ombudsman and work hard together towards the goal of achieving fair, reasonable, open and highly efficient public administration.

Thank you, President.

ORAL ANSWERS TO QUESTIONS


Assistance Provided for Children with Special Educational Needs

1. MR CHARLES PETER MOK (in Cantonese): President, when meeting with deputations earlier, I and several other Legislative Council Members learned that children with special educational needs (SEN) and their parents had encountered many difficulties, including the excessively long waiting time for subsidized SEN assessment services (assessment services) and rehabilitation services. In order not to delay the learning progress of their children, quite a number of parents have turned to the private sector for such assessment and rehabilitation services, but the high charges for such services are hardly affordable to grass-roots families. In this connection, will the Government inform this Council:

   (1) whether it has considered increasing the amounts of various allowances for SEN children and the number of places under
Individual Education Plans (IEP), and stepping up assistance for SEN children in learning the application of information technology (IT); if it has, of the details;

(2) of the names of those subvented organizations, apart from public bodies, currently providing assessment services for children; the respective numbers of children aged zero to two, three to five, six to eight as well as nine to 11 for whom relevant assessments were conducted by public and subvented organizations in the past three years, as well as the respective average waiting time for the children concerned to receive such services; whether it has plans to recruit additional medical professionals to strengthen the assessment services; if it has such plans, of the details; whether it has considered providing training for the staff of schools and subvented organizations to enhance their ability in identifying and assisting SEN children; if it has considered, of the details; and

(3) whether it knows how many children on the waiting list for subsidized assessment services received assessment services from the private sector in the past three years; whether it has considered providing subsidies for grass-roots families using private assessment services; if it has considered, of the details?

SECRETARY FOR EDUCATION (in Cantonese): President, the question raised by Mr Charles Peter MOK is related to the policy ambits of the Education Bureau, Labour and Welfare Bureau and Food and Health Bureau. After consulting the other two Bureaux, I now answer the three parts of the question raised as follows:

(1) For pre-school services, the Community Care Fund (CCF) launched a programme in December 2011 to provide a training subsidy to children in need of rehabilitation services from low-income families, so as to enable them to receive timely pre-school rehabilitation services provided by non-governmental organizations (NGOs) while waiting for subvented services. Considering the effectiveness of the programme, the Government has regularized the programme starting from October this year, and increased the level of subsidy. A maximum subsidy of $3,867 per month is provided to each eligible
child who is waitlisting for Special Child Care Centre or Residential Special Child Care Centre. A maximum subsidy of $2,763 per month is provided to each eligible child who is waitlisting for Early Education and Training Centre or Integrated Programme for Disabled Children in Kindergarten-cum-Child Care Centre.

As for secondary and primary schools, the Education Bureau has been providing public sector schools with additional resources, professional support and teacher training to help them cater for the students with SEN. Starting from the 2013-2014 school year, we have increased the ceiling of the Learning Support Grant (LSG) for each school to $1.5 million per annum, and increased the grant rates of the LSG by 30% in the 2014-2015 school year.

Currently, schools have to draw up the IEP for each student with persistent and severe learning difficulties, and regularly review their progress for appropriate adjustment of the level of support. As such, the number of students receiving support through the IEP in schools may change according to the changing needs of the students. The Education Bureau will not and does not consider it necessary to set the number of places under the IEP.

From the 2008-2009 school year, the Education Bureau has increased the provision and relaxed the usage of the Composite Information Technology Grant. Schools can deploy the resources as appropriate to meet their operational needs, such as upgrading and replacement of school's IT facilities, purchase of digital resource materials for learning and teaching, hire of technical support services, and so on.

In January 2014, the Education Bureau launched the Support Scheme on e-Learning in Schools to enhance the IT infrastructure of 100 schools. These schools will have WiFi access in all classrooms and acquire sufficient mobile computing devices for using e-textbooks and e-learning resources. Education Bureau will consider extending the Scheme through IT in education 4 to the remaining public sector schools. The special schools also benefit from the above Scheme.
(2) The Government has all along been committed to providing early identification and assessment of children with developmental disorders through the collaborated efforts of various Government departments, including the Department of Health (DH), Hospital Authority, Social Welfare Department (SWD) and Education Bureau. Efforts have been made to refer and arrange these children to receive appropriate services.

The DH, Education Bureau and SWD jointly produced in 2008 the "Pre-primary Children Development and Behaviour Management — Teacher Resource Kit", which was distributed to all pre-primary institutions in Hong Kong, with a view to helping the teachers identify children in need of assessment and treatment, and to make referrals as soon as possible. The DH does not subsidize any organization for providing assessment services to children.

In the past three years, the number of new cases referred to the Child Assessment Service under the DH, which amount to about 8 500 to 8 800 cases per year, has been steady as a whole. The detailed figures are contained in the table below.

<table>
<thead>
<tr>
<th>Number of new cases</th>
<th>Year 2011</th>
<th>Year 2012</th>
<th>Year 2013</th>
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<tbody>
<tr>
<td>0 to 2 years old</td>
<td>3 931</td>
<td>4 069</td>
<td>4 005</td>
</tr>
<tr>
<td>3 to 5 years old</td>
<td>2 963</td>
<td>3 237</td>
<td>3 265</td>
</tr>
<tr>
<td>6 to 8 years old</td>
<td>1 253</td>
<td>1 177</td>
<td>1 250</td>
</tr>
<tr>
<td>9 to 11 years old</td>
<td>318</td>
<td>281</td>
<td>245</td>
</tr>
<tr>
<td>Total</td>
<td>8 465</td>
<td>8 764</td>
<td>8 765</td>
</tr>
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</table>

In the above period, nearly all new cases were seen within three weeks. Assessments for nearly 90% of newly registered cases were completed within six months. The actual time for assessment depends on the complexity of individual cases. The DH will closely monitor the demand for service and arrange redeployment of resources as appropriate.

In primary schools, currently all public sector primary schools in Hong Kong implement the Early Identification and Intervention of Learning Difficulties Programme for Primary One Pupils according
to the guidelines issued by the Education Bureau. Schools will arrange for early intervention for the students identified with learning difficulties. Students who still have obvious or persistent learning difficulties after receiving the intervention will be referred to educational psychologists (EPs) or medical professionals for assessment and follow up.

In the past two years, about 80% of the cases referred to the EPs were assessed within two months and about 90% of them were assessed within five months. The remaining cases with a longer waiting time for assessment were due to some specific circumstances, such as cases where parents requested to defer the assessment, or the assessment had to be held up pending the students' medical treatment.

To enhance the professional capacity of school teachers in identifying and supporting students with SEN, starting from the 2007-2008 school year, the Education Bureau has launched in-service teacher training courses on catering for students with SEN pitched at basic, advance and thematic level and set targets. The Education Bureau also provides training courses for school heads, school management and teaching assistants. Moreover, teacher education institutions have included modules on special education and support for students with diverse learning needs in their pre-service teacher training programmes to enhance prospective teachers' knowledge in this area.

(3) As regards the number of children on the waiting list for subsidized assessment services who received assessment services from the private sector, the DH does not have statistics in this respect.

President, Secretary Matthew CHEUNG and I will endeavour to answer the questions put forth by Members later.

MR CHARLES PETER MOK (in Cantonese): President, the Secretary's reply seems to be saying that the Government has already resolved the matter completely, and all problems have disappeared. But this was definitely not how we felt when we met with the deputations.
Early intervention is most important to the work of assisting SEN children. The number of such cases has been increasing, and I will not repeat the figures here. In recent years, children with dyslexia may account for as high as 10% to 15% of such cases. It is stated in the main reply that for 90% of all new cases, assessment can be completed within six months, but the Government (specifically the DH and Education Bureau) does not have any statistics on the number of children who switched to receive private-sector assessment while waiting for subsidized assessment services. In my view, the Government must collect such data, or it will have difficulty in understanding the gravity of the problem.

President, the deputations have put forward to us some concrete proposals, the most notable of which concerns the issue of whether the CCF can provide a one-off subsidy to grass-roots SEN children, so that they can receive private-sector assessment services. The reason for this proposal is that the waiting time for public-sector assessment services is indeed too long. Second, regarding the training subsidy for children who are on the waiting list of subvented pre-school rehabilitation services, the deputations ask whether the CCF can extend the scope of subsidy, so that the beneficiaries will not be restricted to children aged between zero and six as presently stipulated, and children in primary and secondary schools who are waiting for the relevant services can also benefit. My supplementary question is: will the Government, the Labour and Welfare Bureau, or even the CCF, consider these two concrete proposals?

PRESIDENT (in Cantonese): Which Secretary will reply? Secretary for Labour and Welfare, please reply.

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): In reply to Mr MOK's question, I must first emphasize that the Government is highly concerned about the pre-school needs of SEN children, especially the important need of enabling them to receive appropriate training during this golden period. Hence, we know we must make good use of the time in this period and do our very best. We are precisely going in this direction, aiming as much as possible to grasp both time and room for providing services. Hence, I completely agree to what Mr MOK said just now.
In December 2011, the CCF launched a pilot assistance programme. Considering the effectiveness of the programme, the Government regularized the programme in October this year and managed to earmark $53 million in the recurrent funding under the SWD for the provision of at least 1,520 places for SEN children. So far, 2,840 children has benefited under the CCF.

Moreover, the levels of subsidy have been increased. Originally, the subsidy provided by the CCF was $2,615 per month. But since the regularization of the programme in October, the subsidy provided to children waitlisting for Special Child Care Centres has been increased to $3,867 per month, while children with less severe SEN, that is, those waitlisting for Early Education and Training Centres, can receive a subsidy of $2,763 per month. All this shows that in the light of actual circumstances, we will respond to aspirations of the public, especially grass-roots families. And, it must be mentioned that we have actually increased the levels of subsidy. This is the first point.

Second, we will administer the right remedy and spare no efforts to provide additional places in order to meet demand. Currently, 6,534 pre-school rehabilitation places are provided, covering Early Education and Training Centres, Special Child Care Centres and the Integrated Programme for Disabled Children in Kindergarten-cum-Child Care Centre. And, 5,633 children are on the waiting lists. In general, the waiting time is between 14 months and 19 months. We can thus see the pressure on the provision of such services.

We fully understand that this problem must not be ignored. The Administration is currently tackling the problem in two ways. First, the assistance programme of CCF has been regularized to provide places for receiving the relevant services, and we will continue to seek additional resources. Second, before its present term of office expires, the Government will provide at least an additional 1,738 places.

Moreover, I would like to stress that in order to meet the ever-increasing demand for elderly care and rehabilitation services, the Government has formulated the Special Scheme on Privately Owned Sites for Welfare Uses (the Special Scheme) to encourage social welfare organizations to carry out in-situ redevelopment, expansion or addition on the sites they own, so as to provide additional facilities. On the part of the Government, it will finance construction costs and the purchase of furniture and equipment, and so on, through the Lotteries Fund.
Regarding land use, we will help social welfare organizations go through the required procedures. The Town Planning Board and the relevant departments will, for example, remove any barriers as far as possible. The response we received was overwhelming. The Administration received 62 project plans from 42 NGOs. Some plans are related to the provision of pre-school rehabilitation services, the hardest-hit area which has been the focus of our resource investment.

I am happy to inform Members that with these plans, an additional 3,842 children rehabilitation places can be provided in the future, bringing forth an increase of over 60% against the existing 6,534 places. Since regrant premium formalities and topside construction on the sites concerned will take time, the additional places will be rolled out successively between now and 2017. In other words, in the next five to 10 years, the number of children rehabilitation places will increase by about 3,800 or some 60%. Also, since the assistance programme of the CCF has been regularized, a grass-roots family with a monthly household income not exceeding 75% of the Median Monthly Domestic Household Income can now obtain a subsidy of about $3,000 per month. This amount of subsidy can provide a certain degree of relief to grass-roots families in general. Nonetheless, we must continue to make more efforts. I totally support the focus of Mr Charles Peter MOK’s question, namely, the need to expedite the provision of additional service places in order to provide timely assistance.

MR CHARLES PETER MOK (in Cantonese): President, thanks to the Secretary for giving us so much information. But will the Administration consider the two proposals I just mentioned, particularly the extension of the pre-school training subsidy for children aged between zero and six to children in primary and secondary schools?

PRESIDENT (in Cantonese): Secretary, do you have anything to add?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, our present focus is on the pre-school stage. Why are rehabilitation services for pre-school children so important? Early detection, intervention and treatment are essential if we are to enable SEN children to integrate into mainstream education. But the children mentioned by Mr MOK just now are over the age of
six, and they are already inside the education system. Nonetheless, I still undertake to relay this view to the Secretary for Education, the CCF and even the Commission on Poverty. I also undertake to explore whether there is any room for follow-up. I think this idea merits in-depth consideration.

DR FERNANDO CHEUNG (in Cantonese): President, as mentioned by the Secretary just now, the service quota will only see an increase of about 3,800 places in the next 10 years. But the Secretary has not considered the fact that at present, the number of children waitlisting for services, that is, those in the golden period of age zero to six as just mentioned by the Secretary, already amounts to some 6,000.

The Secretary has also said that for these 6,000-odd children, the Government has already regularized the assistance programme, thus enabling them to receive a subsidy of about $2,000 per month. But actually, only 1,000 or so children can be benefited. In other words, only one fifth of the children waitlisting for services can receive the subsidy, while four fifths cannot receive any assistance.

The present situation is that the Government wants these children to wait 10 more years before providing an additional 3,000 places or so. But the number of children waitlisting for services is already as high as some 6,000 now. When will the Government provide early assistance to these children, who are now in the golden period mentioned by the Secretary (that is, the most important stage of cognitive, communicative and linguistic development), so that the roads ahead of them can be smoother? Why can't the Administration allocate additional resources immediately, so that all SEN children can have access to this basic service?

PRESIDENT (in Cantonese): Which Secretary will reply? Secretary for Labour and Welfare, please reply.

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): Thanks to Dr CHEUNG for his concern. Like him, we are also very concerned about this matter. Hence, I can assure Members that this will be the Government's priority of work in the future, and we will make our best efforts to provide more services in a timely manner.
Nonetheless, I would like to clarify one point. The provision of these services, whether by the CCF or SWD, must be based on a certain benchmark, so that grass-roots families in greater need can be identified for assistance. In the case of families with the means, self-financing services in the private sector are now available. In fact, by fixing subsidies at some $2,700 to some $3,800 per month, the Administration aims to enable grass-roots families to obtain the necessary services from NGOs. For families with better finances and higher affordability, they can receive these services from the private sector. Hence, such children are not entirely without any assistance in the course of waiting. We hope that assistance can be provided to grass-roots children in a targeted manner. I also believe that Mr MOK's question is likewise underlined by the hope that the Government can increase the support specifically for grass-roots family.

DR FERNANDO CHEUNG (in Cantonese): President, the Secretary has not answered my supplementary question.

PRESIDENT (in Cantonese): Please briefly repeat your supplementary question.

DR FERNANDO CHEUNG (in Cantonese): Just now, I asked whether such support could be provided to all children in need. Yet, he said that some people could pay the expenses themselves. But the truth is that for each session of 45 minutes, NGOs now charge some $900 …

PRESIDENT (in Cantonese): Dr CHEUNG, please let the Secretary give his reply.

DR FERNANDO CHEUNG (in Cantonese): Okay. But he said some families could afford the expenses. I simply do not know how many families can afford such a level of expenses?

PRESIDENT (in Cantonese): Secretary, do you have anything to add?
SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, we are now taking a two-pronged approach. First, additional places will be provided. In this regard, I would like to clarify one point in particular. Just now, Dr CHEUNG said that the service quota would only increase by about 3,000 places in the next five to 10-odd years. But he should know that I was only referring to the number of additional places under the Special Scheme. Besides such additional places, we will also seek resources in the normal planning process, such as by identifying suitable premises and securing sites in the new development areas, and so on. The 3,000-odd service places I have mentioned are merely the ones to be provided under the Special Scheme. Hence, Dr CHEUNG should not mistakenly think that the Government will only provide some 3,000 additional places in the next 10-odd years. Based on existing planning, we are quite certain that these 3,000-odd additional places can be provided. When the new development areas are completed in the future, we will definitely continue to seek premises and sites over there.

Second, I have said that the current waiting time is between 14 months and 19 months, but if the children waitlisting for services can receive the relevant services during this waiting period, they will not miss training opportunities due to prolonged waiting. I am talking about the waiting period of roughly one year before the children concerned can be allocated a place. Members must understand that resource-wise, merely the initiative of regularizing the training subsidy provided by the CCF to children waitlisting for pre-school rehabilitation services has already incurred an additional expenditure of almost $53 million this year for the provision of 1,000-odd places. Dr CHEUNG, I undertake that we will continue to seek additional resources and make greater efforts in this regard.

MR MARTIN LIAO (in Cantonese): President, as shown by the study findings of the Hong Kong Society for the Protection of Children and The Hong Kong Institute of Education, the golden period of rehabilitation for SEN children is the time before the age of six. This means that in order to enable them to learn and live normally, it is very important to identify their SEN in early childhood and provide them with appropriate assistance …

PRESIDENT (in Cantonese): Please ask your supplementary question.
MR MARTIN LIAO (in Cantonese): My supplementary question is as follows. The problem now is that the Administration has not put in place any mechanism whatsoever for identifying SEN children. As the general subsidy provided by the Government cannot help identify SEN children, does the Administration plan to remedy the situation and help such children by introducing support measures that are more effective than the general subsidy?

PRESIDENT (in Cantonese): Which Secretary will reply? Secretary for Labour and Welfare, please reply.

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, let me try to answer this question. The Honourable Member's question definitely also involves education, in the sense that when SEN children grow older, education will come into the picture. But what I want to do is to give Members a general picture.

In this regard, Maternal and Child Health Centres (MCHCs) are the first line of defence. After the birth of a child, the MCHC concerned will give him inoculations, and advise his mother on how to take care of him and the early detection of any health and developmental problems. The MCHC will follow up the child's conditions until the age of five.

Meanwhile, if any problem is detected by the MCHC during routine check-ups of the child, the case will be referred immediately to specialist service, that is, the Child Assessment Service under the DH as I have mentioned in the main reply. If a case requires social welfare services such as early education and training, it will be referred to Special Child Care Centres as I have mentioned in the main reply. Even in the case of a child attending kindergarten, if he is observed to be having minor problems, there is also the Integrated Programme for Disabled Children in Kindergarten-cum-Child Care Centre, under which ordinary kindergartens are used as the bases of providing services to children in need. President, a comprehensive programme is already in place for early identification and intervention.

MR MA FUNG-KWOK (in Cantonese): President, I would like to know the situation of newly-arrived students. Very often, problems such as dyslexia or hyperactivity disorder suffered by newly-arrived children — "singly or doubly
non-permanent resident children” alike — can be detected only after their school admission. As they might not have undergone any assessment in the Mainland, they would have to wait for assessment services after their arrival at Hong Kong. In some cases, the waiting time can be rather long. As far as I know, the situation is particularly serious in the North District because of the high concentration of new arrivals as well as the limited number of psychiatrists locally. As a result, the waiting time is particularly long. This situation is not reflected in the Government’s main reply. May I ask whether the Administration can provide a statistical breakdown by districts, one which can show the districts where such cases are particularly numerous? If such cases are particularly numerous in a certain district, will the Administration deploy more manpower to take care of such students in it? Moreover, will the Administration consider improving its liaison with the relevant Mainland authorities, so that such children can obtain the services concerned as soon as possible after their arrival at Hong Kong?

PRESIDENT (in Cantonese): Which Secretary will reply? Secretary for Education, please reply.

SECRETARY FOR EDUCATION (in Cantonese): President, thanks to the Honourable Member for asking the question. Given the locations of cross-boundary control points, most newly-arrived children or cross-boundary students are concentrated in several districts. There are several aspects of work in this regard.

First, many schools will approach parents and conduct various briefings and discussions for them prior to a new school year, that is, during the summer holidays, with a view to understanding the adaptation problems of students beforehand. Second, whether teachers can identify the learning difficulties or other problems of students in the process is most important. Hence, as I have mentioned, teacher training is one important segment, and we also need to step up our work in this regard. Third, our relevant work in primary and secondary schools must not be individual-based because the point is for SEN students to integrate into the wider learning environment. Hence, our approach is to provide assistance and subsidies to schools, notably the school-based Support Scheme for e-Learning in Schools, with a view to enabling SEN students to learn in an integrated and holistic environment. This principle is very important.
MR MA Fung-Kwok (in Cantonese): Can the Secretary give a reply on liaison with the relevant Mainland authorities?

President (in Cantonese): Secretary, do you have anything to add in this regard?

Secretary for Education (in Cantonese): At present, individual schools or districts already maintain contacts with voluntary organizations in Shenzhen. These schools and districts hold exchange sessions on a frequent basis, with the aim of understanding the problems concerned. The practice of approaching parents beforehand is precisely one of the very feasible ideas they raised.

President (in Cantonese): This Council has already spent 24 minutes 30 seconds on this question. Second question.

Use of Powers by Police Officers During Operations to Assist Bailiffs at Occupied Areas in Mong Kok

2. Dr Helena Wong (in Cantonese): President, it has been reported that late last month, when assisting bailiffs in executing the injunction orders by the Court at the occupied areas in Mong Kok and in subsequent operations to disperse the crowd, some police officers abused their powers, which included using excessive force on the occupiers and passers-by, arresting members of the public and reporters indiscriminately, and suppressing freedom of the press. In this connection, will the Government inform this Council:

(1) as it has been reported that during the operations, some police officers assaulted members of the public who were standing on the footpaths which were not covered by the injunction orders, hit their vital body parts (such as the head and the neck) with batons, pushed pedestrians onto the ground, and hurled abuses at the ethnic minority people, and so on, whether it has assessed if such behaviours of the police officers were justifiable, violated the Police General Orders (PGO), and reflected that the police officers had lost
control of their temper; whether the authorities will make a public apology for this and how they will follow up the matter, as well as how they will prevent the occurrence of similar incidents;

(2) of the Police's justifications for arresting a crew member of a television station and a newspaper reporter respectively on the 25th and 27th of last month; whether the authorities have assessed if such arrests were targeted at individual media organizations and represented hostility towards reporters; as some online media reporters said that they had been obstructed by the Police in making coverage, of the criteria adopted by the Police for dealing with such reporters and the measures in place to ensure that reporters may cover news freely during police operations; given that at least 25 reporters have claimed to have been treated violently by police officers, how the authorities will follow up such cases; and

(3) as it has been reported that during the operations, a large number of police officers concealed their police identification numbers by the reflective yellow vests which they were wearing or removed the numbers from their uniforms so that members of the public would not be able to identify them, whether the authorities have investigated if the police officers had violated the PGO by such acts and their justifications for so doing; if the investigation results indicate that such acts violated the relevant requirements or were attempts to avoid being complained, whether the authorities will penalize the police officers concerned, and how the authorities will prevent the occurrence of similar incidents?

SECRETARY FOR SECURITY (in Cantonese): President, the issue that the Police rendered assistance to bailiffs in enforcing the Court's injunction orders and Police's enforcement operations in Mong Kok in end-November was thoroughly discussed at the adjournment debate on 3 and 4 December, during which I responded to Members' views in detail. Today, as Dr Helena WONG is raising a further question on the Police's handling of the Mong Kok injunction orders, I would take this opportunity to reiterate that the orders issued by the High Court in relation to the injunction applications concerning the obstruction of certain roads in Mong Kok have given clear directions for the bailiff to request the assistance of the Police where necessary. It is also clearly stated in the court
orders that the Police are authorized to arrest and remove any person whom a police officer reasonably believes or suspects to be obstructing or interfering any bailiff in carrying out his or her duties in enforcing the injunction order. The Judge of the Court of First Instance and the two Justices of Appeal of the Court of Appeal, when handling the injunction applications and related applications for leave to appeal respectively, clearly pointed out that the terms of the injunction orders had no bearing on the Police's enforcement power under general law.

I hope that Members will stop directing their criticism only at the Police's ways of rendering assistance in clearing the obstructions and dispersal of crowds in breach of the injunction orders or other laws on that day, instead of choosing not to probe into, or even to the extent of ignoring the consequences of the protesters' disregard of the court orders and disruption of public order at the time.

In their operations in Mong Kok, the Police discharged their duties in strict compliance with the law. The Police could carry out their duties in accordance with the wording or scope of the injunction orders and enforce the law in accordance with the statutory power conferred upon them under general law, including the Police Force Ordinance (Cap. 232). According to section 10 of the Police Force Ordinance, the duties of the Police Force include taking lawful measures for preserving the public peace; preventing crimes and offences; controlling traffic upon and removing obstructions from public thoroughfares, and so on.

I am of the view that the physical scuffles between the Police and the public and even the injuries sustained by both sides during the operations in Mong Kok were by no means a result of the Administration's non-interference. The Police did not, as alleged, curb press freedom and restrict Hong Kong residents' right and freedom of peaceful assembly, procession and demonstration under the Basic Law. As we always stress, members of the public shall not intentionally disrupt public order or take no heed of law and order. The fact that the unlawful Occupy Central or the Occupy movement has been dragging on for over two months and full-scale clearance operations are yet to be launched has indicated that the Administration, including the Police, have been handling the incident with greatest tolerance. However, no one should infer that the Police are not enforcing the law. In fact, the Administration has repeatedly stressed that proper actions would be taken by the Police as and when appropriate to restore public order and protect public safety in a resolute manner.
The Administration's reply to Dr WONG's question is as follows:

(1) and (2)

Since the re-opening of the blocked roads in Mong Kok, some radical protesters unlawfully assembled at a number of roads in the district in the consecutive nights, trying to block the roads again. On one pretext or another, such as shopping together, picking up dropped money, crossing the road back and forth, waiting for someone else, those protesters caused road blockage, disturbed order and created nuisance to shop business. In an attempt to exhaust police manpower, such protesters deliberately stirred up troubles everywhere by inciting people on the scene to provoke the Police, charge the Police cordon, disrupt social order and obstruct the Police's enforcement actions. The residents, shop owners and road users in the district were in great distress as a result.

On the few nights immediately following the enforcement of the injunction orders, some radical protesters created chaos by erecting barricades with iron railings and wooden pellets. Worse still, some people confronted police officers on the scene by deliberately throwing miscellaneous items like bamboo poles, water bottles and umbrellas at them. The Police immediately gave advice and warnings against the protesters' acts by broadcasting and displaying of warning banners, pointing out that the hard objects they had been throwing might injure other persons on the spot, including reporters covering the incident and passers-by. Despite the Police had given them ample time to leave, the people at the unlawful assemblies, instead of taking heed of it, continued to scurry around. To avoid aggravation of the situation, the Police had no alternatives but to take resolute actions to disperse the people at the unlawful assemblies and arrested suspected troublemakers in breach of law, with a view to restoring public order and protecting public safety.

As a matter of fact, since the onset of Occupy Central, the Police have repeatedly stressed that Mong Kok is a high risk area and have also on a number of occasions urged members of the public, particularly students, to refrain from going to the area to avoid unnecessary injuries in crowded and chaotic situations.
The Police have the responsibility to take resolute measures to prevent injury to life and property. They have very clear guidelines and training as well as strict criteria for the use of force in that the force to be used shall be the minimum force necessary for achieving a lawful purpose. When handling public order events, field commanders shall assess the circumstances on the scene and exercise their professional judgment for appropriate actions, which include using the minimum force required. Prior to the use of force, police officers shall, as far as circumstances permit, give warnings while the person(s) involved shall be given every opportunity, whenever practicable, to obey police orders before force is used.

News coverage by reporters during major police operations is mentioned in Dr WONG's question. I have to stress that the Police always pay great respect to press freedom and attach great importance to their co-operation with the media and that they understand reporters' duty of news coverage. At a meeting with editorial and news department heads of major media organizations on 28 November, senior management of the Police Force, while reiterating the Police's notion of respect of press freedom, explained the operational difficulties encountered by police officers in the midst of chaos at the scene. They also appealed for mutual understanding and mutual respect between front-line journalists and police officers at the scene.

In fact, emergencies always arise in a split-second during large-scale confrontations. In covering news, reporters must take into account their own safety while at the same time co-operate with the Police to avoid hindrance to the latter. While involving themselves in news coverage of possible large-scale confrontations or chaotic situations, front-line reporters are advised by the Police to wear easily-identifiable clothing and take heed of on-scene police officers' instructions. To facilitate reporters' coverage, the Police shall continue to deploy officers from Media Liaison Team to the scene of large scale police operations in a bid to provide proper co-ordination and mediation as far as possible. To strengthen co-operation, the Police shall continue to maintain communication with the media and continue to provide them with assistance on the basis of mutual respect and understanding.
In the discharge of duties, the Police are keenly aware of public expectation and the importance of taking enforcement actions in a restrained and professional manner. Throughout Occupy Central and the operations in Mong Kok, police officers, when confronted with troublemakers' violent charging, deliberate provocations and insults with foul languages, have as a whole demonstrated a high degree of restraint and tolerance. Any persons dissatisfied with the Police's enforcement operations, be they members of the public or reporters, may lodge a complaint and the Complaints Against Police Office (CAPO) shall follow up on such a complaint under a statutory two-tier police complaints handling mechanism, and shall submit its investigation report to the Independent Police Complaints Council (IPCC) for examination in accordance with the statutory requirements under the Independent Police Complaints Council Ordinance. A total of 235 persons, including two reporters, were arrested by the Police during the operations in Mong Kok in end-November. All arrest cases shall be handled by the Police in a fair, just and impartial manner in accordance with established procedures.

(3) Concerning the uniform of police officers on duty, the Police have reminded front-line uniformed officers of the proper donning of uniform. The CAPO shall, upon receipt of any relevant complaints, launch an investigation in a fair and impartial manner.

In fact, as at 8 December, the CAPO received complaints from 1,952 members of the public about issues in relation to the Police's handling of the Occupy Central. Of these, 101 cases have been categorized as reportable complaints. Generally speaking, in the event that a complaint case is found to be "substantiated" upon follow-up under the above two-tier police complaints handling mechanism, the officer(s) concerned may be subject to disciplinary action or more severe punishment, depending on the nature and severity of the case.

DR HELENA WONG (in Cantonese): President, my main question is not intended to query whether the Police have any power to enforce the law. The Secretary's reply is extremely regrettable, as he tells us not to focus on how the Police enforced the law. We, of course, have to focus on how they enforced the
law, because the various parts of my question are all about how the Police enforced the law when assisting in executing the injunction orders, and whether there were any irregularities in the process. The Secretary has not answered any of these questions.

How should police officers use batons in the course of crowd dispersal? We saw that many police officers raised their batons high and then beat the crowds on the head and the neck. The Secretary has not answered me whether police officers are allowed to do so under the PGO.

Also, concerning certain police officers' removal or concealment of the police identification numbers on their uniforms, the Secretary says that if any members of the public are dissatisfied with the Police, they can always lodge a complaint. Being a member of the IPCC, I of course know that people can lodge complaints. But if police officers conceal their police identification numbers and people are unable to identify the police officers who have assaulted them, how can they lodge any complaints to redress their grievances? Secretary, how can people lodge any complaints?

SECRETARY FOR SECURITY (in Cantonese): President, I must say Dr WONG's observation is not quite the same as mine. I myself have also been closely following all enforcement operations of the Police, including the one in Mong Kok mentioned by Dr WONG, of course. I can say that an overwhelming majority of police officers on duty at that time wore their uniforms according to the required standards. At a press briefing held by the Police Force, a reporter also asked Mr Steve HUI, Chief Superintendent of Police, the same question. His answer is the same as mine today: some police officers might have unwittingly covered up their police identification numbers when putting on their reflective vests in great haste. This might have been the case. However, was this the case with all police officers on duty? I am sure that the answer is no.

As I said clearly when answering Members' questions, we do not rule out the possibility that individual police officers might have covered up their police identification numbers out of carelessness and great haste or other reasons. Hence, first, we have reminded all front-line police officers to follow the rules when putting on their uniforms; second, if we receive complaints, we will certainly conduct investigation. But before any investigation is conducted, how can we say that a complaint is substantiated?
As I can remember, Mr Alan LEONG has repeatedly said in this Council that in our transaction of business, we must follow the procedures. Actually, apart from following the established procedures, we must also comply with procedural justice. By procedural justice, it is meant that a complaint must be investigated according to the established procedures, and a report must be submitted to the IPCC for examination. If the complaint is substantiated, the authorities will certainly take appropriate disciplinary actions.

Dr WONG has asked me about the use of force by the Police. Actually, during the enforcement operation in Mong Kok that day, the Police once attempted to fend off protesters with bare hands, but they also made use of pepper spray, OC water jet packs and batons. As regards the level of force applied by the Police, the first and foremost deciding factor was the degree of force used by the protesters who provoked the Police and charged at the Police cordon lines. The Police only used the minimum force that day, and the aim was to stop the continuation of such acts of protesters, make them obey the law, and maintain a safety distance between both sides. As we could see on television, the scene was extremely chaotic at that time, and I think the front-line police officers there already acted with great restraint. I cannot possibly discuss each individual situation with Dr WONG here, but since Dr WONG is a member of the IPCC, she will have the chance to examine the relevant complaints after the CAPO finishes its investigation. I believe that not only Dr WONG but also other IPCC members will study and examine the reports of the CAPO. If they see any problems, they can raise questions and ask for more information. We can follow up various matters under this established procedure and comply with procedural justice.

DR HELENA WONG (in Cantonese): The Secretary has not answered my question.

PRESIDENT (in Cantonese): Please repeat your question.

DR HELENA WONG (in Cantonese): Are police officers permitted to bash people on the head and the neck? Is it against the rules for them to do so?
PRESIDENT (in Cantonese): Secretary, do you have anything to add?

SECRETARY FOR SECURITY (in Cantonese): Did anything as described by Dr WONG occur in split-second rapidity when police officers wielded their batons amidst the constantly agitating crowds? I think we must look into individual cases. Hence, as I have just said, we must study and analyse the circumstances of each case in depth, rather than making any generalization.

MR JAMES TO (in Cantonese): President, the supplementary question I am about to ask is very important because it concerns the so-called clearance operation in Admiralty tomorrow. President, is my voice not too clear?

PRESIDENT (in Cantonese): Please state your supplementary question.

MR JAMES TO (in Cantonese): Let me repeat. My question concerns the clearance operation in Admiralty tomorrow. People's eyes are very discerning. Why are the popularity and confidence ratings of the Police as shown in recent opinion polls at their all-time low since the reunification? My question is on the bottom line because the one to answer this question is an accountability official.

Suppose protesters do not leave the scene as instructed by the Police, and they simply sit down or remain standing without using any violence or force, what is the bottom line of the Police? Will police officers be allowed to use batons to bash protesters on the head and the neck, or beat any other parts of their bodies?

SECRETARY FOR SECURITY (in Cantonese): Mr TO is concerned about the operation of the Police tomorrow. In all such operations, it has always been the duty of the Police to protect public safety and order. When the Police are being charged at, they must apply appropriate, lawful and minimum force to the keep the situation under control.

In many past demonstrations, processions and assemblies, some protesters refused to leave. They sat on the ground, but they did not engage in any violent charging actions. The Police took actions which were appropriate to the
circumstances of the time, and they never wanted to use any unnecessary force. Generally speaking, if any protesters sit on the road and cause traffic disruption, the Police will advise them to leave. If their advice is not heeded, the Police will have to take other actions, such as removing them from the scene, in which case violence may occur against the wish of everybody. Of course, I believe people will understand that the Police need to enforce the law.

When conducting such operations, the Police will always exercise the greatest restraint. The Police have given repeated advice to the public, and they made another clear appeal just last night as I can remember. We do not wish to see anyone, including members of the public and policemen, getting hurt as a result of any scuffles. While members of the public may get hurt, even front-line police officers and media crews may also sustain injury. We do not wish to see any such cases.

We have withheld enforcement actions for prolonged periods, and the precise reason is that we do not wish to see anyone get hurt. Hence, taking the opportunity of answering Members’ questions today, I must once again ask everybody to remain peaceful tomorrow. There is still time today. I urge protesters to pack their personal belongings and leave the occupied areas, so as to restore smooth traffic flow and eliminate the obstruction suffered by the public.

**PRESIDENT** (in Cantonese): Has your supplementary question not been answered?

**MR JAMES TO** (in Cantonese): *My question is: if protesters are basically peaceful but defiant of the order to leave, what is the bottom line of the Police? Are they allowed to bash protesters on the head and the neck, or beat other parts of their bodies? Would the Secretary please answer clearly either "yes" or "no".*

**PRESIDENT** (in Cantonese): Secretary, regarding Mr James TO's question, do you have anything to add?

**SECRETARY FOR SECURITY** (in Cantonese): I have already answered Mr James TO's question. If protesters refuse to leave, we will advise them to do
so. If they still refuse to leave following our advice, we will remove them. The Police will only use the minimum force where necessary and when there are no other options.

**MR TONY TSE** (in Cantonese): President, Hong Kong is a society upholding the rule of law. Everyone obeys the law, and this is one of our core values. Hence, the enforcement operations carried out by the Police in accordance with the law are always supported by the majority of Hong Kong people.

During the enforcement operations carried out by the Police in Mong Kok these days, police officers were faced with provocation, verbal abuses and even physical attacks. May I ask whether the Administration has compiled any statistics on the number of front-line police officers who have so far been injured when dealing with such situations. Besides, I believe that many front-line police officers have to work overtime. Has the Government put in place any maximum working hours and taken any measures to ensure that front-line police officers can have sufficient time for rest?

**SECRETARY FOR SECURITY** (in Cantonese): I thank Mr TSE for his supplementary question. Let me cite two sets of figures. The first shows that in the time from 25 November, totally 130 persons were injured in the police operations against the unlawful assemblies in Mong Kok and Admiralty and must rushed to hospital by ambulance. Of these, 45 people were police officers. The other set of figures shows that in the latest operations against the unlawful assemblies in Mong Kok and Admiralty, 60 police officers were injured. Many police officers simply continued to perform their duties voluntarily if their injuries were not too serious, and they did not ask to be sent to hospital by ambulance immediately. As paramedics were present, police officers could receive immediate treatment on location if they had not sustained very serious injuries. Afterwards, most of them continued to discharge their duties.

In this connection, as Secretary for Security, I wish to pay the highest tribute to the police officers who sustained injuries while discharging their duties. Despite their injuries, they still continued to discharge their duties. Some injured police officers still sat silently on the roadsides. One of the more notable cases concerns an officer who was assaulted by a group of people and had to be taken to hospital. The doctor subsequently granted him 14 days of sick leave.
Other very common injuries suffered by police officers were joint dislocation and broken phalanges. The pressure faced by police officers on duty has indeed been unprecedented. Internally, the Police Force has in place a number of ways to show concern for front-line officers, such as exchanges of emails for sharing of feelings. Besides, clinical psychologists will also go to police officers' major places of rest, so as to have direct and face-to-face exchanges with them.

As a matter of fact, the management of the Police Force, the Security Bureau and also the SAR Government are all very concerned about the pressure on front-line police officers. We will spare no efforts to offer assistance to them. Honestly, the work of the Police is to serve all Hong Kong people, so in return for their dedication, we at the management level must show our full recognition and commitment.

PRESIDENT (in Cantonese): Apart from the Member who raised the main question, only two other Members have had the chance to raise supplementary questions. However, this Council has spent 25 minutes 30 seconds on this question. Third question.

Pilot Project on Enhancement of Complaint Management in Schools

3. MR IP KIN-YUEN (in Cantonese): President, under the Pilot Project on Enhancement of Complaint Management in Schools (Pilot Project) implemented by the Education Bureau since the past two school years, if the Education Bureau receives complaints lodged by parents or members of the public or referred to it by other organizations relating to the daily operations and internal matters of the schools that have joined the Pilot Project, it will refer such cases to the school concerned for handling after obtaining the complainant's consent. The school concerned will conduct an investigation according to its school-based complaints handling procedures. The Education Bureau will not follow the established practice of replying to the complainant after scrutinizing the complaint investigation report submitted by the school concerned. If the complainant does not agree to referral of his case to the school for handling, the Education Bureau normally will not intervene by conducting an investigation. The Education Bureau may consider conducting direct investigation only if the complaint involves incidents of serious nature or maladministration. At present, more than 350 schools have joined the Pilot Project. Some members of the education
sector have relayed to me that the Education Bureau has, using school-based management as a pretext, shirked its responsibility of overseeing school administration. Also, it will be difficult for a school to investigate impartially into a complaint that involves itself because of role conflicts. In this connection, will the Government inform this Council:

(1) of the number of complaints against schools directly investigated by the Education Bureau in the past two school years, and among them, the number of those involving schools which had joined the Pilot Project, with a breakdown by the number of complaints in which the school was involved; among the complaints directly investigated by the Education Bureau, of the number of those in which the complainants lodged appeals as they were dissatisfied with the investigation results, as well as the details of the appeal mechanism;

(2) whether it has assessed if the arrangement whereby the Education Bureau normally will not intervene by conducting an investigation even though the complainant does not agree to the referral of his case to the school for handling, has deprived the complainant of the right to choose to lodge his complaint with the Education Bureau, and is therefore in breach of procedural justice; and

(3) whether the Education Bureau will ensure that upon completion of the Pilot Project, complaints involving school staff or labour relations will continue to be directly investigated by the Education Bureau under the prevailing mechanism?

SECRETARY FOR EDUCATION (in Cantonese): President, before answering the three parts of the question raised by Mr IP, I would like to highlight that according to the Education Ordinance, the school management committees/incorporated management committees are responsible for the management of schools. All aided schools are required by the Education Bureau through legislation to set up a participatory governance framework involving all key stakeholders, including representatives of school sponsoring body (SSB), the principal, teacher(s), parent(s), alumni and independent community member(s) in making decisions on school policies. The school authority being the employer, should handle all matters relating to the appointment of staff with great care to ensure compliance of the Education Ordinance, relevant provisions of the Codes
of Aid and relevant requirements of the Employment Ordinance, and so on, whereas the Education Bureau will support and monitor schools in accordance with the Education Ordinance, the Codes of Aid and the guidelines issued to schools from time to time as required by the education policies.

Premising on the above framework, the Education Bureau launched the "Pilot Project on Revised School Complaints Handling Arrangements" (renamed as "Pilot Project on Enhancement of Complaint Management in Schools") in the 2012-2013 school year. The Pilot Project aims at helping schools to enhance or set up a clearly defined school-based mechanism to effectively handle school affairs and school-related complaints. Before implementing the Pilot Project, we have widely consulted the school sector and various stakeholders, including the SSBs, school principals' associations, school councils, teachers' associations and federations of parent-teacher associations. Most of these groups are positive to the relevant proposals.

We would first of all clearly define the roles of the Education Bureau and schools participating in the Pilot Project in handling school complaints. In gist, schools should handle complaints relating to daily operations and internal affairs according to their school-based mechanism in order to effectively address the concerns of complainants. In this respect, the pilot schools are required to consult their stakeholders on the setting up of a clear and transparent school-based complaint handling mechanism. To ensure fair and just handling of complaints, the school-based mechanism should include an appeal channel and the requirements of keeping confidentiality, stating clearly the responsible personnel and declaration of interests, and so on. As for complaints relating to the Education Ordinance, education polices and services directly provided by the Education Bureau, they will be handled by the Education Bureau.

When the Education Bureau receives complaints relating to a pilot school, the case will be referred to the school concerned for handling and reply direct to the complainant. The pilot school is required to send a copy of the reply letter to the Education Bureau for reference. If necessary, the Education Bureau may also take appropriate follow-up action. Under special circumstances, for example, the complaint involved maladministration of the incorporated management committees or incidents of grave concern, the Education Bureau will intervene and conduct direct investigation. For non-pilot schools, they are
required to submit responses or reports to the Education Bureau which after examining the school's responses or reports would reply to the complainant. The aim of such arrangement is to help schools enhance their governance in order to address the concerns or enquiries of stakeholders in a timely manner. It should not be construed as shirking or relegating the Education Bureau's responsibilities to schools.

Replies to the three parts of the question are provided below:

(1) In the past two school years, that is, the 2012-2013 and 2013-2014 school years, the Education Bureau respectively received 239 and 179 school-related complaints, amongst which 17 and 38 cases involved schools participating in the Pilot Project. There are respectively only one and eight cases which were directly handled by pilot schools. All the remaining cases were handled by the Education Bureau. Relevant details are provided in the following table:

<table>
<thead>
<tr>
<th>Number of complaint cases involved</th>
<th>2012-2013 school year</th>
<th>2013-2014 school year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total number of school complaints received: 239 (including all types of schools)</td>
<td>Total number of school complaints received: 179 (including all types of schools)</td>
<td></td>
</tr>
<tr>
<td>Number of cases involving pilot schools (Number of pilot schools in bracket)</td>
<td>Number of cases involving pilot schools (Number of pilot schools in bracket)</td>
<td></td>
</tr>
<tr>
<td>Handled by Education Bureau</td>
<td>Handled by school</td>
<td>Handled by Education Bureau</td>
</tr>
<tr>
<td>1-2</td>
<td>8(6)</td>
<td>1(1)</td>
</tr>
<tr>
<td>3-5</td>
<td>8(2)</td>
<td>0</td>
</tr>
<tr>
<td>6 and above</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Sub-total</td>
<td>16(8)</td>
<td>1(1)</td>
</tr>
<tr>
<td>Total</td>
<td>17(9)</td>
<td>38(28)</td>
</tr>
</tbody>
</table>

The Education Bureau has set up the Review Board on School Complaints (Review Board) to be responsible for reviewing
complaint cases involving pilot schools. Members of the Review Board come from the education and non-education sectors. If a complaint is unresolved after going through the investigation and appeal stages of the school, the complainant may request the Review Board to conduct a review on the case. For other complaints handled by the Education Bureau, if the complainant is not satisfied with the investigation result and is able to provide reasonable justifications, we will take follow-up actions such as reviewing the relevant information again and/or re-investigating the case. The complaint information kept by the Education Bureau does not have classification on past appeal cases, but the information system set up for the Pilot Project has already provided classifications on appeal and review cases. According to the relevant information, the Education Bureau has no record of appeal or review cases involving pilot schools in the past two school years.

(2) and (3)

When the Education Bureau receives complaints against schools, the contents of which would involve personal data and privacy, the responsible staff will seek the consent of the complainant to refer the case to the school for follow-up action. If the complainant does not agree to the referral, the Education Bureau will not forward the complaint to the school regardless of whether it is a pilot or non-pilot school. However, depending on the nature and gravity of the case, the Education Bureau would consider referring the case anonymously, for example, concealing the relevant personal data, to the school for follow-up action or conducting a direct investigation by the Bureau. Hence, there should be no issue relating to breach of procedural justice. When complaints lodged by school staff are received, the Education Bureau will take appropriate follow-up actions depending on the nature of the cases.

MR IP KIN-YUEN (in Cantonese): President, after reading the Secretary's main reply, I think the expression to describe it should be: "He has tried to phone it in". My question consists of three parts. The Secretary has given a consolidated reply to parts (2) and (3), but he has not answered part (3) at all. If he is
answering a question in the Certificate of Education Examination, he will not get any marks for this part. Besides, President, I hope you can note that such frequent refusal to answer Members' questions will weaken this Council's ability to monitor the Government's work.

According to the information given in the main reply, after the Pilot Project commenced in the 2012-2013 school year, only one and eight complaint cases were referred to the schools under the Pilot Project for direct handling in each of the past two years respectively. The number of referrals was so small, but the authorities must still make many efforts to compile large quantities of documents and set up the Review Board. The cost-effectiveness of the Pilot Project is extremely low. Does the Education Bureau consider it worthwhile to continue with it?

SECRETARY FOR EDUCATION (in Cantonese): My thanks to the Honourable Member for asking the supplementary question. Just now, I talked about the operation of the Pilot Project in the past two years. Actually, the Education Bureau already conducted two interim reviews, one in 2013 and the other in 2014, in the form of questionnaires and group discussions for stakeholders, that is, pilot schools. The findings showed the very positive responses of most schools to the Pilot Project. I wish to reiterate that the Pilot Project aims to make the entire complaint-handling process as focused and straightforward as possible.

Let me share with Members several findings of the interim reviews. First, over 80% of the respondents considered that the school-based complaint-handling mechanism had helped the schools to reflect on and enhance the existing procedures and promote a positive culture of complaint-handling. Second, more than 90% of the respondents said that the Guidelines for Handling School Complaints and the templates therein prepared by the Education Bureau had provided schools with clear steps and procedures of complaint-handling for their staff members to follow, and the principles of complaint-handling in the guidelines could also provide useful reference. Third, over 90% of the respondents indicated that after the implementation of the Pilot Project, there was no significant increase or change in the number of complaints from parents and members of the public, and there was no obvious increase in the complaint-handling workload of teachers and staff. Fourth, over 90% of the respondents considered that the training courses provided by the Education
Bureau could enhance the complaint-handling knowledge and skills of management staff, teachers and front-line staff; address the problems encountered by staff members in handling complaints; and provide them with opportunities to share experience with other schools as well as organizations in the public and private sectors, thus boosting staff confidence in handling complaints.

President, the findings of the interim reviews show that the implementation of the mechanism is indeed helpful to schools and can enhance their capability and standard of overall governance.

MR IP KIN-YUEN (in Cantonese): President, what the Secretary said just now are the effects of the training programmes, not the Pilot Project itself. My supplementary question is: given the small number of complaint referrals to schools, does the Secretary agree that the cost-effectiveness of the Pilot Project is much too low?

PRESIDENT (in Cantonese): Secretary, do you have anything to add regarding the cost-effectiveness of the Pilot Project?

SECRETARY FOR EDUCATION (in Cantonese): The Pilot Project aims to enhance overall school governance in conjunction with pilot schools. Stakeholders in schools, including school management committee members, SSBs, school leadership, teachers, staff members, parents, and so on, can all participate in the Pilot Project, which provides clear guidelines that they are expected to follow. In this way, the overall culture of complaint-handling can be altered and perfected. This is the major principle.

Second, the number of cases dealt with under the Pilot Project should not be our sole concern because the question of responsibility is also involved. The Education Bureau will continue to shoulder its due responsibility. Meanwhile, with the new Pilot Project, schools can deal with such cases appropriately and quickly, thus enhancing the quality of their handling of individual complaints.

DR HELENA WONG (in Cantonese): President, I understand that the Hong Kong Professional Teachers' Union is against the Pilot Project, and Mr IP's main question is on procedural justice. Some Members may not be quite so familiar
with the Pilot Project. Simply put, under the existing Pilot Project, complaints against schools will be handled by the school-based management committees of the schools concerned. This leads to suspicion of "investigation by peers", and if complaints by teachers, parents or students against the erroneous decisions of principals or school management are to be investigated by the decision-makers themselves, complainants may not be too willing …

PRESIDENT (in Cantonese): Dr WONG, please state your supplementary question.

DR HELENA WONG (in Cantonese): The problem now is that the Education Bureau does not give complainants any choice. A complainant must depend on the school-based management committee to investigate his complaint against the school. He cannot seek the intervention of the Education Bureau directly and let the Bureau decide on the circumstances under which the authorities should intervene …

PRESIDENT (in Cantonese): Dr WONG, please state your supplementary question.

DR HELENA WONG (in Cantonese): My supplementary question is: can the Secretary explain clearly the criteria governing his decision of stepping in to investigate and handle complaints against schools, with particular reference to cases where complainants do not want the school itself to conduct an investigation? If the Education Bureau refuses the complainant's request, where else can he seek assistance?

SECRETARY FOR EDUCATION (in Cantonese): President, I thank the Honourable Member for the question. As I have said clearly in my main reply, the Education Bureau will handle complaints involving the Education Ordinance, education polices and services directly provided by itself.

Second, regarding the suspicion of "investigation by peers" mentioned by the Honourable Member, I must stress that under the spirit of school-based
management, incorporated management committees and school management committees are vested with appropriate powers and functions under the Education Ordinance. For this reason, schools should put in place school-based mechanisms and procedures in conjunction with their SSBs, so as to handle school affairs, including complaints against themselves.

The Pilot Project aims to assist schools in establishing and perfecting their school-based mechanisms and procedures in the direction of greater transparency and clarity. It is hoped that this can ensure the fair, impartial and effective handling of public enquiries and complaints by schools. Schools must either assign a suitable staff member or set up a designated group for the purpose of complaint handling. Depending on actual circumstances, a designated group may comprise the incorporated management committee, the school management committee and the SSB. Independent professionals may also be co-opted, so as to enhance credibility. If the person in charge is related to the complaint, he must make a declaration of interest to the school. Should there be any conflict of interest or roles, the person concerned must stay away from the case. He should not take part in handling the case or have access to any related information.

Furthermore, the investigative stage and appeal stage of a complaint should be handled by two separate groups of people. In principle, the appeal stage of a case should be handled by people in more senior positions or by a different group of people, so as to ensure that the case can be dealt with impartially. For example, complaints against teachers should be handled by panel heads/department heads or assistant principals; complaints against assistant principals should be handled by principals; and complaints against principals should be handled by school supervisors, incorporated management committees, school management committees or even SSBs. Thus, conflict of interest or roles can be avoided and tackled.

If a complainant still refuses to accept the outcome after the involvement of the school or the SSB, he can request the Education Bureau to set up a Review Board comprising independent members for reviewing the case. The Review Board will review whether the handling of the case has followed the due process and whether the outcome is fair and reasonable. The establishment of the Review Board offers the complainant another channel of review and is therefore an enhancement of the mechanism.
MR PAUL TSE (in Cantonese): *It has long been a subject of debate as to whether the various trades and industries should adopt self-regulation or set up a regulatory mechanism with greater credibility and transparency to handle complaints. From the discussions in this Council this year, we see that at least four occupations (including pharmacist, insurance agent and even the tourism trade) are moving as much as possible in the direction of establishing a public body or statutory body for the purpose of regulation or even imposing sanctions.*

However, the implementation of the Pilot Project in schools seems to deviate from the direction our society is following. Can the Secretary explain why there should be such a deviation from the direction society is following?

SECRETARY FOR EDUCATION (in Cantonese): President, I thank the Honourable Member for the supplementary question. At present, primary and secondary schools in Hong Kong number more than 1,000 in total. Different SSBs have different visions of education, and schools all endeavour to provide quality education services according to the requirements of the Education Ordinance, and so on. The Education Ordinance, the Codes of Aid and the Employment Ordinance all set out very clear requirements, thus giving schools a basis for handling complaints. On the other hand, the problems encountered by individuals are different. Some complaints are lodged directly with the Education Bureau and received by me personally. For example, one complainant alleged that the sanitary conditions of a school toilet had remained very poor for the previous three years, so he complained to the Education Bureau. Such complaints are plentiful, and we usually make referrals. Following the commencement of the Pilot Project, people have started to understand the mechanism more clearly. Complainants can now have a basis for lodging complaints, as they know that they can approach and communicate with school authorities directly. We observe that since the implementation of the Pilot Project, schools have shown improvement to their effectiveness and quality of communication. And, the number of complaints received by the Education Bureau has dropped significantly.

IR DR LO WAI-KWOK (in Cantonese): President, it seems that Hong Kong has become a city of complaints. The harmony, forbearance and mutual understanding of Hong Kong people have gradually diminished. Many friends
of mine who are teachers have told me that complaints have made them fearful, and come to exert intangible pressure on them in addition to the heavy workload of teaching.

May I ask the Secretary whether the Pilot Project is implemented on the premise of clarifying misunderstanding and resolving unnecessary confrontation, rather than aggravating conflicts? If yes, how are such aims achieved? I must of course add that complaints based on solid grounds must still be seriously handled under all circumstances.

SECRETARY FOR EDUCATION (in Cantonese): President, I thank the Honourable Member for the supplementary question. What he has said is precisely the objective of the entire Pilot Project. In the past, we received different kinds of complaints from various sources, and we found that the complainants and the people being complained of both held vastly divergent views. The Pilot Project is intended to enhance the overall effectiveness of communication in schools and promote understanding of the mechanism by all parties. We need to do lots of training work and very often, schools also need to provide different kinds of training.

Let me reiterate a couple of important points. Regarding the efficacy of the Pilot Project, 80% to 90% of the schools considered that the Pilot Project had helped schools to reflect on and enhance the existing mechanism, promoted mutual understanding, boosted people's confidence in the system and improved the inter-personal relationship skills of staff members. On the whole, the Pilot Project has helped the schools to enhance their overall governance.

MR IP KIN-YUEN (in Cantonese): President, we notice that since the implementation of the Pilot Project, only a very small number of complaint cases have been referred to the schools. Under this system, the complaints referred to the schools are comparatively simple ones, such as those about routine school operation, and the complaints handled by the Education Bureau involve matters of a more serious nature, such as maladministration or other serious incidents. However, the bulk of the complaints are handled by the Education Bureau. This finding of the survey is out of my expectation. Why is it that the bulk of the complaints which require handling all involve serious incidents, while the number complaints about routine school operation is so small? Is my understanding incorrect? Or, is this really the actual situation?
SECRETARY FOR EDUCATION (in Cantonese): President, I thank the Honourable Member for asking the question. If Members look at the table provided by us, they will see that in 2012-2013, there was a total of 239 school complaints, involving nine pilot schools; and in 2013-2014, there was a total of 179 school complaints, involving 28 pilot schools. The majority of these complaints were handled by the Education Bureau. This shows that very often, the schools had already handled some school-based complaints. Therefore, in my opinion, the figures show that the Pilot Project has helped to enhance the complaint-handling process.

PRESIDENT (in Cantonese): This Council has spent more than 23 minutes 30 seconds on this question. Fourth question.

Implementation of Native-speaking English Teacher Scheme in Primary Schools

4. MR MICHAEL TIEN (in Cantonese): President, since the 2002-2003 school year, the Education Bureau has implemented the Native-speaking English Teacher (NET) Scheme to provide each eligible primary school with a NET. One of the objectives of the Scheme is to provide an authentic environment for students to learn English. However, at a meeting of the Panel on Education of this Council held last month, the Secretary for Education advised that the main duty of NETs is to act as resource teachers in order to provide support and exchange opportunities for local English teachers, instead of teaching in classrooms. In this connection, will the Government inform this Council:

(1) given that the Territory-wide System Assessment Reports have indicated that the Basic Competency attainment rate (attainment rate) of Primary Three students in English Language increased by just 4.4% over the past decade, while the attainment rate of Primary Six students in roughly the same period increased merely by 1.9%, whether the authorities have assessed the effectiveness of the NET Scheme in improving students' basic competency in English Language, and whether such effectiveness was reflected in the attainment rates concerned; if it was reflected, whether it is evident from the insignificant increases in the attainment rates concerned that the NET Scheme is ineffective; if the NET Scheme is not ineffective, of the justifications for that;
(2) whether it has assessed if the NET Scheme can provide students with an authentic and comprehensive environment to learn English given that each school has only one NET whose main duty is to act as a resource teacher; if the assessment outcome is in the affirmative, of the justifications for that; if the assessment outcome is in the negative, whether the authorities have specific plans to increase the number of NETs in each primary school, and to require that all Primary One English lessons be taught solely by NETs, so as to provide students with a comprehensive environment for learning English; if they have such plans, of the implementation timetable; and

(3) whether it knows the respective numbers of NETs who completed their agreements and those who departed from service prematurely, in each of the past five years, as well as the reasons for their departure?

SECRETARY FOR EDUCATION (in Cantonese): President, our reply to the three questions raised by Mr TIEN is as follows:

(1) As regards the evaluation of the impact of the NET Scheme in Primary Schools (PNET Scheme), the Education Bureau commissioned the University of Melbourne to conduct a three-year territory-wide longitudinal study during the period between 2004 and 2006. The Evaluation Report indicated that NETs were generally more involved in teaching at P1 and P2 and, as reflected in the assessment of students' language proficiency in the study, there was a noticeable improvement achieved over time, especially at P1 and P2.

In the 2013-2014 school year the Education Bureau conducted a territory-wide survey to learn about the views of public sector primary schools on the PNET Scheme. The findings indicated that about 90% of the schools considered that English lessons co-taught by the NET and a local English teacher could enrich students' language exposure and development.

While expecting our students to be making continuous improvement, we should also show recognition of the good effort made by different
stakeholders, including school leaders, teachers, parents and students themselves. The implementation of the NET Scheme is not the only contributing factor to student performance in the Territory-wide System Assessment. To keep enhancing students' interest in, and the effectiveness of, their English learning, we commit ourselves to various areas of work, including the improvement of the curriculum design, the betterment of the learning environment, the promotion of effective learning and teaching strategies, the strengthening of our support for low achievers and the development of teachers' professional learning communities.

(2) I need to emphasize that the prime role of NETs is to serve as a resource teacher. As far as classroom teaching is concerned, direct teaching of students makes an important part of NETs' professional exchange with local English teachers. It is our expectation that NETs collaborate with local English teachers to develop and implement the school-based curriculum. Among their major duties, NETs co-teach with local teachers to provide an authentic and interactive language learning environment and to strengthen support for students with diverse needs. They also design and conduct English co-curricular activities, such as drama, story-telling and debating, to provide a language-rich environment, and to arouse and enhance students' interest in English learning. Aligned with the Scheme objectives, NETs' other duties include supporting local English teachers' professional development. Through collaboration, they help develop innovative learning and teaching strategies and design diversified learning materials and activities to implement the school-based English Language curriculum.

The territory-wide longitudinal study conducted by the University of Melbourne indicates that the abovementioned professional collaboration was the key to the effectiveness of the PNET Scheme. In the Evaluation Report, it is pointed out that apart from enhancing students' exposure to English inside and outside the classroom, the implementation of the Scheme also contributed to a conducive environment that enabled local English teachers to use English more effectively for daily exchange and collaboration, which in turn supported their professional development.
At this stage the Education Bureau has no plans to increase the number of NETs for each primary school. A preliminary discussion of the suggestion was recently conducted in the Standing Committee on Language Education and Research, and it was proposed that further attempts be made to explore how to make the best possible use of the existing resources. The Education Bureau has also commissioned experts and academics to conduct another evaluation study of the PNET Scheme in the latter half of the current school year. We will make reference to the evaluation findings and recommendations and set plans for the future development of the Scheme.

With respect to the assignment of teaching duties, if each school were to deploy their NET only to teach all P1 classes by himself or herself, it would result in much fewer opportunities for the NET to collaborate with local English teachers. According to the territory-wide survey conducted by the Education Bureau in the 2013-2014 school year, only one school indicated that the NET should be deployed to teach only P1 classes. The majority of the school respondents considered that the NET should teach at different year levels, especially in Key Stage 1. Should NETs be deployed to teach at P1 only, such an arrangement would impact negatively on their understanding of the development of the local English Language curriculum and hence affect the quality of the collaborative work and professional development activities they conduct with and for local English teachers.

Apart from implementing the NET Scheme, the Education Bureau uses a range of support measures and resources, including the provision of curriculum leadership courses and teachers' professional development programmes, school-based support services, learning and teaching resources, and the use of the Language Fund to establish a Task Force of teaching consultants to build regional supporting networks to enhance learning and teaching effectiveness.

(3) In the past five school years (that is, from 2009-2010 school year to 2013-2014 school year), there were 200-plus NETs in primary schools who completed their contracts and roughly between eight and 17 NETs who had an early termination of their contracts
annually. I must emphasize that the "completion of contract" referred to herein may mean the teacher's renewing contract or taking up a teaching post in another school, and not necessarily departing from Hong Kong. We are merely making updates in the light of the renewal of each contract which normally lasts for two years.

<table>
<thead>
<tr>
<th>School year</th>
<th>Number of NETs in Primary Schools</th>
<th>Completion of Contract Note</th>
<th>Early Termination of Contract</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009-2010</td>
<td>227</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>2010-2011</td>
<td>250</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>2011-2012</td>
<td>215</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>2012-2013</td>
<td>243</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>2013-2014</td>
<td>218</td>
<td>17</td>
<td></td>
</tr>
</tbody>
</table>

Note:

The period of each contract for a NET is usually of two years.

The reasons for the NETs to leave their jobs are personal data reported on a voluntary basis. According to the information captured by the Education Bureau, there are many reasons for them to leave the jobs, including such personal considerations as returning to their home countries, taking up a teaching post in another school, health and family issues, and so on.

**MR MICHAEL TIEN** (in Cantonese): President, parents nowadays all fear that their children may lose at the starting line. In his reply, the Secretary says that some P1 students can receive the instruction of NETs, but some cannot. What explanation can the Secretary offer to the parents of the primary school students who cannot receive the instruction of NETs? Is the Secretary in effect encouraging them to turn themselves into "monster parents" who always search far and wide for English tuition classes for their children?

President, my own computation shows that a NET generally teaches no more than 15 classes of students from three grades for mainly 17 hours per week, which means that on average, each class is taught by a NET for one hour per
week. This is only one fifth of the weekly five-hour total of English classes. However, the Secretary tells me that this can help achieve the primary objective of the Scheme, that is, to provide students with an authentic and comprehensive environment to learn English. Does the Secretary think that we can be coaxed like small children? Secretary, simply by enabling each primary school to employ one more NET with sole responsibility for teaching all P1 students in the school, the remaining four fifths of weekly teaching hours per class can already be taken up by a NET. This can truly enable all P1 students …

PRESIDENT (in Cantonese): Mr TIEN, what is your supplementary question?

MR MICHAEL TIEN (in Cantonese): … to fully immerse in an English environment. President, only an additional expenditure of some $200 million will be incurred each year …

PRESIDENT (in Cantonese): Mr TIEN, please state your supplementary question.

MR MICHAEL TIEN (in Cantonese): The amount involved is not very large. Why does the Government refuse to do so?

SECRETARY FOR EDUCATION (in Cantonese): President, the supplementary question raised by the Honourable Member is a very good one. As I emphasize in my main reply, the whole endeavour of English teaching needs the collective contribution of many stakeholders and participants, rather than the individual efforts of one or two persons. In many cases, co-teaching by NETs and other teachers of the schools will yield much greater effectiveness and efficiency. The language environment that can be created by one person is limited, but resource teachers can make impact on teachers of other grades and work out joint arrangements with them regarding language environment. One example is the creation a richer English environment through drama, story-telling and other exchanges. In addition, NETs involved in the provision of co-teaching can also arrange exchanges with other schools, including international schools. They can also advise on how to enhance the use of English as a language of daily-life communication.
I would like to emphasize once again that throughout the whole process of implementation, we have received a lot of positive feedback. But this does not mean that we have completed all the tasks we should perform. We will continue to listen to the views from various sectors on this new initiative. Hence, as I have indicated just now, we will conduct a comprehensive review at the end of this year to re-examine the efficacy of the Scheme.

PRESIDENT (in Cantonese): Has your supplementary question not been answered?

MR MICHAEL TIEN (in Cantonese): President, from what you have heard, do you think the Secretary has answered my supplementary question?

PRESIDENT (in Cantonese): Please state your supplementary question again. Maybe, your speech just now was too long, so the Secretary cannot grasp the gist of your question. Please repeat your supplementary question.

MR MICHAEL TIEN (in Cantonese): I am sorry. Verbosity has always been my problem. Let me try to be concise. Which is the reason for the Government's unwillingness to increase the number of NETs: shortage of money, or the ineffectiveness NETs? I have not heard any answer from the Secretary.

SECRETARY FOR EDUCATION (in Cantonese): President, as I have said just now, this is not only a question of money but also a question involving the whole teaching environment. Language learning should need the collaboration of NETs and local English teachers, with every teacher making his own contribution and creating a language environment within his teaching portfolio to expose students to the various aspects of the language. As I have just mentioned, a mere increase of one NET to teach one or two classes of students will not be of any great use. Rather, if the overall culture of collaboration between NETS and local English teachers can be made to bear effects, the impact may be greater.
MS CLAUDIA MO (in Cantonese): President, the Secretary does not dare to
tell us whether the Scheme is effective. Frankly, it is not very effective. The
Secretary skips the question of money, but we must note that the annual
expenditure of the Scheme has increased from $600 million to around
$800 million at present, and the number of NETs who quit before expiry of
agreements in the preceding school year, as pointed out in the Secretary's reply
just now, was the highest in five years. My supplementary question is as
follows. The Secretary says that 90% of the schools consider the Scheme very
desirable. But such comments are largely meaningless. If you treat me to a
meal and ask me about the quality of the food, I will surely say that the food is
okay out of courtesy.

PRESIDENT (in Cantonese): Please state your supplementary question.

MS CLAUDIA MO (in Cantonese): The reply of the Secretary mentions that
90% of the schools consider the Scheme effective. In what ways is it effective,
may I ask? Well, his answer is that it enables children to increase their
exposure to English and have greater development in the future. Honestly, I
would think that watching English television programmes can also give students
exposure to English. My supplementary question is as follows. While
Mr Michael TIEN asks for more NETs, I on the contrary request the Government
to reduce the number of NETs step by step. But I am not asking for an
immediate and total abolition of all NET posts. And, I advocate that at least
half of the resources so saved in the process should be used for providing training
to the best among local teachers of English.

PRESIDENT (in Cantonese): Secretary, do you agree to this proposal?

SECRETARY FOR EDUCATION (in Cantonese): President, thanks to the
Honourable Member for the proposal. Throughout the whole process, the
existing arrangement has been able to achieve our objective of creating a good
learning environment. Let me emphasize once again that the Scheme has not
attained perfection, and there is still room for progress and improvement. The
primary role of NETs is to act as resource teachers, but they will also participate in some teaching activities. They collaborate with other teachers and promote English language courses in various ways. As for individual resource …

(Ms Claudia MO stood up)

PRESIDENT (in Cantonese): Ms MO, please allow the Secretary to give his reply first.

MS CLAUDIA MO (in Cantonese): Can he stop giving such a stock reply? Is he going to increase or reduce …

PRESIDENT (in Cantonese): Ms MO, you are contravening the Rules of Procedure.

MS CLAUDIA MO (in Cantonese): … Will the Secretary consider the idea?

PRESIDENT (in Cantonese): Please sit down and allow the Secretary to give his reply before you raise a further question.

SECRETARY FOR EDUCATION (in Cantonese): The Honourable Member has mentioned a very important point, the point of how to optimize the use of existing resources. I believe this is part of her supplementary question. As I mention in the various parts of my main reply, efforts in this regard include the further attempts of the Standing Committee on Language Education and Research to explore how to optimize the use of resources, enhance teachers' skills of course design, and make our pedagogical models more advanced, diversified and modern through a wider application of information technology.

PRESIDENT (in Cantonese): The Honourable Member wants to know whether the Government will consider the idea of reducing the number of NETs step by step. Will the Secretary give a reply to this question?
SECRETARY FOR EDUCATION (in Cantonese): At present, each school has one NET. This arrangement can best enable NETs to make their contribution in co-teaching activities. I therefore do not see any need to reduce the number of NETs step by step.

MR MARTIN LIAO (in Cantonese): President, according to the Secretary's reply, NETs play the role of resource teachers, and instead of engaging in any classroom teaching, they mainly provide support to other English teachers. But as I have been told, it looks like NETs and local teachers often work entirely separately in many cases. This is particularly the case with primary schools, where NETs are usually responsible for oral English sessions and extracurricular activities and are unable to fit into the teaching programmes of local teachers. May I ask whether the authorities have any specific methods or measures to effectively consolidate the collaboration between NETs and local English teachers, so that they can work as a more integrated whole to really brush up students' levels of basic English?

SECRETARY FOR EDUCATION (in Cantonese): President, thanks to the Honourable Member for asking this important question. Past experience tells us that NETs do need to integrate culturally with local English teachers during their initial days in Hong Kong, and this was especially the case in the early years of the Scheme. The Scheme has been in place for many years, and the collaboration of the two sides has come to be recognized as an important issue. At the commencement of every new school term, schools will pay special attention to the integration of NETs with local English teachers and their mutual acquaintance, so that all of them can become part of the school communities, thus fostering the culture of a collaborative environment. This is an important and major pre-condition.

President, I would like to add one point here. Classrooms are not the only places where NETs can teach English. If Members have any opportunity to visit schools for fact-finding, they will realize that the use of English by teachers and students as the medium of communication in drama-related activities will yield greater effectiveness. Drama-related activities can enable teachers to reach students from different classes and grades, and can also add diversity to students' learning environment, making it less unitary in nature.
MS STARRY LEE (in Cantonese): President, there is one NET for each school, but how much can the NET contribute to enhancing the overall English standard of all the students in a school? Many people are skeptical, and it is on the other hand very difficult to make any assessment. As mentioned by many Members just now, NETs and local teachers work separately on their own, and this problem has been raised many times in the Panel on Education. I wish to ask the Secretary one question. He has repeatedly remarked that the Scheme has achieved the desired effect, and the Government will conduct assessment. What is the objective yardstick that has led the Government to conclude that the Scheme has achieved the objective? Besides, in the upcoming assessment, what kinds of objective statistics will the Government put forward in order to convince Members and the public that the Scheme can achieve the desired effect?

SECRETARY FOR EDUCATION (in Cantonese): Thanks to the Honourable Member for asking her question. I have mentioned three large-scale reviews, including a study conducted by Australian professors and another study in which a local university participated at our invitation. The responses of schools and teachers showed their view that the Scheme could build a collaborative environment which would help students expose themselves to English, improve the modes of learning, and bring forth diversified exposure and opportunities for innovation. Another point is that concerning the implementation of the Scheme, the conduct of one single study cannot possibly enable us to assert that it will remain successful forever. For this reason, President, as I said just now, we will conduct another large-scale study at the end of this year, with a view to assessing the latest expectations, developments and new problems, and exploring how best to carry on our efforts to enhance the teaching and learning of English. To sum up, we must keep abreast of the times throughout the entire process. We never think that the existing Scheme is already perfect, with no need for any changes and improvement.

PRESIDENT (in Cantonese): Has your supplementary question not been answered?

MS STARRY LEE (in Cantonese): The Secretary has not answered my supplementary question. I have listened to his reply just now, and I note that he has only one indicator in mind, that is, whether the existing NETs can be of any
help to students' learning. Does he mean that if the answer is yes, the Scheme must then be effective? Or, will the Government adopt any other indicators that are more objective in the upcoming review, ones that can measure the cost-effectiveness of the Scheme more proportionately?

PRESIDENT (in Cantonese): Secretary, do you have anything to add?

SECRETARY FOR EDUCATION (in Cantonese): If Members are interested, I will later provide them with the outline of the study for their reference. Meantime, let me give some of the information here. We invited the Baptist University to conduct a territory-wide online survey on the deployment of NETs in primary schools in the 2013-2014 school year, and some of the statistics we obtained are as follows. First, as far as item 6(c) is concerned, 88% of the schools agreed that English lessons co-taught by NETs and local English teachers could give students greater exposure to English and more opportunities for developing their competence in English. A scheme of one mark to six marks was adopted to reflect the schools' degrees of agreement (The one-mark option stands for "strongly disagree" and the six-mark option denotes "strongly agree"). The rating given by the schools was 5.27 marks. This was a very positive response. Second, over 80% of the schools agreed that every local English teacher should have the opportunity to collaborate with NETs in areas such as co-planning of lesson, co-teaching and the organizing of co-curricular activities. There are lots of other relevant information. If Members are interested, I will provide additional information. (Appendix I)

PRESIDENT (in Cantonese): We have spent more than 22 minutes on this question. Fifth question.

Manipulation of Stock Prices by Dissemination of False Price-sensitive Information

5. MR KENNETH LEUNG (in Cantonese): President, it has been reported that in recent years, there have been a number of cases involving suspected dissemination of false information about companies listed in Hong Kong through the Internet and Mainland media, triggering substantial fluctuations in the stock
prices of such companies over a short period of time. Some members of the securities industry have pointed out that these incidents have aroused concern among investors that some people have made use of channels such as the Internet to disseminate false price sensitive information in an attempt to manipulate stock prices. In this connection, will the Government inform this Council:

(1) of the measures currently put in place by the authorities for monitoring the circulation of price sensitive information on the Internet, including whether they have taken the initiative to conduct patrols; if they have conducted patrols, of the government departments and regulatory bodies responsible for this and the manpower involved; the number of cases involving dissemination of false price sensitive information uncovered by the authorities in each of the past five years and, among such cases, the number of those in which the information was disseminated outside Hong Kong; the number of cases in which the authorities instituted prosecutions against the persons concerned and the number of convictions among such cases, with a breakdown by the offence involved; the differences between the cases involving the dissemination of such information within Hong Kong and those outside Hong Kong in terms of handling procedure and law enforcement;

(2) of the mechanism currently put in place by the authorities for handling complaints about the dissemination of false price sensitive information by making use of the Internet; the number of such complaints received by the authorities in each of the past five years and, among such cases, the respective numbers of cases found to be substantiated and those involved the dissemination of information outside Hong Kong; the number of cases in which the authorities instituted prosecutions against the persons concerned and the number of convictions among such cases, with a breakdown by the offence involved; and

(3) whether any mechanism is currently in place for monitoring the coverage of price sensitive information about Hong Kong-listed companies by the local and Mainland media, so as to ensure the fair operation of the securities market and safeguard the interests of investors; if such monitoring mechanism is in place, of the details; whether the authorities will, in view of the implementation of the
Shanghai-Hong Kong Stock Connect (Stock Connect), conduct a review afresh to see if such monitoring mechanism can serve its due functions under the new investment environment?

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President,

(1) and (2)

The current regulations and procedures in Hong Kong can effectively tackle false markets and uneven dissemination of information.

The Hong Kong Exchanges and Clearing Limited is the front-line regulator of Hong Kong listed companies. The Stock Exchange of Hong Kong (SEHK) closely monitors stock price movements of issuers listed in Hong Kong, as well as popular websites on financial news. If there are unusual movements in the price or trading volume of a stock which may be caused by uneven dissemination of or leaks in price sensitive information in the market, or if there are deliberate market manipulation activities, the SEHK will suspend trading of the stock. The purpose of a suspension is to ensure a fair and orderly market. In such circumstances where there appear to have been rumours creating a false market, the listed issuers shall issue clarification announcement.

Part XIVA of the Securities and Futures Ordinance (SFO) sets out the continuous disclosure obligations of listed companies. Listed companies must announce to the market any price sensitive information as soon as reasonably practicable. The jurisdiction of the Market Misconduct Tribunal (MMT) covers cases involving infringement of the statutory disclosure requirements.

In addition, pursuant to sections 277 and 298 of the SFO, it can be market misconduct and criminal offence to disclose false or misleading information to the public to induce securities transactions in Hong Kong, irrespective of the location of the person who
disseminates such information. The maximum criminal penalties on conviction on indictment are a fine of $10 million and imprisonment for 10 years.

For market misconduct proceedings, the MMT can impose a number of orders against a person engaged in market misconduct activities, including disqualification order, cold shoulder order, cease and desist order, disgorgement order and costs order. Under Part XIVA of the SFO, the MMT may also impose a maximum regulatory fine of $8 million.

In addition to criminal and civil sanctions, if any investors suffer losses as a result of the false or misleading information, the Securities and Futures Commission (SFC) may apply to the Court of First Instance for remedial orders against the person who disseminated such information, pursuant to section 213 of the SFO.

Both the MMT and the Court of First Instance can make orders against defendants outside Hong Kong.

The SFC maintains ongoing surveillance over any abnormal movements in the Hong Kong stock market and the possible causes of such movements, including information disseminated through different media.

The SFC publishes in its annual and quarterly reports the statistics on complaints and law-enforcement actions. However, the statistics are not compiled in the manner described in the question. According to the SFC, while there were a number of cases where Hong Kong persons disseminating false information in Hong Kong were prosecuted and convicted, there have been no prosecution cases brought against persons outside Hong Kong for dissemination of false information in Hong Kong.

Meanwhile, investors are advised to do their homework and gather sufficient and credible information before making investment. They should refrain from following the herd or trading on rumours. More relevant information is available on the website of the Investor Education Centre.
(3) As mentioned above, the current regulations and procedures in Hong Kong can effectively tackle false markets and unequal dissemination of information. The regulatory regimes are constantly under review by the regulatory authorities.

Under the Stock Connect, in October 2014, the SFC and the China Securities Regulatory Commission (CSRC) entered into a Memorandum of Understanding (MoU) on strengthening cross-boundary regulation and law enforcement. The MoU provides that the SFC and the CSRC will:

- provide for the sharing of information and data on risks and alerts about potential or suspected misconduct in either the Hong Kong stock market or the Shanghai stock market under Stock Connect;

- make a commitment and draw up procedures for joint investigations;

- ensure complementary law-enforcement actions can be taken where there is misconduct in both jurisdictions; and

- ensure that law-enforcement actions in both jurisdictions will protect the investing public of both the Mainland and Hong Kong, including necessary actions arising from the provision of financial redress or compensation to affected investors.

We believe that the above arrangements can facilitate the implementation of Stock Connect.

MR KENNETH LEUNG (in Cantonese): President, the Secretary states in part (3) of his main reply that the MoU under Stock Connect is an agreement on enhancing law-enforcement co-operation. If a person disseminates false information on the Mainland, may I ask what specific actions the authorities will take in order to enforce sections 277 and 298 of the SFO? If the case is confirmed, how will the authorities bring the suspect back to Hong Kong for indictment through extradition?
SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): Let me first explain that the SFC is one of the signatories to the Multilateral Memorandum of Understanding of the International Organization of Securities Commissions, and our law-enforcement co-operation with other signatories (including the CSRC) has been good. Many cases can in fact show that our co-operation with the CSRC in information exchange and law enforcement has achieved very good results.

Let me give an example. This of course happened before the launch of Stock Connect. In June 2012, the SFC successfully applied to the Court for issuing an order to a Hong Kong listed company operating business on the Mainland — Hontex International Holdings Company (Hontex). Hontex was ordered to spend more than $1 billion on buying back shares from more than 7,000 people affected by its misleading prospectus.

Without the full support of the CSRC at that time, it could not have been possible to achieve any results. The MoU under Stock Connect also strengthens the law-enforcement co-operation arrangements between the two places. I believe this would further improve the law-enforcement co-operation between the two places.

MR KENNETH LEUNG (in Cantonese): The Secretary has not answered my question. My supplementary question is simple. Is it correct to say that if a Mainland person disseminates false information on the Mainland and he is not associated with any organizations or persons in Hong Kong, it will be impossible to execute the prosecution arrangements under the SFO? Is my interpretation correct?

PRESIDENT (in Cantonese): Secretary, is this interpretation correct?

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): This interpretation is ... What I said in my reply just now is that the law-enforcement agencies in the two places need to co-operate with one another. The example I have given can prove that through the co-operation of the CSRC and the SFC, we are able to take various law-enforcement actions to deal with the
disclosure of insider information which I have mentioned, or acts of suspected market manipulation. The MoU under Stock Connect also strengthens co-operation in this regard.

MR CHARLES PETER MOK (in Cantonese): President, Mr Kenneth LEUNG asks in part (1) of the main question whether the authorities have taken the initiative to conduct patrols on the Internet to monitor price sensitive information or false information in circulation.

    I think such issues are very sensitive, and I do not know what ideas Mr LEUNG actually has in mind. But I think conducting patrols on the Internet is a very sensitive issue. Mr LEUNG has asked the Secretary to name the government departments and regulatory bodies responsible and the manpower involved if patrols have been conducted. I have listened to the Secretary's reply, and I do not think that he has given any affirmative answer. Shall we give the Secretary another chance, so that he can give an affirmative and direct reply on whether there have been any Internet patrols?

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): I thank the Honourable Member for his question. As mentioned in my main reply, the SEHK is the front-line regulator. It closely monitors the stock price movements of issuers listed in Hong Kong and also popular websites. Such is the SEHK's area of monitoring. So, the SEHK is responsible for front-line work. Naturally, under its terms of reference, the SFC will also discharge other duties and keep watch on activities such as market manipulation.

MR CHARLES PETER MOK (in Cantonese): President, does the Secretary's answer mean that there are patrols? But the Secretary has not answered the part about manpower; can he provide the relevant information?

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): Has the Member asked about manpower? Sorry, I have not heard him clearly.
PRESIDENT (in Cantonese): The Member's question is about the manpower for conducting patrols.

MR CHARLES PETER MOK (in Cantonese): The manpower issue is part of the main question.

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): I do not have such information.

IR DR LO WAI-KWOK (in Cantonese): President, my supplementary question is very simple. May I ask the Secretary whether he has noticed any dissemination of false information on the Internet intended for making gains in the stock market since the outbreak of Occupy Central?

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President, I do not have any such information at hand.

PRESIDENT (in Cantonese): Last oral question.

(Ms Starry LEE indicated a wish to ask)

PRESIDENT (in Cantonese): Ms Starry LEE.

MS STARRY LEE (in Cantonese): President, the Secretary has talked about some investigations and cases before the launch of Stock Connect. At that time, Stock Connect was not yet launched. Following the launch of Stock Connect, people are very concerned as to whether the MoU can really safeguard the interests of minority shareholders.

Suppose some minority shareholders rely on information disseminated from outside the territory, but they later suspect that the information is false, how can the MoU give them protection? Is it possible to directly request the SFC and the CSRC to enforce the law? Is there any law-enforcement threshold?
SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President, let me introduce the new mechanism, that is, the complaint mechanism under Stock Connect. The CSRC and the SFC has formulated an arrangement for handling and referring investors' complaints concerning Stock Connect. Under this arrangement, complaints lodged by Hong Kong investors investing in the Mainland market under Stock Connect will receive the same treatment accorded to complaints lodged by Mainland investors. Stock Connect investors can lodge complaints directly with the CSRC, the Shanghai Stock Exchange, the listed companies concerned and the stock trading and settlement service providers under Stock Connect.

According to the territorial monitoring principle under the arrangement, the complaints of Mainland and Hong Kong investors within the span of control of the CSRC will be given unified treatment according to the relevant rules and regulations of the Mainland. Hong Kong investors can also lodge complaints with the SFC. Upon receipt of a complaint, the SFC would refer it to the CSRC for handling. After the CSRC has handled the complaint, it will reply directly to the complainant and the reply will be forwarded to the SFC.

MR YIU SI-WING (in Cantonese): President, just now, you said that we would start dealing with the last oral question. I intend to speak on the last oral question.

IR DR LO WAI-KWOK (in Cantonese): President, there are many different kinds of stocks news on the Internet. In recent years, many overseas short-selling institutions will publish research reports and issue short-selling reports on certain companies. They often set the target price at zero, thus causing panic selling by investors. Such institutions are then able to make gains through short-selling. Of course, if a company really has problems, it must face long-term suspension of listing or even liquidation. Although some companies can resume listing afterwards, their stocks prices will drop very substantially, thus causing huge losses to investors.

May I ask the Government and the authorities concerned whether they have investigated any such short-selling institutions in recent years? Have any such institutions involved in market manipulation, with the result that they must be dealt with under the laws of Hong Kong?
SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President, I am afraid I cannot comment on any individual cases here. The SFC often investigates cases involving the suspected creation of false market, but I cannot answer a question about individual cases or situations.

IR DR LO WAI-KWOK (in Cantonese): President, my question is not about individual cases. This improper short-selling practice seems to exist in the market.

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President, I would like to give a general reply … In fact, I have just outlined the framework under which the SFC is responsible for continuously enforcing the law and monitoring the market. They will watch whether there are any cases of disseminating false information and creating a false market. This is their regular duty. However, I cannot provide Members with any information on individual cases.

MR DENNIS KWOK (in Cantonese): President, my supplementary question is: is there a need to study whether the SFO should give the SFC more powers to deal with cross-boundary speculative activities involving the dissemination of false news? If there is such a need, should our study follow the direction of empowering SFC to investigate cross-boundary cases?

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President, the SFO of Hong Kong provides that any person who contravenes the SFO will be subject to its regulation irrespective of whether the person is in Hong Kong or overseas. As for how to enforce the law across borders, different jurisdictions around the world enforce the law through international agreements, that is, an international MoU. This is a conventional practice that has been adopted over the years, especially in the last few years. IOSCO, an international organization, has continuously enhanced and deepened regulation under the international MoU. On issues of concern to Members such as the co-operation between Mainland China and Hong Kong, there are a lot of past cases where results were achieved under the international MoU. In
addition, co-operation in this respect is given special enhancement under Stock Connect. I believe this is an effective way to deal with cross-boundary law enforcement.

**PRESIDENT** (in Cantonese): Last oral question.

**Hong Kong Residents Being Refused Entry by Immigration Authorities of Other Jurisdictions**

6. **DR KENNETH CHAN** (in Cantonese): *It has been reported that earlier on, a number of members of student bodies as well as members of the public who openly supported the occupation movement were refused entry by Mainland border officials when heading for the Mainland, and the Hong Kong and Macao Residents Entry and Exit Permits (commonly known as "home return cards") held by some of them had even been cancelled. A crew member on duty on a plane of a local airline company to Shanghai was also refused entry upon arrival. Moreover, a Hong Kong journalist was refused entry when he visited the Philippines last month as a tourist, and he thus realized that a number of Hong Kong journalists had been put on a blacklist for entry restriction by the Philippine Government. Regarding Hong Kong residents being refused entry by the immigration authorities of other jurisdictions, will the Government inform this Council:

(1) whether the Government has received, since the start of the occupation movement, any request for assistance from members of the public because they had been refused entry or their home return cards had been cancelled by the Mainland authorities; if it has, of the number and nature of such cases, and whether the Government has taken any follow-up action; if it has taken follow-up actions, of the latest progress;

(2) of the details of the follow-up actions taken by the authorities in respect of the aforesaid incident of a Hong Kong journalist being refused entry by the Philippine authorities; and
(3) whether the Government provided any information on Hong Kong residents to the immigration authorities of other jurisdictions in the past three years; if it did, of the reasons, principles and justifications for providing such information, the number of Hong Kong residents involved, and the number of Hong Kong residents who were refused entry by the relevant countries or places as a result?

SECRETARY FOR SECURITY (in Cantonese): President, the Government of the Hong Kong Special Administrative Region (HKSAR) attaches importance to the legal rights of Hong Kong residents outside Hong Kong, and will provide practical assistance as necessary. According to international practice, immigration authorities around the world will examine and process the entry of foreigners in accordance with their local laws and prevailing circumstances. We must respect the right of other jurisdictions in exercising immigration control and making decisions in accordance with their laws. We will not, and should not, interfere.

Similarly, Hong Kong and the Mainland have all along maintained respective immigration policies and systems. Immigration authorities of the two places implement immigration policies in accordance with their respective laws. The Mainland authorities respect the HKSAR Government in implementing our immigration policy according to our laws and we should also respect the Mainland authorities in carrying out their immigration policy according to their laws. In this respect, we also will not interfere.

Our reply to the questions raised by Dr CHAN is as follows:

(1) Since the occupying incident, the Security Bureau or Immigration Department (ImmD) have not received any request for assistance from residents for being refused entry by the Mainland authorities or having their Mainland Travel Permit for Hong Kong and Macau Residents cancelled.

(2) Regarding the incident of a Hong Kong journalist being refused entry into the Philippines, the Philippine authorities confirmed the media reports that nine Hong Kong journalists would be refused entry and would not be allowed to enter the Philippines to cover the 2015 Asia-Pacific Economic Cooperation Summit. The HKSAR
Government had received requests from the concerned media organizations, the Hong Kong Journalists Association and Legislative Council Member, and so on, to follow up the matter with the Philippine authorities. The HKSAR Government therefore immediately contacted the person concerned via the Assistance to Hong Kong Residents Unit of the ImmD to understand the specific circumstances. We had also liaised with the Office of the Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in the HKSAR Government and met the Consul General of the Philippines to express the views and demands of the concerned organizations and persons regarding the incident. At the meeting, the Consul General of the Philippines undertook to take follow-up action. Thereafter, the Consulate General of the Philippines confirmed that the Philippine immigration authorities had lifted the entry ban on the nine concerned Hong Kong journalists.

(3) Our local law-enforcement agencies and law-enforcement agencies elsewhere have all along maintained close liaison and co-operation in the combat against cross-border criminal activities. It is of paramount importance to conduct intelligence and professional exchanges on issues such as organized crimes, triads, drugs, commercial crimes, technology crimes, smuggling, using counterfeit travel documents and bogus marriages, and so on, for the purpose of preventing and combating crimes together. We do not have the number of Hong Kong residents involved in joint combat actions against cross-border criminal activities. Furthermore, for Hong Kong residents who encounter difficulties or emergencies such as accidents or loss of identity documents outside Hong Kong, the ImmD will, subject to their written consent and the actual circumstances and needs, confirm the identities of the Hong Kong residents with the relevant authorities. Practical assistance such as timely processing of travel documents may then be rendered to facilitate their return to Hong Kong.

As mentioned above, immigration authorities around the world will examine and decide whether to grant entry to foreigners in accordance with their local laws and prevailing circumstances. Hong Kong residents who have been refused entry outside Hong Kong are not obliged to, and would not, report the matter to the
HKSAR Government. Separately, according to international practice, immigration authorities will not usually comment on the reason and decision of individual case in detail. We therefore do not have the number of, and information on reasons for, Hong Kong residents being refused entry by other jurisdictions.

**DR KENNETH CHAN** (in Cantonese): *My main question asks the Secretary whether the HKSAR Government will provide any assistance when Hong Kong residents face hindrances in immigration clearance in other jurisdictions.

President, the Secretary's main reply sounds interesting. We can see that in the case involving entry into the Philippines, the authorities were very proactive. They not only approached the Ministry of Foreign Affairs but also met with the Philippine Consulate General in Hong Kong. The issue has now been settled and journalists are now free to enter and leave the Philippines with the lifting of the entry ban. However, when facing the Mainland, the Secretary is very passive rather than proactive. He simply sat there timidly, indicating clearly that the HKSAR Government would not intervene. How can we count on the Secretary? Were political considerations and the intolerance of our leaders or the Governments both the reasons for the Philippine incident and Hong Kong residents' entry problem with the Mainland? I myself was also once detained by the Macao immigration for nearly one hour, and I was questioned whether my plan was to go to the Mainland via Macao. A long delay ensued, and in the end I could not enter Macao in time to offer assistance to some students of the University of Macau. Why did the Secretary render assistance only in the Philippine incident, and turn a blind eye to all the Mainland cases? How is the Secretary going to explain to the public what this Government is up to? Is it a government that ill-treats the innocent and fears the bully?

**SECRETARY FOR SECURITY** (in Cantonese): President, Dr CHAN's supplementary question seems to imply that the HKSAR Government adopts different standards in handling the problems encountered by Hong Kong people outside Hong Kong. In fact, as stated clearly in my main reply, Hong Kong practises its own immigration control policy, and this is also the case with other places. Basically, all places handle things under their own policies. But if Hong Kong residents encounter problems or difficulties outside Hong Kong and seek help from the ImmD, we will follow up.
I have already answered two parts of Dr CHAN's question under this important principle. As mentioned in part (1), some people were reportedly refused entry into the Mainland, and their home return cards were even cancelled. Also, from some information, we learnt of the issue mentioned by Dr CHAN in part (2) of his main question — a Hong Kong journalist was refused entry into the Philippines for sight-seeing even though he went there as a tourist but not a journalist. There is however a difference between these two cases. So far, the ImmD has not received any request for assistance relating to the former case. As I have stated clearly in the main reply, once we receive any request for assistance, follow-up actions will be taken according to the established procedures.

In the Philippine incident, the person who was refused entry asked for assistance after returning to Hong Kong, and the media organization he belonged to also did so. A Legislative Council Member even sent us a written request for follow-up actions. The ImmD immediately contacted the person concerned and obtained the relevant information to confirm the case. Follow-up actions were then taken. This has always been our stance, attitude, policy and approach in handling such incidents, and we will uphold this principle in our actions. After taking actions to follow up the case with the Philippine Government, we learnt from media coverage that the organizations concerned and many people also protested to the Consulate General of the Philippines. If my memory does not fail me, even overseas media also protested to the Philippine Government. In the end, the Philippine Government gave its response, and after receiving a notification, we in turn informed the person requesting assistance. This is our established system. We did not change our approach because of the background of the individual concerned.

DR KENNETH CHAN (in Cantonese): President, I knew the Secretary would give a reply like this. Actually, the Secretary also answered a similar question put by Ms Cyd HO last week and other similar questions in the past. Honestly, he should be aware that a number of Members present here are unable to return to the Mainland, either because they do not have a home return card or because their home return cards have been cancelled. The Secretary is not unaware of this. Is the Secretary saying that he will take actions if we approach him for assistance? The Secretary will probably repeat the saying that he cannot do anything about the immigration policies of other jurisdictions …
PRESIDENT (in Cantonese): Dr CHAN, you are putting another question.

DR KENNETH CHAN (in Cantonese): … Can he stop telling lies?

PRESIDENT (in Cantonese): The Secretary has already answered your supplementary question.

MR YIU SI-WING (in Cantonese): President, earlier on, some Hong Kong students were refused entry by the law-enforcement authorities at a boundary control point of the Mainland. As reported, the reason was that the students concerned took part in the occupation movement in Hong Kong. In this connection, may I ask the Secretary if he has any information about the number of students who have been or may be refused entry into the Mainland under similar circumstances? If yes, can he give the details? If he does not, can he explain why he does not have the figure?

SECRETARY FOR SECURITY (in Cantonese): The ImmD does not have the relevant information, but I think the reason is very simple. Firstly, as I said just now, according to the general practice, if a person is refused entry by the authorities of a certain place, the latter will not notify Hong Kong's immigration authorities. No place in the world will do so. Secondly, while some people who were refused entry preferred to make public their experiences after returning to Hong Kong, some preferred to keep it to themselves for various reasons. Therefore, we have never collected any such information, and we never know whether anyone who left Hong Kong has been refused entry by another place.

After all, the issue under discussion is Hong Kong's immigration control, and as guaranteed by the Basic Law, Hong Kong residents enjoy the freedom to enter and leave Hong Kong. But if they need to enter other places or countries, they must obtain prior permission or approval from the immigration authorities of their destinations.

Therefore, firstly, we do not have the relevant statistics, and secondly, I can say that there is no way we can compile such statistics because the HKSAR Government cannot possibly formulate a policy to require Hong Kong people
who have been refused entry by overseas countries to report to the HKSAR Government upon their return. We cannot do so. For this reason, the person concerned has every right to decide on the actions to be taken, including whether to request the HKSAR Government to take follow-up actions. Upon receipt of any request for assistance, as I have said in response to Dr Kenneth CHAN's supplementary question, we will follow up the case under the established procedures.

MR CHAN CHI-CHUEN (in Cantonese): President, I have obtained a home return card and the expiry date is 21 January 2018. Nonetheless, like many other Hong Kong people, I am worried that I may be refused entry by the Mainland even with a valid home return card. I am not asking the Secretary to interfere with the immigration policy of the Mainland, nor am I asking him to get any vindication for Hong Kong people and help those who were refused entry to enter the Mainland. My request is — Secretary, this is an open request for assistance — Can the HKSAR Government communicate and liaise with Mainland immigration authorities, so as to provide certain channels for people who are in doubt to clarify whether they will be admitted before actually going to the Mainland? The costs of time, transportation or hotel accommodation are not the most important concerns. But is it possible to prevent cases where a Hong Kong resident is still refused entry in the end after several hours of tiring delay?

SECRETARY FOR SECURITY (in Cantonese): I think this is the practice in the whole world. Unlike local people who have the right to enter and leave, when a foreigner requests entry into a place, he must undergo immigration clearance at immigration control points, and the immigration authorities would make a decision in the light of the circumstances at the time.

Regarding the practice of the Mainland, as I have just said, since there is no relationship of subordination and both sides simply follow their own laws and rules, I should not and will not comment on the Mainland's practice. I can only talk about Hong Kong's practice. If a person is required to hold a visa or entry permit for admission to Hong Kong, then he may enter Hong Kong only when he holds a valid visa or entry permit. If he has visa-free treatment, we will carry out immigration examination at the time of his entry. This is because whether a person is permitted to enter a place at a particular time must depend on the prevailing considerations at the time. This is precisely our long-standing approach, and I can therefore understand the Mainland's practice. The proposal
put forward by the Member is therefore not feasible. Nor do I think any immigration authorities would make such an exception and give a person any such prior reply. What we can do is that when Hong Kong residents face problems outside Hong Kong, including entry problems — they are definitely not the only problems and there are many others — we will take follow-up actions under the existing mechanism and provide assistance where possible.

MR CHAN CHI-CHUEN (in Cantonese): The Secretary has not answered my supplementary question. My question is not about whether he can do it or about any possible difficulties. Rather, I am only asking him whether he will communicate with the immigration authorities of the Mainland. Will he do so? The case of foreign immigration authorities is different, because the Secretary knows his Mainland counterparts. Also, I am not asking him whether he can do it; since we have put forward our request for assistance, I wish to know whether he will try to communicate with the Mainland, with a view to providing the necessary channels?

PRESIDENT (in Cantonese): Secretary, do you have anything to add?

SECRETARY FOR SECURITY (in Cantonese): President, I think Mr CHAN has only repeated his supplementary question, which has already been answered. We will not interfere with other countries' …

MR CHAN CHI-CHUEN (in Cantonese): … I am not talking about intervention. I only ask if he will …

PRESIDENT (in Cantonese): Mr CHAN, please let the Secretary reply.

SECRETARY FOR SECURITY (in Cantonese): This is what Mr CHAN asked for as I understand it. The only thing is that our understanding of intervention is different.
DR KWOK KA-KI (in Cantonese): President, after listening to the Secretary's reply, I understand why some people chose not to complain to him after they failed to gain entry into the Mainland, because he is completely blind to these facts. Apparently, those young people or students were refused entry after political vetting for taking part in the Umbrella Movement. The Secretary must be living on Mars, so to speak, because the news has been widely reported in all newspapers and even the names of the people concerned have been revealed. One of them is my part-time assistant, who has failed to return to the Mainland to attend a banquet.

As clearly said by the Secretary, if no one complains to him, no follow-up action will be taken. So, today, I am putting forward a request, providing the names also. Will he undertake in front of all Members to take follow-up actions and ask the Central Government whether it has conducted political vetting and refused the entry of people who took part in the peaceful Occupy Central movement or Umbrella Movement? Will the Secretary undertake to do so?

SECRETARY FOR SECURITY (in Cantonese): President, if we receive any complaint, we will certainly inform the relevant Mainland authorities of the case and reflect the issue to them.

DR KWOK KA-KI (in Cantonese): I have said very clearly that I am not asking the Secretary to reflect any issue. This is the question I put to the Secretary just now: if I can provide the names and entry details of the people who were refused entry, will he verify for us whether these people were subject to any political vetting, or whether they were refused entry due to their participation in the Umbrella Movement?

SECRETARY FOR SECURITY (in Cantonese): We will reflect the problems of the people requesting assistance to the Mainland. As for how the Mainland authorities will reply, this does not fall within our purview.

PRESIDENT (in Cantonese): This Council has spent more than 22 minutes on this question. Oral questions end here.
WRITTEN ANSWERS TO QUESTIONS

Registration Services for Same Sex Marriages

7. MR CHAN CHI-CHUEN (in Chinese): President, in accordance with the "Consular Marriage and Marriages under Foreign Law Order 2014" of the United Kingdom, which came into force on 3 June this year, if no objection has been raised by the authorities of the country or territory where a British Consulate (BC) is located, that BC may provide same sex marriage registration services for British nationals inside the consulate. Currently, BCs in 25 countries around the world (including China) may provide such services. It has been reported that the Hong Kong Government once raised objection to the provision of same sex marriage registration services by BC in Hong Kong, but it later on stated that it was up to the consulate to decide what services were to be provided to its nationals. In respect of same sex marriage registration, will the Government inform this Council:

(1) whether it has assessed if the provision of same sex marriage registration services by BC in Hong Kong for British nationals or for people holding British National (Overseas) passports is in compliance with the provisions in the Vienna Convention on Consular Relations and the Consular Relations Ordinance (Cap. 557); if it has, of the outcome; if not, the reasons for that;

(2) whether it has assessed if the Hong Kong Government has the power to interfere with the provision by foreign consulates in Hong Kong for their nationals registration services for heterosexual marriages, same sex marriages and civil partnerships inside their consulates; if it has assessed, of the outcome; if not, the reasons for that;

(3) as Article 13 of the Basic Law stipulates that "[t]he Central People's Government shall be responsible for the foreign affairs relating to the Hong Kong Special Administrative Region", whether the Government has consulted the Ministry of Foreign Affairs of China regarding the plan of BC in Hong Kong to provide same sex marriage registration services; if it has, of the views so obtained;
(4) as a marriage contracted under the existing Marriage Ordinance (Cap. 181) "is in law the voluntary union for life of one man and one woman", whether the law of Hong Kong recognizes the same sex marriages of Hong Kong residents registered outside Hong Kong or inside the foreign consulates in Hong Kong; if so, of the details; if not, the reasons for that;

(5) whether it has assessed if the Government has the power to obstruct Hong Kong residents from registering for same sex marriages outside Hong Kong or inside various foreign consulates in Hong Kong; if the assessment outcome is in the affirmative, of the details;

(6) whether it has compiled statistics on the current number of Hong Kong residents who have registered for same sex marriages outside Hong Kong; if it has, of such statistics; if not, whether it will add this statistical item in the 2016 Population By-census; and

(7) whether it has any plan to examine the laws relating to same sex marriages and civil partnerships in various countries, so as to assess if such laws can be applied in Hong Kong; if it has such a plan, of the details; if not, the justifications for that?

SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS (in Chinese): President, after consultation with the Protocol Division, Department of Justice, Security Bureau, Home Affairs Bureau and the Census and Statistics Department, the Government's reply is provided as follows:

Foreign consulates, in deciding what services they should provide to their nationals, should have regard to (i) the Vienna Convention on Consular Relations; (ii) any consular agreement concluded between the Central People's Government (CPG) and the government of the sending state and applied to the Hong Kong Special Administrative Region (HKSAR) by the CPG; (iii) Regulations of the People's Republic of China concerning Consular Privileges and Immunities; and (iv) the laws of Hong Kong including the Consular Relations Ordinance (Cap. 557).
In Hong Kong, section 40 of the Marriage Ordinance (Cap. 181) stipulates that every marriage under the Ordinance "shall be a Christian marriage or the civil equivalent of a Christian marriage" which "implies a formal ceremony recognized by the law as involving the voluntary union for life of one man and one woman to the exclusion of all others." Same-sex marriage or civil partnership not contracted in compliance with the requirements under Hong Kong law will have no legal effect in Hong Kong, that is, will not be legally recognized as valid marriage in Hong Kong. The Government has no plan to assess the laws of other countries on same-sex marriages or civil partnerships.

The Government will not comment on its government-to-government communications, including those with the CPG and those with consulates in the HKSAR, or the services that individual consulates in Hong Kong provide to their nationals.

The Government does not have statistics of Hong Kong residents having registered same-sex marriages outside Hong Kong, and has no plan to collect data in this regard in the 2016 Population By-census.

Training and Registration of Veterinary Surgeons

8. DR CHIANG LAI-WAN (in Chinese): President, as indicated in Annex 2 to the Government's reply to my question in May this year, all of the bodies which awarded the qualifications held by the veterinary surgeons newly registered in Hong Kong between 2009 and 2013 are located in jurisdictions outside Hong Kong. In this connection, will the Government inform this Council:

(1) whether it has compiled statistics on the number of Hong Kong residents who are currently studying overseas in veterinary programmes and, among them, the number of those who intend to return and practise in Hong Kong upon graduation; if it has, of the details; if not, the reasons for that;

(2) whether only those Hong Kong permanent residents who meet the requirements of section 9 of the Veterinary Surgeons Registration Ordinance (Cap. 529) (VSRO) may be registered as veterinary surgeons; if not, of the reasons for that;
(3) given that the bodies which awarded the qualifications to the existing registered veterinary surgeons in Hong Kong are all located in jurisdictions outside Hong Kong, whether in the long run the Government has plans to establish in Hong Kong a veterinary surgeon qualifications awarding body so as to train more local talents; if it does not, of the reasons for that; and

(4) as some grass-roots members of the public have relayed to me that as they could not afford the exorbitant fees charged by veterinary surgeons, they were unable to arrange for their sick pets to receive medical treatments, thus leaving them to die from illness, what measures the Government has in place to solve this problem?

SECRETARY FOR FOOD AND HEALTH (in Chinese): President,

(1) Hong Kong residents may, according to their own wish, pursue studies in subjects or programmes of their choices in places outside Hong Kong. The Administration does not collect information on the number of Hong Kong residents studying veterinary science outside Hong Kong. Nor do we have information on whether they intend to return and practise in Hong Kong after graduation.

We understand that the Hong Kong Veterinary Association had hitherto issued a report on the state of Hong Kong's veterinary profession prevailing in 2011, which included an overview of Hong Kong students studying veterinary science outside the territory. According to the information collected by the association from the veterinary schools in Australia, the United Kingdom, Ireland and New Zealand, there were about 180 to 190 Hong Kong students studying veterinary science in these four places in 2011.

(2) Under the VSRO, no person shall practise veterinary surgery or provide a veterinary service in Hong Kong unless he/she is registered in accordance with the Ordinance and holds a practising certificate which is in force. Section 9 of the VSRO stipulates the qualifications for registration, which do not include any requirement that an applicant must be a Hong Kong resident.
Taking into account the needs of the local community and the circumstances of the veterinary profession, the existing arrangements are conducive to attracting veterinary professionals trained in other places to practise in Hong Kong.

(3) Since the commencement of the VSRO in 1997, the number of registered veterinary surgeons in Hong Kong has increased from about 150 to 735. At present, there is no empirical basis to suggest a shortage in the supply of veterinary surgeons in Hong Kong. There is also no sign of a substantial increase in the demand for veterinary services in the foreseeable future. We believe that the number of veterinary surgeons and the supply of veterinary services are sufficient to cope with possible increase in demand. Local students who aspire to pursue a career in the veterinary profession may opt for studying at veterinary schools in other places. After obtaining qualification for practice in their graduating places, they may return to Hong Kong to apply for registration as a veterinary surgeon and practise here. This arrangement is similar to that adopted in some overseas jurisdictions such as Singapore\(^{(1)}\).

The Education Bureau has recently launched the Hong Kong Scholarship for Excellence Scheme (the Scheme) to support outstanding local students who aspire to pursue studies in world-renowned universities outside Hong Kong and return to work upon graduation. While there is no limitation on the disciplines of study that the students may pursue, priority will be given to those programmes that would contribute to enhancing Hong Kong's long-term competitiveness, particularly programmes that are not offered in Hong Kong (such as programmes in veterinary science). The Scheme will be implemented starting from the 2015-2016 academic year, offering scholarships to three cohorts of students, with up to 100 students in each one. The Scheme will then be reviewed to evaluate its effectiveness. Students who aspire to pursue a career in the veterinary profession may apply for scholarship under the Scheme to study in the relevant programmes. Besides, we understand that a number of local universities have

\(^{(1)}\) As we understand it, there is no veterinary school in Singapore. Their universities are not running any educational programmes in veterinary science either. The Singaporean Government has been offering scholarships to students for studying abroad in different programmes including veterinary science.
collaborated with different overseas veterinary schools and set up scholarships to sponsor outstanding students to pursue studies in veterinary science in the partner veterinary schools.

(4) Through the "Code of Practice for the Guidance of Registered Veterinary Surgeons" (CoP), the Veterinary Surgeons Board of Hong Kong regulates the professional conduct of registered veterinary surgeons, including the principles for determining the service fees and charges. The CoP specifically stipulates that veterinary surgeons should make available to their clients or prospective clients a schedule of their normal fees and charges for consultations, routine tests and routine procedures. At the same time, the CoP also stipulates that veterinary surgeons should not charge exorbitant or unreasonable fees. If a registered veterinary surgeon does not comply with the requirements set out in the CoP and becomes a subject of public complaint as a result, the registered veterinary surgeon may be subject to inquiry hearing for his/her disciplinary offence(s). Pet owners are advised to compare the fees and charges of veterinary services of different veterinary surgeons before using the services, so that they can select the veterinary services that suit their personal needs and budget.

Besides, many animal concern groups and animal welfare organizations also provide veterinary services. Those who are in need may bring their pets to these groups or organizations for consultation.

Measures to Improve Operation and Facilities of Container Terminals

9. MR FRANKIE YICK (in Chinese): President, it is learnt that a number of international cargo shipping companies have recently levied shippers a "Hong Kong Port Congestion Surcharge" on grounds of escalating operating costs due to container ships having to wait for some time before entering the container terminals. Some members of the freight industry have relayed to me that the container terminals in Hong Kong have become increasingly congested due to changes in the operational mode of the freight industry, which include (i) more and more shippers having switched to use cheaper water-borne transport, resulting in a short supply of berthing space for river trade vessels, (ii) the provision of port back-up areas not meeting the increased needs for container
movement and storage arising from the growing volume of transhipment cargoes, and (iii) longer time for loading and unloading cargoes as container ships have become increasingly enormous in size. They have also pointed out that if the Government cannot effectively alleviate the congestion problem at container terminals, the operational efficiency of container terminals will decrease gradually. Even after the anticipated completion of the project for dredging the Kwai Tsing Container Basin and its approach channel by the end of 2015, which will allow ultra large container ships with the capacity of 18 000 twenty-foot equivalent units (TEUs) to enter the port, the container terminals may not be able to handle the ever-increasing container throughput. In this connection, will the Government inform this Council:

(1) whether it knows the respective rates of increase in the past three years in respect of (i) the average waiting time for container ships to berth at container terminals after arriving in Hong Kong and (ii) the average berthing duration at terminals for container ships; the number of container ships that switched to load and unload cargoes at the container terminals in the neighbouring areas in the past three years because the container terminals in Hong Kong were too congested, and the number of containers involved, as well as the resultant economic losses suffered by Hong Kong;

(2) of the short-, medium- and long-term measures for improving the operation and facilities of container terminals, including the provision of more back-up areas to increase premises for container storage and parking spaces for container vehicles; and

(3) given that the Hong Kong Container Terminal Operators Association (HKCTOA) has earlier submitted to the Government a document on enhancing the competitiveness of Kwai Tsing Container Port, whether the authorities have followed up the series of improvement proposals set out in the document; if they have, of the progress?

SECRETARY FOR TRANSPORT AND HOUSING (in Chinese): President, we would like to provide responses to questions raised by Mr Frankie YICK as follows:
According to the information provided by the Marine Department, the average duration for container ships berthing at Kwai Tsing Container Terminals (KTCT) in the past three years were 11.5 hours (2011), 11.8 hours (2012) and 13.1 hours (2013) respectively. The berthing duration were getting longer mainly due to the increase in sizes and loading capacities of container ships, and hence a longer time for loading/unloading cargoes. According to statistics, the average number of containers loaded/unloaded by each container ship berthed at KTCT has increased from about 1 350 TEUs in 2011 to the present level of about 1 700 TEUs. At present, the container throughput of Hong Kong was maintained at a stable level, averaging around 23 million TEUs per year. The Government has not maintained figures concerning the waiting time for container ships to berth at container terminals after arriving in Hong Kong waters or the number that had switched to ports in other areas due to excessive long waiting time as well as the cargo volume involved. But as reflected by the trade, from January to October 2014, an estimated 9% of container vessels skipped calls at KTCT and they believed that most of them were due to port congestion.

The Government is committed to facilitate the development of Hong Kong Port and maritime transport. The Transport and Housing Bureau has worked in close liaison with the HKCTOA and other stakeholders of the trade on the operation and development of the KTCT with a view to exploring workable solutions to enhance the operational efficiency of container terminals and maintain Hong Kong's position as a leading hub port in the region. We have been actively following up with HKCTOA's document submitted to the Government earlier on. The document's major proposals, such as increasing the provision of container storage yard and barge berths, have been fully taken into consideration in the recently completed Study Report on the Strategic Development Plan for Hong Kong Port 2030 (the Study Report).
The Study Report proposes a series of improvement measures to enhance the port's operational efficiency and competitiveness. These include upgrading the Stonecutters Island Public Cargo Working Area to a modern container handling facility for ocean-going vessels or river trade vessels thereby improving operational efficiency; enabling the River Trade Terminal, which can accommodate ocean-going vessels, to become a terminal for both ocean-going and river trade vessels; providing additional barge berths at the KTCT to relieve congestion caused by the increase of river cargo throughput; and making better use of land and other facilities around the terminals to enhance operational efficiency and accommodate future growth in transhipment. The Administration is working closely with relevant government departments to take forward the implementation of the measures, to work out the necessary arrangements as well as technical issues involved, taking into account the views of affected parties.

The Administration is reviewing the allocation and management of port backup land in the vicinity of the KTCT currently leased under short-term tenancies. The review will explore how to better utilize the land to support the efficient operation of the container terminals and the port as a whole, including the provision of an appropriate amount of additional land for container storage use. The industry will be consulted on the proposals in due course.

Meanwhile, to enhance the land utilization around the KTCT, the Administration commissioned in June this year a consultancy study on a site in Kwai Chung, currently used for port backup purposes, to explore the feasibility of developing the site into a multi-storey car park principally for use by container trucks and medium/heavy goods vehicles, with the aim of freeing up sites currently used as open-air car parks for port backup uses to provide better support to port operations. The study is expected to be completed by around mid-2015.
Interim Scheme to Extend HOS Secondary Market to White Form Buyers

10. MR TONY TSE (in Chinese): President, in 2013, the Government introduced the "Interim Scheme to Extend the Home Ownership Scheme Secondary Market to White Form Buyers" (the Interim Scheme) with a quota of 5 000 for persons meeting the eligibility criteria for the Home Ownership Scheme (HOS) White Form (WF) applicants to purchase HOS flats on the HOS Secondary Market (second-hand HOS flats) without payment of land premium. The Government announced on the 24th of last month that a new round of the Interim Scheme will be implemented in the middle of next year with a quota of 2 500. In this connection, will the Government inform this Council:

(1) of the number of buyers who purchased second-hand HOS flats under the first round of the Interim Scheme as at the end of last month, with a breakdown by the age group to which they belonged, quota category, type of flats purchased and district where the flat was located, set out in the table below;

<table>
<thead>
<tr>
<th>Age</th>
<th>Total number of buyers</th>
</tr>
</thead>
<tbody>
<tr>
<td>30 or below</td>
<td></td>
</tr>
<tr>
<td>31-40</td>
<td></td>
</tr>
<tr>
<td>41-50</td>
<td></td>
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<tr>
<td>51-60</td>
<td></td>
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<tr>
<td>Above 60</td>
<td></td>
</tr>
<tr>
<td>Quota category</td>
<td></td>
</tr>
<tr>
<td>Singleton</td>
<td></td>
</tr>
<tr>
<td>Family</td>
<td></td>
</tr>
<tr>
<td>Type of flat</td>
<td></td>
</tr>
<tr>
<td>One-bedroom</td>
<td></td>
</tr>
<tr>
<td>Two-bedroom</td>
<td></td>
</tr>
<tr>
<td>Three-bedroom or larger</td>
<td></td>
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<tr>
<td>District</td>
<td></td>
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<tr>
<td>Hong Kong Island</td>
<td></td>
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<td>Kowloon</td>
<td></td>
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<tr>
<td>New Territories</td>
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</tr>
</tbody>
</table>

(2) whether it has followed up and studied the housing situation of HOS flat owners after they sold their properties to Interim Scheme buyers; if it has, of the details; if not, the reasons for that, and whether it will follow it up in future;
(3) whether it has set a target number of second-hand HOS flats to be purchased under the second round of the Interim Scheme; if so, of the details and the criteria based on which such target was set; if not, the reasons for that; and

(4) as the authorities have indicated that they will conduct a review on the effectiveness of the Interim Scheme, of the earliest time for the review to commence as well as its scope, contents and timetable; whether they will make public the outcome of the review and what follow-up actions they will take; if they will not, the reasons for that?

SECRETARY FOR TRANSPORT AND HOUSING (in Chinese): President, the HOS Secondary Market Scheme was introduced in 1997 to allow owners of subsidized sale flats to sell their flats, without payment of premium, to households with Green Form (GF) status\(^{(1)}\). To address the home ownership aspirations of WF applicants\(^{(2)}\) and to implement the Chief Executive's election manifesto, the Hong Kong Housing Authority (HA) introduced the Interim Scheme in January 2013 to allow 5,000 WF applicants to purchase flats without premium paid in the HOS Secondary Market. The Interim Scheme provided WF applicants with an additional channel previously not available to them to have the opportunity to purchase subsidized sale flats before newly built HOS flats are released onto the market. The Interim Scheme is temporary in nature. Its future, including whether it will be implemented on a recurrent basis, will be decided upon completion of a comprehensive review.

My reply to the four parts of the question raised by Mr Tony TSE is as follows:

(1) As at end September 2014, 2,165 Letters of Nomination were issued by the HA and the Hong Kong Housing Society under the Interim Scheme, of which 2,161 applicants eventually completed transactions. Among the applicants who have completed the transactions, 218 were one-person applicants while 1,943 were

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(1) Those eligible for GF status include Public Rental Housing (PRH) tenants and PRH applicants who have passed the detailed eligibility vetting and are due for flat allocation in about a year's time.

(2) WF applicants refer to households who do not satisfy the requirement for GF status but meet the eligibility criteria of subsidized sale flats set by the HA. Such eligibility criteria include residence rule, income and asset limits.
family buyers. We do not have information on the breakdown on buyers under the Interim Scheme by their ages, flat types and districts where the flats are located.

(2) According to the current arrangement, flat owners who sold their flats in the HOS Secondary Market are not required to inform the HA of the reasons for selling their flats or their housing arrangement after selling their flats. Therefore, the HA does not have the relevant information. The HA currently has no plan to conduct such a research.

(3) and (4)

As at end September 2014, about 2,200 applicants with WF status had achieved home ownership under the Interim Scheme. Without the Interim Scheme, these households might have difficulty purchasing flats in the private housing market. Purchasing a flat is an important decision. Prospective buyers should exercise caution and should assess their affordability in making such a decision. This applies to purchasing a flat in both the private housing market and the market of subsidized sale flats. Whether WF applicants issued with quotas under the Interim Scheme can successfully purchase flats in the HOS Secondary Market depend on many factors, including whether they can find suitable flats of their choice and whether they consider the prices reasonable. The Interim Scheme aims at providing WF applicants with home ownership aspirations an additional channel to purchase subsidized sale flats. Its effectiveness should not be judged solely by the number of transactions completed.

The HA's Subsidised Housing Committee (SHC) conducted an initial assessment on the implementation of the Interim Scheme on 24 November 2014, the outcome of which has been uploaded onto the HA's website. In summary, while the Interim Scheme is effective to a certain extent, with the experience of only one round of the Interim Scheme and with about half of the quotas utilized by eligible persons, the SHC considered that more information is required to review the full and exact impact of the Interim Scheme on property prices to enable it to decide whether or not to retain the Interim Scheme. Given the strong demand for subsidized sale flats
(especially from WF applicants) nowadays, the SHC considered it more prudent to release one more round of the Interim Scheme with 2,500 quota in the second half of 2015 to further test out the effect of the Interim Scheme. This can respond to WF applicants' home ownership aspirations on the one hand, and by reducing the quota to 2,500, address the concern on possible impact of the Scheme on flat prices on the other. A comprehensive review will be conducted thereafter to decide on the future of the Interim Scheme. Upon completion of the comprehensive review, the Government will report the outcome of the review to the Legislative Council Panel on Housing.

Cases of Cave-ins of Slab-paved Pavements

11. **DR LAU WONG-FAT** (in Chinese): President, it has been reported that on the 17th of last month, a section of a slab-paved pavement in Causeway Bay suddenly caved in forming a hole of about 4 m deep, and a passer-by fell into the hole and sustained injuries. In this connection, will the Government inform this Council:

   (1) of the number of cases of cave-ins of slab-paved pavements in the past three years and their causes; and

   (2) among the cases mentioned in part (1), of the respective numbers of those in which injuries were sustained by passers-by and those in which the authorities made compensation to the injured passers-by, as well as the total amount of compensation?

**SECRETARY FOR TRANSPORT AND HOUSING** (in Chinese): President, the Highways Department (HyD) attaches great importance to the repairs and maintenance of the public roads (including footpaths) and ancillary facilities within its ambit. Regular inspections of public roads territory-wide are conducted. Timely repairs and maintenance are carried out to keep the roads in good condition and to ensure the safety of road users.

As for the repairs and maintenance of footpaths paved with paving blocks, when the HyD finds or receives complaints related to damaged or uneven road surface, or road subsidence of a relatively serious nature, it will arrange
contractors to carry out repairs or, as the situation requires, will request the relevant government departments, public utilities or responsible persons of private construction sites to follow it up expeditiously. In case the HyD finds or is informed about any signs of road subsidence, it will immediately fence off the relevant road section and conduct inspection in the surrounding areas to ensure the safety of road users.

There are various causes of the uneven surface of footpaths paved with paving blocks. The main ones include excessive loading on the footpaths by illegal parking, poor reinstatement by the contractors of public utilities or government departments after excavation works, substandard workmanship in the laying of paving blocks, and so on. As for road subsidence of a relatively serious nature, it is commonly due to damaged underground conduits or works nearby being handled improperly, thus resulting in the erosion of soil underground.

Our reply to the two parts of the Dr LAU Wong-fat's question is as follows:

(1) According to the HyD's records, between 2012 and end-November this year, there were five cases in total involving subsidence of footpaths paved with paving blocks within the HyD's ambit, including the one that occurred in Causeway Bay this November.

The road subsidence in these five cases was all due to the erosion of soil underground. Two of them were considered to involve the improper handling of the construction works nearby. The responsible persons of the relevant sites already carried out repairs to the damaged footpaths immediately. Another two were believed to be due to damaged underground conduits. Repairs were undertaken by the relevant government department and the HyD respectively. As for the causes of the incident of road subsidence in Causeway Bay, including whether the subsidence was related to the reconstruction works at a site nearby, the Government is still conducting investigation.

(2) According to the HyD's records, apart from the abovementioned incident in Causeway Bay involving injury to a passer-by, no reports of injury to passers-by were received in the remaining four cases of road subsidence. Up until now, the HyD has not received any requests for compensation related to these five cases.
Monitoring of Self-financing Post-secondary Programmes

12. **MR WONG YUK-MAN** (in Chinese): President, in recent years, a number of tertiary institutions funded by the University Grants Committee (UGC) have operated self-financing post-secondary (SFPS) programmes through their self-financing departments. Some students studying in such programmes have relayed to me that in recent years, these institutions have offered such programmes indiscriminately and increased the tuition fees substantially. Yet, the numbers of students admitted to these programmes are excessive while the teaching quality and facilities of such programmes are unsatisfactory. Regarding the monitoring of SFPS programmes, will the Government inform this Council:

(1) whether the authorities will, by making reference to the licensing systems for domestic free television programme services and for sound broadcasting services, require tertiary institutions to apply for time-limited licences for operating SFPS programmes renewal of which is subject to the outcome of the authorities' interim review of the programmes, as well as set penalties for violating the licensing conditions, so as to step up the regulation of these programmes;

(2) whether the authorities have regularly assessed the teaching quality, financial management and operations of SFPS programmes; if they have, whether they will publish the assessment outcome; if they have not assessed, whether they will conduct such assessments;

(3) given that some members of the public consider that, as the City University of Hong Kong (the CityU) was provided with an interest-free loan by the authorities in 2005 for building the school premises of the Community College of City University (CCCU), the formation of a strategic alliance between CCCU and an Australian university last month is tantamount to the CityU's selling CCCU, which is not in the public interest, whether the authorities will consider afresh taking measures to proactively monitor the formation of the alliance by CCCU; and

(4) given that the eight publicly-funded tertiary institutions reportedly recorded an average surplus of about $400 million in each year from 2009 to 2011 for operating SFPS programmes, how the authorities monitor the use of such surpluses by these institutions?
SECRETARY FOR EDUCATION (in Chinese): President, the Government has adopted a two-pronged approach to promote the parallel development of both publicly-funded and SFPS institutions in order to provide more diversified articulation opportunities.

(1) and (2)

The eight institutions funded by the UGC are autonomous statutory bodies, each with its own ordinance. They enjoy a high degree of institutional autonomy in academic development and administration. UGC-funded institutions must ensure that all programmes (however funded) have to successfully complete their internal quality assurance mechanism and meet all relevant criteria including entry requirements, exit standard and the quality and standards of teaching and learning. As an additional safeguard, the Quality Assurance Council was established by the UGC in 2007 to assure the quality of publicly-funded and self-financing educational provision at first degree and above levels leading to a Hong Kong award. Separately, the quality of self-financing sub-degree programmes offered by the executive arms of UGC-funded institutions is assured by the Joint Quality Review Committee formed under the Heads of Universities Committee.

To further enhance quality assurance and ensure consistency and coherence in standards, the Government considers that periodic external audits and reviews should be conducted on programmes below degree level offered by the aegis of UGC-funded institutions. To this end, a working group involving the UGC, UGC-funded institutions, and the Hong Kong Council for Accreditation of Academic and Vocational Qualifications (HKCAAVQ), with a representative of the Education Bureau as observer, has been established to formulate the operation model and mechanism of external audits and reviews.

Furthermore, the Committee on Self-financing Post-secondary Education (CSPE) has earlier engaged an external consultant to conduct a Consultancy Study on Local and International Good Practices in the Governance and Quality Assurance of the Self-financing post-secondary Education Sector, with a view to
developing a code of good practices for further advancing the development of the sector. The report of the Consultancy Study was published in August 2014. The full report and the executive summary have been uploaded onto the Concourse website <www.cspe.edu.hk> for access by the public. In consultation with relevant stakeholders, CSPE will compile a code of good practices on governance and quality assurance for the SFPS sector. The code is scheduled for release in the first half of 2015 for the self-financing institutions (including the self-financing operations of the UGC-funded institutions) to adopt on a voluntary basis.

As institutions providing post-secondary programmes and operators providing free television programme or sound broadcasting services are completely different in nature, they could not be compared.

(3) While enjoying a high degree of institutional autonomy in academic development and administration, each UGC-funded institution, including the CityU, should be mindful of the interests of the students and the public and be held accountable for its decisions. Generally speaking, UGC-funded institutions may decide on the setting up of their self-financing operations and the future development of these establishments on their own without the need to seek the approval of the Education Bureau. That said, institutions should ensure that the self-financing activities do not detract from their core work and have distinct separation of resources from the publicly-funded programmes. As for matters involving staff and students, institutions should also ensure adequate consultation and communication, and that reasonable arrangements are put in place.

On the future development of the CCCU, the Education Bureau has made it clear to the CityU that any arrangements have to take into account the interests of the existing staff and students, and to ensure that the quality and recognition of programmes will not be adversely affected. Upon the Education Bureau's further enquiry, the CityU confirmed earlier that the students and staff of CCCU had been informed that the future development of CCCU would not affect them adversely. In this connection, the CityU has undertaken to:
(i) ensure that for current students of CCCU, there will be no changes to their programmes, awards of qualification and relevant tuition fees; and

(ii) require its future partner to provide assurance on the continued validity of CCCU staff’s current terms of employment.

The Education Bureau will continue to keep the future development of CCCU in view.

(4) According to the information provided by institutions operating SFPS programmes (including the self-financing operations of the UGC-funded institutions), when setting the tuition fee levels for self-financing programmes, most institutions plan on the basis of a balanced budget and adopt a prudent approach, taking into account a basket of factors including planned enrolment, similar programmes offered in the market, and affordability of the target group. In the case of programmes with longer duration such as sub-degree and undergraduate programmes, institutions are obliged to take a longer-term view of the financial viability, sustainability of the programmes and strategic development of the institution. To cater for possible year-on-year volatility and uncertainties, an adequate level of reserve is critical to serve as a buffer to sustain the healthy operation of the programmes. These institutions are non-profit-making. Any surplus in a year will be kept in their reserve and ploughed back in support of teaching and learning activities, curriculum development, scholarships for students, research activities, and the maintenance, replacement and improvement of teaching and learning facilities for the benefits of students.

While upholding the spirit of institutional autonomy, the UGC always expects institutions to remain committed to transparency and accountability in their operations to ensure that funding is put to appropriate uses that serve the best interests of the community and students. UGC-funded institutions are required to keep separate financial accounts for the publicly-funded and self-financing operations in order to ensure that there is no cross-subsidization of the UGC resources to self-financing activities. Institutions should
also ensure that self-financing activities do not detract from the core work of the institutions, have distinct separation of resources from the publicly-funded programmes and are financially viable and sustainable.

The Financial Affairs Working Group established under the UGC had earlier conducted a review of institutions' financial governance to look into the mechanism and practice concerning the use of reserve derived from self-financing programmes/activities. On the whole, the Working Group did not find any institutions putting their surpluses to any other uses beyond those specified in their missions.

Operational Arrangements of Hong Kong-Zhuhai-Macao Bridge

13. **MR FREDERICK FUNG** (in Chinese): President, will the Government inform this Council of the latest outcome of the discussions among the Governments of Hong Kong, Zhuhai and Macao on the operational arrangements of the Hong Kong-Zhuhai-Macao Bridge (HZMB) upon its commissioning, including the approach for determining the toll levels for various types of vehicles, the quota for private cars, the arrangements for commercial vehicles such as coaches and taxis, and so on, to use HZMB, the arrangements for using the boundary crossing facilities, and the measures that will help increase the utilization of HZMB?

**SECRETARY FOR TRANSPORT AND HOUSING** (in Chinese): President, my reply to Mr Frederick FUNG's question is set out below.

To prepare for the commissioning of the HZMB, the Governments of Guangdong, Hong Kong and Macao have set up the Co-ordination Group on Cross-boundary Matters to press ahead with the relevant policy studies and discussion of the cross-boundary transport arrangements for HZMB. The scopes of the policy studies and discussion cover regulation and quota system of cross-boundary vehicles, toll level for cross-boundary vehicles, traffic management, operation and maintenance, rescue and emergency plans, enforcement co-ordination and customs facilitation, and so on. The policy studies and discussion among the three Governments are still in progress.
Concerning the regulation of cross-boundary vehicles, the scopes of the study and discussion among the three Governments do not cover local public transport vehicles including taxis. Local public transport vehicles, which are confined to local operation, are not cross-boundary vehicles. They are therefore not allowed to use the Main Bridge of HZMB which is situated within Mainland waters for access to the boundary crossing facilities in Macao and Zhuhai. To meet the local transport needs of the public and visitors after the commissioning of HZMB, the Transport Department is working on the detailed planning of local transport services to and from the Hong Kong Boundary Crossing Facilities (HKBCF). Such transport services cover franchised buses, green minibuses, taxis and non-franchised buses.

As regards the use of facilities at HKBCF, there is no need to discuss the use with the Governments of Guangdong and Macao because the three Governments will manage their own boundary control facilities separately.

Having regard to the functions and features of HZMB, we will formulate a comprehensive transport plan to bring HZMB’s benefits for the economy and transport into full play.

Helping Young People to Start Online Businesses

14. MR CHAN KIN-POR (in Chinese): President, in recent years, consumption activities carried out on the Internet have become very popular. As the costs of running online businesses are relatively low, many people (especially young people) have chosen to start their businesses online by selling products through channels such as online stores set up by them, auction websites and online social platforms. It is learnt that some owners of online stores have neither applied for registration of their businesses in accordance with the Business Registration Ordinance (BRO) (Cap. 310) nor furnished tax returns to the Inland Revenue Department (IRD) pursuant to the Inland Revenue Ordinance (Cap. 112). In this connection, will the Government inform this Council:

(1) whether it has conducted surveys on the situations of online consumption activities of and online businesses operated by Hong Kong people; if it has, of (i) the total amount of online consumer spending, (ii) the number of online stores established and (iii) the average age of the owners of online stores, in each of the past three years; if not, whether it will conduct such surveys;
(2) as the BRO provides that all businesses carried on in Hong Kong must apply for business registration within one month of the commencement of such businesses, whether the authorities have conducted any survey on the respective numbers of online stores, in each of the past three years, which had not applied for business registration nor furnished tax returns to the IRD; whether they will step up law-enforcement efforts in this respect;

(3) whether it has studied taking measures to encourage young people to run online businesses, for example, providing tax concessions, improving the online business environment, and so on; whether it will, by making reference to the "Loans for Young Entrepreneurs and Start-ups" scheme launched by the Taiwanese Government, improve the various existing funding schemes for young people starting up their businesses, so as to assist young people in obtaining business start-up capital more effectively; if it will, of the details; if not, the reasons for that; and

(4) whether the Government currently provides young people with support about networking technology and training on entrepreneurial knowledge (including the procedures for establishing online stores, risk management and basic legal knowledge) in respect of running online businesses; if it does, of the details; if not, the reasons for that?

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Chinese): President, my reply to the four-part question is as follows:

(1) The Census and Statistics Department (C&SD) conducted a Thematic Household Survey from June to August 2012 to collect information relating to the use of personal computer and Internet among households. The results show that the total amount spent by persons aged 15 and over in purchasing goods and services online for personal matters during the six months before the survey was about HK$3.79 billion. Figures for 2011 and 2013 are not available. On the other hand, according to the results of the C&SD's Survey on Information Technology Usage and Penetration in the Business Sector for 2013, which covered around 297 400
establishments, the proportion of establishments receiving orders online (e-commerce sales) was 4.3%. However, the survey did not collect breakdown figures relating to "online shops". Information on the average age of proprietors of "online shops" is not available.

(2) Under the BRO, except those specifically exempted, every person carrying on a sole proprietorship or partnership business in Hong Kong regardless of the mode of operation is required to apply for business registration within one month of commencement of business. If a business conducted through the Internet is carried out in Hong Kong, the person carrying on that business is required to apply for business registration under the BRO. Over the past three years (that is, from 2011-2012 to 2013-2014), the IRD checked a total of 3,258 online businesses and found that 218 of them had not been registered. Upon the IRD's advice, these online businesses have subsequently applied for business registration. As for businesses which did not file tax return, the IRD does not keep breakdown figures by sector.

The IRD will continue to monitor the situation and conduct enforcement actions. If any business operator does not apply for business registration despite the IRD's advice, or fails to file tax return in a timely manner, the IRD will consider instituting prosecution in accordance with the law.

(3) The Government encourages and facilitates businesses including young people to take advantage of the booming trend of e-commerce to engage in online business. In line with free market principles, the Government is committed to creating a facilitating environment for online business to flourish in Hong Kong, including developing a robust information and communications technology (ICT) infrastructure, providing a legal framework for online business (for example, Electronic Transactions Ordinance which accords electronic record and electronic signature the same legal status as that of their paper-based counterparts), and steadfast protection of information security.

Different organizations in Hong Kong offer various measures to assist young people to start up business. For example, the "Youth Business Hong Kong" programme operated by Hong Kong
Federation of Youth Groups provides business startup loan and information on setting up and running business. The Hong Kong Mortgage Corporation Limited has launched the "Micro Business Startup Loan", in collaboration with banks and a number of non-governmental organizations, to assist individuals aged 18 or above to start their own businesses. It also provides entrepreneurial training and other support services to business startups.

(4) In recent years, the local technology startup ecosystem is developing rapidly. More support measures for startups have correspondingly been introduced. Many non-governmental organizations, private companies and large-scale enterprises provide a variety of initiatives such as co-working spaces and incubation programmes for startups, including technology startups. These initiatives, which are increasing in terms of both number and diversity, are very popular, demonstrating that these initiatives can meet the needs of startups and that many young people are active in starting up technology undertakings.

The Office of the Government Chief Information Officer launched earlier this year the interactive portal iStartup@HK, which is dedicated to technology startups. The portal allows startups to upload their profiles and product information to reach out to investors. The portal also provides a comprehensive range of practical information for startups, including information on co-working spaces, incubation programmes, as well as various loan and funding schemes. Moreover, the portal provides templates of various business and legal documents, including the Incorporation Form from the Companies Registry and examples of successful applications for funding. Moreover, the portal also features information regarding application for grant of patents, design registration and trademark registration. Furthermore, Cyberport, Science Park and Hong Kong Design Centre also run incubation programmes to provide all-rounded support to startups in the technology and design sectors.

In respect of doing business online, there are courses on the market offering training on operational strategy and selection of platforms for online sales, taxation, and so on.
Development of Areas 40 and 46 in Tuen Mun

15. **MR TAM YIU-CHUNG** (in Chinese): President, as Tuen Mun District has a present population of over 500,000 but there are only about 65,000 jobs in the district, the majority of the working persons of the district have to work in other districts. In June 2012, a political party submitted a planning proposal and a study report on Areas 40 and 46 in Tuen Mun (Areas 40 and 46) to the Development Bureau in view of a number of advantages of the two areas, including (i) having a total area of about 27 hectares most of which is Government land, (ii) being located at the Tuen Mun end of the Tuen Mun-Chek Lap Kok Link (TM-CLKL) under construction and (iii) that they will connect TM-CLKL with Tuen Mun Western Bypass. The report proposed that the Government should develop the two areas into a "port economic zone" and an "economic industries base", so as to increase job opportunities in the district. In this connection, will the Government inform this Council:

(1) of the latest progress of the consultancy study on the "Planning and Engineering Study for Tuen Mun Areas 40 and 46 and the Adjoining Areas — Feasibility Study" (the consultancy study) jointly commissioned by the Planning Department (PlanD) and the Civil Engineering and Development Department (CEDD); and the expected time for publication of the results;

(2) whether the Government has included the aforesaid planning proposal on Areas 40 and 46 submitted by the political party in the scope of the consultancy study; if it has, of the details; if not, the reasons for that;

(3) as the consultancy study includes a two-stage community engagement programme, of the reasons why the Stage 1 Community Engagement originally scheduled to commence in early 2014 has been postponed to commence in early 2015; and the details of the community engagement programme; and

(4) as some members of the public have pointed out that upon the commissioning of TM-CLKL in 2018, Lung Mun Road, which already has very heavy traffic, will be overloaded, whether the Government has considered ways to alleviate the traffic congestion
on Lung Mun Road in future, and whether it has explored in the consultancy study the need to build new roads in and introduce major mass transit carriers to Areas 40 and 46; if it has considered, of the details and progress; if not, the reasons for that?

SECRETARY FOR DEVELOPMENT (in Chinese): President, having consulted the Transport and Housing Bureau, the PlanD and the CEDD, my consolidated response is as follows:

Much emphasis has been paid to increasing the employment in the Northwest New Territories through land use planning. For example, it has been proposed under the Preliminary Outline Development Plan of the Hung Shui Kiu New Development Area Planning and Engineering Study the provision of about 100 000 job opportunities and to create a regional commercial centre in the vicinity of the West Rail Hung Shui Kiu Station.

For Areas 40 and 46, upon the commissioning of the consultancy study, consideration has been given to the development opportunity arising from the completion of the TM-CLKL and Tuen Mun Western Bypass. Through an appropriate long-term development proposal, it is envisaged that the development potential of the area could be better utilized and provide more job opportunities.

My responses to various parts of the question are as follows:

(1) The consultancy study, commissioned by the PlanD and CEDD in May 2013, aims at proposing suitable land uses and development parameters and preparing Recommended Outline Development Plan and layout plans so as to provide guidance for the future development of the study area. Initial land use options are under preparation by the consultants. It is anticipated that the Stage 1 Community Engagement will be held in the second quarter of 2015 to seek public comments on the initial land use options. The whole consultancy study is scheduled for completion by end 2016.

(2) Regarding the development proposal for Areas 40 and 46 submitted by a political party, it is under careful consideration by the consultants. Other than factors including land uses, traffic, environmental and ecological impacts, in the preparation of the
initial land use options, the consultants will also take into account proposals and study reports submitted by various stakeholders, organizations and members of the public, including the Tuen Mun District Council and the locals, with a view to propose suitable land uses and development parameters and best utilization of the land resources.

(3) During the consultancy study, the Tuen Mun District Council and local residents have provided many valuable comments. They are being examined by the consultants. Thus the study requires longer time than the original schedule. The consultants are trying to complete the study and the preparation of the initial land use options as soon as possible and then proceed to consult the public views under the Stage 1 Community Engagement.

(4) Based on relevant information and assessments of concerned government departments, the traffic condition at Lung Mun Road, Lung Fu Road and roads in the vicinity will still remain manageable after the opening of TM-CLKL in 2018. Departments concerned will implement traffic improvement measures timely according to the latest planning programme and findings from the related assessments in order to cope with the future traffic demands in Tuen Mun. The departments concerned are also investigating road infrastructures, such as Tuen Mun Western Bypass, to improve the traffic conditions of the area.

Shanghai-Hong Kong Stock Connect

16. **MR SIN CHUNG-KAI** (in Chinese): President, under the Shanghai-Hong Kong Stock Connect (S-HK SC) implemented since the 17th of last month, Hong Kong and Mainland investors may engage in cross-boundary trading of stocks of designated types of companies listed on the Shanghai Stock Exchange (SSE) and the Stock Exchange of Hong Kong (SEHK) respectively. S-HK SC involves cross-boundary trading, but there are differences between Hong Kong and the Mainland in terms of the regimes, the legal systems and the law-enforcement approaches, and so on, for regulation of securities markets. In this connection, will the Government inform this Council:
(1) whether it has plans to assist the Mainland authorities in further enhancing the regulation of matters relating to disclosure of information by companies listed on the Mainland; if so, of the details; if not, the reasons for that;

(2) whether the existing legislation of the two places has empowered the regulatory authorities concerned to take law-enforcement actions against cross-boundary illegal activities/irregularities in relation to stock trading (for example, insider dealings); if so, of the details; if not, when the authorities will amend the legislation concerned;

(3) how the regulatory authorities of the two places will co-operate in taking law-enforcement actions to combat cross-boundary illegal activities/irregularities in relation to stock trading (for example, insider dealings); how the authorities decide whether the laws of Hong Kong or those of the Mainland should be applicable;

(4) given that at the meeting of the Panel on Financial Affairs of this Council held in June this year, the representative of the Securities and Futures Commission (FSC) advised that the relevant authorities of the two places were studying the issue of whether the involvement of Hong Kong investors in market misconduct (for example, market manipulations and insider dealings) in trading Shanghai stocks under S-HK SC would constitute a breach of the laws of Hong Kong, whether it knows the outcome of the study; if the study outcome is in the affirmative, of the details; if the study outcome is in the negative, the justifications for that;

(5) whether any mechanism is currently in place under which compensation may be claimed by investors of the two places who have engaged in cross-boundary stock trading and suffered financial losses because of the defaults of licensed intermediaries or authorized financial institutions; if so, of the details; if not, whether the authorities will review and amend the relevant legislation, so as to protect the lawful interests of cross-boundary investors;

(6) whether it has assessed if the nominee and trust arrangements under S-HK SC meet the requirements set by relevant international regulatory authorities (for example, Luxembourg's Commission de Surveillance du Secteur Financier) on the safe custody of assets
managed by mutual funds for retail investors; if the assessment outcome is in the affirmative, of the details; if the assessment outcome is in the negative, the reasons for that; and

(7) whether it has assessed the circumstances under which cross-boundary stock trading under S-HK SC will be suspended, and whether such circumstances include situations where the trading and clearing systems are under attack or there is error trade due to system errors; if it has, of the criteria for deciding to suspend trading; if not, the reasons for that?

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Chinese): President,

(1) Hong Kong listed companies have to comply with the listing rules of the SEHK. Similar to Hong Kong listed companies, companies listed on the SSE are required to disclose all material information that is likely to have a significant impact on their share prices under the SSE rules. Further, in light of the Shanghai-Hong Kong Stock Connect (Stock Connect), the SEHK and the SSE have agreed to require simultaneous trading suspension of companies with A and H shares listed in the two markets if the company has any unpublished inside or material information or where there is a false market concern.

The SSE has also published a notice to require SSE listed companies to improve their information disclosure and communication with investors after the launch of Stock Connect. This includes requirements for listed companies to (i) disseminate material information to Mainland and non-Mainland investors at the same time on an equitable basis; (ii) monitor media news relating to them in the Mainland and elsewhere and ensure that their disclosures are timely, true, accurate, complete, and fair; and (iii) establish investors' communication policy with due regard to the specific circumstances of investors outside the Mainland.

(2) In terms of the existing legal framework dealing with cross-boundary misconduct, sections 186 and 378 of the Securities and Futures Ordinance (SFO) empower the SFC to provide investigatory
assistance to and share information with securities regulators outside Hong Kong (including the China Securities Regulatory Commission (CSRC)). In fact, the SFC and the CSRC have a good enforcement co-operation relationship for more than 10 years.

To further strengthen the existing co-operation framework for the purposes of Stock Connect, the SFC and the CSRC on 17 October 2014 entered into a Memorandum of Understanding (MoU) on strengthening cross-boundary regulatory and enforcement co-operation.

(3) The MoU provides that the SFC and the CSRC will:

- provide for the sharing of information and data of risks and alerts about potential or suspected wrongdoing in either the Hong Kong or Shanghai stock market under Stock Connect;

- establish a commitment and a process for joint investigations;

- ensure complementary enforcement action can be taken where there is wrongdoing in both jurisdictions; and

- make sure enforcement actions in both jurisdictions operate to protect the investing public of both the Mainland and Hong Kong, including actions that may be necessary to provide financial redress to affected investors.

Whether Mainland laws or Hong Kong laws apply in a particular case will depend on the factual circumstances. For enforcement actions taken by the SFC in Hong Kong, Hong Kong laws will apply, and vice versa.

(4) Sections 274 (false trading) and 295 (offence of false trading) of the SFO cover false trading in securities of any relevant market outside Hong Kong or by means of authorized automated trading services. As such, a Hong Kong investor may commit the aforesaid market misconduct/offence of false trading by manipulating SSE securities through Stock Connect.
For insider dealing in SSE securities, even though the insider dealing provisions under Parts XIII and XIV of the SFO do not expressly cover non-Hong Kong stocks, the fraudulent nature of the insider dealer's conduct may amount to a contravention of section 300 (offence involving fraudulent or deceptive devices, and so on) of the SFO.

(5) The SFC and the SEHK have informed the investing public that any Northbound or Southbound trading under Stock Connect will not be covered by Hong Kong's Investor Compensation Fund.

(6) Before the launch of Stock Connect, the SFC and the Hong Kong Exchanges and Clearing Limited (HKEx) discussed various issues with the industry, including the nominee arrangement for securities traded on the SSE. The HKEx issued a set of frequently asked questions (FAQ) to provide information to clarify the issues raised by the industry. In relation to the nominee arrangement, the FAQ explains that (i) the concept of "nominee holder" is recognized under the Mainland laws and regulations; (ii) while the Hong Kong Securities Clearing Company Limited (HKSCC) is the nominee holder of securities traded on the SSE on behalf of Hong Kong and overseas investors, the relevant rules issued by the CSRC provide that the investors enjoy the rights and benefits of the securities; and (iii) Hong Kong and overseas investors can exercise shareholder rights, including receiving dividends and giving voting instructions through the HKSCC. Details of the FAQ are available on HKEx's website.

We understand that the Luxembourg Securities Financial Supervisory Commission has approved an investment fund registered in Luxembourg to participate in Stock Connect.

(7) The SEHK and the SSE as well as their clearing houses have established contingency measures to deal with various scenarios to minimize disruption to the normal operation of Stock Connect. The scenarios include natural disasters and system problems such as malfunctions of the trading and clearing systems. The contingency measures are intended to maintain the normal operation of Stock Connect as far as possible. However, in an unlikely situation where
the markets cannot continue to be operated in a fair, orderly and transparent manner, the exchanges and clearing houses will discuss with the regulatory authorities to consider whether corresponding actions are required, including temporary suspension of Stock Connect. Specific details can be found in relevant rules of the HKEx and the HKSCC and the circulars issued to participants at the time.

Lady Trench Polyclinic

17. MR CHAN HAN-PAN (in Chinese): President, the two-storey building located at 213 Sha Tsui Road, Tsuen Wan, currently houses the Lady Trench General Out-patient Clinic (GOPC) under the Hospital Authority (HA) and the Lady Trench Methadone Clinic under the Department of Health (DH). Some residents in the local community have indicated their hope that the building, which is in a very dilapidated state, can be demolished for redevelopment by the authorities as soon as possible in order to fully utilize the site. In this connection, will the Government inform this Council:

(1) of the attendance of the aforesaid methadone clinic in each of the past five years, and whether such figures show a downward trend; if they do, whether the authorities will consider closing down or relocating the clinic; if they will, of the details; if they will not, the reasons for that;

(2) whether it knows the attendance of the aforesaid GOPC in each of the past five years;

(3) as the pedestrian flow at Sha Tsui Road on normal days is heavy, but the pavement beside the aforesaid building is very narrow, whether the authorities have considered removing the perimeter fence of the building to make room for widening the pavement there; if they have, of the details; if not, the reasons for that; and

(4) whether the authorities have considered demolishing the aforesaid building for redevelopment in order to fully utilize the site; if they have, of the details; if not, the reasons for that?
SECRETARY FOR FOOD AND HEALTH (in Chinese): President, my reply to the question raised by Mr CHAN Han-pan is as follows:

(1) It is the Administration's policy to adopt a multi-modality approach to provide drug treatment and rehabilitation services to cater for the divergent needs of drug abusers of varying backgrounds. The voluntary out-patient methadone treatment programme (MTP) administered by the DH is one of them.

MTP is a treatment programme for opioid abusers, aiming to provide them with a legal, affordable, safe and effective way to break their addiction to opioid, and lead a normal life.

The medical sector generally considers that opioid dependence is a chronic relapsing illness, in which patients may follow a relapsing and remitting course after rehabilitation. Methadone can be used to control the withdrawal symptoms induced by opioid, hence removing their need in obtaining heroin through illegal means, thereby reducing the adverse impact on public order. At present, Methadone maintenance treatment is found to be the most effective way of treatment.

Since the implementation of MTP in 1972, the Administration has conducted a number of reviews of the programme. In 2012, the DH again engaged international consultants to conduct a review and the conclusion reaffirmed the effectiveness of MTP and the need for continuing to provide maintenance treatment as the main services.

The DH currently operates 20 methadone clinics in Hong Kong. The Lady Trench Methadone Clinic in Tsuen Wan is the only methadone clinic for Tsuen Wan and Kwai Tsing districts. It recorded more than 230 000 attendances in 2013 which was about 9% lower than the total attendance of almost 260 000 in 2009. Notwithstanding this, the average daily attendance at this clinic still exceeds 630 to date. In addition, this clinic ranked the third in terms of attendances among the methadone clinics under the DH in 2013, indicating the strong demand for methadone services of the local community.
(2) According to the HA, the number of attendances at the Lady Trench GOPC rose progressively from 140,000 in 2009-2010 to over 150,000 in 2013-2014.

(3) For operational, safety and security considerations, the DH has no plan to remove the fence of the Lady Trench Polyclinic facing the bus stop.

Given bus stops and minibus stops are located on the pavement outside the Lady Trench Polyclinic on Sha Tsui Road, the pedestrian flow is heavier during peak hours. The Transport Department (TD) has been keeping in view the utilization of the pavement there and considers the situation acceptable. The TD will continue to monitor the utilization of pavements in Tsuen Wan district.

(4) Subject to availability of suitable sites, the DH will gradually redevelop/re-provision aged clinic facilities in different districts which were developed a long time ago as well as to improve the clinic environment and equipment. To bring greater convenience to clinic users, the Architectural Services Department has completed barrier-free access improvement works at the Lady Trench Polyclinic.

The HA has always endeavoured to enhance its GOPC services, including carrying out renovation works and upgrading clinic facilities. The Kowloon West Cluster has planned to conduct interior improvement works for the Lady Trench GOPC in 2015-2016, which will increase the number of consultation rooms, streamline patient flow and improve the clinic environment, thereby increasing the service capacity.

Duty Travels Outside Hong Kong Undertaken by Secretary for Education

18. MRS REGINA IP (in Chinese): President, according to clauses 6.3 and 6.4 of the Code for Officials under the Political Appointment System (the Code), principal officials and the Director of the Chief Executive’s Office (DCEO) shall, when travelling on duty outside Hong Kong (duty travel), travel on first class at government expense, and shall be granted a subsistence allowance for the period
of the journey at the same rate and manner as those applicable to the highest-ranking civil servants. Clause 6.8 of the Code also provides that if a flight award is not expected to be used for subsequent duty travel before the expiry date of the award, the politically appointed official may seek approval from the Chief Executive to use the award for private purposes. Regarding the situation where the incumbent Secretary for Education (the Secretary) undertakes duty travels, will the Government inform this Council:

(1) of the number of duty travels made by the Secretary since his assumption of office, as well as the following in respect of each duty travel (set out in a table): (i) the date, (ii) the destination, (iii) the purpose and main itinerary, (iv) the number of accompanying officials, (v) the number of accompanying non-official personnel, (vi) flight mileage awards earned, (vii) the class of hotel accommodation, (viii) accomplishments and (ix) total expenditure incurred;

(2) of the total mileage awards for which the Secretary has been given approval under the Code to use for his private purposes since his assumption of office, and the percentage of this number in the total mileage awards earned by the Secretary for Education from duty travels;

(3) how the number and total expenditure of duty travels undertaken by the Secretary compare with those of the Chief Executive, other principal officials and the Director of the Chief Executive’s Office, and how he ranks among them;

(4) of the details of the duty travels scheduled to be undertaken by the Secretary, including (i) the date, (ii) the destination, (iii) the purpose and main itinerary, and (iv) the expected accomplishments of each duty travel (set out in a table); and

(5) whether it has assessed how the accomplishments/expected accomplishments of the various duty travels undertaken and scheduled to be undertaken by the Secretary can help the authorities solve the various existing education problems in Hong Kong; if it has made such an assessment, of the outcome?
SECRETARY FOR EDUCATION (in Chinese): President, in the light of the latest educational developments and priorities of Hong Kong, the Secretary for Education (the Secretary) has to make duty visits to other countries/places in order to learn from their successful experience for us to formulate new policies in an efficient and effective manner. To consolidate Hong Kong's role as a regional education hub, we have to strengthen our ties in education with other places to facilitate exchange of talents. Following the successful launch of the New Senior Secondary academic structure two years ago, the Secretary has to make duty visits overseas to promote the international recognition of the Hong Kong Diploma of Secondary Education in order to facilitate local students' pursuit of further studies abroad.

Furthermore, the Secretary is invited from time to time to attend international education forums and seminars held in various countries/places to exchange views on education policy, discuss the future developments in education policy/teaching profession, and explore possible co-operation opportunities with education officials as well as educators from around the world. The Secretary has also led delegations of the education sector and students for overseas visits in his official capacity from time to time in support of their overseas activities and to open up for them more opportunities for co-operation. During these visits, the Secretary will take the opportunity to meet students and community members from Hong Kong to brief them on Hong Kong's latest developments in education and to understand their needs.

We have provided information about the incumbent the Secretary's duty visits outside Hong Kong on a number of occasions in response to questions from special meetings of the Finance Committee of the Legislative Council and from the media. The reply to the five-part question is as follows:

(1) and (5)

Details of duty visits outside Hong Kong by the incumbent Secretary from 1 July 2012 when he assumed office to 7 December 2014 are tabulated at Annex.

Duty visits outside Hong Kong by the Secretary and his entourage are in strict compliance with the relevant Government requirements and have delivered results. Through in-depth exchanges with local education officers, academics and the education sector, we have
gained better understanding of the good practices and valuable experience of other places, which have served as a useful source of reference when formulating major education policies, such as the 15-year free education, vocational education and e-learning, in recent years. On the other hand, the Secretary has also showcased internationally Hong Kong's achievements in education, broadened and strengthened international ties and co-operation, and succeeded in bringing in some education experts to Hong Kong. For example, the Secretary's visit to Indonesia in December last year succeeded in restarting the process of formalizing the co-operation agreement between the two places; the several visits in respect of 15-year free education enabled us to successfully invite overseas educational experts to attend an international forum on kindergarten education we organized. Duty visits to the Mainland also serve to enhance co-operation in education. For example, the Secretary's visits to Shenzhen had led to the signing of a co-operation agreement with the Shenzhen authorities under which the admission eligibility of the Scheme of Classes for Hong Kong Children was extended to cover children whose parents were both non-Hong Kong permanent residents so that these children could choose to pursue their studies in Shenzhen and hence relieve Hong Kong's pressure in handling cross-boundary students; the Secretary's visits to Ningbo and Hangzhou contributed directly to the forming of several pairs of sister schools between the Mainland and Hong Kong. Moreover, in almost all his duty visits outside Hong Kong, the Secretary for Education has had extensive exchanges with and listened to the views of students from Hong Kong, which helps ensure that the Mainland University Study Subsidy Scheme and the Hong Kong Scholarship for Excellence Scheme launched in the year best meet the needs of the students.

(2) The Secretary has never travelled on first class in his duty visits nor used flight mileage awards for his private purposes since assumption of office.

(3) Depending on their different portfolios, the Chief Executive and other principal officials have different needs and modes for making duty visits. We have not made any comparison on duty visits among different officials.
(4) As regards scheduled duty visits, the Secretary will visit Malaysia for two days in January 2015 to exchange views on education policy and co-operation with Malaysian education officials and agencies, and seek to sign an memorandum on education co-operation with the Malaysia government. Opportunity will also be taken to promote Hong Kong as a regional education hub to students from member nations of the Association of South-East Asian Nations. Details of other duty visits of the Secretary in 2015 are not available at the moment.

Annex

Details of Secretary for Education's Duty Visits from 1 July 2012 (Assumption of Office) to 7 December 2014

<table>
<thead>
<tr>
<th>Date</th>
<th>Destination</th>
<th>Purpose and main itinerary</th>
<th>Number of official entourage</th>
<th>Number of non-official entourage</th>
<th>Flight mileage awards earned</th>
<th>Class of hotel accommodation as indicated by the hotels</th>
<th>Expenditure incurred (HK$)</th>
</tr>
</thead>
<tbody>
<tr>
<td>16 to 17 July 2012</td>
<td>Beijing</td>
<td>To pay a courtesy call to the Ministry of Education.</td>
<td>5</td>
<td>-</td>
<td>-</td>
<td>Four-star</td>
<td>63,500</td>
</tr>
<tr>
<td>11 October 2012</td>
<td>Shenzhen</td>
<td>To attend an approving ceremony held by the Chinese University of Hong Kong (Shenzhen) and take a tour of the University of Hong Kong-Shenzhen Hospital.</td>
<td>2</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>3,400</td>
</tr>
<tr>
<td>Date</td>
<td>Destination</td>
<td>Purpose and main itinerary</td>
<td>Number of official entourage</td>
<td>Number of non-official entourage</td>
<td>Flight mileage awards earned</td>
<td>Class of hotel accommodation as indicated by the hotels</td>
<td>Expenditure incurred (HK$)</td>
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</tr>
<tr>
<td>27 to 30 January 2013</td>
<td>United Kingdom</td>
<td>To attend the annual Education World Forum upon invitation and deliver a speech sharing Hong Kong's experience in education and promote Hong Kong's role as a regional education hub. Attendees included dozens of education ministers from around the world.</td>
<td>5</td>
<td>-</td>
<td>14,958</td>
<td>Four-star</td>
<td>385,300</td>
</tr>
<tr>
<td>10 to 17 March 2013</td>
<td>Canada and the United States</td>
<td>To promote the recognition of the New Academic Structure and the Hong Kong Diploma of Secondary Education, boost Hong Kong's role as a regional education hub, and study the policies and measures of kindergarten education in the United States and Canada.</td>
<td>5</td>
<td>1</td>
<td>19,819</td>
<td>Four-star</td>
<td>719,600</td>
</tr>
<tr>
<td>Date</td>
<td>Destination</td>
<td>Purpose and main itinerary</td>
<td>Number of official entourage</td>
<td>Number of non-official entourage</td>
<td>Flight mileage awards earned</td>
<td>Class of hotel accommodation as indicated by the hotels</td>
<td>Expenditure incurred (HK$)</td>
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</tr>
<tr>
<td>29 May to 1 June 2013</td>
<td>Korea</td>
<td>(a) To study kindergarten education with representatives from the Committee on Free Kindergarten Education; and (b) To study the use of information technology in education with representatives from the Hong Kong Education City.</td>
<td>6</td>
<td>2</td>
<td>2 570</td>
<td>Five-star</td>
<td>156,386</td>
</tr>
<tr>
<td>25 to 26 June 2013</td>
<td>Singapore</td>
<td>To officiate at the International Student Seminar upon invitation and deliver a speech as officiating guest of the Vocational Training Council and local vocational training organizations in support of over 300 participating Hong Kong teachers and students, and exchange views with Singaporean education officials and organizations.</td>
<td>1</td>
<td>-</td>
<td>1 592</td>
<td>Five-star</td>
<td>32,179</td>
</tr>
<tr>
<td>Date</td>
<td>Destination</td>
<td>Purpose and main itinerary</td>
<td>Number of official entourage</td>
<td>Number of non-official entourage</td>
<td>Flight mileage awards earned</td>
<td>Class of hotel accommodation as indicated by the hotels</td>
<td>Expenditure incurred (HK$)</td>
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<tr>
<td>8 July 2013</td>
<td>Shenzhen</td>
<td>To pay a courtesy call on and exchange views with officials of the Shenzhen Municipal Education Bureau, and visit schools for Hong Kong children.</td>
<td>5</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>3,124</td>
</tr>
<tr>
<td>28 July to 2 August 2013</td>
<td>Singapore and Australia</td>
<td>To lead the Committee on Free Kindergarten Education to study the kindergarten education in Australia, and taking the same opportunity to study the use of information technology in education in Singapore.</td>
<td>5</td>
<td>5</td>
<td>7,748</td>
<td>Five-star</td>
<td>589,509</td>
</tr>
<tr>
<td>25 September to 1 October 2013</td>
<td>Shanghai and Beijing</td>
<td>To lead the National Day Delegation from the Education Sector of about 100 members to</td>
<td>6</td>
<td>-</td>
<td>2,520</td>
<td>Five-star</td>
<td>116,159</td>
</tr>
<tr>
<td>Date</td>
<td>Destination</td>
<td>Purpose and main itinerary</td>
<td>Number of official entourage</td>
<td>Number of non-official entourage</td>
<td>Flight mileage awards earned</td>
<td>Class of hotel accommodation as indicated by the hotels</td>
<td>Expenditure incurred (HK$)</td>
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</tr>
<tr>
<td>2 to 3 December 2013</td>
<td>Guangzhou and Nansha</td>
<td>To pay a visit to the research institute of Hong Kong University of Science and Technology in Nansha and pay courtesy calls on officials of the Department of Education of Guangdong Province and the Bureau of Education of Guangzhou Municipality to exchange views on higher education policy.</td>
<td>5</td>
<td>-</td>
<td>-</td>
<td>Five-star</td>
<td>24,798</td>
</tr>
<tr>
<td>Date</td>
<td>Destination</td>
<td>Purpose and main itinerary</td>
<td>Number of official entourage</td>
<td>Number of non-official entourage</td>
<td>Flight mileage awards earned</td>
<td>Class of hotel accommodation as indicated by the hotels</td>
<td>Expenditure incurred (HK$)</td>
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<tr>
<td>15 to 17 December 2013</td>
<td>Indonesia</td>
<td>To lead some 100 secondary students for an exchange visit to Jakarta and meet with Indonesian education officials and organizations to exchange views on education policy and co-operation matters, promote Hong Kong’s role as a regional education hub, and encourage co-operation and exchange on education matters between Hong Kong and member nations of ASEAN.</td>
<td>3</td>
<td>-</td>
<td>5 058</td>
<td>Five-star</td>
<td>52,736</td>
</tr>
<tr>
<td>19 to 23 January 2014</td>
<td>United Kingdom</td>
<td>To attend and deliver a speech at the annual Education World Forum upon invitation. To introduce the achievements, latest developments and priorities of Hong Kong in education and to exchange views with other ministers</td>
<td>4</td>
<td>-</td>
<td>14 958</td>
<td>Three-star</td>
<td>326,954</td>
</tr>
<tr>
<td>Date</td>
<td>Destination</td>
<td>Purpose and main itinerary</td>
<td>Number of official entourage</td>
<td>Number of non-official entourage</td>
<td>Flight mileage awards earned</td>
<td>Class of hotel accommodation as indicated by the hotels</td>
<td>Expenditure incurred (HK$)</td>
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<tr>
<td>28 February to 2 March 2014</td>
<td>Shanghai</td>
<td>To attend the International Convention on Science of Learning upon invitation. To listen to and exchange with prominent learning scientists from around the world sharing their expertise in different aspects of education, including social influences on learning; language, bilingualism and multicultural learning; and technologies for learning purposes.</td>
<td>4</td>
<td>6</td>
<td>1948</td>
<td>Five-star</td>
<td>74,646</td>
</tr>
<tr>
<td>Date</td>
<td>Destination</td>
<td>Purpose and main itinerary</td>
<td>Number of official entourage</td>
<td>Number of non-official entourage</td>
<td>Flight mileage awards earned</td>
<td>Class of hotel accommodation as indicated by the hotels</td>
<td>Expenditure incurred (HK$)</td>
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</tr>
<tr>
<td>27 to 30 March 2014</td>
<td>New Zealand</td>
<td>To attend the annual International Summit on the Teaching Profession upon invitation. To examine the best practices worldwide for strengthening the teaching profession and raising student achievements. Attendees included more than 200 education officials and teacher representatives from around the world.</td>
<td>2</td>
<td>2</td>
<td>14 242</td>
<td>Five-star</td>
<td>113,807</td>
</tr>
<tr>
<td>19 to 24 May 2014</td>
<td>Belgium and Finland</td>
<td>To pay a duty visit to the European Union (EU) and Finland to observe their education systems. To strengthen Hong Kong's education ties with EU countries and learn more about the latest developments and good practices in the EU system,</td>
<td>4</td>
<td>1</td>
<td>17 943</td>
<td>Four-star</td>
<td>457,539</td>
</tr>
<tr>
<td>Date</td>
<td>Destination</td>
<td>Purpose and main itinerary</td>
<td>Number of official entourage</td>
<td>Number of non-official entourage</td>
<td>Flight mileage awards earned</td>
<td>Class of hotel accommodation as indicated by the hotels</td>
<td>Expenditure incurred (HK$)</td>
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</tr>
<tr>
<td>29 June to 3 July 2014</td>
<td>Beijing and Shanghai</td>
<td>To lead the &quot;Passing on the Torch&quot; Mainland Exchange Programme delegation comprising more than 600 students and teachers to visit Beijing and Shanghai. To let participants see for themselves the cultural heritage, latest developments, and challenges and opportunities on the Mainland through a series of visits and exchange activities.</td>
<td>6</td>
<td>7</td>
<td>2 520</td>
<td>Five-star</td>
<td>77,929</td>
</tr>
<tr>
<td>Date</td>
<td>Destination</td>
<td>Purpose and main itinerary</td>
<td>Number of official entourage</td>
<td>Number of non-official entourage</td>
<td>Flight mileage awards earned</td>
<td>Class of hotel accommodation as indicated by the hotels</td>
<td>Expenditure incurred (HK$)</td>
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</tr>
<tr>
<td>31 July to 2 August 2014</td>
<td>Ningbo</td>
<td>To lead a delegation of the Hong Kong education sector (about 50 people) to Ningbo to participate in a series of Ningbo-Hong Kong education exchange activities. To give opening remarks and witness the signing of education co-operation documents by higher education and vocational education institutions as well as sister school agreements by primary and secondary schools of the two places.</td>
<td>6</td>
<td>-</td>
<td>1,766</td>
<td>Five-star</td>
<td>62,025</td>
</tr>
<tr>
<td>21 August 2014</td>
<td>Shenzhen</td>
<td>To meet with the Director of the Shenzhen Municipal Education Bureau. To exchange views on education issues of</td>
<td>5</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>1,946</td>
</tr>
<tr>
<td>Date</td>
<td>Destination</td>
<td>Purpose and main itinerary</td>
<td>Number of official entourage</td>
<td>Number of non-official entourage</td>
<td>Flight mileage awards earned</td>
<td>Class of hotel accommodation as indicated by the hotels</td>
<td>Expenditure incurred (HKS)</td>
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</tr>
<tr>
<td>30 to 31 October 2014</td>
<td>Hangzhou</td>
<td>To officiate at a launching ceremony for an online exchange platform for Zhejiang and Hong Kong sister schools upon invitation, as well as attending a forum on digital education. To deliver a speech at the forum and witness the signing of agreements between two pairs of schools in Hong Kong and Zhejiang to form sister schools.</td>
<td>2</td>
<td>-</td>
<td>1698</td>
<td>Four-star</td>
<td>22,131</td>
</tr>
<tr>
<td>3 to 8 November 2014</td>
<td>Germany and Switzerland</td>
<td>To lead an education delegation to visit Germany and Switzerland to study their vocational education</td>
<td>4</td>
<td>3</td>
<td>15876</td>
<td>Five-star (Germany) Four-star (Switzerland)</td>
<td>372,780</td>
</tr>
<tr>
<td>Date</td>
<td>Destination</td>
<td>Purpose and main itinerary</td>
<td>Number of official entourage</td>
<td>Number of non-official entourage</td>
<td>Flight mileage awards earned</td>
<td>Class of hotel accommodation as indicated by the hotels</td>
<td>Expenditure incurred (HK$)</td>
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<tr>
<td>5 to 7 December 2014</td>
<td>Nanjing</td>
<td>To lead a delegation of Hong Kong secondary school students studying Chinese History (with over 200 students and teachers) to participate in the &quot;Passing on the Torch&quot; Platform Programme Series: An Exploration into the History and Culture in Nanjing. It is hope that the on-site visit and expert analysis will enable student participants to look into the historical developments of the country from multiple perspectives.</td>
<td>2</td>
<td>2</td>
<td>1 464</td>
<td>Five-star</td>
<td>24,891</td>
</tr>
</tbody>
</table>

Note:

Total expenditure included the accommodation, travelling expenses and subsistence allowance for duty visit outside Hong Kong (according to the Civil Service Regulations 713 on Subsistence Allowance) and other miscellaneous expenditure related to the duty visit outside Hong Kong for the Secretary for Education, his entourage and non-official entourage. Expenditure on entertainment excluded.
Monitoring Expenditure of Public Works Projects

19. **DR KWOK KA-KI** (in Chinese): President, regarding the monitoring of the expenditure of public works projects, will the Government inform this Council:

(1) of the following information about each of the public works projects completed in the past five years: (i) the name of the project, (ii) the date on which funding approval was granted, (iii) the amount of approved funding for the advance works, (iv) the consultancy fees for conducting advance works study, (v) the name(s) of the consultant(s) responsible for carrying out the advance works study, (vi) the commencement date of the works, (vii) the completion date of the works, (viii) the name(s) of the works consultant(s), (ix) the name(s) of the works contractor(s), (x) the initial cost estimate, and (xi) the actual cost, set out in a table according to the date on which funding approval was granted by the Finance Committee (FC) of this Council;

(2) of the following information about each of the public works projects to be submitted to FC in the coming two years: (i) the name of the project, (ii) the date on which funding application will be submitted, (iii) the amount of funding to be sought for the advance works, (iv) the name(s) of the consultant(s) responsible for carrying out the advance works study, (v) the anticipated commencement date of the works, (vi) the anticipated completion date of the works, and (vii) the cost estimate, set out in a table according to the date on which the authorities intend to submit the funding application for approval;

(3) of the specific criteria adopted by the authorities for selecting consultants and contractors for works projects and the relevant tendering procedure;

(4) of the following information about each of the public works projects completed in the past five years which involved consultants/contractors submitting claims to cover additional expenditures: (i) the name of the project, (ii) the commencement date
of the works, (iii) the completion date of the works, (iv) the name(s) of the consultant(s)/contractor(s) submitting the claims, (v) the originally approved amount of funding, (vi) the date on which application for supplementary provision was submitted, (vii) the date on which approval for supplementary provisions was granted, (viii) the amount of the approved supplementary provision, and (ix) the justifications for applying for supplementary provisions, set out in a table according to the date on which application for supplementary provisions was approved by FC;

(5) of the specific procedures adopted by the authorities for handling claims lodged by consultants or contractors to cover additional expenditures of works projects; the specific policy and legal basis adopted by the authorities for deciding whether or not to approve such claims, as well as the standards and calculation method based on which they determine the claim amounts to be accepted; how the authorities determine whether or not the companies concerned have abused the claims procedure;

(6) whether the authorities initiated any criminal investigation in the past five years into cases of consultants or contractors suspected of defrauding the authorities of project costs; if they did, of the details; whether the authorities instituted any legal proceedings against consultants or contractors in those cases involving illegal practices in the past five years; if they did, of the details; and

(7) given that several major infrastructure projects have experienced significant cost overruns and delay in recent years, whether the authorities have, in the selection process of consultants and contractors, taken into account the past performances of the relevant companies, including whether there are records of the projects in which they participated experiencing cost overruns or delay; whether the authorities will consider drawing up a blacklist of consultants and contractors or introducing a demerit point system in this respect; if they will, of the details?
SECRETARY FOR DEVELOPMENT (in Chinese): President, the Government adheres to the principle of prudent management for public funds in managing the implementation of public works projects including the advance works. There are fully established mechanisms for administering works contracts/consultancy agreements as well as monitoring and auditing project costs, so as to ensure that contracts are implemented in accordance with the contract terms and in compliance with the relevant Government internal procedures to achieve satisfactory completion.

My reply to the seven parts of Dr KWOK's question on monitoring the expenditures of public works projects is as follows:

1. There are in total 410 public works projects, which had been approved by the FC, with account finalized in the past five financial years (2009-2010 to 2013-2014). The details of these projects, including the Approved Project Estimate and the final outturn expenditure, have been included in the regular reports on completed projects submitted to Public Works Subcommittee. In view of the large number of completed projects, we provide the details of those completed projects with final outturn expenditure over $500 million in Table 1 below.

2. Tentatively, there will be 89 number of public works projects to be submitted to FC in the financial year 2014-2015 for approval. The information available with regard to these 89 items, including advance works, is provided in Table 2. The items to be submitted to FC in 2015-2016 are under preparation, information cannot be made available at this moment.

3. Public works projects are procured through open, fair and transparent procedures conforming to the Agreement on Government Procurement of the World Trade Organization and the procurement regulations promulgated by the Government of the Hong Kong Special Administrative Region.
Works Contract

For public works contracts, works departments normally only invite contractors who are on the List of Approved Contractors for Public Works or the List of Approved Suppliers of Materials and Specialist Contractors for Public Works (hereinafter referred as Lists of Approved Contractors) to submit tenders and the tender notices will be published on works departments' websites. Works departments may also adopt prequalified tendering or open tendering for individual contracts case by case to invite contractors meeting the relevant experience and other qualification requirements to submit tenders. Besides, contractors on the Lists of Approved Contractors are allowed to form joint ventures with other contractors not on the lists to submit tenders.

To select the best value-for-money tender, we adopt either "Formula Approach" or "Marking Scheme Approach" in tender evaluation. Usually, "Formula Approach" will be adopted for ordinary works contracts while "Marking Scheme Approach" will be adopted for works contracts of high value, complex in nature and requiring a high level of co-ordination.

(i) The "Formula Approach" to tender evaluation takes into account the tender prices and the past performance of the tenderers in public works contracts to calculate an overall score for each tender according to a prescribed formula that taking into account the relative weights of the tender price and technical score. It may be taken as a simplified system.

(ii) The "Marking Scheme Approach" to tender evaluation will first evaluate the technical capability of the tenderers by marking the attributes such as experience, past performance in public works contracts, resources deployed and technical submissions to get a technical score according to a pre-set marking scheme. An overall score for each tender is then worked out by using the technical score and the tender price of the tender according to the pre-set relative weights of the technical score and tender price.
Normally, the tender with the highest overall score would be recommended for acceptance. However, the tenderer is subject to financial checking to ensure that he is financially capable of fulfilling the contract requirements. Besides, tenders with unreasonably low price will not be recommended.

On completing the tender evaluation, the works department will submit a tender report to the relevant tender board to consider acceptance of tenders.

Consultancy Agreements

For consultancy agreements, works departments publish tender notices on their website and invite relevant consultants in the market to make expression of interest submissions. After going through a shortlisting process, suitable companies will be invited to submit detailed proposals to bid for the consultancy agreement. In the process of assessment, we will consider the technical approach, expertise, manpower input, past performance and bid prices to ensure that the most cost-effective tender is selected.

For details of the procedures for tender invitation and tender evaluation, please refer to the following documents uploaded to the website of the Development Bureau and the concerned works departments:

(i) Development Bureau Technical Circular (Works) No. 4/2014 "Tender Evaluation Methods for Works Contracts" (DEVB TC(W) No. 4/2014);

(ii) Engineering and Associated Consultants Selection Board Handbook (EACSB Handbook); and

(iii) Architectural and Associated Consultants Selection Board (AACSB Handbook).
(4) and (5)

Works contracts and the concerning consultancy agreements are specialized and complicated. During the implementation of public works projects, changes to the construction works, study or changes of other circumstances are not uncommon. There are provisions in the works contracts and consultancy agreements to deal with the claims for monetary compensation or extension of time. All claims will be assessed by competent professionals in a fair and impartial manner. If there are differences in opinion on the claim assessment, either the Government or the contractor/consultant can request a review on the claim assessment. If the differences remain, either party may refer the dispute to mediation or arbitration for resolution.

In order to protect the interest of the parties and the confidentiality of sensitive commercial information, either party cannot divulge the contract information without the consent of the other party. As such, we cannot provide the requested information of claims in projects.

In case a contractor abuses the claim procedures, under the established system, the concerned works department would reflect this in the contractor's performance report to guard against such mal-practice.

(6) In the past five years, we did not have any case on criminal investigation or legal proceeding regarding suspected defrauding in connection with project costs.

(7) The works departments closely monitor and evaluate the contractors' performance throughout the contracts period. The report on performance covers many respects, including works progress, justifications for applications of extension of time and monetary claims, and so on. A contractor who has been given two consecutive Adverse performance reports under the same public works contract will be asked to suspend from tendering. Should the poor performance persist, further regulating actions may be considered, such as mandatory suspension from tendering, downgrading or even removal of the contractor from the Lists of Approved Contractors.
In addition, the ratings given to a contractor in his performance report will affect his Performance Rating and directly affect his chance of winning tenders in future.

As for consultancy agreements, the consultants' performance is evaluated at quarterly intervals. The assessment covers instances of additional expenditures and failure to adhere to programme targets, and so on. Under the established system, consultants' past performance is also a basis for consultant selection.

Table 1: Projects with Accounts Finalized (over $500 million) between Financial Years 2009-2010 and 2013-2014

<table>
<thead>
<tr>
<th>No.</th>
<th>Project Title</th>
<th>FC Approval Date</th>
<th>Approved Estimate for Pre-construction Work ($ million)</th>
<th>Consultants' Fee for Pre-construction Work ($ million)</th>
<th>Name of Consultants for Pre-construction Work</th>
<th>Works Start Date</th>
<th>Works Completion Date</th>
<th>Name of Consultant</th>
<th>Name of Contractor</th>
<th>Original Approved Project Estimate ($ million)</th>
<th>Revised Approved Project Estimate ($ million)</th>
<th>Final Outturn ($ million)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Relocation of the Alice Ho Miu Ling Nethersole Hospital (8001MN)</td>
<td>10/2/1988</td>
<td>Not applicable (The cost of pre-construction works are charged under the project)</td>
<td>Levett &amp; Bailey, Llewelyn Davis, Ove Arup &amp; Partners, J. Roger Preston</td>
<td>Apr 1993</td>
<td>Sep 1996</td>
<td></td>
<td>Aoki Corporation</td>
<td></td>
<td>680.0</td>
<td>1,053.6</td>
<td>1,041.5</td>
</tr>
<tr>
<td>2</td>
<td>Chemical waste treatment facilities (5031DP)</td>
<td>16/11/1990</td>
<td>7.5</td>
<td>6.7</td>
<td>ERL (Asia) Ltd</td>
<td>May 1991</td>
<td>Apr 1993</td>
<td>Not Applicable (Design-Build-Operate Contract)</td>
<td>Enviropace Limited</td>
<td></td>
<td>1,300</td>
<td>-</td>
</tr>
<tr>
<td>3</td>
<td>Container Terminal No. 9 — engineering works for back-up area and infrastructure (2387CL)</td>
<td>24/7/1992</td>
<td>246</td>
<td>79</td>
<td>Scott Wilson — Maunsell Joint Venture</td>
<td>May 2000</td>
<td>Jun 2005</td>
<td>Scott Wilson — Maunsell Joint Venture</td>
<td>Hyundai-CCE CC Joint Venture</td>
<td></td>
<td>2,710.0</td>
<td>-</td>
</tr>
<tr>
<td>4</td>
<td>North District Hospital construction works (8002MI)</td>
<td>19/11/1993</td>
<td>50</td>
<td>50</td>
<td>Llewelyn Davis, Ove Arup &amp; Partners, J. Roger Preston, Davis Langdon &amp; Seah HK Ltd, Crow Maunsell Management Consultant Ltd</td>
<td>Sep 1994</td>
<td>May 1997</td>
<td>Llewelyn Davis, Ove Arup &amp; Partners, J. Roger Preston, Davis Langdon &amp; Seah HK Ltd, Crow Maunsell Management Consultant Ltd</td>
<td>Hsin Chong Construction Co Ltd</td>
<td></td>
<td>1,690.4</td>
<td>-</td>
</tr>
<tr>
<td>No.</td>
<td>Project Title</td>
<td>FC Approval Date</td>
<td>Approved Estimate for Pre-construction Work ($ million)</td>
<td>Consultants' Fee for Pre-construction Work ($ million)</td>
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<tr>
<td>5</td>
<td>Construction of the Air Traffic Control Complex and Tower, procurement of air traffic control and meteorological equipment and systems and related construction work (2052GI)</td>
<td>22/4/1994</td>
<td>100 (2046GI)</td>
<td>Not applicable</td>
<td>Architectural Services Department</td>
<td>Oct 1994</td>
<td>Dec 2007</td>
<td>Yau Lee Construction Company Limited</td>
<td>1,451.0</td>
<td>1,250.0</td>
<td>1,010.5</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Ngau Tam Mei treatment works — construction (B141WF)</td>
<td>12/7/1996</td>
<td>71.1</td>
<td>59.2</td>
<td>Camp Dresser &amp; McKee International Inc.</td>
<td>Apr 1997</td>
<td>Oct 2000</td>
<td>Camp Dresser &amp; McKee International Inc.</td>
<td>2,501.6</td>
<td>-</td>
<td>2,248.4</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Redevelopment of Castle Peak Hospital, Phase 2 (8037MM)</td>
<td>27/2/1998</td>
<td>Not applicable</td>
<td>Architectural Services Department</td>
<td>Apr 1998</td>
<td>Jul 2007</td>
<td>Architectural Services Department</td>
<td>Shui On Construction Company Limited</td>
<td>1,470.8</td>
<td>-</td>
<td>1,061.4</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Engineering infrastructure for Cyberport development at Telegraph Bay, Phase I (7656CL)</td>
<td>21/5/1999</td>
<td>8.5</td>
<td>5.5</td>
<td>Jacobs China Limited</td>
<td>Sep 1999</td>
<td>Jun 2004</td>
<td>Maunsell Consultants Asia Limited</td>
<td>Cyberport Developer-Carlyle International Limited</td>
<td>964.0</td>
<td>-</td>
<td>802.0</td>
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<tr>
<td>9</td>
<td>Expansion of kiosks and other facilities at Lok Ma Chau boundary crossing — remaining works (3006GB)</td>
<td>18/2/2000</td>
<td>The pre-construction works are charged under 3007GB. The total funding of 3007GB is $104.1 million</td>
<td>42</td>
<td>Wong Tung &amp; Partners Limited</td>
<td>Nov 2000</td>
<td>Sep 2003</td>
<td>Wong Tung &amp; Partners Limited</td>
<td>Penta-Ocean Construction Co., Ltd.</td>
<td>1,199.0</td>
<td>-</td>
<td>999.6</td>
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<td>10</td>
<td>Redevelopment of Police Headquarters, Arsenal Street, Wanchai (Arsenal Yard Phase 3 development) — stage 2 (3234LP)</td>
<td>28/4/2000</td>
<td>The pre-construction works are charged under 3236LP. The total funding of 3236LP is $45.1 million</td>
<td>Not applicable</td>
<td>Architectural Services Department</td>
<td>Nov 2000</td>
<td>Apr 2004</td>
<td>Architectural Services Department</td>
<td>Hip Hing Construction Company Limited</td>
<td>3,233.8</td>
<td>-</td>
<td>2,047.9</td>
</tr>
<tr>
<td>No.</td>
<td>Project Title</td>
<td>FC Approval Date</td>
<td>Approved Estimate for Pre-construction Work ($ million)</td>
<td>Consultants’ Fee for Pre-construction Work ($ million)</td>
<td>Name of Consultants for Pre-construction Work</td>
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<tr>
<td>11</td>
<td>West Kowloon drainage improvement, stage 2 phase 2 and stage 3 phase 1 works (4106CD)</td>
<td>9/6/2000</td>
<td>34.0</td>
<td>24.7</td>
<td>Black &amp; Veatch Hong Kong Limited</td>
<td>Jan 2001</td>
<td>Aug 2007</td>
<td>Black &amp; Veatch Hong Kong Limited</td>
<td>China Road &amp; Bridge Corporation/ Downer Construction (Hong Kong) Limited/ China State Construction Engineering (Hong Kong) Limited/ China State Construction Engineering Corporation China Harbour — Transfield Joint Venture / Kwan On Construction Co. Ltd.</td>
<td>1,767.2</td>
<td>-</td>
<td>1,190.1</td>
</tr>
<tr>
<td>12</td>
<td>Wan Chai East and North Point sewerage — stage 2 works (4225DS)</td>
<td>9/6/2000</td>
<td>52.7</td>
<td>27.1</td>
<td>Black &amp; Veatch Hong Kong Limited</td>
<td>Dec 2000</td>
<td>Jul 2008</td>
<td>Black &amp; Veatch Hong Kong Limited</td>
<td>Hong Kong &amp; Macau Scent On Engineering and Construction Limited/ Leighton-Kumagai Joint Venture/ Chit Cheung — China Overseas — ATAL Joint Venture</td>
<td>1,473.7</td>
<td>-</td>
<td>629.7</td>
</tr>
<tr>
<td>13</td>
<td>Improvement works to existing government schools based on the recommendations of the Education Commission Report No. 5 — phase 4 (3085ET)</td>
<td>16/6/2000</td>
<td>The pre-construction works are charged under 3087ET. The total funding of 3087ET is $161.7 million</td>
<td>WCWP International Limited/ Leigh &amp; Orange Limited/ Simon Kwan &amp; Associates Ltd</td>
<td>WCWP International Limited/ Leigh &amp; Orange Limited/ Simon Kwan &amp; Associates Ltd</td>
<td>Aug 2001</td>
<td>Mar 2006</td>
<td>30 numbers of contractors undertook the improvement works</td>
<td>382.1</td>
<td>1,107.7</td>
<td>662.7(1)</td>
<td></td>
</tr>
<tr>
<td>No.</td>
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<td>14</td>
<td>Trunk Road T7 in Ma On Shan (B643TH)</td>
<td>23/6/2000</td>
<td>67</td>
<td>37</td>
<td>Maunsell Consultants Asia Limited</td>
<td>Jan 2001</td>
<td>Aug 2004</td>
<td>Maunsell Consultants Asia Limited</td>
<td>China Harbour Engineering Company (Group)</td>
<td>2,011.6</td>
<td>-</td>
<td>1,519.5</td>
</tr>
<tr>
<td>15</td>
<td>Castle Peak Road improvement between Area 2 and Sham Tseng, Tsuen Wan (6365TH)</td>
<td>9/3/2001</td>
<td>44.2</td>
<td>17.6</td>
<td>Meinhardt Halcrow Joint Venture</td>
<td>Aug 2001</td>
<td>Jul 2006</td>
<td>Meinhardt Halcrow Joint Venture</td>
<td>China State Construction Engineering (Hong Kong) Limited</td>
<td>2,528.3</td>
<td>-</td>
<td>1,697.6</td>
</tr>
<tr>
<td>16</td>
<td>East Rail extension — essential public infrastructure works for Hung Hom to Tsim Sha Tsui extension (6048TR)</td>
<td>9/3/2001</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>Architectural Services Department</td>
<td>Oct 2002</td>
<td>Nov 2004</td>
<td>Architectural Services Department</td>
<td>Architectural Services Department</td>
<td>1,146.4</td>
<td>-</td>
<td>973.4</td>
</tr>
<tr>
<td>17</td>
<td>New headquarters for the Electrical and Mechanical Services Department in Kai Tak (3065GI)</td>
<td>29/6/2001</td>
<td>0.8</td>
<td>Not applicable</td>
<td>Architectural Services Department</td>
<td>Oct 2002</td>
<td>Nov 2004</td>
<td>Architectural Services Department</td>
<td>China State Construction Engineering (Hong Kong) Limited</td>
<td>878.9</td>
<td>-</td>
<td>759.2</td>
</tr>
<tr>
<td>18</td>
<td>New Territories South Regional Police Headquarters and Operational Base in Tsuen Wan (3241LP)</td>
<td>10/5/2002</td>
<td>0.5</td>
<td>0.1</td>
<td>Minor studies provided by several companies</td>
<td>Dec 2002</td>
<td>May 2005</td>
<td>Not applicable</td>
<td>Hip Hing Construction Company Limited</td>
<td>667.5</td>
<td>680.4</td>
<td>658.8</td>
</tr>
<tr>
<td>19</td>
<td>Construction of boundary-crossing facilities at Shenzhen Western Corridor under the &quot;co-location&quot; arrangement — design and construction works (3011GB)</td>
<td>18/7/2003</td>
<td>0.3</td>
<td>0.3</td>
<td>MVA Transportation Consultants</td>
<td>Oct 2004</td>
<td>Jul 2007</td>
<td>Levett &amp; Bailey Chartered Quantity Surveyors Limited (QS Consultant)</td>
<td>Not applicable (Undertaken by Shenzhen Government)</td>
<td>2,173.5</td>
<td>-</td>
<td>2,168.3</td>
</tr>
<tr>
<td>No.</td>
<td>Project Title</td>
<td>FC Approval Date</td>
<td>Approved Estimate for Pre-construction Work ($ million)</td>
<td>Consultants’ Fee for Pre-construction Work ($ million)</td>
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<td>Works Completion Date</td>
<td>Name of Consultant for Pre-construction Work</td>
<td>Name of Contractor</td>
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<td>Revised Approved Project Estimate ($ million)</td>
<td>Final Outturn ($ million)</td>
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</tr>
<tr>
<td>20</td>
<td>Improvement to Castle Peak Road between Ka Loon Tsuen and Siu Lam (6731TH)</td>
<td>20/2/2004</td>
<td>16.4</td>
<td>7.0</td>
<td>Mauensell Consultants Asia Limited and Ove Arup &amp; Partners Hong Kong Limited</td>
<td>Mar 2004</td>
<td>Feb 2007</td>
<td>Ove Arup &amp; Partners Hong Kong Ltd</td>
<td>Gammon Skanska Limited</td>
<td>686.3</td>
<td>-</td>
<td>649.0</td>
</tr>
<tr>
<td>21</td>
<td>Customs headquarters building at Tin Chia Street, North Point (3065KA)</td>
<td>16/6/2006</td>
<td>6.3</td>
<td>2.2</td>
<td>Davis Langdon &amp; Seah Hong Kong Limited (QS Consultant)</td>
<td>Apr 2007</td>
<td>Sep 2010</td>
<td>Simon Kwan &amp; Associates Ltd</td>
<td>Shui On Construction Company Limited</td>
<td>1,073.4</td>
<td>1,352.0</td>
<td>1,137.1</td>
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<tr>
<td>22</td>
<td>Construction of new campus at Tiu Keng Leng for the Vocational Training Council (8019EM)</td>
<td>22/6/2007</td>
<td>14.7</td>
<td>8</td>
<td>P&amp;T Architects and Engineers Ltd.</td>
<td>9/2007</td>
<td>4/2010</td>
<td>P&amp;T Architects and Engineers Ltd.</td>
<td>Penta-Ocean Construction Co. Ltd and China Resources Construction Co. Ltd.</td>
<td>1,006.3</td>
<td>-</td>
<td>1,006.3</td>
</tr>
<tr>
<td>23</td>
<td>Construction of boundary-crossing facilities at Shenzhen Western Corridor under the “co-location” arrangement — land development (3009GB)</td>
<td>11/1/2008</td>
<td>Not applicable</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Penta-Ocean Construction Co. Ltd and China Resources Construction Co. Ltd.</td>
<td>1,721.7</td>
<td>-</td>
<td>1,668.9</td>
</tr>
</tbody>
</table>

Note:

(1) 3085ET is for the improvement works to existing government schools based on the recommendations of the Education Commission Report No. 5 — phase 4 of School Improvement Programme. The original scope of 3085ET approved on 16 June 2000 by FC was to carry out improvement works for 10 government secondary schools and two government primary schools. The higher revised approved project estimate is mainly the result of the subsequent increase of government schools involved. The development was reported and discussed by PWSC on 17 January 2001 and the additional funding was approved by FC on 9 February 2001. The final outturn was lower than the revised approved project estimate because the scope of the works completed was reduced having regard to the technical infeasibility or site constraint of some schools.
### Table 2: Potential capital works items to be submitted to FC in the 2014-2015 Legislative Council Session

<table>
<thead>
<tr>
<th>No.</th>
<th>Project Title</th>
<th>Target FC Date</th>
<th>Approved Estimate for Pre-construction Work ($ million)</th>
<th>Consultant for Pre-construction Work</th>
<th>Target Contract Start Date</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Sludge treatment facilities (5233DS)</td>
<td>2014-2015 Legislative Council Session</td>
<td>14</td>
<td>AECOM Asia Company Limited</td>
<td>—</td>
<td>Increase in approved project estimate of a project in Category A</td>
</tr>
<tr>
<td>2</td>
<td>Hong Kong-Zhuhai-Macao Bridge Hong Kong Boundary Crossing Facilities-Reclamation and Superstructures (6845TH)</td>
<td>2014-2015 Legislative Council Session</td>
<td>712.7</td>
<td>Mainly Ove Arup &amp; Partners and AECOM Asia Company Limited</td>
<td>—</td>
<td>Increase in approved project estimate of a project in Category A</td>
</tr>
<tr>
<td>3</td>
<td>Liantang/Heung Yuen Wai Boundary Control Point and associated works-site formation and infrastructure works (5019GB)</td>
<td>2014-2015 Legislative Council Session</td>
<td>265.8</td>
<td>AECOM Asia Company Limited</td>
<td>2014-Q4</td>
<td>Increase in approved project estimate of a project in Category A</td>
</tr>
<tr>
<td>4</td>
<td>Liantang/Heung Yuen Wai boundary control point and associated works-construction of boundary control point buildings and associated facilities (3013GB)</td>
<td>2014-2015 Legislative Council Session</td>
<td>180 (The pre-construction works are charged under 3020GB)</td>
<td>Ronald Lu &amp; Partners (Hong Kong) Ltd (Lead Consultant)</td>
<td>2015-Q1</td>
<td>Full upgrade of project</td>
</tr>
</tbody>
</table>

*Indicative cost of the proposed allocation Standard Categories:*

(1) Below
(2) 200 million to 500 million
(3) Above 500 million
<table>
<thead>
<tr>
<th>No.</th>
<th>Project Title</th>
<th>Target FC Date</th>
<th>Approved Estimate for Pre-construction Work ($ million)</th>
<th>Consultant for Pre-construction Work</th>
<th>Target Contract Start Date</th>
<th>Remarks</th>
<th>Indicative cost of the proposed allocation Standard Categories*</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Kowloon East Regional Headquarters and Operational Base-cum-Ngau Tau Kok Divisional Police Station (3237LP)</td>
<td>2014-2015 Legislative Council Session</td>
<td>2.8</td>
<td>C S Toh &amp; Sons &amp; Associates Ltd. (QS Consultant)</td>
<td>2015-Q1</td>
<td>Full upgrade of project</td>
<td>(3)</td>
</tr>
<tr>
<td>6</td>
<td>Tuen Mun sewerage, stage 1 (4160DS)</td>
<td>2014-2015 Legislative Council Session</td>
<td>4.9</td>
<td>AECOM Asia Company Limited</td>
<td>2015-Q1</td>
<td>Part upgrade of project for provision of trunk sewerage to housing developments in Tuen Mun East and extension of public sewerage to three unsewered villages in Tuen Mun</td>
<td>(2)</td>
</tr>
<tr>
<td>7</td>
<td>Upgrading of Tuen Mun sewerage, phase 1 (4346DS)</td>
<td>2014-2015 Legislative Council Session</td>
<td>1.1</td>
<td>AECOM Asia Company Limited</td>
<td>2015-Q1</td>
<td>Part upgrade of project for provision of trunk sewerage to housing developments in Tuen Mun East and extension of public sewerage to four unsewered villages in Tuen Mun</td>
<td>(2)</td>
</tr>
<tr>
<td>No.</td>
<td>Project Title</td>
<td>Target FC Date</td>
<td>Approved Estimate for Pre-construction Work ($ million)</td>
<td>Consultant for Pre-construction Work</td>
<td>Target Contract Start Date</td>
<td>Remarks</td>
<td>Indicative cost of the proposed allocation Standard Categories*</td>
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<td></td>
<td></td>
<td>(1) Below 200 million (2) 200 million to 500 million (3) Above 500 million</td>
</tr>
<tr>
<td>8</td>
<td>Shek Wu Hui sewage treatment works — further expansion phase 1A (4388DS)</td>
<td>2014-2015 Legislative Council Session</td>
<td>19.8</td>
<td>AECOM Asia Company Limited</td>
<td>2015-Q1</td>
<td>Part upgrade of project for advance works, consultancy services and investigation</td>
<td>(3)</td>
</tr>
<tr>
<td>9</td>
<td>Planning and engineering study on Sunny Bay reclamation (5751CL)</td>
<td>2014-2015 Legislative Council Session</td>
<td>100.5</td>
<td>Tendering in progress</td>
<td>2015-Q1</td>
<td>Full upgrade of project</td>
<td>(1)</td>
</tr>
<tr>
<td>10</td>
<td>Strategic studies for artificial islands in the central waters (5768CL)</td>
<td>2014-2015 Legislative Council Session</td>
<td>226.9</td>
<td>Tendering in progress</td>
<td>2015-Q1</td>
<td>Full upgrade of project</td>
<td>(2)</td>
</tr>
<tr>
<td>11</td>
<td>Pilot study on underground space development in selected strategic urban areas (5769CL)</td>
<td>2014-2015 Legislative Council Session</td>
<td>70.0</td>
<td>Not yet tendered</td>
<td>2015-Q1</td>
<td>Full upgrade of project</td>
<td>(1)</td>
</tr>
<tr>
<td>12</td>
<td>Development of waste electrical and electronic equipment treatment and recycling facility (5180DR)</td>
<td>2014-2015 Legislative Council Session</td>
<td>8.4</td>
<td>ERM-Hong Kong, Ltd</td>
<td>2015-Q1</td>
<td>Full upgrade of project</td>
<td>(3)</td>
</tr>
<tr>
<td>13</td>
<td>Retrofitting of noise barriers on Tuen Mun Road (Town Centre Section) (6810TH)</td>
<td>2014-2015 Legislative Council Session</td>
<td>8.95</td>
<td>Mott MacDonald Hong Kong Limited/ Mannings (Asia) Consultants Limited</td>
<td>2015-Q1</td>
<td>Full upgrade of project</td>
<td>(3)</td>
</tr>
<tr>
<td>No.</td>
<td>Project Title</td>
<td>Target FC Date</td>
<td>Approved Estimate for Pre-construction Work ($ million)</td>
<td>Consultant for Pre-construction Work</td>
<td>Target Contract Start Date</td>
<td>Remarks</td>
<td>Indicative cost of the proposed allocation</td>
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<tr>
<td>14</td>
<td>Road improvement works for West Kowloon Reclamation Development (Phase 1) (6855TH)</td>
<td>2014-2015 Legislative Council Session</td>
<td>10.5</td>
<td>Parson Brinckerhoff (Asia) Limited</td>
<td>2015-Q1</td>
<td>Full upgrade of project</td>
<td>(3)</td>
</tr>
<tr>
<td>15</td>
<td>Integrated Basement for West Kowloon Cultural District (7763CL)</td>
<td>2014-2015 Legislative Council Session</td>
<td>Design and site investigation for underground road and associated facilities formed part of 7753CL. The total funding for 7753CL is $478 million.</td>
<td>Not applicable (entrusted to the West Kowloon Cultural District Authority)</td>
<td>2015-Q1</td>
<td>Part upgrade of project for first stage of design and advance works</td>
<td>(2)</td>
</tr>
<tr>
<td>No.</td>
<td>Project Title</td>
<td>Target FC Date</td>
<td>Approved Estimate for Pre-construction Work ($ million)</td>
<td>Consultant for Pre-construction Work</td>
<td>Target Contract Start Date</td>
<td>Remarks</td>
<td>Indicative cost of the proposed allocation Standard Categories*</td>
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<tr>
<td>17</td>
<td>Expansion of the blood transfusion service headquarters (8067MM)</td>
<td>2014-2015 Legislative Council Session</td>
<td>20.7</td>
<td>AD+RG/Rider Levett Bucknall Ltd.</td>
<td>2015-Q1</td>
<td>Full upgrade of project</td>
<td>(3)</td>
</tr>
<tr>
<td>18</td>
<td>A 36-classroom primary school in Area 36, Fanling (3354EP)</td>
<td>2014-2015 Legislative Council Session</td>
<td>11.6</td>
<td>P &amp; T Architects &amp; Engineers Limited (Lead Consultant)</td>
<td>2015-Q2</td>
<td>Full upgrade of project</td>
<td>(2)</td>
</tr>
<tr>
<td>19</td>
<td>A school for social development for girls at Choi Hing Road, Kwun Tong, Kowloon (3107ET)</td>
<td>2014-2015 Legislative Council Session</td>
<td>1.5</td>
<td>Architectural Services Department</td>
<td>2015-Q2</td>
<td>Full upgrade of project</td>
<td>(2)</td>
</tr>
<tr>
<td>20</td>
<td>Two special schools at Sung On Street, To Kwa Wan (3108ET)</td>
<td>2014-2015 Legislative Council Session</td>
<td>14.7</td>
<td>Hsin Yieh Architects &amp; Associates Ltd (Lead Consultant)</td>
<td>2015-Q2</td>
<td>Full upgrade of project</td>
<td>(2)</td>
</tr>
<tr>
<td>21</td>
<td>Construction of rank and file quarters for Customs and Excise Department at Yau Yue Wan Village Road, Tseung Kwan O (30651A)</td>
<td>2014-2015 Legislative Council Session</td>
<td>13.8</td>
<td>Andrew Lee King Fun &amp; Associates Architects Limited (Lead Consultant)</td>
<td>2015-Q2</td>
<td>Full upgrade of project</td>
<td>(3)</td>
</tr>
<tr>
<td>No.</td>
<td>Project Title</td>
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<td>Consultant for Pre-construction Work</td>
<td>Target Contract Start Date</td>
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<tr>
<td>23</td>
<td>Relocation of New Territories West Regional Office and Water Resources Education Centre of Water Supplies Department to Tin Shui Wai (3117KA)</td>
<td>2014-2015 Legislative Council Session</td>
<td>4.95</td>
<td>Sweett (China) Ltd. (QS Consultant)</td>
<td>2015-Q2</td>
<td>Full upgrade of project</td>
<td>(3)</td>
</tr>
<tr>
<td>24</td>
<td>Treasury Building in Cheung Sha Wan (3121KA)</td>
<td>2014-2015 Legislative Council Session</td>
<td>0.3</td>
<td>Minor studies provided by several companies</td>
<td>2015-Q2</td>
<td>Part upgrade of project for pre-construction consultancy services</td>
<td>(1)</td>
</tr>
<tr>
<td>25</td>
<td>Government Complex in Area 14 (Siu Lun), Tuen Mun (3056RG)</td>
<td>2014-2015 Legislative Council Session</td>
<td>1.5</td>
<td>Architectural Services Department</td>
<td>2015-Q2</td>
<td>Full upgrade of project</td>
<td>(3)</td>
</tr>
<tr>
<td>26</td>
<td>Multi-purpose Sports Complex at Kai Tak (3272RS)</td>
<td>2014-2015 Legislative Council Session</td>
<td>18.08</td>
<td>Joint Venture of Cinotech Consultants Ltd. and Maurice Lee &amp; Associates Ltd./Leigh &amp; Orange Limited/Parsons Brinckerhoff (Asia) Ltd.</td>
<td>2015-Q2</td>
<td>Part upgrade of project for consultancy services, ground investigations and surveys</td>
<td>(1)</td>
</tr>
<tr>
<td>27</td>
<td>Sports centre in Area 24D, Sha Tin (3273RS)</td>
<td>2014-2015 Legislative Council Session</td>
<td>3.9</td>
<td>Architectural Services Department</td>
<td>2015-Q2</td>
<td>Full upgrade of project</td>
<td>(3)</td>
</tr>
<tr>
<td>28</td>
<td>Yuen Long and Kam Tin sewage treatment upgrade — upgrading of San Wai sewage treatment works (4223DS)</td>
<td>2014-2015 Legislative Council Session</td>
<td>13.8</td>
<td>AECOM Asia Company Limited</td>
<td>2015-Q2</td>
<td>Part upgrade of project for design and construction works</td>
<td>(3)</td>
</tr>
<tr>
<td>No.</td>
<td>Project Title</td>
<td>Target FC Date</td>
<td>Approved Estimate for Pre-construction Work ($ million)</td>
<td>Consultant for Pre-construction Work</td>
<td>Target Contract Start Date</td>
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<tr>
<td>29</td>
<td>Yuen Long and Kam Tin sewerage and sewage disposal (4235DS)</td>
<td>2014-2015 Legislative Council Session</td>
<td>1.0</td>
<td>AECOM Asia Company Limited</td>
<td>2015-Q2</td>
<td>Part upgrade of project for design and construction works</td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>District Cooling System at the Kai Tak Development (5045CG)</td>
<td>2014-2015 Legislative Council Session</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>2015-Q2</td>
<td>Increase in approved project estimate of a project in Category A</td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>Kai Tak development — infrastructure works for developments at the southern part of the former runway (7711CL)</td>
<td>2014-2015 Legislative Council Session</td>
<td>Design and site investigation for main infrastructure works form part of 7724CL. The total funding for 724CL is $38.0 million. Design and site investigation for supporting underground structures form part of 841TH. The total funding for 841TH is $133.6 million.</td>
<td>AECOM Asia Company Limited/ Hyder-Meinhardt Joint Venture</td>
<td>2015-Q2</td>
<td>Full upgrade of project</td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td>Project Title</td>
<td>Target FC Date</td>
<td>Approved Estimate for Pre-construction Work ($ million)</td>
<td>Consultant for Pre-construction Work</td>
<td>Target Contract Start Date</td>
<td>Remarks</td>
<td>Standard Categories*</td>
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<tr>
<td>32</td>
<td>Ma On Shan development — Roads, drainage and sewerage works at Whitehead and Lok Wo Sha, phase 2 (7756CL)</td>
<td>2014-2015 Legislative Council Session</td>
<td>5.7</td>
<td>Ove Arup &amp; Partners</td>
<td>2015-Q2</td>
<td>Full upgrade of project</td>
<td>(2)</td>
</tr>
<tr>
<td>33</td>
<td>Integrated Basement for West Kowloon Cultural District (7763CL)</td>
<td>2014-2015 Legislative Council Session</td>
<td>Design and site investigation for integrated basement is $27.3 million (Category D item)</td>
<td>Not applicable (entrusted to West Kowloon Cultural District Authority)</td>
<td>2015-Q3</td>
<td>Part upgrade of project for second stage of design, site investigation and advance works</td>
<td>(3)</td>
</tr>
<tr>
<td>34</td>
<td>Signature Project Scheme (Wong Tai Sin District) — Expansion and improvement of Wong Tai Sin Square (7455RO)</td>
<td>2014-2015 Legislative Council Session</td>
<td>3.5</td>
<td>Andrew Lee King Fun &amp; Associates Architects Ltd.</td>
<td>2015-Q2</td>
<td>Full upgrade of project</td>
<td>(1)</td>
</tr>
<tr>
<td>No.</td>
<td>Project Title</td>
<td>Target FC Date</td>
<td>Approved Estimate for Pre-construction Work ($ million)</td>
<td>Consultant for Pre-construction Work</td>
<td>Target Contract Start Date</td>
<td>Remarks</td>
<td>Indicative cost of the proposed allocation Standard Categories*</td>
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<tr>
<td>35</td>
<td>Signature Project Scheme (Sham Shui Po District) — Shek Kip Mei Community Services Centre (7200SC)</td>
<td>2014-2015 Legislative Council Session</td>
<td>2.2</td>
<td>Housing Department</td>
<td>2015-Q2</td>
<td>Full upgrade of project</td>
<td>(1)</td>
</tr>
<tr>
<td>36</td>
<td>Construction of an annex to Baptist Lui Ming Choi Secondary School, Shatin, New Territories (8093EB)</td>
<td>2014-2015 Legislative Council Session</td>
<td>7.5</td>
<td>Chows Architects Limited</td>
<td>2015-Q2</td>
<td>Full upgrade of project</td>
<td>(1)</td>
</tr>
<tr>
<td>38</td>
<td>Refurbishment of Hong Kong Buddhist Hospital (8003MQ)</td>
<td>2014-2015 Legislative Council Session</td>
<td>19</td>
<td>Andrew Lee King Fun &amp; Associates Architects Ltd./Rider Levett Bucknall Ltd.</td>
<td>2015-Q2</td>
<td>Full upgrade of project</td>
<td>(3)</td>
</tr>
<tr>
<td>39</td>
<td>Revitalisation Scheme — Revitalisation of the Bridges Street Market into Hong Kong News-Expo (8018QW)</td>
<td>2014-2015 Legislative Council Session</td>
<td>5.3</td>
<td>Architecture Design and Research Group Limited</td>
<td>2015-Q2</td>
<td>Full upgrade of project</td>
<td>(1)</td>
</tr>
<tr>
<td>No.</td>
<td>Project Title</td>
<td>Target FC Date</td>
<td>Approved Estimate for Pre-construction Work ($ million)</td>
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<td>Target Contract Start Date</td>
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<tr>
<td>40</td>
<td>Revitalisation Scheme — Revitalisation of the Former Fanling Magistracy into Hong Kong Federation of Youth Groups Institute for Leadership Development (8019QW)</td>
<td>2014-2015 Legislative Council Session</td>
<td>8.9</td>
<td>LWK &amp; Partners (HK) Ltd</td>
<td>2015-Q2</td>
<td>Full upgrade of project (1)</td>
<td></td>
</tr>
<tr>
<td>41</td>
<td>Reprovisioning of Harcourt Road fresh water pumping station (9347WF)</td>
<td>2014-2015 Legislative Council Session</td>
<td>6.6</td>
<td>Not applicable</td>
<td>2015-Q2</td>
<td>Full upgrade of project (3)</td>
<td></td>
</tr>
<tr>
<td>42</td>
<td>Reprovisioning of Pak Tin Community Hall and special child care centre-cum-early education and training centre in Pak Tin Estate redevelopment site, and construction of footbridge link at Nam Cheong Street, Sham Shui Po (B197SC)</td>
<td>2014-2015 Legislative Council Session</td>
<td>2.4</td>
<td>Housing Department</td>
<td>2015-Q2</td>
<td>Full upgrade of project (2)</td>
<td></td>
</tr>
<tr>
<td>43</td>
<td>Public transport interchange at Container Port Road and junction improvement works along Kwai Chung Road, Kwai Chung (B080TI)</td>
<td>2014-2015 Legislative Council Session</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>2015-Q2</td>
<td>Full upgrade of project (1)</td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td>Project Title</td>
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<tr>
<td>44</td>
<td>Public transport interchange and associated works at Kiu Cheong Road East, Ping Shan (B081TI)</td>
<td>2014-2015 Legislative Council Session</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>2015-Q2</td>
<td>Full upgrade of project</td>
<td>(3)</td>
</tr>
<tr>
<td>45</td>
<td>Reprovisioning of Food and Environmental Hygiene Department Sai Yee Street Environmental Hygiene Offices-cum-vehicle depot at Yen Ming Road, West Kowloon Reclamation Area (3182GK)</td>
<td>2014-2015 Legislative Council Session</td>
<td>19.6</td>
<td>P &amp; T Architects and Engineers Limited (Lead Consultant)</td>
<td>2015-Q3</td>
<td>Full upgrade of project</td>
<td>(3)</td>
</tr>
<tr>
<td>46</td>
<td>Redevelopment of Kwun Tong staff quarters at 4 Tseung Kwan O Road, Kowloon (3069JA)</td>
<td>2014-2015 Legislative Council Session</td>
<td>7.7</td>
<td>Davis Langdon &amp; Seah Hong Kong Limited (QS Consultant)</td>
<td>2015-Q3</td>
<td>Full upgrade of project</td>
<td>(3)</td>
</tr>
<tr>
<td>47</td>
<td>Building a government data centre complex (3120KA)</td>
<td>2014-2015 Legislative Council Session</td>
<td>1.1</td>
<td>Minor studies provided by several companies</td>
<td>2015-Q3</td>
<td>Part upgrade of project for consultancy services</td>
<td>(1)</td>
</tr>
<tr>
<td>48</td>
<td>Reprovisioning of Refuse Collection Point at Fuk Wa Street/Fuk Wing Street/ Camp Street site, Sham Shui Po, Kowloon (3006NR)</td>
<td>2014-2015 Legislative Council Session</td>
<td>0.2</td>
<td>ERM-Hong Kong Limited</td>
<td>2015-Q3</td>
<td>Full upgrade of project</td>
<td>(1)</td>
</tr>
<tr>
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<tr>
<td>49</td>
<td>Construction of the East Kowloon Cultural Centre (Formerly: Construction of a cultural centre in Ngau Tau Kok) (3060RE)</td>
<td>2014-2015 Legislative Council Session</td>
<td>20.8</td>
<td>Rocco Design Architects Limited (Lead Consultant)</td>
<td>2015-Q3</td>
<td>Full upgrade of project</td>
<td>(3)</td>
</tr>
<tr>
<td>50</td>
<td>Expansion and Renovation of the Hong Kong Museum of Art (3066RE)</td>
<td>2014-2015 Legislative Council Session</td>
<td>6.1</td>
<td>Architectural Services Department</td>
<td>2015-Q3</td>
<td>Full upgrade of project</td>
<td>(3)</td>
</tr>
<tr>
<td>51</td>
<td>Port Shelter sewerage, stage 2 (4272DS)</td>
<td>2014-2015 Legislative Council Session</td>
<td>0.5</td>
<td>Black &amp; Veatch Hong Kong Limited</td>
<td>2015-Q3</td>
<td>Part upgrade of project for provision of sewers underneath Hiram's Highway in Port Shelter</td>
<td>(1)</td>
</tr>
<tr>
<td>52</td>
<td>Yuen Long effluent polishing plant (4408DS)</td>
<td>2014-2015 Legislative Council Session</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>2015-Q3</td>
<td>Part upgrade of project for investigation and design consultancy and investigation works</td>
<td>(1)</td>
</tr>
<tr>
<td>53</td>
<td>Further enhancing quality of coastal waters of Victoria Harbour (5054DP)</td>
<td>2014-2015 Legislative Council Session</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>2015-Q3</td>
<td>Full upgrade of project</td>
<td>(1)</td>
</tr>
<tr>
<td>No.</td>
<td>Project Title</td>
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<tr>
<td>54</td>
<td>Dualling of Hiram’s Highway between Clear Water Bay Road and Marina Cove and improvement to local access to Ho Chung (6703TH)</td>
<td>2014-2015 Legislative Council Session</td>
<td>15.9</td>
<td>Babtie BMT Harris &amp; Sutherland (Hong Kong) Limited and Meinhardt Infrastructure and Environment Limited</td>
<td>2015-Q3</td>
<td>Full upgrade of project</td>
<td>(3)</td>
</tr>
<tr>
<td>55</td>
<td>Engineering works for Ha Mei San Tsuen Village Expansion Area (7213CL)</td>
<td>2014-2015 Legislative Council Session</td>
<td>3.5</td>
<td>Black &amp; Veatch Hong Kong Limited</td>
<td>2015-Q3</td>
<td>Full upgrade of project</td>
<td>(1)</td>
</tr>
<tr>
<td>56</td>
<td>Formation, roads and drains in Area 54, Tuen Mun — phase 1 (7666CL)</td>
<td>2014-2015 Legislative Council Session</td>
<td>9.4</td>
<td>Black &amp; Veatch Hong Kong Limited/ AECOM Asia Company Limited/ Meinhardt Infrastructure and Environment Limited</td>
<td>2015-Q3</td>
<td>Part upgrade of project for site formation and associated infrastructural works</td>
<td>(2)</td>
</tr>
<tr>
<td>No.</td>
<td>Project Title</td>
<td>Target FC Date</td>
<td>Approved Estimate for Pre-construction Work ($ million)</td>
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<tr>
<td>57</td>
<td>Formation, roads and drains in Area 54, Tuen Mun — phase 2 (7681CL)</td>
<td>2014-2015 Legislative Council Session</td>
<td>25.9</td>
<td>Black &amp; Veatch Hong Kong Limited/ AECOM Asia Company Limited/ Meinhardt Infrastructure and Environment Limited</td>
<td>2015-Q3</td>
<td>Part upgrade of project for part of the site formation and associated infrastructural works</td>
<td>(3)</td>
</tr>
<tr>
<td>58</td>
<td>Infrastructure works for West Kowloon Cultural District, phase 1 — Construction (7754CL)</td>
<td>2014-2015 Legislative Council Session</td>
<td>The pre-construction work of this project is part of 7753CL. The total funding for 7753CL is $478 million.</td>
<td>Not applicable (entrusted to the West Kowloon Cultural District Authority)</td>
<td>2015-Q3</td>
<td>Part upgrade of project for construction of part of the supporting infrastructure</td>
<td>(3)</td>
</tr>
<tr>
<td>59</td>
<td>Signature Project Scheme (Sham Shui Po District) — Mei Foo Neighbourhood Activity Centre (7065RG)</td>
<td>2014-2015 Legislative Council Session</td>
<td>4.4</td>
<td>Andrew Lee King Fun &amp; Associates Architects Ltd.</td>
<td>2015-Q3</td>
<td>Full upgrade of project</td>
<td>(1)</td>
</tr>
<tr>
<td>No.</td>
<td>Project Title</td>
<td>Target FC Date</td>
<td>Approved Estimate for Pre-construction Work ($ million)</td>
<td>Consultant for Pre-construction Work</td>
<td>Target Contract Start Date&lt;sup&gt;a&lt;/sup&gt;</td>
<td>Remarks</td>
<td>Indicative cost of the proposed allocation Standard Categories&lt;sup&gt;*&lt;/sup&gt;</td>
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</tr>
<tr>
<td>60</td>
<td>Water supply to Northwestern Tuen Mun (9099WC)</td>
<td>2014-2015 Legislative Council Session</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>2015-Q3</td>
<td>Part upgrade of project for part of the provision of fresh and flushing water supply systems to the new developments in Tuen Mun Area 54</td>
<td>(1) Below 200 million</td>
</tr>
<tr>
<td>61</td>
<td>In-situ reprovisioning of Sha Tin water treatment works (9181WF)</td>
<td>2014-2015 Legislative Council Session</td>
<td>149.1</td>
<td>AECOM Asia Company Limited</td>
<td>2015-Q3</td>
<td>Part upgrade of project for advance works</td>
<td>(3) 200 million to 500 million</td>
</tr>
<tr>
<td>62</td>
<td>Design and construction for the first stage of desalination plant at Tseung Kwan O (9357WF)</td>
<td>2014-2015 Legislative Council Session</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>2015-Q3</td>
<td>Part upgrade of project for investigation study review, design and site investigation</td>
<td>(1) Above 500 million</td>
</tr>
<tr>
<td>63</td>
<td>Two 24-classroom primary schools at ex-Tanner Road Police Married Quarters site at Pak Fuk Road, North Point, Hong Kong (3351EP)</td>
<td>2014-2015 Legislative Council Session</td>
<td>13.8</td>
<td>Ronald Lu &amp; Partners (Hong Kong) Ltd. (Lead Consultant)</td>
<td>2015-Q4</td>
<td>Full upgrade of project</td>
<td>(3) Above 500 million</td>
</tr>
<tr>
<td>64</td>
<td>A 12-classroom special school for children with mild intellectual disability near Hoi Lai Estate, Sham Shui Po (3110ET)</td>
<td>2014-2015 Legislative Council Session</td>
<td>6.8</td>
<td>Thomas Chow Architects Limited (Lead Consultant)</td>
<td>2015-Q4</td>
<td>Full upgrade of project</td>
<td>(2)</td>
</tr>
<tr>
<td>No.</td>
<td>Project Title</td>
<td>Target FC Date</td>
<td>Approved Estimate for Pre-construction Work ($ million)</td>
<td>Consultant for Pre-construction Work</td>
<td>Target Contract Start Date</td>
<td>Remarks</td>
<td>Indicative cost of the proposed allocation Standard Categories*</td>
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<tr>
<td>65</td>
<td>Redevelopment of Lok Fu staff quarters at 20 Heng Lam Street, Kowloon (3066JA)</td>
<td>2014-2015 Legislative Council Session</td>
<td>9.9</td>
<td>Chung Wah Nan Architects Ltd (Lead Consultant)</td>
<td>2015-Q4</td>
<td>Full upgrade of project</td>
<td>(2)</td>
</tr>
<tr>
<td>66</td>
<td>Inland Revenue Tower in the Kai Tak Development Area (3122KA)</td>
<td>2014-2015 Legislative Council Session</td>
<td>6.7</td>
<td>Minor studies provided by several companies</td>
<td>2015-Q4</td>
<td>Part upgrade of project for pre-construction consultancy services</td>
<td>(1)</td>
</tr>
<tr>
<td>67</td>
<td>Provision of Columbarium and Garden of Remembrance at Tsang Tsui, Tuen Mun (3019NB)</td>
<td>2014-2015 Legislative Council Session</td>
<td>20.8</td>
<td>Simon Kwan &amp; Associates Ltd. (Lead Consultant)</td>
<td>2015-Q4</td>
<td>Full upgrade of project</td>
<td>(3)</td>
</tr>
<tr>
<td>68</td>
<td>Open Space at Hing Wah Street West, Sham Shui Po (Formerly: Open space at the junction of Hing Wah Street West, Lai Hong Street and Tung Chau Street (3434RO))</td>
<td>2014-2015 Legislative Council Session</td>
<td>3.4</td>
<td>Chows Architects Limited (Lead Consultant)</td>
<td>2015-Q4</td>
<td>Full upgrade of project</td>
<td>(1)</td>
</tr>
<tr>
<td>69</td>
<td>Planning and engineering study on reclamation at Lung Kwu Tan (5767CL)</td>
<td>2014-2015 Legislative Council Session</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>2015-Q4</td>
<td>Full upgrade of project</td>
<td>(1)</td>
</tr>
<tr>
<td>70</td>
<td>Refurbishment and upgrading of Sha Tin transfer station (5183DR)</td>
<td>2014-2015 Legislative Council Session</td>
<td>7.5</td>
<td>AECOM Asia Company Limited</td>
<td>2015-Q4</td>
<td>Full upgrade of project</td>
<td>(1)</td>
</tr>
<tr>
<td>71</td>
<td>Signature Project Scheme (Sha Tin District) — Decking of Tai Wai Nullah in Sha Tin (7170CD)</td>
<td>2014-2015 Legislative Council Session</td>
<td>5.5</td>
<td>Black &amp; Veatch Hong Kong Limited</td>
<td>2015-Q4</td>
<td>Full upgrade of project</td>
<td>(1)</td>
</tr>
<tr>
<td>No.</td>
<td>Project Title</td>
<td>Target FC Date</td>
<td>Approved Estimate for Pre-construction Work ($ million)</td>
<td>Consultant for Pre-construction Work</td>
<td>Target Contract Start Date</td>
<td>Remarks</td>
<td>Indicative cost of the proposed allocation Standard Categories*</td>
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</tr>
<tr>
<td>72</td>
<td>Demolition of buildings, structures and chimneys at Kennedy Town Comprehensive Development Area (7570CL)</td>
<td>2014-2015 Legislative Council Session</td>
<td>12.0</td>
<td>Mott MacDonald Hong Kong Limited</td>
<td>2015-Q4</td>
<td>Full upgrade of project</td>
<td>(3)</td>
</tr>
<tr>
<td>73</td>
<td>Signature Project Scheme (Wong Tai Sin District) — Enhancement of leisure facilities of Morse Park (7070RE)</td>
<td>2014-2015 Legislative Council Session</td>
<td>1.3</td>
<td>Architectural Services Department</td>
<td>2015-Q4</td>
<td>Full upgrade of project</td>
<td>(1)</td>
</tr>
<tr>
<td>74</td>
<td>Signature Project Scheme (North District) — Improvement of trails and provision of ancillary facilities at Wu Tip Shan and Wa Mei Shan in Fanling (7059RG)</td>
<td>2014-2015 Legislative Council Session</td>
<td>4.5</td>
<td>WCWP International Limited</td>
<td>2015-Q4</td>
<td>Full upgrade of project</td>
<td>(1)</td>
</tr>
<tr>
<td>75</td>
<td>Signature Project Scheme (North District) — Improvement of trails and provision of facilities in Sha Tau Kok (7060RG)</td>
<td>2014-2015 Legislative Council Session</td>
<td>6.0</td>
<td>WCWP International Limited</td>
<td>2015-Q4</td>
<td>Full upgrade of project</td>
<td>(1)</td>
</tr>
<tr>
<td>76</td>
<td>Signature Project Scheme (Islands District) — Yung Shue Wan Library cum Heritage and Cultural Showroom, Lamma Island (7061RG)</td>
<td>2014-2015 Legislative Council Session</td>
<td>3.9</td>
<td>Leigh &amp; Orange Limited</td>
<td>2015-Q4</td>
<td>Full upgrade of project</td>
<td>(1)</td>
</tr>
<tr>
<td>No.</td>
<td>Project Title</td>
<td>Target FC Date</td>
<td>Approved Estimate for Pre-construction Work ($ million)</td>
<td>Consultant for Pre-construction Work</td>
<td>Target Contract Start Date</td>
<td>Remarks</td>
<td>Indicative cost of the proposed allocation Standard Categories*</td>
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</tr>
<tr>
<td>77</td>
<td>Signature Project Scheme (Central and Western District) — Harbourfront enhancement and revitalisation at the Western Wholesale Food Market (7453RO)</td>
<td>2014-2015 Legislative Council Session</td>
<td>2.6 Architectural Services Department</td>
<td>2015-Q4</td>
<td>Full upgrade of project</td>
<td>(1)</td>
<td>(1)</td>
</tr>
<tr>
<td>78</td>
<td>Signature Project Scheme (Kwun Tong District) — Construction of music fountains at Kwun Tong Promenade (7458RO)</td>
<td>2014-2015 Legislative Council Session</td>
<td>1.3 Architectural Services Department</td>
<td>2015-Q4</td>
<td>Full upgrade of project</td>
<td>(1)</td>
<td>(1)</td>
</tr>
<tr>
<td>79</td>
<td>Signature Project Scheme (Kwun Tong District) — Construction of lift tower at Shung Yan Street in Kwun Tong (7460RO)</td>
<td>2014-2015 Legislative Council Session</td>
<td>1.2 Architectural Services Department</td>
<td>2015-Q4</td>
<td>Full upgrade of project</td>
<td>(1)</td>
<td>(1)</td>
</tr>
<tr>
<td>80</td>
<td>Signature Project Scheme (Tsuen Wan District) — Redevelopment of Sai Lau Kok Garden (7461RO)</td>
<td>2014-2015 Legislative Council Session</td>
<td>3.1 Architectural Services Department</td>
<td>2015-Q4</td>
<td>Full upgrade of project</td>
<td>(1)</td>
<td>(1)</td>
</tr>
<tr>
<td>81</td>
<td>Cycle tracks connecting North West New Territories with North East New Territories — Tuen Mun to Sheung Shui section (Remaining) (7259RS)</td>
<td>2014-2015 Legislative Council Session</td>
<td>19.1 URS Hong Kong Limited</td>
<td>2015-Q4</td>
<td>Full upgrade of project</td>
<td>(3)</td>
<td>(3)</td>
</tr>
<tr>
<td>No.</td>
<td>Project Title</td>
<td>Target FC Date</td>
<td>Approved Estimate for Pre-construction Work ($ million)</td>
<td>Consultant for Pre-construction Work</td>
<td>Target Contract Start Date</td>
<td>Remarks</td>
<td>Indicative cost of the proposed allocation Standard Categories*</td>
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</tr>
<tr>
<td>82</td>
<td>Signature Project Scheme (Islands District) — Improvement works at Silvermine Bay Beach, Mui Wo (7285RS)</td>
<td>2014-2015 Legislative Council Session</td>
<td>5.2</td>
<td>Leigh &amp; Orange Limited</td>
<td>2015-Q4</td>
<td>Full upgrade of project</td>
<td>(1) Below 200 million</td>
</tr>
<tr>
<td>83</td>
<td>Widening of Tai Po Road (Sha Tin Section) (7861TH)</td>
<td>2014-2015 Legislative Council Session</td>
<td>9.9 (The pre-construction works concerned were preliminary investigation)</td>
<td>AECOM Asia Company Limited (Preliminary investigation)</td>
<td>2015-Q4</td>
<td>Part upgrade of project for detailed design and site investigation</td>
<td>(1) 200 million to 500 million</td>
</tr>
<tr>
<td>84</td>
<td>Revitalisation Scheme — Revitalisation of the Haw Par Mansion into Haw Par Music Farm (8020QW)</td>
<td>2014-2015 Legislative Council Session</td>
<td>11.8</td>
<td>Design 2 (HK) Limited</td>
<td>2015-Q4</td>
<td>Full upgrade of project</td>
<td>(3) Above 500 million</td>
</tr>
<tr>
<td>85</td>
<td>Roads and drains in Area 16 and Area 58D, Sha Tin (B757CL)</td>
<td>2014-2015 Legislative Council Session</td>
<td>4.7</td>
<td>Atkins China Ltd.</td>
<td>2015-Q4</td>
<td>Full upgrade of project</td>
<td>(2) 500 million to 1000 million</td>
</tr>
<tr>
<td>86</td>
<td>Relocation of supporting operational facilities of Tsim Sha Tsui Fire Station Complex (3175BF)</td>
<td>2014-2015 Legislative Council Session</td>
<td>15.8</td>
<td>Andrew Lee King Fun &amp; Associates Architects Limited (Lead Consultant)</td>
<td>2016-Q1</td>
<td>Full upgrade of project</td>
<td>(3) 1000 million to 2000 million</td>
</tr>
<tr>
<td>No.</td>
<td>Project Title</td>
<td>Target FC Date</td>
<td>Approved Estimate for Pre-construction Work ($ million)</td>
<td>Consultant for Pre-construction Work</td>
<td>Target Contract Start Date</td>
<td>Remarks</td>
<td>Indicative cost of the proposed allocation Standard Categories*</td>
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<td>1) Below 200 million</td>
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<td></td>
<td></td>
<td></td>
<td>2) 200 million to 500 million</td>
</tr>
<tr>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3) Above 500 million</td>
</tr>
<tr>
<td>87</td>
<td>Signature Project Scheme (Sha Tin District) — Revitalisation of Shing Mun River promenade near Sha Tin town centre (7454RO)</td>
<td>2014-2015 Legislative Council Session</td>
<td>3.3</td>
<td>Black &amp; Veatch Hong Kong Limited</td>
<td>2016-Q1</td>
<td>Full upgrade of project</td>
<td>(1)</td>
</tr>
<tr>
<td>88</td>
<td>Signature Project Scheme (Yuen Long District) — Construction of Yuen Long District Community Services Building (7201SC)</td>
<td>2014-2015 Legislative Council Session</td>
<td>Not applicable (To be undertaken by non-profit organization)</td>
<td>To be appointed by non-profit organization</td>
<td>2016-Q1</td>
<td>Full upgrade of project</td>
<td>(1)</td>
</tr>
<tr>
<td>89</td>
<td>Sha Tin New Town — stage II : servicing and extension of Pai Tau Village in area 6A (7394CL)</td>
<td>2014-2015 Legislative Council Session</td>
<td>0.6</td>
<td>AECOM Asia Company Limited</td>
<td>2016-Q2</td>
<td>Increase in approved project estimate of a project in Category A</td>
<td>(1)</td>
</tr>
</tbody>
</table>

Notes:

# Target as at 14 October 2014.

* According to PWSCI(14-15)7, the "Indicative cost of the proposed increase in the APE"/"Indicative cost of the proposed projects" has three standard categories, namely "Below $200 million", "$200 million to $500 million" and "Above $500 million".

^ The approved project estimate of the Hong Kong Boundary Crossing Facilities of the Hong Kong-Zhuhai-Macao Bridge in November 2011 was $30.4339 billion (in MOD prices). As the Transport and Housing Bureau has indicated in recent replies to some Legislative Council Members, the Transport and Housing Bureau would give a detailed account to the Legislative Council Panel on Transport at its meeting in December and then seek funding approval for the increase in the approved project estimate from the Legislative Council Public Works Subcommittee and the FC according to the procedures.
Inclusion of Pet Visitation Arrangements in Hospice and Palliative Care Services

20. **MR LEUNG CHE-CHEUNG** (in Chinese): President, at present, the Hospital Authority (HA) has set up a dedicated team of professionals to provide hospice and palliative care services with a comprehensive service model for terminally-ill patients to alleviate their physical and emotional distress and improve their quality of life at the end-of-life stage. Some terminally-ill patients in public hospitals have indicated that they regard their pets as family members and therefore hope that arrangements can be made for them to see their pets in the hospital (pet visitation arrangements) as they approach the end of life. In this connection, will the Government inform this Council if it knows:

(1) whether the HA has exercised discretion to make pet visitation arrangements on humane grounds; if the HA has, of the procedures concerned; whether the HA has drawn reference from relevant overseas practices;

(2) the respective numbers of requests from terminally-ill patients for pet visitation arrangements received and approved by the HA in the past three years; and

(3) the reasons why pet visitation arrangements are not part of the HA’s current hospice and palliative care services; whether the HA will consider including such arrangements into the scope of such services?

**SECRETARY FOR FOOD AND HEALTH** (in Chinese): President, regarding the question raised on the integrated palliative treatment and care services provided by the HA, my consolidated reply is as follows:

(1) to (3)

With the aim to provide holistic care to patients, the HA has been providing palliative care services with a comprehensive service model for terminally-ill patients and their families through a multidisciplinary team of professionals, in order to cater for their needs in various aspects.
When approaching the end of life, apart from physical symptoms, it is common for patients and their family members to experience emotional and psychological distress. The HA has been enhancing palliative care psychosocial services through strengthening services provided by medical social workers and clinical psychologists, in order to identify high-risk patients and their family members and provide them with early intervention as well as professional psychological and emotional support.

The HA appreciates that some terminally-ill in-patients may wish to see their pets, whom they treat as family members, in their last days. Nevertheless, taking into account factors including hospital safety and infection control, the physical condition of the patients concerned and the impacts on other patients, their families and hospital staff, the HA Palliative Care Units will consider individual requests for seeing their pets in hospital on a case by case basis and discretion might be exercised on compassionate grounds.

The HA does not maintain statistics on the number of requests from terminally-ill patients for arrangement to see their pets in the hospital.

Placing Vending Machines at Bus Stops

21. **MR JAMES TO** (in Chinese): President, some members of the public have relayed to me that franchised bus companies (bus companies) have placed vending machines for drinks beside quite a number of open-air bus stops, which not only occupy public places but also reduce the queuing space for members of the public waiting for buses. In this connection, will the Government inform this Council:

(1) whether it has compiled statistics on the current number of bus stops with electricity supply and the area occupied by such bus stops in general, with a tabulated breakdown by the name of the bus companies;
(2) whether bus companies are allowed to conduct commercial activities other than passenger services at bus stops; if so, of the application procedures; if not, how the authorities will follow up the aforesaid situation;

(3) of the parties responsible for meeting the electricity expenditure incurred in the operation of bus stops; if such expenditure is met by public funds, whether bus companies are allowed to use the electrical installations at bus stops to supply electricity for the vending machines;

(4) whether the authorities' prior approval is required for bus companies to set up electrical installations at bus stops; if so, whether such approval has imposed restrictions on the scope for the use of electricity by the bus companies (including whether the bus companies are allowed to use such electrical installations to conduct commercial activities other than passenger services); if so, of the details; if not, the reasons for that; and

(5) whether the operators that provide the vending machines or the bus companies are required to apply to the authorities and obtain their approval for placing vending machines at public places beside bus stops, and whether fees are payable by them; if approval or payment of fees is required, of the details and the total amount of such fees collected by the Treasury in the past three years; if not, the reasons for that?

SECRETARY FOR TRANSPORT AND HOUSING (in Chinese): President, the Government has all along been encouraging franchised bus companies to improve facilities at bus stops to provide passengers with greater convenience and a better waiting environment. The franchised bus companies can generate non-fare box revenue by installing facilities such as vending machines at bus stops or displaying advertisements on bus stop shelters. Pursuant to the statutory requirements, non-fare box revenue generated from such facilities/arrangements is included in the franchise account. This can help
increase the receipts of the franchised bus companies, thereby alleviating the pressure to increase fare. At present, non-fare box revenue amounts to about 1% to 8% of the total revenue of franchised bus companies.

Our consolidated reply to Mr James TO's question is as follows:

Franchised bus companies would arrange electricity supply for sheltered bus stops having regard to the actual circumstance. The electricity expenses are borne by them. A breakdown of the number and average area of such bus stops by franchised bus companies is at Annex.

Franchised bus companies are required to seek the approval from the Transport Department (TD) or Lands Department (LandsD) for installing supplementary facilities such as vending machines at bus stops. Basically, the TD is responsible for considering applications involving facilities with an area less than 2 sq m, while the LandsD would be responsible to handle the other applications. The Government would not collect rent from the franchised bus companies for facilities with an area below 2 sq m. If the facility is with an area of 2 sq m or above, the Government will grant the site by way of short term tenancy and collect rent at market value.

A vending machine is usually of an area of about 0.7 sq m. Such applications are thus considered by the TD. The franchised bus companies are required to set out clearly in their applications the design, structure and location of the vending machine to be installed. When examining the applications, the TD will consider various factors including the impact of the proposal on bus operation, passengers and other road users; the availability of sufficient space for waiting passengers and pedestrian access; and the views of other government departments (such as the Police and District Offices). Upon approval of application, the franchised bus companies can arrange with the power supplier to put in place electrical installation on their own. The electricity expenses would be borne by the franchised bus companies.

There are currently over 1 000 sheltered bus stops provided with electricity supply in Hong Kong, and a total of 28 vending machines have been installed.
Annex

Bus stops with electricity supply#

<table>
<thead>
<tr>
<th>Franchised bus companies</th>
<th>Number of bus stops with electricity supply#</th>
<th>Average area per bus stop (that is, sheltered area)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kowloon Motor Bus Company (1933) Limited</td>
<td>1 159</td>
<td>about 11 sq m</td>
</tr>
<tr>
<td>Citybus Limited</td>
<td>195</td>
<td>about 13 sq m</td>
</tr>
<tr>
<td>New World First Bus Services Limited</td>
<td>88</td>
<td>about 13 sq m</td>
</tr>
<tr>
<td>Long Win Bus Company Limited</td>
<td>33</td>
<td>about 33 sq m</td>
</tr>
<tr>
<td>New Lantao Bus Company (1973) Limited</td>
<td>2</td>
<td>about 45 sq m</td>
</tr>
</tbody>
</table>

Note:

# These bus stops are all sheltered.

Retrofitting Noise Barriers on Existing Roads

22. **MR TANG KA-PIU** (in Chinese): President, in its reply to a question raised by a Member of this Council on the Estimates of Expenditure 2014-2015, the Government stated that there were then 21 existing road sections noise barriers retrofitting works for which were under planning and review, or under review in the light of the circumstances of individual sections. Regarding the programme for retrofitting noise barriers on existing roads (the programme), will the Government inform this Council:

(1) of the following information on each of the aforesaid 21 works items: (i) the expected commencement date of the works, (ii) the road section concerned, (iii) the traffic noise level at the road section concerned, (iv) the estimated project cost, (v) the current work progress (including the time for drawing up the conceptual design), (vi) the expected completion date of the works, and (vii) the estimated number of persons benefitting from the works (set out in a table in chronological order of the expected commencement dates);
(2) of the mechanisms adopted by the authorities for determining the order for commencing works of and the design criteria for the aforesaid 21 works items, as well as the target date for completing all these 21 works items;

(3) given that when the issue of retrofitting noise barriers at Tsung Pak Long section of the Fanling Highway was discussed last year at the Traffic and Transport Committee of the North District Council, the government officials indicated that project establishment for the proposed works had been made, of the reasons why this works proposal has not yet been included in the programme so far;

(4) of the measures put in place by the Government to alleviate the noise problems at the relevant road sections before completion of the noise barriers retrofitting works in parts (1) and (3);

(5) given that the Government will retrofit noise barriers or enclosures on existing roads with noise levels exceeding 70 dB(A) under the existing traffic noise mitigation policy, whether the Government will conduct an in-depth study with a view to including in the programme those road sections with noise levels exceeding 70 dB(A) but have not yet been included in the programme; if it will, of the details; if not, the reasons for that; and

(6) as it is learnt that the roads near Golf Parkview, a residential development in Sheung Shui, have noise levels reaching 72.4 dB(A), but the Government has all along rejected residents' request for retrofitting noise barriers at the relevant road sections, whether the Government will consider afresh retrofitting noise barriers at the road sections concerned?

SECRETARY FOR THE ENVIRONMENT (in Chinese): President, the works for retrofitting noise barriers on existing roads by the Government are public works projects, the implementation of which should follow the established procedures of the Public Works Programme (PWP). Like all other public works projects, the funding required has to be processed through the resources allocation
mechanism in the order of priority of the PWP. Currently, a total of 40 existing road sections are included in the Noise Barrier Retrofitting Programme, of which, 16 are completed and one is under construction. The works projects of two other road sections are intended to be submitted to the Finance Committee of the Legislative Council within this legislative year for upgrading to Category A and funding approval with a view to commencing work. For the remaining 21 road sections, planning, review and design, and so on, are underway.

Our reply to Mr TANG's question is as follows:

(1) The concerned road sections, traffic noise level, estimated number of persons benefitting from the works and the estimated project costs of the 21 retrofitting projects under planning are at Annex. As the works projects for these 21 road sections have not yet been upgraded to Category A, their order of implementation, and dates of commencement and completion are not available for the time being.

(2) The criterion opted by the Government for arranging the order of retrofitting works is to accord priority to road sections with the highest noise level and the largest number of residents affected. However, the Government will explore to tie in the retrofitting works of individual road sections with the adjoining new road projects under planning. The purpose is to avoid carrying out works projects repeatedly at nearby locations causing disturbance to residents and road users and, where possible, achieve some savings on the overall project time and costs. Given that the funding arrangements of public works projects have to follow the established procedures and require an overall consideration, the target dates for completing all the 21 works items are not available at the moment.

(3) The Government included the retrofitting works item of the section of Fanling Highway near Tsung Pak Long in the Noise Barrier Retrofitting Programme in 2007. Implementation of the retrofitting works has to follow the established procedures of the PWP. Like all other public works projects, the funding required has to be processed through the resources allocation mechanism in the order of priority of the PWP.
(4) To minimize the traffic noise impact of the 21 road sections in the Annex on nearby residents, the Highways Department (HyD) has applied low noise road surfacing materials on some suitable road sections. Should the concerned road section fall on a vehicular flyover, the HyD will study ways to improve the expansion joints so as to reduce the noise caused by vehicles passing by.

(5) When retrofitting noise barriers on existing roads, apart from the noise level affecting residents, the following technical criteria should also be considered:

(i) whether the noise barrier/enclosure will obstruct emergency access or fire-fighting;

(ii) whether the noise barrier/enclosure will undermine road safety or impede pedestrian and vehicular access; and,

(iii) whether there are adequate space and structural capability (applicable to flyovers) for supporting the noise barrier or enclosure.

The Environmental Protection Department and the HyD will continue to study the need and feasibility of retrofitting noise barriers along road sections currently subjected to high traffic noise level, taking account of practical situation, and to include suitable road sections in the works programme when resources allow.

(6) The section of Fanling Highway near Tsung Pak Long is within the list of the 21 retrofitting works projects. As mentioned above, the implementation of retrofitting works has to follow the established procedures of the PWP. To minimize the noise impact of the concerned section of Fanling Highway on nearby residents, the HyD has applied low noise road surfacing materials on the road section and completed the improvement works to the expansion joints of the vehicular flyover near Golf Parkview in the middle of this year. The HyD has also installed metal panels on railings along the vehicular flyover to further reduce the noise.
Annex

Retrofitting of Noise Barriers on Existing Roads
Information of Works Related to the 21 Road Sections Under Planning

<table>
<thead>
<tr>
<th>Road Section*</th>
<th>Maximum Traffic Noise Level (dB(A))</th>
<th>Number of Residents Benefitted</th>
<th>Preliminary Estimated Project Costs ($ Million) (September 2014)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Castle Peak Road (Hung Shui Kiu section)</td>
<td>74</td>
<td>50</td>
<td>16</td>
</tr>
<tr>
<td>Castle Peak Road (Ping Shan section)</td>
<td>78</td>
<td>180</td>
<td>89</td>
</tr>
<tr>
<td>Chai Wan Road</td>
<td>76</td>
<td>470</td>
<td>83</td>
</tr>
<tr>
<td>Fanling Highway (near Tsung Pak Long)</td>
<td>79</td>
<td>280</td>
<td>91</td>
</tr>
<tr>
<td>Hoi On Road</td>
<td>79</td>
<td>1,920</td>
<td>284</td>
</tr>
<tr>
<td>Island Eastern Corridor (near Heng Fa Chuen)</td>
<td>81</td>
<td>420</td>
<td>67</td>
</tr>
<tr>
<td>Jockey Club Road and San Wan Road (near Fanling Wai)</td>
<td>77</td>
<td>190</td>
<td>68</td>
</tr>
<tr>
<td>Long Tin Road</td>
<td>80</td>
<td>1,610</td>
<td>201</td>
</tr>
<tr>
<td>Ma Wan Road</td>
<td>76</td>
<td>1,370</td>
<td>67</td>
</tr>
<tr>
<td>New Clear Water Bay Road</td>
<td>80</td>
<td>4,420</td>
<td>263</td>
</tr>
<tr>
<td>Po Lam Road North</td>
<td>74</td>
<td>1,150</td>
<td>297</td>
</tr>
<tr>
<td>Po Ning Road</td>
<td>76</td>
<td>2,420</td>
<td>165</td>
</tr>
<tr>
<td>Po Shek Wu Road</td>
<td>81</td>
<td>2,140</td>
<td>141</td>
</tr>
<tr>
<td>San Tin Highway</td>
<td>83</td>
<td>1,220</td>
<td>389</td>
</tr>
<tr>
<td>Sha Tin Road</td>
<td>79</td>
<td>3,170</td>
<td>576</td>
</tr>
<tr>
<td>Sha Tin Road near Wong Uk Village</td>
<td>76</td>
<td>50</td>
<td>20</td>
</tr>
<tr>
<td>Tai Po Road (Sha Tin section)</td>
<td>81</td>
<td>10,900</td>
<td>857</td>
</tr>
</tbody>
</table>
### MEMBERS’ MOTIONS

**PRESIDENT** (in Cantonese): Members’ motions: Proposed resolution under the Interpretation and General Clauses Ordinance to extend the period for amending the Electronic Transactions Ordinance (Amendment of Schedule 1) Order 2014, which was laid on the table of this Council on 3 December 2014.

I now call upon Mr Andrew LEUNG to speak and move the motion.

**PROPOSED RESOLUTION UNDER SECTION 34(4) OF THE INTERPRETATION AND GENERAL CLAUSES ORDINANCE**

**MR ANDREW LEUNG** (in Cantonese): President, I move that the motion, as printed on the Agenda, be passed. At the House Committee meeting of 5 December 2014, Members decided to form a subcommittee to study the Electronic Transactions Ordinance (Amendment of Schedule 1) Order 2014.

Members agreed that I shall, in my capacity as Chairman of the House Committee, move a motion to extend the scrutiny period for the Order to the Council meeting on 21 January 2015, so as to allow sufficient time for scrutiny by the Subcommittee.

President, I urge Members to support the motion as set out on the Agenda.
Mr Andrew LEUNG moved the following motion:

"RESOLVED that in relation to the Electronic Transactions Ordinance (Amendment of Schedule 1) Order 2014, published in the Gazette as Legal Notice No. 141 of 2014, and laid on the table of the Legislative Council on 3 December 2014, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) be extended under section 34(4) of that Ordinance to the meeting of 21 January 2015."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Mr Andrew LEUNG be passed.

PRESIDENT (in Cantonese): Does any Member wish to speak?

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Mr Andrew LEUNG be passed. Will those in favour please raise their hands?

(Members raised their hands)

PRESIDENT (in Cantonese): Those against please raise their hands.

(No hands raised)

PRESIDENT (in Cantonese): I think the question is agreed by a majority respectively of each of the two groups of Members, that is, those returned by functional constituencies and those returned by geographical constituencies through direct elections, who are present. I declare the motion passed.
PRESIDENT (in Cantonese): Mr Andrew LEUNG will move a motion under Rule 49E(2) of the Rules of Procedure to take note of two items of subsidiary legislation and instrument, which were included in Report No. 6/14-15 of the House Committee laid on the Table of this Council.

PRESIDENT (in Cantonese): According to the relevant debating procedure, I will first call upon Mr Andrew LEUNG to move the motion. The debate will then be divided into two sessions. The first session is to debate the Overseas Lawyers (Qualification for Admission) (Amendment) Rules 2014 (Commencement) Notice; the second session is to debate the Fourth Technical Memorandum for Allocation of Emission Allowances in Respect of Specified Licences.

Each Member may speak only once in each session and for up to 15 minutes each time. In each session, I will first call upon the chairman of the subcommittee formed to scrutinize the relevant subsidiary legislation to speak, to be followed by other Members. Finally, I will call upon the relevant public officer to speak.

The second debate session will start immediately after the relevant public officer has spoken in the first debate session. The debate on this motion will come to a close after the public officer has spoken in the second debate session. The motion will not be put to vote.

I now call upon Mr Andrew LEUNG to move the motion.

MOTION UNDER RULE 49E(2) OF THE RULES OF PROCEDURE

MR ANDREW LEUNG (in Cantonese): President, in my capacity as Chairman of the House Committee, I move the motion, as printed on the Agenda, under Rule 49E(2) of the Rules of Procedure, for a debate on the two items of subsidiary legislation and instrument below listed in Report No. 6/14-15 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments:

(1) Overseas Lawyers (Qualification for Admission) (Amendment) Rules 2014 (Commencement) Notice; and
Mr Andrew LEUNG moved the following motion:

"That this Council takes note of Report No. 6/14-15 of the House Committee laid on the Table of the Council on 10 December 2014 in relation to the subsidiary legislation and instrument(s) as listed below:

<table>
<thead>
<tr>
<th>Item Number</th>
<th>Title of Subsidiary Legislation or Instrument</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>Overseas Lawyers (Qualification for Admission) (Amendment) Rules 2014 (Commencement) Notice (L.N. 122/2014)</td>
</tr>
<tr>
<td>(2)</td>
<td>Fourth Technical Memorandum for Allocation of Emission Allowances in Respect of Specified Licences (S.S. No. 5 to Gazette No. 42/2014).&quot;</td>
</tr>
</tbody>
</table>

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Mr Andrew LEUNG be passed.

PRESIDENT (in Cantonese): We now proceed to the first debate session to debate the Overseas Lawyers (Qualification for Admission) (Amendment) Rules 2014 (Commencement) Notice.

Members who wish to speak on this item of subsidiary legislation will please press the "Request to speak" button.

MR DENNIS KWOK: President, in my capacity as Chairman of the Subcommittee on Overseas Lawyers (Qualification for Admission) (Amendment) Rules 2014 (Commencement) Notice (the Commencement Notice), I report on the main deliberations of the Subcommittee.
The Overseas Lawyers Qualification Examination, administered by The Law Society of Hong Kong (Law Society), offers an overseas qualified lawyer a means to gain admission as a Hong Kong solicitor. The Examination is conducted on the basis of and is governed by the Overseas Lawyers (Qualification for Admission) Rules.

The Overseas Lawyers (Qualification for Admission) (Amendment) Rules 2014 (the Amendment Rules), gazetted on 25 April 2014 and laid before the Legislative Council on 30 April 2014, were made by the Council of the Law Society under section 73 of the Legal Practitioners Ordinance with the prior approval of the Chief Justice to amend the Overseas Lawyers (Qualification for Admission) Rules to provide for, amongst others, matters relating to admission of an overseas qualified lawyer as a Hong Kong solicitor, such as amending the qualifications that an applicant must have obtained or the conditions that an applicant must have satisfied in order to be qualified for admission as a solicitor in Hong Kong and adding Hong Kong Constitutional Law as a subject to be assessed by the Examination as specified in the Amendment Rules.

The Subcommittee has held one meeting with the Law Society to discuss the Commencement Notice.

Members have no objection to the Commencement Notice. However, members consider that whilst Hong Kong welcomes and encourages overseas legal talents to practise law in Hong Kong, there should be sufficient checks and balances in place for admitting overseas lawyers as Hong Kong solicitors in order to ensure fairness and uphold the high quality and integrity of the practice of law in Hong Kong.

President, the above is my report on the Subcommittee's work. I shall now present my personal views on the Commencement Notice.

(THE PRESIDENT'S DEPUTY, MR ANDREW LEUNG, took the Chair)

Deputy President, Hong Kong is a common law jurisdiction, and I hope it will always remain so. It is an important bridge of Hong Kong to the international community, and I hope it will always remain so. Hong Kong has always been an open international jurisdiction; there is a need to continue to draw on the best legal talents from around the world and across different jurisdictions and different practice areas.
The best recent example is the introduction of the Competition Ordinance in Hong Kong, this is a new area of practice in which expertise from around the world, whether it is the United States, Australia or England, are required in order to help develop the jurisprudence in Hong Kong in this specialized practice area, and this is the best example where Hong Kong needs to draw on the best legal talents from around the world in order to help us build this jurisprudence and our expertise in this area.

I hope the Law Society will continue to administer the Examination for the overseas lawyers with fairness and integrity. I do hope that overseas lawyers, when they come to practise in Hong Kong, do have sufficient understanding of the importance of the Basic Law and "one country, two systems", which underpins the entirety of our legal system in Hong Kong.

Thank you, Deputy President.

DEPUTY PRESIDENT (in Cantonese): Does any other Member wish to speak?

(No Member indicated a wish to speak)

DEPUTY PRESIDENT (in Cantonese): Members have already spoken in this session. I now call upon the Secretary for Justice to speak. This debate session will come to a close after the Secretary has spoken.

SECRETARY FOR JUSTICE (in Cantonese): Deputy President, the Overseas Lawyers (Qualification for Admission) (Amendment) Rules 2014 (Commencement) Notice (the Commencement Notice) was made by the President of The Law Society of Hong Kong under section 1 of the Overseas Lawyers (Qualification for Admission) (Amendment) Rules 2014 (the Amendment Rules). The aforesaid Commencement Notice appointed 2 January 2015 as the day on which the Amendment Rules shall come into operation.

With the prior approval of the Chief Justice of the Court of Final Appeal, the Amendment Rules were made by the Council of The Law Society of Hong Kong under section 73 of the Legal Practitioners Ordinance (Cap. 159) to provide for relevant matters concerning the admission of overseas qualified lawyers as Hong Kong solicitors.
At the Legislative Council House Committee meeting held on 24 October 2014, Members agreed that a subcommittee should be formed to study the Commencement Notice. The Chairman of the Subcommittee on Overseas Lawyers (Qualification for Admission) (Amendment) Rules 2014 (Commencement) Notice, Mr Dennis KWOK, has just presented to Members the deliberations of the Subcommittee.

The Government of HKSAR welcomes the admission of overseas lawyers who are experienced in international legal practice and who possess high standard of professionalism as solicitors in Hong Kong to provide legal and dispute resolution services in different areas. This will help to promote and consolidate Hong Kong's status as a centre for international legal and dispute resolution services in the Asia Pacific region.

I notice that Mr Dennis KWOK urged the relevant authority to put in place sufficient checks and balances for admitting overseas lawyers as solicitors in Hong Kong in order to ensure fairness and to uphold the high standard and integrity of the legal practice in Hong Kong. The Department of Justice agrees to the direction of Mr KWOK's suggestions. I believe that the representatives of the Law Society who were present at the meeting of the subcommittee would have taken note of the views of Mr KWOK. I shall also reflect the opinions expressed by Mr KWOK today to the Council of The Law Society.

I would like to take this opportunity to thank Mr Dennis KWOK, the Chairman of the Subcommittee, and also the other members of the Subcommittee for their valuable views.

I so submit. Thank you, Deputy President.

DEPUTY PRESIDENT (in Cantonese): We now proceed to the second debate session to debate the Fourth Technical Memorandum for Allocation of Emission Allowances in Respect of Specified Licences.

Members who wish to speak on the instrument will please press the "Request to speak" button.
MS CYD HO (in Cantonese): Deputy President, in my capacity as Chairman of the Subcommittee on Fourth Technical Memorandum (TM) for Allocation of Emission Allowances in Respect of Specified Licences, I now report on the deliberations of the Subcommittee. The Subcommittee has held one meeting to study the relevant matters, and has completed its scrutiny work.

The Fourth TM seeks to tighten the emission allowances for the two power companies as from 1 January 2019 with a view to improving air quality. The emission allowances apply to three types of air pollutants, that is, sulphur dioxide, nitrogen oxides, and respirable suspended particulates.

As there will be no major changes in the fuel mix for local electricity generation before the outcome of the Fuel Mix Review is announced, and given the ageing of the majority of the existing generation units of the two power companies and the natural deterioration of their pollution control equipment, the Subcommittee is concerned about whether the two power companies will be able to attain the emission caps proposed in the Fourth TM. The Administration holds the view that with the sustained effort of the two power companies to use low emission coal and to upkeep the performance of the emission control devices while maximizing the use of existing gas-fired generation units and prioritizing the use of coal-fired generation units equipped with advanced emission control devices, the two power companies will be able to achieve the further tightened emission allowances.

The Subcommittee is also concerned about whether the emission caps proposed in the Fourth TM will have tariff implications. According to the Administration, the Fourth TM will not have any significant impact on the fuel mix, and attaining the new emission allowances does not involve any new capital investment by the two power companies. So there should be no question of the two power companies having to increase electricity tariffs because of this TM.

Some members of the Subcommittee are of the view that tightening the emission allowances will help improve local air quality, thereby promoting the health of Hong Kong people and reducing the overall healthcare costs of society; therefore, instead of passing all the costs of emission reduction to Hong Kong people, savings in social cost due to the reduction in healthcare costs should be used to offset the possible tariff implications of emission reduction. Members of the Subcommittee urge the Administration to quantify the impact and cost of air
pollution on public health as far as practicable. The Administration has advised that a local university has been commissioned to develop a method for assessing the cost of air pollution in Hong Kong.

The Subcommittee has also discussed with the Administration the feasibility of setting emission caps for fine suspended particulates (also known as PM2.5), diversification of sources of fuel for power generation, and problems such as ozone pollution.

The Subcommittee notes the Administration's responses and will not propose any amendment to the Fourth TM.

Deputy President, there is actually no room for amendment to this TM, as the emission caps proposed therein are largely based on prolonged negotiations with the two power companies. We also understand that since the tenure of the previous Government, it has been the case that when there are negotiations with the two power companies over electricity tariffs or emission caps at the end of each year, or when the agreements for the provision of services by them expire and new agreements have to be discussed afresh, the Government is invariably under pressure from the consortia. We often talk about "government-business integration", but in this particular area, I hope that the Environment Bureau will not pursue "government-business integration". The terms of the prior service agreements provided for a guaranteed return, the rate of which was reduced to 9.99% by the Environment Bureau of the previous Government. Of course, if the Government is to reduce this rate continuously, it will face the challenge of emission reduction at the time of negotiations. The two power companies will say that fuel prices are very high and the use of clean energy entails higher costs. They will also argue that if emission reduction measures are adopted, they will have to invest in new generation units or emission reduction facilities, resulting in an increase in net assets.

As I understand it, in the past negotiations with the two power companies, on the mere question of what should be included in net assets as the base of the guaranteed return, even officials found it difficult to get information from them. Thus, Deputy President, I have to speak on this TM on emission reduction, which we have no way to amend. I have to speak for the public and business operators in Hong Kong. As far as this policy is concerned, I support the Government in entering into service agreements that benefit the public the most with the two consortia. I support the Government in exercising its power to require the two power companies to truthfully furnish information on the calculation of net assets,
so that all parties can have a realistic basis for calculating the guaranteed return. Deputy President, I certainly think that the guaranteed return of 9.99% is too high and too excessive. Nonetheless, with the introduction of emission reduction measures to reduce air pollution, we do need new emission reduction facilities.

In this connection, it is in the best interests of the public and business operators that the relevant data are furnished in an open, transparent and truthful manner. I also request the Secretary for the Environment to note that if the Administration can serve the public wholeheartedly, it will get the support of political parties. Yet, I also request the officials of the Environment Bureau to work in an open and transparent manner. They should truthfully present the information obtained during their negotiations with the two power companies to this Council for Members' perusal. I remember that last time, the two power companies did submit a large quantity of very technical and informative data to the Panel on Economic Development for its members' perusal, but that was done on condition of confidentiality, which was really inappropriate. As there are a lot of keen academics and knowledgeable engineers in society, it is not enough to only allow Members to peruse such information on condition of confidentiality. We must also admit that Members are not necessarily all-rounders who have sufficient professional knowledge to comprehend and scrutinize all the technical data and information on each and every policy. We also need to join forces with civil society, industry and academia to monitor the Government and consortia. I therefore hope that when we discuss the Fourth TM, we must consider whether those new emission reduction facilities and old generation units should actually be excluded from net assets, so as to make the tariff calculations more reasonable. The Government must get such information from the two power companies, and the information obtained must be made public for inspection by all members of the community. The two consortia often claim that such information is highly sensitive commercial information, but in reality, the service agreements and the guaranteed return have obviated all elements of commercial competition. So, as long as the Government has not made up its mind to introduce competition for the time being, the whole community of Hong Kong should have the right to know such information.

Deputy President, after talking about the calculations of electricity tariffs and net assets, I now turn to the scope of regulation. We note that this TM seeks to regulate three types of pollutants, including suspended particulates. Speaking of which, it has recently come to the knowledge of Members and the community that the mere regulation of large suspended particulates is actually insufficient to protect the public, and we must also regulate fine suspended particulates, namely
PM2.5, because according to the experts, after we have inhaled fine suspended particulates, they are much slower and less likely to be removed from our bodies than large suspended particulates. The impact of fine suspended particulates on public health is very huge indeed.

In addition, Deputy President, the fuel mix is another issue of concern. In the past, only one TM review would be conducted every five years. Subsequently, during the previous term of the Legislative Council, the period concerned was shortened from five years to three years after Mr KAM Nai-wai, together with other democratic Members, negotiated with the Environment Bureau. Yet, we note that this particular TM will be reviewed in a year's time, as there will be a change in the fuel mix by then. Also, before we proceed, we should be clear about one thing. The Government often says that nuclear power is clean energy. In fact, it is only clean in the sense that "what remains unseen is deemed to be clean". Nuclear power produces a lot of nuclear waste, radiation and after-effects. All these need to be tackled, but there may be no way to tackle them. In the event of any incident, the after-effects would be very serious, just like what we saw in the incidents that occurred in Three Mile Island, Fukushima and Chernobyl. So, on the one hand, we have to reduce emissions, but on the other, we have to be careful not to allow rapid expansion of nuclear power, which is so dangerous and not guaranteed to be safe. After all, many nuclear power plants are very close to Hong Kong.

We therefore urge the Secretary to, first, reduce the share of nuclear power in the future fuel mix to the lowest possible level. If we want clean air, we can actually increase the share of natural gas in the fuel mix for power generation. When it comes to natural gas, many Members with a business background have said that we should look for more sources of supply, including liquefied natural gas. If we go about the issue in this way, competition among the suppliers will enable us to get natural gas at lower prices, thereby reducing electricity tariffs. I also urge the Government to negotiate with the power companies for constructing a pier for transporting liquefied natural gas. Only with such infrastructure can we purchase natural gas from different sources, so as to reduce electricity tariffs.

Lastly, Deputy President, I would like to talk about healthcare costs and electricity tariffs. If we are to reduce emissions, we may really increase the costs of the power companies. But then, if we can reduce the number of Hong Kong people falling ill, increase the labour force, extend the average life span and working life, and reduce healthcare costs, the savings made should actually be used to subsidize electricity tariffs. Thus, what we are discussing now is not
only an agreement on emission caps, but also includes the overall economic development, public health and, most importantly, "climate justice". I hope that the Secretary can genuinely and properly conduct a new round of tariff discussions with the two power companies for Hong Kong people, and make public all information obtained as far as possible, so that the whole community, industry and academia can work together on this issue.

Thank you, Deputy President.

MR DENNIS KWOK (in Cantonese): Deputy President, as pointed out by the Chairman of the Subcommittee Ms Cyd HO earlier, members of the Subcommittee, including those from the Civic Party, have great concern about the problem of air quality, and the Secretary for the Environment knows that we are very concerned about the policy and the legislative work in this area. Speaking of air quality, it is winter now and as we all know, the air quality of Hong Kong in winter is particularly hazardous for children and the elderly and may cause serious harm to their health.

Recently, the respectable Prof HEDLEY returned to Hong Kong and held a discussion at the University of Hong Kong on his academic studies on air quality and public health over the past 20 to 30 years. We agree that it is necessary to put in more strenuous efforts to improve the air quality of Hong Kong and to conduct assessments and studies on the health of the people of Hong Kong.

Regarding air quality and environmental protection, the Environmental Impact Assessment Ordinance (EIA Ordinance) is a very important piece of legislation. It sets out two important policy initiatives for the future of Hong Kong, namely, conducting assessments and achieving development and environmental protection in a balanced manner. We should strive to achieve balanced development and protect the environment and the health of the people of Hong Kong at the same time. The Technical Memorandum under the EIA Ordinance has not been amended since 1997. Hence, many environmentalists have told me that they hope the Secretary would commence studies on enhancing the transparency and credibility of the process provided in the EIA Ordinance and amending the Technical Memorandum to keep pace with the latest international scientific and research developments, so as to enhance the credibility of the environmental impact assessment reports required by the Technical Memorandum.
As a matter of fact, the Secretary and the Under Secretary should be aware that we have given our views on the Technical Memorandum under the EIA Ordinance and many non-governmental organizations have also provided their valuable opinions on how improvements can be made to make the whole process more credible. As the number of litigations and judicial reviews concerning the EIA Ordinance is on the rise, many people and environmental groups think that it is caused by the lack of credibility of the process stipulated in the EIA Ordinance. If we want to reduce the number of disputes concerning environmental policies to be handled by courts, the Environment Bureau should commence studies on enhancing the EIA Ordinance so as to increase people's confidence in it.

In relation to public health, the Secretary would know that last time when the Bill concerning Air Quality Objectives review was introduced into the Legislative Council, we had proposed an amendment regarding public health which was unfortunately negatived. Nevertheless, we are still concerned about the impact of the environment and air quality on the health of the people of Hong Kong. We understand that the Ordinance requires that the Air Quality Objectives shall be reviewed once every five years, which is a good start.

However, we urge the Environment Bureau not to conduct the review only after five years — if I remember correctly, the first review is scheduled to be conducted in 2019. The Environment Bureau should actually conduct a review every year and continue to update the data, including those relating to air quality and public health so as to compile the data gradually. If it does, the Administration will be able to obtain all the necessary data and scientific analyses by the fifth year to conduct a comprehensive review and analysis. It can then examine whether the existing Air Quality Objectives and emission reduction measures are adequate in reducing air pollution.

As far as cross-boundary air pollution is concerned, we should consider, for example, how to use the PATH model to make better assessment of the air pollutants transported from other areas of the Guangdong Province, so as to find out the efficacy of the existing emission reduction measures implemented in Guangdong and the quantity of air pollutants which have been transported to Hong Kong. By taking this measure, we will not be confused or puzzled when we commence the review. The Secretary should tell us that he is already doing
the work and after five years, a positive and constructive review on the existing policies on air quality will be conducted to assess if the policies concerned are in order and whether there is any room for improvement.

Deputy President, I so submit.

DEPUTY PRESIDENT (in Cantonese): Does any other Member wish to speak?

(No Member indicated a wish to speak)

DEPUTY PRESIDENT (in Cantonese): Members have already spoken in this session. I now call upon the Secretary for the Environment to speak. The debate on this motion will come to a close after the Secretary has replied.

SECRETARY FOR THE ENVIRONMENT (in Cantonese): Deputy President, I am very grateful to the Chairman of the Subcommittee on Fourth Technical Memorandum for Allocation of Emission Allowances in Respect of Specified Licences, Ms Cyd HO, other members of the Subcommittee and colleagues of the Legislative Council Secretariat for their efforts in scrutinizing the Technical Memorandum and completing the report in November this year. I also thank Honourable Members who have spoken for giving their views and supporting the Fourth Technical Memorandum. I do not have anything to add regarding the Report of the Subcommittee. Thank you, Deputy President.


DEPUTY PRESIDENT (in Cantonese): Debates on motions with no legislative effect. This Council will now continue the debate on the motion on "Adhering to the need to 'put Hong Kong people first' in formulating policies".

DEPUTY PRESIDENT (in Cantonese): Does any Member wish to speak?
ADHERING TO THE NEED TO "PUT HONG KONG PEOPLE FIRST" IN FORMULATING POLICIES

Continuation of debate on motion which was moved on 5 December 2014

MS STARRY LEE (in Cantonese): Deputy President, owing to the limited space and resources in the community, it is reasonable for the Government to adhere to the need to "put Hong Kong people first" in formulating public policies, and accord priority to the interests of Hong Kong people. It has always been the primary consideration of our public healthcare services, subsidized housing and basic education to servicing Hong Kong permanent residents. Since LEUNG Chun-ying has assumed office, a number of measures putting Hong Kong people first have been implemented, which include "Hong Kong property for Hong Kong residents", "zero quota" for babies born to doubly non-permanent residents, putting a halt to the "multiple-entry endorsement" policy for Shenzhen residents, the implementation of the "powdered formula restriction order" by administrative means, and so on, with a view to suppressing demands in the short term, thereby allowing more time and room to tackle at source the many conflicts created in the course of integration between China and Hong Kong.

Deputy President, if we want to tackle the problem at source, capacity expansion of Hong Kong is a way out. It is incumbent for the Government to pay attention to districts where conflicts are frequent, and to put in place relief measures through every possible means to assist the local residents. For instance, residents of the North District have to face tremendous pressure. Parallel traders or persons who cross the boundary every day for shopping have exerted enormous pressure on local residents, goods supply, rent and even commodity prices. As there are grievances in society, more efforts should be made by the Government. In To Kwa Wan, a number of shops in the vicinity of residential areas are dedicated to receiving tour groups, and hence tourist coaches have occupied two or three lanes all day long. As tourist coaches have taken up all the road space, local residents have to compete with tourists for the use of passageway. Given that this problem has been long-standing, many residents have asked the authorities to appoint tourism ambassadors to ease vehicular and passenger flow. However, the Government has yet to give a proactive and specific response to this request.

Deputy President, the pressure faced by individual districts as well as the negative public sentiments should be dealt with in a timely manner. As the
saying goes, "a single spark can start a prairie fire". Negative sentiments can easily be provoked unless timely action is taken. The Chief Executive often talks about "addressing district issues at the district level", the Government should ask District Officers to set up liaison groups in districts where conflicts are frequent, and to work with District Council members to identify appropriate means to address the issue. The Administration and the Central Authorities also have to give active support and should not overlook the negative sentiments arising from these conflicts.

Deputy President, the idea of "putting Hong Kong people first" does not mean ostracism, and it should not be used to discriminate against new arrivals. Although Mr Gary FAN has mentioned in the preamble of his motion that the Government should "proactively handle China-Hong Kong conflicts", he has made a number of specious or even false accusations in his motion. He is in fact "crying up wine but selling vinegar", discriminating new arrivals or even Mainlanders, intensifying China-Hong Kong conflicts or resisting indiscriminately our integration with the Mainland. Whichever approach is adopted, it cannot solve China-Hong Kong conflicts and does not serve the real interests of Hong Kong people.

Deputy President, Mr FAN has, under the pretext of "putting Hong Kong people first", urged the Administration to formulate an independent language policy for Cantonese, with an aim to reject the use of Putonghua. This is no different from disregarding the official status of biliteracy and trilingualism. Deputy President, quite a number of Members talked about the use of Putonghua as the medium of instruction for the Chinese Language (PMIC) in the previous week, I would also like to give a response today.

Apparently, PMIC appears to be solely an education issue. In discussing the subject matter last week, Members of this Council mainly focused on the effectiveness of PMIC in enhancing students' Chinese language proficiency. I am not going to discuss the effectiveness of PMIC in this aspect today for time is running short. Yet, its effectiveness or otherwise is not the only factor in considering the implementation of PMIC at schools. According to the history of development, this may even not be the decisive factor.

Deputy President, in reviewing the development of the medium of instruction in Hong Kong, one should know that there are at least three factors that would influence a school in determining the medium of instruction, namely
economic, political and educational factors. Among these factors, economic benefit is very often the most influential factor when parents decide the medium of instruction for their children. It is the aspiration of many parents that their children are admitted to English secondary schools, but have they ever considered or carefully assessed whether teaching effectiveness should be a criterion in selecting school for their children? And how many parents have carefully examined if their children can learn well through English? Should Mr FAN wish to work for the cultural inheritance of the Cantonese, he should give his utmost support to mother-tongue teaching and oppose the use of English in teaching subjects other than the English Language.

As we all know, nowadays Hong Kong students — actually not only students — often use "cocktail" language when they speak in Cantonese, particularly when they refer to specific terms. This is a common phenomenon. Probably, this is attributed to the fact that students usually learn subjects such as Science and Physics in English. Mr FAN has raised no objection to the use of English as the medium of instruction for Mathematics, nor has he opposed to the use of English in teaching other subjects. The fact that he only casts doubt on PMIC illustrates that his motive is nothing more than rejecting the use of Putonghua.

Deputy President, some previous surveys had verified the parents' mentality in this respect. According to a questionnaire survey conducted by the Department of Early Childhood Education of the Hong Kong Institute of Education last year, among the 810 responded parents of children aged three or below, more than 60% of them indicated that they did not mind their children making a slower progress in learning Chinese if their children could have a good mastery of English. Evidently, English and Putonghua are both regarded as knowledge for survival in this international financial centre. For this reason, most parents attach great importance to both languages and they will consider the percentage of subjects taught in English or Putonghua in making their choice over schools.

Deputy President, due to the time constraint, we ... Conflicts between China and Hong Kong have become more and more intense, regrettably, some people do not face up to the problem positively or find any solutions to it. On the contrary, they hold a sweeping view and tar everyone with the same brush, demonizing Mainland systems and even Mainlanders and stirring up hatred
towards Mainlanders or new arrivals in the community. Deputy President, this is absolutely not conducive to addressing the various conflicts created during our integration with China. With these remarks, I so submit.

MR MARTIN LIAO (in Cantonese): Deputy President, though the word "localism" is not mentioned in today's original motion and the various amendments, the underlying message of this motion is in essence a kind of localism which is highly conservative and narrow-minded. That is the reason why some Members have asked the Government to adhere to the need to "put Hong Kong people first" in handling China-Hong Kong conflicts and formulating policies. The underlying reason is that they consider Hong Kong people have been suffering in many areas, and thus they have raised numerous emotional demands. Nonetheless, they have never examined in detail that the current situation is actually caused by a combination of factors.

Deputy President, I would like to reason with Members calmly today. In fact, we do see the emergence of localism and protectionism in various places in the course of globalization, as reflected in the macro-policies and micro-demands in such places.

As far as macro-policy is concerned, some countries, for the sake of rescuing their local economies, have disregarded the strength of the real economy and resorted to printing money, in an attempt to export their economic hardship. This is an indirect but typical example, but does it work? I do not think so as the governments of such countries have failed to channel the money supply to those real economies in need of capital, and they cannot manipulate the monetary policy of other countries. If other countries are driven beyond forbearance, they will definitely fight back by using the monetary policy to offset the competitive edge enjoyed by the currencies of such countries. If all these countries refuse to make any accommodation, we may end up falling into a vicious cycle of currency war.

From the microscopic perspective, perhaps we may refer to the issue of Dongjiang water supplied to Hong Kong as mentioned in the motion. Do you know the source of Dongjiang water? The real origin of Dongjiang is not in Guangdong but in a forest in Xunwu County of Jiangxi Province. With Hong Kong people's interests in mind, the Central Authorities have ordered that areas
around the water source in Xunwu County and those in proximity to the huge reservoir of Dongjiang water in Heyuan of Guangdong Province are off-limits to development, so as to safeguard the quality of water supplied to Hong Kong.

If the mentality of this motion applies, residents of Xunwu County and Heyuan of Guangdong Province may also think that they have stood to lose. Although they had asked for ecological compensations when the State designated this protective zone, their requests were not acceded to. Should residents in Jiangxi Province act like some of our Honourable Members today and demand the Jiangxi Provincial Government to put Jiangxi people first in formulating policies by reserving the valuable water resources to the people in Jiangxi, or carrying out development in the vicinity of the water sources so as to promote local employment opportunities, how can Hong Kong's water supply issue be addressed? It is stated in the motion that the Government should study the desalination technology; this is easier said than done, please tell us when Hong Kong can be self-reliant on desalinated water, of which the quality is acceptable to Hong Kong people and the unit cost is lower than that of Dongjiang water? Targeting at the Mainland, the motion brandishes the banner of protectionism. What should we do if the Mainland gives tit for tat?

Deputy President, as always, Hong Kong upholds a free economy and adopts a liberal economic regime. If Members support this motion, Hong Kong will be shutting its doors to the outside world. Are we going to discard the cornerstone of our free economy? Have we ever thought of the impact of shutting the doors on our liberal economic regime? Are we not moving a rock to hit our feet? The proposals made in the motion will entail far-reaching changes to Hong Kong's long-standing economic pattern and philosophy, the responsibility of which can hardly be borne by a few Members or their supporters.

Lastly, I would like to respond to Mr TANG Ka-piu's amendment concerning his opposition to the expansion of labour importation. Deputy President, I understand and respect Mr TANG Ka-piu's position. However, it is an indisputable fact that Hong Kong is faced with the problem of an ageing population and labour shortage. Take the construction industry as an example. Even if the entire workforce in the construction industry is taken into consideration, including the possible number of workers who have completed the training in future, there is still a shortage of over 10,000 skilled workers in the coming four years. The industry has undertaken to import workers with due
regard to the principle of "not affecting the employment and not lowering the wages of local workers". Against this background, the importation of labour, arguably, will not affect the "rights and interests" of local workers, as stated in the amendment. Furthermore, for the nine infrastructure projects such as the Hong Kong-Zhuhai-Macao Bridge and the Guangzhou-Shenzhen-Hong Kong Express Rail Link, they have incurred a cost overrun of over $160 billion. I believe that all of us do not want to see further delays and cost overrun. There should be an adequate supply of labour to implement infrastructure projects in the future, for instance, expansion of airport, housing development as well as development of matching infrastructure facilities.

From the labour perspective, certainly the best arrangement is that all infrastructure projects can be launched one by one as this will ensure that construction workers can all be employed in the coming three decades. However, in reality, that is not possible. Even if we are willing to sacrifice Hong Kong's overall interests and pay the huge costs of projects which are several times higher than the original estimate, the projects concerned will be called to a halt if they do not keep abreast of the times. The development of the third runway, say, 10 years later, will have little significance to Hong Kong. The project will definitely be abandoned and the interests of the local labour will thus be jeopardized.

Deputy President, I so submit.

IR DR LO WAI-KWOK (in Cantonese): Deputy President, a motion on the same subject was moved by Mr Gary FAN last year but it was negatived. Mr FAN moves a similar motion this time, and I must speak out against the specific points in his motion about the economy and people's livelihood.

Mr FAN has proposed to revise the Dongjiang water purchase agreement to an agreement for charges based on supply quantity to reduce the expenses incurred by Hong Kong for purchasing Dongjiang water. In my view, the proposal fails to comprehensively and appropriately reflect the actual situation. Dongjiang water accounts for about 70% to 80% of our fresh water supply. Since 2006, the Government has adopted the "package deal lump sum" approach under which the Hong Kong Government pays the Guangdong authorities annual lump sum water prices for the annual quantity of Dongjiang water imported to Hong Kong, up to the annual supply ceiling as specified in the supply agreement.
If the current agreement is revised to an agreement for charges based on supply quantity, the annual supply quantity will not be specified in the agreement. In case of a serious drought, Hong Kong and other cities in the Guangdong Province would certainly scramble for Dongjiang water. Besides, the Guangdong authorities naturally need to determine the unit water price on the basis of factors such as uncertain actual supply quantity and the need to maintain reasonable incomes. In that case, Hong Kong may have more losses than gains.

In fact, according to the tariff survey conducted by the International Water Association in 2012, the tariff in Hong Kong is far lower than that in New York, London, Tokyo, Singapore, Macao, Beijing, Taipei, and so on. Moreover, according to existing information, the unit costs of drinking water from local catchment areas, Dongjiang water and desalination are $4, $8 and $12 per cubic metre respectively. For this reason, desalination is not cost-effective at present. Nonetheless, with technological advancements, desalination will hopefully become a major water source of Hong Kong in the days to come. Hence, I support the establishment of a seawater desalination plant in Tseung Kwan O. Even if the project can commence smoothly, the seawater desalination plant will only start operation in 2020, and its annual output will only account for about 5% of the total water consumption in Hong Kong. Against this background, we must ensure reliable and flexible Dongjiang water supply to Hong Kong.

Next, the original motion urges the Government "to stop conceiving 'white elephant projects' for blindly pursing the objective of integration between Hong Kong and the Mainland, … to avoid further cases of persistent delay of works and cost overrun in infrastructure projects, resulting in wastage of public resources". I consider that labelling such infrastructure projects, which serve to further enhance Hong Kong's strategic position in the region, as "white elephant projects" is a kind of blind criticism with no solid ground. Take the Hong Kong-Zhuhai-Macao Bridge (HZMB) as an example, the Administration has recently indicated that it is necessary to increase the approved project estimate of the HZMB Hong Kong Boundary Crossing Facilities (HKBCF) Project by around $5 billion. This has inevitably aroused public concern.

In all fairness, it is not uncommon for major public projects to incur cost overruns. The costs of all projects may increase because of unexpected factors. Regrettably, the development of the HZMB met a series of obstacles. The stages of brewing, discussion and argument took many years before and after the
reunification. The project was eventually included as one of the 10 major infrastructure projects in 2007. The Main Bridge project was originally scheduled to commence in December 2009. Yet, at the end of that year, with the support of some opposition Members, some Hong Kong people applied for legal aid for judicial review, and the proceedings dragged on for nearly two years. It was not until September 2011 that the Government's appeal was allowed and the project reinitiated late that year. There is a delay of almost two years before the project commenced, and the works schedule had to be compressed from six years to five years through various means such as increasing manpower, overtime work, and the provision of more engineering facilities. The Government wanted to shorten the actual delay to one year. According to the Administration, among the $30.4 billion approved project estimate of the HKBCF Project, $6.5 billion is the additional expenses arising from the judicial review. How can I not mention the political interference by opposition Members and the resultant cost overruns due to project delays, and waste of public resources?

Deputy President, the HZMB project is agreed upon by Hong Kong, Macao and the Mainland, and the works are shared and co-ordinated by the three governments. Since the three sides recognize that the western Pearl River Delta has huge economic potential, the bridge as a new sea-crossing land route, is conducive to promoting the sustainable economic development of the three places. For Hong Kong, upon commissioning of the HZMB and the Tuen Mun-Chek Lap Kok Link, journeys to and from Hong Kong, Macao and the western Pearl River Delta must pass through Lantau Island. The value of the development of a bridgehead economy should absolutely not be ignored. It will also be very convenient to enterprises of any scale in Hong Kong operating in Zhuhai, Zhongshan, Jiangmen, and so on. All trades and industries in Hong Kong, including finance, trading, logistics, engineering, construction, tourism, retail, business and professional services, support services and so on, will be benefited, thereby creating more employment opportunities for Hong Kong people. The blind criticism that this is a "white elephant project" has a lack of reasoning and simply ignores the contributions made by the engineering and construction sectors to our economic development. As a representative of the engineering sector in this Council, I must state the facts and refute this sophistry to set the record straight.

Deputy President, it is understandable to take into consideration the needs of local residents first when formulating government policies, planning social development and allocating public resources. However, we should watch out
and avoid going to another extreme. The two examples above showed that Hong Kong, as an externally-oriented economy lacking in natural resources, must curb extreme localism and irrational exclusion sentiments; otherwise, our economy and people's livelihood will be compromised, and social harmony will also be jeopardized. Worse still, damages would also be done to the mutually beneficial co-operation between Hong Kong and its neighbouring regions, and this would bring nothing but harm.

Deputy President, I so submit.

MR CHAN HAK-KAN (in Cantonese): Deputy President, I agree in principle that in formulating policies, the authorities should adhere to the need to "put Hong Kong people first" but "putting Hong Kong people first" does not mean elbowing out the Mainlanders or severing our relationship with the Mainland as proposed by Mr Gary FAN in his motion. In respect of the people's livelihood, while we do not doubt that policies should be formulated to meet the needs of Hong Kong people, it does not mean elbowing foreigners or even Mainlanders out. Hong Kong is an international cosmopolitan, not a closed agricultural village. It is the duty of every politician to make Hong Kong a livable place to attract foreign investors and talents, and help Hong Kong maintain the image of being an open city.

As mentioned by many colleagues just now, the concept of "putting Hong Kong people first" has been manifested in various policies, such as those involving public housing and healthcare, and most of the policies are intended to serve Hong Kong people. The SAR Government has also adopted the zero quota for doubly non-permanent resident pregnant women and the "powdered formula restriction order", and halted the arrangement for non-Shenzhen residents to visit Hong Kong with multiple-entry Individual Visit Endorsements. All these policies adhere to the principle of "putting Hong Kong people first".

The motion moved by Mr Gary FAN this time appears to strive for the benefits of Hong Kong people but he is, in reality, inciting China-Hong Kong conflicts under the banner of localism in the hope of gaining political interests. Though he also asks the Government to resolve the China-Hong Kong conflicts, he is just a thief crying "catch the thief".
Let me cite two examples for illustration, Deputy President. In part (4) of his motion, Mr FAN proposes (I quote) "to reduce the existing admission rate of over 80% for Mainland students to funded tertiary programmes, and to give priority to local students in allocation and use of local education resources". (End of quote) This proposal seems to be correct but if we look at the actual data, it is quite misleading.

I wonder on what basis Mr FAN gets the ratio of 80%. According to the government information that I have in hand, in 2013-2014, the number of students (including undergraduates and postgraduate students) of University Grants Committee (UGC)-funded programmes by institution, level of study and place of origin, it was clear that local students enrolled in UGC-funded programmes accounted for 88% of the total number of students, while Mainland students only accounted for 8%, and the rest were from Southeast Asia, the United Kingdom and the United States, and so on. In respect of undergraduate students alone, Mainland students enrolled in publicly-funded programmes accounted for 8%, and even counting postgraduate students together, Mainland students only accounted for 12.8%. Where does the 80% come from?

Moreover, in accordance with the Government's current policy, as regards non-local students, institutions may enrol up to 20% of the overall approved UGC-funded student number. How can Mainland students take up 80% of the undergraduate places of UGC-funded programmes? I hope that Mr FAN will make a specific clarification of these figures later on and stop using some purely invented figures to mislead the public.

I also recall that Mr FAN is very concerned about public resources in Hong Kong being encroached. I clearly remember the comrades of his party once went to a swimming pool in the North District, displaying a banner to protest against Mainlanders encroaching on public swimming pools. Mr FAN wished to obtain some data to prove his point and two weeks ago he asked the Leisure and Cultural Services Department for information on the number of people using the Leisure Link System for facilities booking and among them, the number of Mainlanders. Fortunately, the data revealed the true picture. According to the official statistics, the percentage of sessions reserved by non-local residents using the Leisure Link System was only 0.03% and among these 0.03% sessions, those used by Mainlanders only accounted for 28%. Thus, how can Mainlanders encroach on or exhaust our resources for sports and leisure activities? Deputy President, I hope that Honourable colleagues can base their arguments on facts.
and refrain from making biased and irresponsible comments based on their personal views, thereby blowing up small issues and inciting unnecessary conflicts.

As Members of this Council, we should monitor government policies with the overall interests of Hong Kong people as our prime concern. I believe that if the Individual Visit Scheme is completely abolished, as many Members have mentioned earlier, it will not only lead to a decreasing number of tourists visiting Hong Kong, but will also have serious impact on other trades and industries such as the exhibition, catering and retailing industries. It will also undermine Hong Kong's status as an international financial centre. May I ask how will Hong Kong be benefited?

I consider Mr FAN's proposal the evil legacy of a feudalistic society. "Putting Hong Kong people first" does not mean banning new arrivals to Hong Kong; and an impression that the community discriminates against the new arrivals should not be created. The spirit of "putting Hong Kong people first" is to bring about the progress of the Hong Kong community to benefit most people here. Therefore, the crux of the problem lies in how to help new arrivals adopt the values of Hong Kong society and contribute to the society. This is the right objective of improving the population policy. In a civilized community that upholds the rule of law and justice, human rights should override; otherwise, the so-called "putting Hong Kong people first" will become a pretext for trampling on human rights and the ultimate victim will be the community of Hong Kong.

Deputy President, I so submit.

MR KENNETH LEUNG (in Cantonese): Deputy President, "one country, two systems" is the cornerstone of Hong Kong's continuous prosperity and political stability. The Hong Kong Government should do its best to maintain Hong Kong's autonomy and uniqueness on the premise of "one country, two systems". Yet, when we discuss how to achieve "putting Hong Kong people first" under the policies of both China and Hong Kong, we should also discuss the issue of "Hong Kong's own position" from the perspective of globalization.

Deputy President, on the economic front, the Individual Visit Scheme for Mainland visitors has unduly distorted our retail market, jacked up rents and commodity prices, and throttled a diverse range of small businesses in Hong
Kong. The counterproductive effects are very serious. Over-reliance on the economic support from Mainland visitors will only result in Hong Kong being packaged as a city selling powdered formula or running goldsmith shops. This long-term development strategy is absolutely a failure, as it is only heading towards low value-added, low-skill and low-tech development. In my view, a responsible Government is duty-bound to steer the local economy towards internationalization, as well as high value-added and high-tech development.

In June 2009, in an article entitled "Hong Kong should go with the tide and develop a knowledge-based economy", former Chief Executive Donald TSANG suggested that it was imperative for the Government to provide a conducive policy environment for society to follow the trend towards developing a knowledge-based economy. According to the definition adopted by the Organization for Economic Co-operation and Development, a knowledge-based economy is built on continuous innovation, a critical mass of top talents, and strong financial support for high-end industries. However, over the past five years from 2009, what has the SAR Government actually promoted?

Hong Kong's financial infrastructure is already very well-developed. Therefore, in a knowledge-based economy, the SAR Government should focus more on developing knowledge and technology creation, as well as various high value-added industries. To this end, Hong Kong needs to establish its own academic and research domains. It needs to create knowledge rather than simply importing knowledge or talents; meanwhile, we have to nurture and upgrade our local talents and intellectual elite.

According to the Government's reply to a question raised by me on last year's Budget, there were 10,432 students enrolled in postgraduate programmes funded by the University Grants Committee in 2013-2014, and among them, 46% were students from the Mainland and 7% were students from other places. The composition of such non-local students is actually very homogeneous in terms of where they come from. This being the case, how can we promote the exchange of diverse cultures? And how can we give local postgraduates space to develop? In addition, does the SAR Government have any measures in place to entice local students to enrol in local master's degree and doctorate programmes? We should not allow Hong Kong to merely become a training ground and a gathering place for non-local talents. We should also devote resources and time to training local talents.
Besides, let us take a look at energy and water sources, which are both essential for Hong Kong to maintain its autonomy and uniqueness. These are also issues that we need to and must address in the face of global warming. As to how to secure permanent, stable and clean supplies of energy and water for Hong Kong, I have not seen any research efforts made by the SAR Government. Recently, the SAR Government has once again proposed the use of desalination technology, but I think the scale of it is indeed too small. Last year, the World Energy Council (WEC) announced the energy sustainability rankings of 129 countries and cities in the world. Hong Kong’s ranking plummeted from 31st in 2011 to 40th in 2013. While Hong Kong was awarded the pretty good scores of "A" in energy affordability and accessibility, that is, energy equity, and "B" in environmental sustainability respectively, it only scored "D" in energy security, the area in which it fared most poorly. In making the assessment, the WEC further pointed out that the score was low because Hong Kong was unable to produce energy on its own, it mainly relied on the import of environmentally unfriendly energy such as fuel oil and coal for power generation, and its sources of fuel supply were not diversified enough. This assessment outcome clearly reflects that the energy policy of the SAR Government has failed to resolve the core problem of energy security. In the consultation on the future fuel mix, the Government must answer the questions of how to diversify the supply of energy and how to use renewable energy.

Lastly, Deputy President, Hong Kong is a highly developed, externally oriented and knowledge-based city. The Government is duty-bound to enhance social mobility, and provide the needy grassroots with protection and support. The appropriate interaction between these two elements can make Hong Kong an ever-developing city filled with hope and vibrancy.

In my opinion, the SAR Government is duty-bound to combat illegal and dishonest immigration. At the same time, it should also take back the power to vet and approve one-way permits. But then, as for those who are already Hong Kong residents, the Government has a responsibility to offer them appropriate support and protection, so that they can live in Hong Kong without any worry, and become part of the human resources contributing to Hong Kong's economy.

Deputy President, I so submit.
DR ELIZABETH QUAT (in Cantonese): Deputy President, recently a mother
told me that her son, a primary student, was very unhappy and refused to go to
school. After repeated enquires, she finally learnt that his son was nicknamed a
"locust" by his classmates, and he was also often being ridiculed for his accented
Cantonese. That was why he did not want to go to school. This mother felt
very sad. Her son was born in Hong Kong, but as she was a Mainlander and
could not take care of him in Hong Kong back then, he had been living with her
on the Mainland since he was still an infant. It was not until she was granted a
one-way permit a few years ago that she moved to Hong Kong with her son to
settle here. It was already difficult enough for her son to adapt to life in Hong
Kong, catch up on studies and integrate into society. She had never thought that
her son, a genuine Hongkonger, would fall prey to discrimination and bullying.
He used to be a lively and cheerful child who did pretty well academically, but
now, he has become a quiet and reticent boy who feels inferior and often shuts
himself away, and his academic performance is not good.

This mother said that she had always yearned for a life in Hong Kong,
thinking that Hong Kong was an international city that was liberal, open and
inclusive, and it would bring her son better opportunities to learn and develop.
However, after she came to Hong Kong, she has realized that although most
people here are friendly, the social atmosphere of the city is very tense, and there
are some local people who ostracize and discriminate against immigrants very
much. Seeing that her son is so unhappy now, she really has some regrets.

Deputy President, why is this child insultingly called a "locust"? Why is
he unhappy? It is just because people like Mr Gary FAN and Ms Claudia MO
have, in recent years, kept advocating so-called localism, "anti-integration" and
"anti-communization", inciting hatred towards China, and even agitating for
"desinicization" by mounting an "anti-locust" campaign and waving the "Dragon
and Lion Flag" here and there. All these have exacerbated China-Hong Kong
conflicts, and sowed the seeds of discrimination and animosity in communities
and schools. While we are trying very hard to help new arrival families adapt to
and integrate into life in Hong Kong, those people are doing damage and causing
ostracism, which has affected many families.

This time, Mr Gary FAN has once again moved a motion on "putting Hong
Kong people first". On the face of it, what he demands is the proactive handling
of China-Hong Kong conflicts. Yet, the 10 proposals put forward by him are all
specious, and his arguments are unrealistic and misleading the public. These will only further intensify China-Hong Kong conflicts and lead to social division in Hong Kong, without solving the problem at all.

Deputy President, due to time constraints, let me point out the problems with these 10 proposals in simple terms. For the details of my arguments, you may refer to the speeches of other Members from the Democratic Alliance for the Betterment and Progress of Hong Kong.

In the first proposal, he has come up with this dual vetting and approval system of the One-Way Permit for immigration. I really wish to ask a question: what does he want the Government to vet and approve? Is he suggesting that only rich people can come to Hong Kong for family reunion?

The second proposal seeks to amend the Basic Law to abolish the right of abode in Hong Kong enjoyed by "doubly non-permanent resident babies". The Standing Committee of the National People's Congress has already given a clear account of the issue of "doubly non-permanent resident babies". The right of abode in Hong Kong enjoyed by such babies was granted by the Courts of Hong Kong. Today, "doubly non-permanent resident children" are also Hong Kong people. Please do not discriminate against them.

The third proposal is very odd. Now, when the whole world understands the importance of learning Putonghua, he perversely rejects the learning of it.

The fourth proposal is misleading the public on purpose. The places for local students and those for non-local students offered by tertiary institutions in Hong Kong are subject to separate calculations, and there is no question of local and non-local students competing for the same places. The number of Mainland students in Hong Kong only accounts for less than 20% of the total number of our university students, not 80% as mentioned by Mr FAN.

The fifth proposal is completely unrealistic. How can kindergartens and parents possibly agree that kindergartens must admit only home-district students? What does "home district" mean?

The sixth proposal seeks to cap the number of visitors under the Individual Visit Scheme and immediately abolish multiple-entry endorsements; the seventh proposal seeks to reduce the purchase of Dongjiang water. The three measures
in question are all meant to be policies benefiting Hong Kong. Just imagine, if the Individual Visit Scheme is gone and we have no priority in using Dongjiang water, what will happen to Hong Kong?

The eighth and ninth proposals seek to halt China-related projects and oppose labour importation. In that case, why not propose to close the door and isolate ourselves from the rest of the world, so as to refrain from development forever?

Lastly, the 10th proposal demands that Hong Kong permanent residents should have priority in receiving social welfare protection. This implies that Mainlanders are coming to Hong Kong to vie for welfare benefits. But the truth is that there is no welfare quota in Hong Kong. As long as one is a Hong Kong citizen who meets the criteria, he can apply for welfare benefits here. So what is the basis of such a priority?

These 10 proposals from Mr FAN are very misleading. None of them is feasible. They will only stir up China-Hong Kong conflicts, as well as internal conflicts in Hong Kong. This is neither beneficial nor constructive to Hong Kong.

Deputy President, earlier on, a 70-year-old gentleman said to me that he swam to Hong Kong from the Mainland in the 1940s. After coming here, he first worked for others and later started his own business. He has worked very hard for years, and his company has supported the living of many families. Over the years, he has made a lot of friends who came to Hong Kong from the Mainland, and they have all contributed to the present prosperity and stability of Hong Kong. This gentleman told me that we must not forget our origins, and we should be grateful for all the kindnesses bestowed upon us. Given that most Hong Kong people's parents or grandparents were migrants from the Mainland, how can we ostracize and discriminate against new arrivals from the Mainland today? How can we label them as "locusts" and be certain that they will not make any contribution to Hong Kong in the future? Take today's Legislative Council as an example; apart from Dr LAU Wong-fat, how many Members' ancestors were indigenous residents of Hong Kong?

Mr Gary FAN and Ms Claudia MO are promoting discrimination against new arrivals under the banner of "putting Hong Kong people first", thus hurting many families and affecting the development of many children. I wonder if they
have a guilty conscience. If a child hurts himself or herself because of being discriminated against or bullied, will Mr FAN and Ms MO be able to fall asleep at night? Why should people born of the same roots be hostile to each other?

I wish to remind Mr FAN and Ms MO that Hong Kong is part of China, and Hong Kong people are Chinese people. As both of them dislike China so much and oppose China on every front, will they consider leaving Hong Kong?

Deputy President, I so submit.

DEPUTY PRESIDENT (in Cantonese): Does any other Member wish to speak?

MR LEUNG KWOK-HUNG (in Cantonese): Deputy President, the motion proposed by Mr Gary FAN today is, in my opinion, a bit outdated.

As a matter of fact, the argument about "adhering to the need to 'put Hong Kong people first' in formulating policies" cannot be wrong because in this city with a population of 7 million, the policies formulated should of course adhere to the principle of putting the needs of the people first. Where does the problem lie? It lies in the fact that some people do not consider that priority should be given to cater for the needs of these 7 million people. For example, clearance operation of Occupy Central will take place tomorrow. In formulating the policies on the implementation of dual universal suffrage, the authorities do not put the people of Hong Kong first; instead, they put the Standing Committee of the National People's Congress (NPCSC) first.

Deputy President, you have been a Member of this Council for many years. Annex I to the Basic Law has already set out how and when universal suffrage is to be implemented after 2007 and 2008, that is, a decade after the reunification. However, someone intercepted in the midway. In the interpretation of the Basic Law in 2004, it was declared that the two elections were not to be decided by the people of Hong Kong but by the NPCSC. "Sorry, you have mistaken. Annex I stipulates that a decade after the reunification, it is not up to Hong Kong people to decide how and when the elections by universal suffrage are to be implemented, the decision should be made by the National People's Congress through the interpretation of the Basic Law." Hence, we lost all hope for the implementation of dual universal suffrage in 2007 and 2008.
As we all know, the campaign slogan of the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) in 2004 was also "to implement dual universal suffrage in 2007 and 2008". At that time, perhaps the DAB also thought that Hong Kong people would be put first, meaning that in Hong Kong, other than national defence and diplomatic affairs which the Central Government (that is, the Chinese Communist Government) had the full authority to decide, for the issue of how Hong Kong should implement "a high degree of autonomy", as long as Hong Kong people tolerated or recognized Hong Kong being a part of China, the issue could be dealt with according to the wishes of the 7 million people. That is the crux of today's problem, Mr Fan, because we have no right to decide when the elections by universal suffrage are to be implemented; and we also do not have the power to decide whether Hong Kong people can decide how their power is to be exercised or granted.

The interpretation of the Basic Law in 2004 declared that the elections by universal suffrage could not be implemented. In 2007, Qiao Xiaoyang again interpreted the Basic Law and said, "Sorry, you are mistaken again. What we mean is that the Chief Executive can be elected by universal suffrage in the form of 'one person, one vote' in 2017." If the election of the Chief Executive by universal suffrage could be implemented in 2017, the Legislative Council could be returned by universal suffrage in 2018. This was what they said. Is that "putting Hong Kong people first"? It is only putting the NPCSC first. Who elected the members of the NPCSC? Honestly, we have no idea.

Today is the Human Rights Day. Deputy President, the Human Rights Day is on 10 December. Human rights begin with the respect for all basic human rights. As regards how to protect human rights, it must hinge on people having the real power to control their government. Today in Hong Kong, like it or not, it does not matter whether the policies are formulated by "putting Hong Kong first" because someone can tell us what we should do and we have no right to refute them.

On this day 35 years ago, non-Kuomintang (KMT) members were suppressed by KMT members in Kaohsiung City, Taiwan. At that time, Taiwanese people all thought that they could neither elect members of the KMT Government nor force them to resign. Hong Kong is facing the same situation today. Why is it that the applications for residency by migrants or foreign residents are not vetted and approved by the government of the receiving place but by the government of the place where these people come from? No one can
explain this. Before LEUNG Chun-ying campaigned for the office of the Chief Executive, he had also advocated the adoption of a scoring system but he does not mention it now.

Therefore, the concept of "putting Hong Kong people first" only means that one has to respect Hong Kong people's "high degree of autonomy". The current LEUNG Chun-ying Government is elected by coterie election. We oppose this system and we also oppose the decision made by the NPCSC on 31 August for "putting the NPCSC first" instead of "putting Hong Kong people first" and "respecting Hong Kong people's high degree of autonomy".

Deputy President, the question is very simple. As long as Hong Kong's 7 million people have to take orders from the 200-odd persons or the seven member-strong Politburo Standing Committee of the Communist Party of China in Beijing, the so-called political policy of "putting Hong Kong people first" is total nonsense.

Deputy President, the clearance operation will take place tomorrow. In fact, the Umbrella Movement, which has lasted so long, is to strive for putting Hong Kong people's right to autonomy first. I must declare here loud and clear that "The NPCSC does not represent me. Hong Kong people want genuine universal suffrage. The Umbrella Movement is fearless. We will engage in civil disobedience tomorrow. Be early tomorrow, everybody."

MR IP KWOK-HIM (in Cantonese): Deputy President, when Mr LEUNG Kwok-hung started to speak just now, he expounded on certain political views and propositions on behalf of the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB). I believe we do not need Mr LEUNG Kwok-hung to expound on the political propositions of the DAB. This is not the first time that Mr LEUNG Kwok-hung does so. He has done so many times, but he is in no position to do so.

Deputy President, I originally did not intend to speak on this motion, but having heard the speeches of Mr Gary FAN and Ms Claudia MO, I think I need to respond. This is the second time that Mr Gary FAN moves a motion on "putting Hong Kong people first" in the current term of the Legislative Council. Last year, Mr Gary FAN moved a motion on a similar topic. As a matter of fact, in the Legislative Council Election in 2012, Mr FAN likewise adopted the notion of
"putting Hong Kong people first" as the main theme of his election platform. Why is Mr FAN so keen in "putting Hong Kong people first"? Obviously, there is a political need for him to do so. Against the backdrop of deteriorating Mainland-Hong Kong conflicts, waving the banner of "putting Hong Kong people first" and chanting anti-Mainlandization slogans will possibly help him canvass more votes.

In his speech Mr Gary FAN accused the SAR Government of blindly promoting Mainland-Hong Kong integration. He remarked that the phenomenon of tilting towards the Mainland is not only reflected in the Individual Visit Scheme and the policy of using Putonghua to teach Chinese, but also in our political institutions, forcing Hong Kong people to accept the practices of the Communist Party of China (CPC). The remarks of Mr FAN are grossly misleading and not at all grounded on objective facts. Under the framework of "one country, two systems", the Mainland and Hong Kong have their respective unique social systems, administrative structures and judiciaries, integration between the two places politically or institutionally is simply impossible, and even full economic integration is not feasible. It is well known that the Mainland upholds planned economy, while Hong Kong upholds market economy. The so-called "Mainland-Hong Kong integration" refers at most to Hong Kong dovetailing with the development of our country economically and boarding the express train of our country's rapid development. May I ask whether there is any problem with Hong Kong dovetailing with the development of our country economically?

Ms Claudia MO said that the CPC will exert political control over Hong Kong through economic means. For this reason, she demands the SAR Government to reduce our reliance on the Mainland economically. Ms MO's idea is pathetically naïve, and she has also underestimated the capabilities of the Central Authorities. At a time when foreign governments scramble to strengthen economic and trade relations with China by all possible means, Ms MO surprisingly demands the SAR Government to reduce our economic relations with the Mainland. Is not this an anti-intellectual act?

While fighting for democracy, does Ms MO know what has happened over the past three months since the outbreak of the Occupy movement? Let me tell Ms MO in short. During the past three months, China signed free trade agreements with South Korea and Australia respectively, so that 90% of goods will enjoy zero tariff treatment. In future, South Korean cosmetic products sold
on the Mainland will be cheaper than that sold in Hong Kong, and Australian dairy products will be able to be imported to the Mainland directly. Hong Kong people will no longer have to worry about Mainlanders coming to Hong Kong to scramble for Korean cosmetic products and Australian dairy products as well as many other sorts of products. The appeal of Hong Kong for Mainland visitors under the Individual Visit Scheme (IVS visitors) is diminishing. The demand of Ms Claudia MO and Mr Gary FAN for reducing IVS visitors can thus be met.

If Ms Claudia MO and Mr Gary FAN are still not satisfied with the "dying out" of the IVS, they may again launch protests with a bunch of supporters of localism by pulling suitcases in Tsim Sha Tsui, so as to scare away Mainland visitors. In March this year, they initiated a protest of this kind. Last year, Ms Claudia MO and Mr Gary FAN established a concern group that claims to safeguard the local culture of Hong Kong. Apart from opposing doubly non-permanent resident children and IVS visitors, this concern group that advocates localism also opposes simplified Chinese characters. They will lodge protest against any shops that replace traditional Chinese characters with simplified Chinese characters. As Mainland-Hong Kong conflicts are deteriorating nowadays, the continuous advocacy of localism and anti-Mainlandization will undoubtedly add fuel to the fire. If they have no ulterior motive, they must be totally ignorant. In fact, today, it is well evident that simplified Chinese characters have been extensively used over the world.

The Mainland and other neighbouring regions and countries of Hong Kong have focused on developing their economies and achieved considerable results in recent years. However, due to political disputes, Hong Kong has suffered from continuous internal attrition, stagnant economic development and decreasing competitiveness. If Hong Kong still does not hasten to catch up, it is bound to be marginalized. As the Mainland continues with its opening up and reform, and given that many years have passed since the reunification of Hong Kong, and that Hong Kong and the Mainland are geographically connected, it is a general trend that residents of the two places have increasing frequent exchanges. The general direction of mutually-beneficial co-operation between the two places must never be abandoned. Despite certain differences in terms of culture and the way of life, as well as certain misunderstandings or frictions arising from the lack of spaces and resources in Hong Kong to cope with development needs, we should actively face up to these problems as an open city, rather than "close the door and isolate ourselves from the rest of the world". Also, we should never champion different forms of "Hong Kong independence", which definitely runs counter to the wishes of the general public.
With these remarks, Deputy President, I support Mr Christopher CHUNG's amendment. Thank you, Deputy President.

MR CHAN HAN-PAN (in Cantonese): Deputy President, since we began this motion debate last week, I have heard numerous untenable arguments put forth by the pan-democrat Members. According to Mr CHAN Chi-chuen, our population policy must give regard to Hong Kong people and aim at encouraging childbirth. While that is correct, he added that people dare not have babies because there is no universal suffrage in Hong Kong. If this logic was to hold true, I would say the opposite theory is even more tenable and meaningful. I think it is utter nonsense to say that people dare not have babies because there is no universal suffrage in Hong Kong. In fact, people dare not have babies because society has become too chaotic. With the recent spate of storming and occupation incidents, as well as the call from some lawyers and law academics to challenge law and order openly, couples contemplating childbearing have genuine concerns about the education of their children in future. I am afraid that if society continues to develop in such a direction, people will really stay away from parenthood.

Over the 17 years or so following the reunification, the relationship between the Mainland and Hong Kong has become increasingly close, with more frequent economic and social exchanges than ever. However, it is regrettable that some people and organizations in society have positioned themselves as the "localism camp", and they intentionally stir up disputes on the pretext of Mainland-Hong Kong issues in society. In fact, it is natural for all government policies to accord priority to the needs of local people because under normal circumstances, giving priority as such does not mean xenophobia. However, the concept and propositions of "putting Hong Kong people first" as advocated by Mr Gary FAN as well as his previous arguments are full of radical xenophobic sentiments which are not conducive to social development. We therefore do not agree to his approach.

The radical suggestions made by Mr FAN aside, we can hardly accept his approach of including other totally unrelated matters in the motion. For example, is there any direct relation between his proposal on revising the Dongjiang water purchase agreement and "putting Hong Kong people first"? Basically, revising the agreement and saving costs have nothing to do with "putting Hong Kong people first". As far as I understand, given the inadequate supply of Dongjiang water currently, it can hardly meet the need of Mainland
residents. Yet the Guangdong side still supplies some 1 billion cubic metres of potable water to Hong Kong each year. Should the logic of Mr FAN apply, the Guangdong authorities should also formulate a policy on "putting Guangdong people first" and accord priority to water consumption of Guangdong people before supplying water to Hong Kong, but the Guangdong side has not adopted such approach. Hence, we must show our appreciation and respect to the Guangdong authorities.

Separately, it will be most absurd for residents of both places to exclude each other simply because of some minor conflicts arising from cultural differences. Doing so is tantamount to stopping eating for fear of choking or cutting off one's toes to avoid sand worms. When we were young we often criticized the Qing Dynasty for sealing off the country in the mistaken belief that its people could live in seclusion as the heavenly kingdom was rich in natural resources. I do not know if it is the wish of Mr FAN and Ms MO for Hong Kong to revert to the practices of the Qing Dynasty.

Having said that, there is no denying that the two places are different in various ways due to different development histories. However, if considered from another perspective, we can see that these problems arise because of the chemistry of the two places caused as a result of our increasingly close exchanges. In the early days of the reunification, as Mainlanders and Hong Kong people were starting to come into contact with each other, they were able to get along well. However, as their mutual understanding deepens in time, small frictions become inevitable. It is like a romantic relationship where the couple would be sweetly in love in the early days of courtship, but in time they might start arguing over mundane things. These problems must be resolved through mutual respect and concessions. It is unreasonable for the couple to stop seeing each other or even seeking a divorce (if they are married) simply because of such frictions. This course of action is non-constructive and should be avoided at all costs. After all, we belong to the same family. Can we stop treating each other with animosity? As the Chinese sayings go, "family harmony brings prosperity on all fronts"; "benevolence prevails in the whole country when it is upheld in each family"; and "inclusiveness prevails in the whole country when it is upheld in each family". Hong Kong is an open city. As we can freely travel to other places, we should also welcome all visitors to Hong Kong and demonstrate our generosity.
Many problems cannot be resolved in an instant or simply by shutting the
door and asking people not to come to Hong Kong. In fact, many problems in
Hong Kong can be addressed at root, but admittedly, the Government's response
in the past has been unsatisfactory. Take for example the provision of
kindergarten places. As we all know, many doubly non-permanent resident
children were been born in Hong Kong; sooner or later, they will come to study in
Hong Kong. However, due to inadequate preparatory work on the Government's
part, kindergarten places in the North District, Tuen Mun and Yuen Long are in
short supply. We hold that the problem can actually be resolved if the
Government can give early and comprehensive consideration to the problem and
allocate the necessary resources generously to provide sufficient school places for
these children.

I recently paid a visit to South Korea, and I noted that individual tourists
are quite welcomed by the South Koreans. They have a good understanding on
how to do business because we can see signs for tourists everywhere, such as
those giving directions to washrooms. Yet that is not the case for Hong Kong.
Moreover, the washrooms there are clean and dedicated shopping areas have been
set up for tourists. Yet that is also not the case for Hong Kong and hence, the
daily lives of Hong Kong people have been affected.

All in all, I think the approach adopted by Mr Gary FAN is too passive.
Rather than hurling criticisms toward each other, Members of the Legislative
Council should adopt a positive approach and consider measures to "make a
bigger cake". The Great Learning says: "Things have their root and their
branches. Affairs have their end and their beginning. To know what is first
and what is last will lead near to what is taught in the Great Learning."¹ There is
also a Buddhist saying: Do not estrange your relatives and friends due to trivial
disputes; do not forget great kindness (The buzzer sounded) …

DEPUTY PRESIDENT (in Cantonese): Your speaking time is up.

MR CHAN HAN-PAN (in Cantonese): … due to trivial resentment. I hope the
two Members can be merciful.

¹ <http://ctext.org/lijji/da-xue>
DEPUTY PRESIDENT (in Cantonese): Mr CHAN, your speaking time is up.

MR STEVEN HO (in Cantonese): Deputy President, Mr FAN again moves a motion on "putting Hong Kong people first" today. The title of his motion sounds attractive, as if he were really fighting for the interests of local people, but in reality, as remarked by Mr Christopher CHUNG, this motion is similar to a fascist motion, representing extreme nativist protectionism and xenophobia.

I can only identify with the last part of Mr Gary FAN's speech last week. He said that the local culture of Hong Kong is not only built on having China as our hinterland, but also has to face the world. I agree to this point. Despite this point, his understanding of the essence of Hong Kong's local culture may not be fully mature, and even runs counter to the local culture of Hong Kong. Why would I say so? The culture of Hong Kong or even China is gradually developed over a history spanning some 2,500 years, or even 5,000 years as claimed by someone. Apart from our local cultural elements, elements of other cultures have also been incorporated. As such, regarding "Using Putonghua to Teach Chinese Language Subject" as mentioned in part (3) of Mr Gary FAN's motion, I would like to expound some of my views.

Let me give an example. Regarding the Chinese language we speak and the Chinese characters we write nowadays, many words were not created locally but were imported from foreign places, mainly from two countries, India and Japan. For example, having obtained Buddhist books in India and returned to China, Monk Xuanzang in the Tang Dynasty translated many Buddhist scriptures, leading to the importation of many Chinese terms and expressions, such as "解脫 (extrication)", "剎那 (instant)", "彈指 (moment)", "昙花一現 (a flash in the pan)", "醍醐灌頂 (to be enlightened)" and "恆河沙數 (as numberless as the sands)". These words are being used by Hong Kong people on a daily basis, and they have been incorporated into our culture. The other country is Japan, the influence of which is modern. Following the First Sino-Japanese War, there was a period when we thought that we should learn from Japan, so that many Chinese terms and expressions Hong Kong people frequently use nowadays and believe to be our local culture are actually not part of our local culture. For example, "幹部 (cadre)", which we frequently use, as well as the terms "化學 (chemistry)", "物理 (physics)" and "政治 (politics)" which intellectuals must be most familiar with, are all imported from Japan. In addition, expressions such as "人氣 (popularity)", "達人 (expert)", "援交 (compensated dating)" and "大割引 (big
sale), some of which are used as slogans in Mong Kok, are also imported from Japan. For this reason, may I ask whether Mr FAN or some opposition Members have turned a blind eye to such kind of foreign cultural invasion, or whether they have not attained such a level of knowledge to point out the problem? We should not be over sensitive about culture.

Furthermore, Mr FAN talked about the Dongjiang water purchase agreement, and he also directed his remarks against Mainland policies or Mainlanders. His proposal on the review of Dongjiang water policy also represents extreme nativist protectionism, because under the general direction of globalization or the integration of the whole world, it may not be appropriate for us to do so. In our exchanges with other places, amendments cannot be made whenever we like, and we must facilitate the co-ordination between the two places. I have even heard people residing in Heyuan, the origin of Dongjiang, or people living even further away in Jiangxi asking why they have to protect the source of the river for Hong Kong people, and why can't they develop industries in the catchment areas. They also query why potable water is sold to Hong Kong at such low prices. As the protection of water resources demand huge resources, have Hong Kong people made any contribution in this regard? The answer is in the negative. Every time when we negotiate with the Chinese authorities, we ask for a lower price or demand the charges to be based on supply quantity. On the other hand, if we look at the issue from their perspective and if they adopt the approach of "putting local people first", will Hong Kong really have sufficient water for consumption? For this reason, I hope Mr FAN or other opposition Members supporting this original motion can clearly consider the long-term interests rather than short-term interests of Hong Kong.

In addition, has the SAR Government done no work in response to problems that have emerged in society? The answer is in the negative. For example, the new Government, the Government under Chief Executive LEUNG Chun-ying, has rolled out a "zero quota" policy in response to the issue of doubly non-permanent resident children. Regarding local residents' accommodation or housing problems, the Government has also implemented the "double curbs" measures. Despite our different views on the "double curbs" measures, we can still hold debates in this Chamber and seek to work out a balanced package that has no great bearing on Hong Kong people and our international image. For this reason, I hope that opposition Members will not oppose anything that is related to the Mainland. Many things in Hong Kong are subject to foreign influence.
I hope opposition Members will oppose this original motion and support Mr Christopher CHUNG's amendment. Thank you, Deputy President. I so submit.

DEPUTY PRESIDENT (in Cantonese): Does any other Member wish to speak?

MR CHAN KAM-LAM (in Cantonese): Deputy President, Mr Steven HO called upon Members from the opposition camp to oppose this motion. This is like climbing a tree to catch fish — it is futile to do so. This motion on "putting Hong Kong people first" moved by Mr Gary FAN is riddled with problems, whether in terms of its theme or contents. I can tell that the opposition Members who support this motion have two major obsessions: first, a mentality of "Hong Kong chauvinism"; and second, a mindset of "Hong Kong independence", which has long been hidden in the bottom of their hearts.

These two ideological trends mainly stem from an inadequate knowledge of Hong Kong and Chinese history, a failure to grasp the current situations of today's China and Hong Kong, and a complete lack of understanding of the future development of the country and the city, which have in turn given rise to the parochial thoughts of localism and protectionism. On the face of it, even the United States, such a large democracy, has time and again formulated certain protectionist policies on the economic or political front. In the case of a region, it seems that protectionism can safeguard interests on the surface, but as far as Hong Kong is concerned, protectionism actually ruins Hong Kong's future.

Hong Kong is part of China, and this is indisputable. Hong Kong and the Mainland are closely related in terms of their geographical proximity, ethnic connections and cultural similarities. Exchanges between the residents of the two places have become increasingly frequent. This had been the case for over a century, both before and after the reunification. Even in the times when Hong Kong was under British rule before the handover, the situation was the same. The trend cannot be resisted, and a casual proposition of "putting Hong Kong people first" can in no way sever the ties between the two places by implementing certain policies. Hong Kong is an open international city with a highly open market. In the past, due to the embargos imposed by foreign countries and the slow development of China, Hong Kong was able to play the role of a southern gateway to the country and thus captured excellent opportunities for economic
development. In those days, even though we countered all sorts of difficulties, we enjoyed the first-mover advantage as the economic development of the Mainland was relatively lagging behind. Today, as we can see, Hong Kong's investors or funds entering the Mainland account for almost half of such activities as foreign trade and investment in the country, indicating that China's reform and opening up over the years has provided Hong Kong with a very huge market.

Economic globalization, that is, the increasing interdependence of all nations in economic, social and political terms, has been an irreversible trend across the world since the 80s of the 20th century. In recent years, the global economy has even tilted towards the Asian market, for which China is the major driving force. China has also kept adjusting its economic policy, so as to make greater progress in its trading and financial spheres for integration with the international markets on a continuous basis. To be honest, Hong Kong's original edge has been fading. In the past, we relied on the economic development of the Mainland; today, we are all the more reliant on it. This is an undeniable fact. What the pan-democratic Members have proposed is to "close the door and isolate ourselves from the rest of the world". This is self-marginalization. It can be said that they are selling Hong Kong's future down the river.

In fact, the policy principle of "putting Hong Kong people first" already exists in the current systems, as in the cases of applying for public housing, various welfare subsidies, and so on. In particular, the current-term Government attaches even more importance to protecting the rights and interests of Hong Kong people. The "Hong Kong Property for Hong Kong People" policy, the "zero delivery quota for doubly non-permanent resident pregnant women", the "powdered formula restriction order" and the Buyer's Stamp Duty, among other things, are all policies embodying the principle of "putting Hong Kong people first". Members from the Democratic Alliance for the Betterment and Progress of Hong Kong have already expounded on this.

By floating the idea of so-called "putting Hong Kong people first", the pan-democratic Members are simply attempting to alienate Hong Kong from the Mainland, create conflicts and intensify problems. They are advocating Hong Kong independence in disguise. Hong Kong independence activists confuse and poison people's minds by reminiscing about the colonial era, and ignoring the fact that today's Hong Kong is better developed and more democratic than it was in colonial times. The British "Dragon and Lion Flag", which was waved time after time in various demonstrations and marches, spoke volumes.
The opposition Members are consistent in propagating the idea of Hong Kong independence. Those students who are still in the occupied areas should think carefully. While the Occupy action appears to be a fight for democracy, they have effectively become the pawns of Hong Kong independence activists, and their demand for civil nomination, which involves "three violations" and runs counter to the Basic Law, has effectively become a demand for Hong Kong independence. After all the things that have happened in recent months, Hong Kong people should wake up to reality, distinguish between right and wrong, and come to realize who is genuinely acting for the good of Hong Kong and who is jeopardizing Hong Kong's future.

**DEPUTY PRESIDENT** (in Cantonese): Does any other Member wish to speak?

(No Member indicated a wish to speak)

**DEPUTY PRESIDENT** (in Cantonese): Mr Gary FAN, you may now speak on the amendments. The speaking time limit is five minutes.

**MR GARY FAN** (in Cantonese): Yes, Deputy President. I would like other Members to return to the Chamber and listen to my speech. Please do a headcount under Rule 17(2) of the Rules of Procedure. Thank you.

**DEPUTY PRESIDENT** (in Cantonese): Will the Clerk please ring the bell to summon Members back to the Chamber.

(While the summoning bell was ringing)

**DEPUTY PRESIDENT** (in Cantonese): Mr Gary FAN, we are in the process of doing a headcount. Please move the placard in front of you to the back, as the staff of the Secretariat cannot see you with the placard blocking their view.

**MR GARY FAN** (in Cantonese): Deputy President, can I put the placard like this when I speak later on?
DEPUTY PRESIDENT (in Cantonese): If you sit down, no one can see you and no one knows whether you are here.

MR GARY FAN (in Cantonese): Alright.

(After the summoning bell had been rung, a number of Members returned to the Chamber)

DEPUTY PRESIDENT (in Cantonese): Mr Gary FAN, please speak.

MR GARY FAN (in Cantonese): Deputy President, some members of the public say that my motion on "putting Hong Kong people first" is like a demon detector. They are quite right. The Under Secretary for Education, Kevin YEUNG, was able to grasp the crux of the issue when he spoke last week. He indicated that the Government would implement policies to "put Hong Kong people first" in addressing the shortage of resources. In the face of serious China-Hong Kong conflicts, various resources of Hong Kong are actually under threat at present. The "powdered formula restriction order" is a rare example of a policy that the Government was forced to introduce to "put Hong Kong people first".

Let us look at the two amendments proposed by Mr Christopher CHUNG and Mr TANG Ka-piu from the royalist camp. While the Democratic Alliance for the Betterment and Progress of Hong Kong agrees with the idea of "putting Hong Kong people first", it has deleted all the policy propositions relating to various areas. They preach one thing but practise another. This is exactly what the royalists have always been doing. Their speeches are full of the same old platitudes used in stereotyped Party writing, accusing others of supporting Hong Kong independence. As for the Hong Kong Federation of Trade Unions, it continues pretending to care about workers, and has only retained the proposal to oppose labour importation. Yet, Chief Executive LEUNG Chun-ying said last week that the Government had to attract more talents to Hong Kong, and asked the young people of Hong Kong to go elsewhere for development. This is precisely a population replacement policy that sells Hong Kong people down the river, and the royalists will definitely toe the line.
Deputy President, various governments in the world have imposed certain welfare restrictions on immigrants. Last year, the United Kingdom announced that new immigrants would not be allowed to apply for unemployment relief and housing subsidies during the initial period after their entry. In November this year, the European Court of Justice ruled that Germany had the right to refuse to give welfare benefits to new European Union immigrants who had never worked after their arrival. In the United States, new immigrants are now required to have lived there for five years before they may apply for welfare benefits. In Singapore, only citizens may purchase first-hand public housing units. As pointed out by Nelson CHOW, a Hong Kong scholar, in his study on retirement protection this year, even welfare states impose restrictions on new immigrants' eligibility for welfare benefits. For instance, the "guaranteed old-age pension" system of Sweden requires the elderly to have lived there for 40 years before they can be entitled to full protection under the system.

However, Ms Emily LAU of the Democratic Party and Ms Cyd HO of the Labour Party disregarded these international practices and only emphasized the issue of discrimination. Ms Emily LAU even indicated that "putting Hong Kong people first" was using the underprivileged as a stepping stone. I would like to tell Ms Emily LAU that in the face of China-Hong Kong conflicts, Hong Kong people are the underprivileged and the disadvantaged. Their remarks clearly show that they have no regard for right and wrong, but only care about whether other people's stances are the same as theirs. When giving an interview to Ming Pao Daily News on 27 May this year, Dr Fernando CHEUNG also said that he agreed that only Hong Kong permanent residents should be allowed to apply for retirement protection here. I believe that neither Ms Cyd HO nor Ms Emily LAU will wrongly accuse him of discriminating against non-permanent residents. Both the Democratic Party and the Labour Party were narrowly partisan when discussing this motion with me.

President, human rights are about the protection of equality in terms of freedom of speech, legal rights and political rights, as well as equality of opportunity. Human rights do not include equality of distribution. Social welfare is not a human right. Social welfare involves the distribution of social resources. Different societies with varying degrees of affluence and civilization
have different social systems and different restrictions in place. Some Members are of the opinion that as the Court of Final Appeal has already given a ruling on the requirement of residence in Hong Kong under the Comprehensive Social Security Assistance Scheme, we should not deal with this issue. Nonetheless, in my view, the Court is not a place for handling political issues, and that is why my motion calls on the Government to resolve this issue by legislative means. We can certainly discuss the residence requirement. Blindly accusing these proposals of xenophobia and discrimination will only lower the quality of our debates in the Legislative Council …

PRESIDENT (in Cantonese): Mr FAN, are you speaking on the amendments?

MR GARY FAN (in Cantonese): Yes, President, I am speaking on the amendments.

President, in the past year, Canada, Taiwan and even Australia announced decisions to tighten their immigration policies. However, the SAR Government still ignores the rights and interests of Hong Kong people in considering policies. Every year, a lot of people are imported to Hong Kong via the One-way Permit Scheme and the Admission Scheme for Mainland Talents and Professionals, and our education resources are not devoted to Hong Kong students. All these, coupled with the unrestricted implementation of the Individual Visit Scheme, are affecting Hong Kong people on all fronts.

Mr LEE Yee, whom I revere, has made a very good point: if you are not part of the solution, you are part of the problem. When Beijing continues to carry out colonization and create economic reliance in Hong Kong, Hong Kong mothers have to scramble for hospital beds for childbirth, and vie for powdered formula and school places for their children. While the rights and interests of Hong Kong people are being threatened on all fronts, those Members who keep talking about xenophobia, discrimination and fascism are sitting on their hands, and even trying to blur the focus with biased arguments. They are only making small criticisms but doing a big favour to the people in power who have created the injustices.

President, I so submit.
SECRETARY FOR SECURITY (in Cantonese): President, I thank various Members for their views on this motion. Now I am going to respond to Member's comments on the immigration policy.

The authority to vet and approve One-way Permits

The Scheme on Permits for Proceeding to Hong Kong and Macao (commonly known as One-way Permits (OWPs)) aims at facilitating the reunion of Mainland residents with their families in Hong Kong in an orderly manner. The arrangement has a firm constitutional basis, and the approving authority has been clearly defined. It is clearly provided in section 14 of Annex I to the Joint Declaration that "Entry into the Hong Kong Special Administrative Region (HKSAR) of persons from other parts of China shall continue to be regulated in accordance with the present practice." "The present practice" refers to the OWP Quota System under which OWP applications are processed and approved by the Mainland. This is the solemn undertaking made by the Joint Declaration.

Article 22(4) of the Basic Law also provides that "For entry into the HKSAR, people from other parts of China must apply for approval." The Standing Committee of the National People's Congress made the following interpretation on the provision in 1999: Mainland residents who wish to enter Hong Kong for whatever reason, including settlement, visiting relatives, travelling, and so on, must apply to the relevant authorities of their residential districts for approval in accordance with the relevant national laws and administrative regulations, and must hold valid documents issued by the relevant authorities before they can enter the HKSAR. Against this background, Mainland residents who wish to settle in Hong Kong must apply for OWPs. There is no question of the SAR Government getting back the approving authority.

Since May 1997, the Mainland authorities have implemented a point-based system, setting out open and transparent approval criteria for the OWP System. The Mainland authorities assess the eligibility and priority of applicants with reference to these criteria, update annually the "eligibility points" required for approval of OWP applications and announce the updates through media and the Internet.
In recent years, about 35% of the marriages registered in Hong Kong are cross-boundary marriages between Mainlanders and Hong Kong residents. Mainland spouses of Hong Kong residents may, four years after marriage, be granted OWPs by phases to come to Hong Kong together with their eligible children. It is evident that there is a continuous need for Mainland family members of Hong Kong people to come to Hong Kong in an orderly manner for family reunion.

Mr Gary FAN has made an issue of the Immigration Department's recent crackdown on a syndicate arranging bogus marriages to accuse the OWP System of being fraught with problems. That is an over-generalized conclusion to which I absolutely disagree. It is illegal for people to obtain residency in Hong Kong through bogus marriages, and this has nothing to do with the OWP System. As a matter of fact, places all over the world have to face the problem of bogus marriage. Once the bogus marriage is identified, the persons involved will be subject to legal sanctions. Their residence status obtained by fraudulent means will be declared invalid and they will also be repatriated.

New arrivals on the strength of OWPs are among the important sources of population growth in Hong Kong. According to some statistics, among the new arrivals who have come to Hong Kong on OWPs in 2014, over 60% of them are aged between 20 and 49. They do play a pivotal role in supplementing our local workforce. Furthermore, 90% of the new arrivals have received secondary or higher education, and among them, nearly 21% have post-secondary qualification or above, which is higher than the corresponding figure of 18% recorded in 2013. For this reason, it is incumbent for us to explore ways to help the new arrivals integrate into our society, who can in return contribute to the sustainable development of Hong Kong. This should be the right course to take, rather than imposing numerous barriers on the system which serves to allow Mainland spouses coming to Hong Kong for reunion.

At present, the Immigration Department and the Home Affairs Department collect information of new arrivals at Lo Wu boundary control point and Registration of Persons Offices respectively. The information is compiled into a quarterly report and distributed to the relevant government departments and non-governmental organizations for reference. The Census and Statistics Department also takes new arrivals on the strength of OWPs into account when
making population estimates, which provide a common basis for the Government in its long-term planning for education, housing, transport, social services, medical services, and so on.

"Doubly non-permanent resident (DNR) children"

With regard to the right of abode issue of DNR children born in Hong Kong, Article 24(2)(1) of the Basic Law provides that Chinese citizens born in Hong Kong before or after the establishment of the HKSAR are Hong Kong permanent residents. It is also established in Article 24 that Hong Kong permanent residents shall have the right of abode in the HKSAR. In July 2001, the Court of Final Appeal (CFA) ruled in the Chong Fung Yuen case that Chinese citizens born in Hong Kong are Hong Kong permanent residents, regardless of the residential status of their parents. Paragraph 2(a) of Schedule 1 to the Immigration Ordinance was amended accordingly in 2002 to bring the law in line with the CFA decision.

DNR children have profound impact on various social and economic policies, amongst others, obstetric services, education, medical services and welfare systems are particularly affected, resulting in tremendous pressure on our resources. The issue of DNR children has therefore sparked off wide public concern in the HKSAR. The Government has since January 2012 stepped up various administrative measures, including ceasing to accept delivery bookings by non-local pregnant women in public hospitals, setting delivery quota in private hospitals, and implementing complementary immigration measures to address the issue. The Government subsequently announced the "zero delivery quota" policy, whereby all public hospitals would not accept any bookings by non-local pregnant women for delivery in Hong Kong from 1 January 2013 onwards. Private hospitals had also unanimously agreed to stop accepting bookings from non-local pregnant women for delivery in Hong Kong in 2013. For those "singly non-permanent resident (SNR) pregnant women" who had made bookings at private hospitals for delivery in 2013 under the special arrangements, their identity and their marital relations with their husbands would be subject to stringent verification by the Government in order to forestall anyone posing as SNR for delivery in Hong Kong. The number of Mainland pregnant women gate-crashing Hong Kong hospitals for delivery without prior booking had dropped substantially from an average of 150 per month between September and
December 2011 to less than 20 per month on average in 2014 so far. The Government will keep a close watch over the situation in the long-run, and explore possible ways to tackle the matter.

**Conclusion**

The SAR Government will, having regard to the overall interest of Hong Kong, continue to exchange views with the Mainland authorities on the overall usage of OWP quota, and allow orderly entry of eligible Mainland residents into Hong Kong for reunion with their family members.

President, I so submit.
employment, for each application under the SLS, the employer must first conduct a four-week open recruitment in Hong Kong and local workers will have the priory in employment. The Labour Department will, after consulting the Labour Advisory Board, consider the approval or otherwise of each application. Hence Members need not worry about importing labour blindly.

As a matter of fact, between August and October this year, the total working population of Hong Kong stands at 3,907,800, and as at the end of October, only 2,863 imported workers, accounting for less than 0.1% of the total working population, are employed in Hong Kong through the SLS of the Labour Department. The Government will continue to handle the applications for labour importation cautiously in the light of the actual labour shortfall in Hong Kong, and in compliance of the major principle of priority of employment for local workers.

In respect of welfare, the Comprehensive Social Security Assistance (CSSA) Scheme provides the last safety net to meet the basic needs of the daily life of households who cannot support themselves financially because of old age, ill health, disability, being a single parent, unemployment or low income.

In the original motion, Mr Gary FAN urges the Government to revise afresh the residential requirement under the CSSA Scheme. I wish to reiterate that the Government respects the judgment handed down by the Court of Final Appeal (CFA) on 17 December 2013 on the judicial review regarding the residential requirement under the CSSA Scheme, and according to the judgment, it has restored the residential requirement to one year imposed before 1 January 2004. For people under 18 years of age, they will, as always, continue to be exempted from the residential requirement.

To a large extent, the actual impact of the CFA judgment hinges on the new arrivals' financial situation and their desire to apply for CSSA. As a matter of fact, the number of CSSA applications lodged by people having resided in Hong Kong for less than seven years has significantly dropped from the peak of 170 cases received each working day at the end of last year to about 10 cases each working day recently; and the number was less than 10 last week. It is also worth noting that as the Secretary for Security has just mentioned, the education level and household income of the new arrivals have been on the rise. Besides,
the Government has also introduced a series of measures to alleviate poverty and encourage employment, including the setting of the statutory minimum wage, the Work Incentive Transport Subsidy Scheme, and various programmes launched under the Community Care Fund, which, coupled with the keen demand for labour, will help prevent the people, including the new arrivals, from falling into the CSSA net.

President, on the whole, we consider that the CSSA Scheme can effectively serve an important social security function by providing security for the people most in need of help.

In respect of Ms Claudia MO's proposal to provide adequate social services support to assist ethnic minorities in Hong Kong in integrating into the mainstream community, the Secretary for Education will make a response in the areas of education and home affairs later on. I wish to talk about welfare services. The Social Welfare Department (SWD) has always paid close attention to the ethnic minorities' service needs and has, through various services helped them integrate into the local community expeditiously, alleviate their adaptability problems and enhance their abilities to provide for themselves.

The SWD and certain non-governmental organizations are jointly operating 65 Integrated Family Service Centres and two Integrated Services Centres, providing preventive, supportive and remedial services for needy families, including ethnic minority families. Moreover, the pamphlets which contain information on most mainstream services are printed in Chinese and English, as well as in Indian, Indonesian, Nepalese, Tagalog, Thai and Pakistani to help ethnic minorities of various nationalities understand the relevant services.

As regards training, since the year 2007-2008, the Employees Retraining Board (ERB) has provided different dedicated training courses delivered in English that match the ethnic minorities' career aspirations and training needs. In the year 2014-2015, the ERB will provide 14 full-time placement-tied courses and 16 half-day or evening Skills Upgrading Scheme Plus courses as well as generic skills training courses. The ERB will incorporate living and working language training in some of the dedicated courses to enhance the ethnic minorities' communication competence in their daily life and workplace.
President, the Government will continue to introduce various social welfare measures and invest heavily in talent training, provide conditions beneficial to personal and social development and work together with all sectors in society to enable the full play of Hong Kong's edges and the talents' potentials.

President, I so submit. Thank you.

UNDER SECRETARY FOR EDUCATION (in Cantonese): President, once again I would like to thank Members for speaking on this motion and the four amendments.

As I said at the beginning of my speech last week, the Government understands the impact brought by the frequent interactions between the residents of China and Hong Kong. Since the two places have the same root, it is only natural to have frequent interactions, bringing economic and other benefits to the two places. Residents in the two places have to make adjustments in order to reduce the impact on their lives.

In respect of education, some Members are concerned about the demand for school places by babies born locally to parents who are not Hong Kong permanent residents in recent years. The 200 000 Type II children born in Hong Kong are Hong Kong residents. Although they indeed cause some short-term problems to the education service in Hong Kong, we are taking flexible measures to tackle these problems. We understand the worries and concerns of some local parents and we will continue to liaise with the education sector to address these challenges.

At present, kindergarten education is provided by private organizations with the features of having a high degree of flexibility, diversity and strong adaptability and can expeditiously respond to parents' demands. In respect of admission arrangements, we must respect the choice made by parents according to their needs. This point was mentioned by Mr Christopher CHUNG last week. The admission of students should be decided by the kindergarten concerned. We are aware that kindergartens generally admit students under the principle of "schooling within the home district", so as to prevent, as far as possible, young children travelling long distances. The Education Bureau has already
implemented measures to assist kindergartens in improving their admission procedures. The situation of long queues of parents should have been improved this year.

In respect of primary education, we estimate that the demand for Primary One places by cross-boundary students will peak between 2016-2017 and 2018-2019, and it will gradually fall and level off afterwards. Hence, the keen demand for Primary One places should be transitional. We will continue to implement the revised arrangements for the Central Allocation under the Primary One Admission for cross-border students, so as to divert them to different school nets to alleviate the impact on individual school nets.

Many Members have talked about tertiary institutions' admission policy of non-local students. As a cosmopolitan city in Asia, Hong Kong must take in talents from all over the world to ensure that our workforce can enjoy the advantages of having a global perspective and being able to integrate with people of different cultural backgrounds. Under the current policy, in respect of all programmes funded by the University Grants Committee (UGC), including the associate degree, undergraduate and taught postgraduate programmes, the ceiling of non-local student admission is 20% of the approved UGC-funded student number for such programmes. In fact, almost all the 15,000 subsidized undergraduate places are filled by local students. As non-local students are primarily admitted through over-enrolment beyond the approved student number targets, they will not compete directly with local students for the subsidized places. They also have to pay higher tuition fees to bear the additional costs needed to enrol them. Hence, I do not understand why Mr Gary FAN suspects that Hong Kong's education resources are primarily not spent on Hong Kong people.

In respect of the UGC-funded taught postgraduate programmes, our purpose of attracting outstanding talents from all over the world is to enhance the quality of research in Hong Kong. At present the admission of postgraduate students by UGC-funded institutions follows a merit-based principle and students will be admitted basing on their academic performance and research abilities rather than their places of origin. This would help ensure that the best candidates from all over the world are engaged to boost the level of research and contribute to the teaching and learning as well as knowledge transfer in institutions, thereby ensuring the effective use of public money. As a matter of
fact, the present system has provided sufficient and equal opportunities to local students who have the ability and interest to enrol in research postgraduate programmes. We also encourage these students to enrol in the programmes according to their interest.

Some Members have also commented on the scheme of Using Putonghua to Teach Chinese Language Subject (Scheme). In fact, the academia has yet to reach a consensus on the effectiveness of the Scheme. Studies have found that the factors affecting the effectiveness of the Scheme include teachers' proficiency in Putonghua, the language environment of the school and students' social circle. Hence, although most Chinese communities, other than Hong Kong, have used Putonghua as the teaching medium of Chinese language subject, our primary and secondary schools can, depending on their school-based situations, still teach that subject using Cantonese and/or Putonghua. Regardless of whether the school uses Putonghua or Cantonese to teach Chinese language subject, the Education Bureau will provide the relevant professional support and training for the school to enhance the teaching effectiveness of the subject. Members are concerned about the well-being of Hong Kong students and they have expressed their views on the Scheme or on Liberal Studies subject on many occasions, including at meetings of this Council. Let me reiterate that we shall consider Members' views from a professional perspective and the long-term interest of students is always our top priority.

Hong Kong society has been concerned about the impact of an ever increasing number of tourists on the people's livelihood. As such, the SAR Government has made great efforts in dealing with this problem in various areas and is now vigorously increasing Hong Kong's receiving capacity. The Chief Executive indicated in April this year that the SAR Government is looking into ways to adjust the growth in visitor arrivals and the composition of visitors, and will announce the outcome as soon as possible after discussion with the Central Government and relevant Mainland authorities. At the working meeting with the Hong Kong and Macao Affairs Office of the State Council in June this year, the SAR Government had also relayed the views of various sectors in Hong Kong on the Individual Visit Endorsements. As regards the introduction of an arrival tax on visitors entering the territory on land, we have repeatedly stated that it is not feasible. The tourism sector also opposes this proposal in general, considering that it will have a far-reaching adverse effect on tourism, retail and catering industries.
Lastly, concerning ethnic minorities (EMs), the Education Bureau endeavours to help non-Chinese speaking (NCS) students adapt to the local education system and learn Chinese efficiently as soon as possible. Starting from the 2014-2015 school year, the Education Bureau provides primary and secondary schools with the Chinese Language Curriculum Second Language Learning Framework (Learning Framework). Developed from the perspective of second language learners, the Learning Framework aims to further address the needs of NCS students who are learning Chinese as a second language and help them bridge over to the mainstream Chinese language classes. Starting from the same school year, the Government has substantially increased an additional provision to about $200 million per year to assist the schools to implement the Learning Framework and create an inclusive learning environment. The Home Affairs Department (HAD) has, through the district networks formed by its District Offices, non-profit making organizations and district groups, provided support services for EMs. The HAD has launched four measures in the second half of this year, namely (1) providing a new support service centre for EMs in the Kwai Tsing District; (2) setting up youth units in all support service centres and sub-centres for EMs to provide dedicated programmes that cater for the interests and needs of EM youths; (3) implementing a youth ambassador scheme to reach out to EM youths to understand their needs and difficulties, and make referrals as necessary; and (4) recruiting more staff familiar with EM cultures and languages to enhance its services.

President, frequent interactions between residents of China and Hong Kong is an irreversible trend. It has a positive effect on the long-term healthy development of Hong Kong, both economically and socially. We hope that during such interactions, residents of both places can resolve the problems that may arise by appreciating the differences in lifestyles and cultures of both places and tackling them in a positive and careful manner based on mutual understanding.

The SAR Government will continue to keep a close eye on these issues and will give priority to the overall interests of Hong Kong society and the general public, take appropriate measures promptly and balance the impact on various social groups, in order to dispel doubts and worries that local people may have.

Thank you, President.
Ms Claudia MO moved the following amendment: (Translation)

"To add ', as China-Hong Kong conflicts are intensifying," after "That"; to delete "China-Hong Kong conflicts" after "to proactively handle" and substitute with "the related problems"; to delete "to expeditiously review" after "(3)" and substitute with "in accordance with Article 136 of the Basic Law, to expeditiously review, on the basis of currently using Cantonese and English as the major languages of instruction in Hong Kong,"; to add "(6) as a number of public opinion polls have shown the citizens' growing recognition of their identity as 'Hong Kong people', the local curriculum of the subject of Liberal Studies should contain more elements of local culture to enable students to get to know the history of Hong Kong and the prevailing social circumstances, and to develop independent and critical thinking;" after "in other districts;"; to delete the original ",(6)" and substitute with "(7)"; to delete the original "(7)" and substitute with "(8)"; to delete the original "(8)" and substitute with "(9)"; to delete the original "(9)" and substitute with "(10)"; to delete "and" after "importation of labour blindly;" and substitute with "(11) to review the long-term fuel mix for power generation in Hong Kong and reduce reliance on the power supply from the Mainland, so as to ensure that Hong Kong has a safe and stable power supply; (12) to stop auctioning telecommunications spectrum in the name of free market as it is in essence paving the way for state-owned enterprises with abundant funds to monopolize Hong Kong's telecommunications industry with 'red capital', thereby making the local telecommunications market 'mainlandized' and affecting the development of Hong Kong-invested telecommunications enterprises in the local market;"; to delete the original "(10)" and substitute with "(13)"; and to add "; and (14) to provide adequate social services support to assist Hong Kong people who are ethnic minorities to integrate into the mainstream community without limiting such support to those who are born of Chinese blood, so as to promote diversities in the local culture" immediately before the full stop."
PRESIDENT (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Ms Claudia MO to Mr Gary FAN's motion, be passed.

PRESIDENT (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

PRESIDENT (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Mr Gary FAN rose to claim a division.

PRESIDENT (in Cantonese): Mr Gary FAN has claimed a division. The division bell will ring for five minutes.

PRESIDENT (in Cantonese): Will Members please proceed to vote.

PRESIDENT (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Mr Frederick FUNG, Mr Charles Peter MOK and Mr Kenneth LEUNG voted for the amendment.

Mr Tommy CHEUNG, Mr Vincent FANG, Mr Jeffrey LAM, Mr Andrew LEUNG, Mr WONG Ting-kwong, Ms Starry LEE, Mr CHAN Kin-por, Mr IP Kwok-him, Mr Steven HO, Mr Frankie YICK, Mr MA Fung-kwok, Miss CHAN
Yuen-han, Mr KWOK Wai-keung, Mr Christopher CHEUNG, Mr Martin LIAO, Mr POON Siu-ping, Mr TANG Ka-piu, Ir Dr LO Wai-kwok and Mr Tony TSE voted against the amendment.

Mr Albert HO and Mr IP Kin-yuen abstained.

Geographical Constituencies:

Mr LEE Cheuk-yan, Mr Ronny TONG, Ms Cyd HO, Mr Alan LEONG, Ms Claudia MO, Mr Gary FAN, Dr KWOK Ka-ki and Dr Fernando CHEUNG voted for the amendment.

Mr CHAN Kam-lam, Mr TAM Yiu-chung, Mr WONG Kwok-hing, Mr CHAN Hak-kan, Mr WONG Kwok-kin, Mrs Regina IP, Mr CHAN Han-pan, Miss Alice MAK, Dr Elizabeth QUAT, Dr CHIANG Lai-wan and Mr Christopher CHUNG voted against the amendment.

Ms Emily LAU, Mr Paul TSE, Mr Albert CHAN, Mr WU Chi-wai, Mr CHAN Chi-chuen, Mr SIN Chung-kai and Dr Helena WONG abstained.

THE PRESIDENT, Mr Jasper TSANG, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 24 were present, three were in favour of the amendment, 19 against it and two abstained; while among the Members returned by geographical constituencies through direct elections, 27 were present, eight were in favour of the amendment, 11 against it and seven abstained. Since the question was not agreed by a majority of each of the two groups of Members present, he therefore declared that the amendment was negatived.
MR ANDREW LEUNG (in Cantonese): President, I move that in the event of further divisions being claimed in respect of the motion on "Adhering to the need to 'put Hong Kong people first' in formulating policies" or any amendments thereto, this Council do proceed to each of such divisions immediately after the division bell has been rung for one minute.

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Mr Andrew LEUNG be passed.

PRESIDENT (in Cantonese): Does any Member wish to speak?

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

PRESIDENT (in Cantonese): Those against please raise their hands.

(No hands raised)

PRESIDENT (in Cantonese): I think the question is agreed by a majority respectively of each of the two groups of Members, that is, those returned by functional constituencies and those returned by geographical constituencies through direct elections, who are present. I declare the motion passed.

I order that in the event of further divisions being claimed in respect of the motion on "Adhering to the need to 'put Hong Kong people first' in formulating policies" or any amendments thereto, this Council do proceed to each of such divisions immediately after the division bell has been rung for one minute.
PRESIDENT (in Cantonese): Dr Helena WONG, you may move your amendment.

DR HELENA WONG (in Cantonese): President, I move that Mr Gary FAN's motion on "putting Hong Kong people first" be amended.

Dr Helena WONG moved the following amendment: (Translation)

"To add "given limited local resources," after "That"; to delete "reduce" after "(4) to" and substitute with "face up to"; to delete "over 80%" after "admission rate of" and substitute with "nearly 70%"; to delete "tertiary programmes, and to give" after "to funded" and substitute with "research postgraduate programmes of graduate schools in universities, to review the mode of subsidization for non-local postgraduate students, and to formulate policies to encourage local university undergraduates to study research postgraduate programmes, thereby giving"; to delete "require kindergartens to admit" after "(5) to" and substitute with "encourage kindergarten operators to give priority to the admission of"; to delete "allocate the projected surplus Primary One places in various school nets to a '37th school net' for selection by 'doubly non-permanent resident students', in order to avoid the need for local students to attend school in other districts" after "the Education Bureau should" and substitute with "formulate policies to ensure that primary one students can be admitted to schools within their home districts, and to allow cross-boundary students to receive schooling in the school net near the border areas without affecting the students in their home districts"; to add "to study the introduction of an arrival tax on visitors entering the territory on land to regulate the number of inbound visitors; and based on the visitor receiving capacity of Hong Kong," after "(6)"; to delete "and immediately abolish the" after "Individual Visit Scheme" and substitute with ", and to adopt the principle of 'one trip per day' as a restrictive"; to delete ", so as to reduce the impacts caused by a large number of Mainland visitors" after "(multiple-entry endorsements)" and substitute with "to avoid creating impacts"; to delete "for charges based on supply quantity to reduce the expenses incurred by Hong Kong for purchasing Dongjiang water, and to focus resources on studying desalination technology to facilitate"
desalination to become a" after "to an agreement" and substitute with "whereby using the average water consumption of Hong Kong in the past five years as the benchmark for calculating the quantity of water supply; charges will be levied according to the actual amount of water consumption in excess of the benchmark, and to increase resources on studying desalination technology and application of reclaimed water, thereby providing"; to add "other than Dongjiang water" after "sources of water"; to delete "for blindly pursuing the objective of integration between Hong Kong and the Mainland, and" after "white elephant projects" and substitute with "so as"; to add "in accordance with the judgment of the Court of Final Appeal," after "(10)"; to delete "and present a relevant bill to the Legislative Council for scrutiny in accordance with the legislative procedures" after "Comprehensive Social Security Assistance Scheme" and substitute with ", and in accordance with the existing policy,"; and to add "under reasonable circumstances" immediately before the full stop."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Dr Helena WONG to Mr Gary FAN's motion, be passed.

PRESIDENT (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Member raised their hands)

PRESIDENT (in Cantonese): Those against please raise their hands.

(Member raised their hands)

Mr Gary FAN rose to claim a division.
PRESIDENT (in Cantonese): Mr Gary FAN has claimed a division. The division bell will ring for one minute.

PRESIDENT (in Cantonese): Will Members please proceed to vote.

PRESIDENT (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Mr Albert HO, Mr Frederick FUNG, Mr Charles Peter MOK, Mr Kenneth LEUNG and Mr IP Kin-yuen voted for the amendment.

Mr Tommy CHEUNG, Mr Vincent FANG, Mr Jeffrey LAM, Mr Andrew LEUNG, Mr WONG Ting-kwong, Ms Starry LEE, Mr CHAN Kin-por, Mr IP Kwok-him, Mr Steven HO, Mr Frankie YICK, Mr MA Fung-kwok, Miss CHAN Yuen-han, Mr KWOK Wai-keung, Mr Christopher CHEUNG, Mr Martin LIAO, Mr POON Siu-ping, Mr TANG Ka-piu, Ir Dr LO Wai-kwok and Mr Tony TSE voted against the amendment.

Geographical Constituencies:

Mr LEE Cheuk-yan, Ms Emily LAU, Ms Cyd HO, Mr WU Chi-wai, Dr Fernando CHEUNG, Mr SIN Chung-kai and Dr Helena WONG voted for the amendment.

Mr CHAN Kam-lam, Mr TAM Yiu-chung, Mr WONG Kwok-hing, Mr CHAN Hak-kan, Mr WONG Kwok-kin, Mrs Regina IP, Mr Paul TSE, Mr Gary FAN, Mr CHAN Han-pan, Miss Alice MAK, Dr Elizabeth QUAT, Dr CHIANG Lai-wan and Mr Christopher CHUNG voted against the amendment.
Mr Alan LEONG, Mr Albert CHAN, Ms Claudia MO, Mr CHAN Chi-chuen and Dr KWOK Ka-ki abstained.

THE PRESIDENT, Mr Jasper TSANG, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 24 were present, five were in favour of the amendment and 19 against it; while among the Members returned by geographical constituencies through direct elections, 26 were present, seven were in favour of the amendment, 13 against it and five abstained. Since the question was not agreed by a majority of each of the two groups of Members present, he therefore declared that the amendment was negatived.

PRESIDENT (in Cantonese): Mr Christopher CHUNG, you may move your amendment.

MR CHRISTOPHER CHUNG (in Cantonese): President, I moved that Mr Gary FAN's motion be amended.

Mr Christopher CHUNG moved the following amendment: (Translation)

"To add ',', Hong Kong is a pluralistic, open and inclusive society, and benefiting from its close ties with the Mainland, momentous development has been achieved in the economy and people's livelihood, but in recent years, misunderstanding and conflicts occur between Mainland residents and Hong Kong residents from time to time in the process of their exchanges; in this connection," after "That"; to add "continue to" after "urges the SAR Government to"; to delete "China-Hong Kong conflicts, and to adhere to" after "proactively handle" and substitute with "the problems arising from the exchanges between residents in the two places with the objective of promoting reciprocal co-operation; in compliance with the Basic Law and the principle of 'One Country, Two Systems', to consider"; and to delete "; the relevant policies should include:
Immigration — (1) in accordance with Article 22 of the Basic Law, to exercise the power of the SAR Government to vet and approve the entry under the dual vetting and approval system of the One-Way Permit for immigration for serving properly the gatekeeping role on the long-term population policy of Hong Kong; (2) to amend Article 24 of the Basic Law to abolish the right of abode in Hong Kong enjoyed by babies born locally to parents who both are not Hong Kong permanent residents (commonly known as 'doubly non-permanent resident babies');

Education — (3) to expeditiously review the teaching effectiveness of the implementation of the scheme of 'Using Putonghua to Teach Chinese Language Subject' in primary and secondary schools, and to formulate an independent language policy for Cantonese for protecting its official status at policy level, so that students will not depart from the local culture in their learning, thereby affecting the cultural inheritance in Hong Kong; (4) to reduce the existing admission rate of over 80% for Mainland students to funded tertiary programmes, and to give priority to local students in allocation and use of local education resources; (5) to require kindergartens to admit 'schooling within the home district' students, and the Education Bureau should allocate the projected surplus Primary One places in various school nets to a '37th school net' for selection by 'doubly non-permanent resident students', in order to avoid the need for local students to attend school in other districts;

Economic development — (6) to cap the number of visitors under the Individual Visit Scheme and immediately abolish the measure of allowing Shenzhen residents to visit Hong Kong on the one-year multiple-entry Individual Visit Endorsements ('multiple-entry endorsements'), so as to reduce the impacts caused by a large number of Mainland visitors on local residents; (7) to revise the Dongjiang water purchase agreement to an agreement for charges based on supply quantity to reduce the expenses incurred by Hong Kong for purchasing Dongjiang water, and to focus resources on studying desalination technology to facilitate desalination to become a major source of water for Hong Kong in the long run; (8) to stop conceiving 'white elephant projects' for blindly pursuing the objective of integration between Hong Kong and the Mainland, and to ensure that large-scale infrastructure development can meet the long-term needs of Hong Kong people to avoid further cases of persistent delay of works and cost overrun in infrastructure projects, resulting in wastage of public resources; (9) to
protect the rights and interests of local workers and oppose importation of labour blindly; and Welfare — (10) to revise afresh the residential requirement under the Comprehensive Social Security Assistance Scheme and present a relevant bill to the Legislative Council for scrutiny in accordance with the legislative procedures to ensure that Hong Kong permanent residents may receive social welfare protection with priority" and substitute with ", with regard to the possible impacts of such policies on the country, Mainland residents and inbound visitors" immediately before the full stop."

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mr Christopher CHUNG to Mr Gary FAN's motion, be passed.

**PRESIDENT** (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

**PRESIDENT** (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Mr Gary FAN rose to claim a division.

**PRESIDENT** (in Cantonese): Mr Gary FAN has claimed a division. The division bell will ring for one minute.

**PRESIDENT** (in Cantonese): Will Members please proceed to vote.
PRESIDENT (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Mr Tommy CHEUNG, Mr Vincent FANG, Mr Jeffrey LAM, Mr Andrew LEUNG, Mr WONG Ting-kwong, Ms Starry LEE, Mr CHAN Kin-por, Mr IP Kwok-him, Mr Steven HO, Mr Frankie YICK, Mr MA Fung-kwok, Mr Christopher CHEUNG, Mr Martin LIAO, Ir Dr LO Wai-kwok and Mr Tony TSE voted for the amendment.

Mr Albert HO, Mr Frederick FUNG, Mr Charles Peter MOK, Miss CHAN Yuen-han, Mr Kenneth LEUNG, Mr KWOK Wai-keung, Mr IP Kin-yuen and Mr TANG Ka-piu voted against the amendment.

Mr POON Siu-ping abstained.

Geographical Constituencies:

Mr CHAN Kam-lam, Mr TAM Yiu-chung, Mr CHAN Hak-kan, Mr Paul TSE, Mr CHAN Han-pan, Dr Elizabeth QUAT, Dr CHIANG Lai-wan and Mr Christopher CHUNG voted for the amendment.

Mr LEE Cheuk-yan, Ms Emily LAU, Mr WONG Kwok-hing, Ms Cyd HO, Mr WONG Kwok-kin, Mrs Regina IP, Mr Alan LEONG, Mr Albert CHAN, Ms Claudia MO, Mr WU Chi-wai, Mr Gary FAN, Mr CHAN Chi-chuen, Miss Alice MAK, Dr KWOK Ka-ki, Dr Fernando CHEUNG, Mr SIN Chung-kai and Dr Helena WONG voted against the amendment.

THE PRESIDENT, Mr Jasper TSANG, did not cast any vote.
THE PRESIDENT announced that among the Members returned by functional constituencies, 24 were present, 15 were in favour of the amendment, eight against it and one abstained; while among the Members returned by geographical constituencies through direct elections, 26 were present, eight were in favour of the amendment and 17 against it. Since the question was not agreed by a majority of each of the two groups of Members present, he therefore declared that the amendment was negatived.

PRESIDENT (in Cantonese): Mr TANG Ka-piu, you may move your amendment.

MR TANG KA-PIU (in Cantonese): President, I move that Mr Gary FAN's motion be amended.

Mr TANG Ka-piu moved the following amendment: (Translation)

"To delete "proactively handle China-Hong Kong conflicts, and to adhere to" after "urges the SAR Government to" and substitute with "take into account"; to delete ": Immigration — (1) in accordance with Article 22 of the Basic Law, to exercise the power of the SAR Government to vet and approve the entry under the dual vetting and approval system of the One-Way Permit for immigration for serving properly the gatekeeping role on the long-term population policy of Hong Kong; (2) to amend Article 24 of the Basic Law to abolish the right of abode in Hong Kong enjoyed by babies born locally to parents who both are not Hong Kong permanent residents (commonly known as 'doubly non-permanent resident babies'); Education — (3) to expeditiously review the teaching effectiveness of the implementation of the scheme of 'Using Putonghua to Teach Chinese Language Subject' in primary and secondary schools, and to formulate an independent language policy for Cantonese for protecting its official status at policy level, so that students will not depart from the local culture in their learning, thereby affecting the cultural inheritance in Hong Kong; (4) to reduce the existing admission rate of over 80% for Mainland students to funded tertiary programmes, and to give priority to local students in allocation and use of local education resources; (5) to require kindergartens to admit 'schooling within the home district' students, and the Education Bureau should allocate the projected surplus
Primary One places in various school nets to a '37th school net' for selection by 'doubly non-permanent resident students', in order to avoid the need for local students to attend school in other districts; Economic development — (6) to cap the number of visitors under the Individual Visit Scheme and immediately abolish the measure of allowing Shenzhen residents to visit Hong Kong on the one-year multiple-entry Individual Visit Endorsements ('multiple-entry endorsements'), so as to reduce the impacts caused by a large number of Mainland visitors on local residents; (7) to revise the Dongjiang water purchase agreement to an agreement for charges based on supply quantity to reduce the expenses incurred by Hong Kong for purchasing Dongjiang water, and to focus resources on studying desalination technology to facilitate desalination to become a major source of water for Hong Kong in the long run; (8) to stop conceiving 'white elephant projects' for blindly pursuing the objective of integration between Hong Kong and the Mainland, and to ensure that large-scale infrastructure development can meet the long-term needs of Hong Kong people to avoid further cases of persistent delay of works and cost overrun in infrastructure projects, resulting in wastage of public resources; (9) to protect" after "relevant policies should include" and substitute with "protecting"; to delete "oppose" after "local workers and" and substitute with "opposing the expansion of"; and to delete "blindly; and Welfare — (10) to revise afresh the residential requirement under the Comprehensive Social Security Assistance Scheme and present a relevant bill to the Legislative Council for scrutiny in accordance with the legislative procedures to ensure that Hong Kong permanent residents may receive social welfare protection with priority" immediately before the full stop."

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mr TANG Ka-piu to Mr Gary FAN's motion, be passed.

**PRESIDENT** (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)
PRESIDENT (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Mr Gary FAN rose to claim a division.

PRESIDENT (in Cantonese): Mr Gary FAN has claimed a division. The division bell will ring for one minute.

PRESIDENT (in Cantonese): Will Members please proceed to vote.

PRESIDENT (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Miss CHAN Yuen-han, Mr KWOK Wai-keung, Mr POON Siu-ping and Mr TANG Ka-piu voted for the amendment.

Mr Albert HO, Mr Tommy CHEUNG, Mr Vincent FANG, Mr Jeffrey LAM, Mr Andrew LEUNG, Mr Frankie YICK, Mr Charles Peter MOK, Mr Kenneth LEUNG, Mr Christopher CHEUNG, Mr IP Kin-yuen, Mr Martin LIAO and Ir Dr LO Wai-kwok voted against the amendment.

Mr Frederick FUNG, Mr WONG Ting-kwong, Ms Starry LEE, Mr CHAN Kin-por, Mr IP Kwok-him, Mr Steven HO, Mr MA Fung-kwok and Mr Tony TSE abstained.
Geographical Constituencies:

Mr WONG Kwok-hing, Mr WONG Kwok-kin and Miss Alice MAK voted for the amendment.

Mr LEE Cheuk-yan, Ms Emily LAU, Ms Cyd HO, Mrs Regina IP, Mr Paul TSE, Mr Alan LEONG, Mr Albert CHAN, Ms Claudia MO, Mr WU Chi-wai, Mr Gary FAN, Mr CHAN Chi-chuen, Dr KWOK Ka-ki, Dr Fernando CHEUNG, Mr SIN Chung-kai and Dr Helena WONG voted against the amendment.

Mr CHAN Kam-lam, Mr TAM Yiu-chung, Mr CHAN Hak-kan, Mr CHAN Han-pan, Dr Elizabeth QUAT, Dr CHIANG Lai-wan and Mr Christopher CHUNG abstained.

THE PRESIDENT, Mr Jasper TSANG, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 24 were present, four were in favour of the amendment, 12 against it and eight abstained; while among the Members returned by geographical constituencies through direct elections, 26 were present, three were in favour of the amendment, 15 against it and seven abstained. Since the question was not agreed by a majority of each of the two groups of Members present, he therefore declared that the amendment was negatived.

PRESIDENT (in Cantonese): As Mr Gary FAN has used up his speaking time, I will not ask him to reply.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Mr Gary FAN be passed. Will those in favour please raise their hands?

(Members raised their hands)
PRESIDENT (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Mr Gary FAN rose to claim a division.

PRESIDENT (in Cantonese): Mr Gary FAN has claimed a division. The division bell will ring for one minute.

PRESIDENT (in Cantonese): Will Members please proceed to vote.

PRESIDENT (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Mr Charles Peter MOK and Mr Kenneth LEUNG voted for the motion.

Mr Tommy CHEUNG, Mr Vincent FANG, Mr Jeffrey LAM, Mr Andrew LEUNG, Mr WONG Ting-kwong, Ms Starry LEE, Mr CHAN Kin-por, Mr IP Kwok-him, Mr Steven HO, Mr Frankie YICK, Mr MA Fung-kwok, Miss CHAN Yuen-han, Mr KWOK Wai-keung, Mr Christopher CHEUNG, Mr Martin LIAO, Mr POON Siu-ping, Mr TANG Ka-piu, Ir Dr LO Wai-kwok and Mr Tony TSE voted against the motion.

Mr Albert HO, Mr Frederick FUNG and Mr IP Kin-yuen abstained.
Geographical Constituencies:

Ms Claudia MO and Mr Gary FAN voted for the motion.

Mr CHAN Kam-lam, Mr TAM Yiu-chung, Mr WONG Kwok-hing, Mr CHAN Hak-kan, Mr WONG Kwok-kin, Mrs Regina IP, Mr Paul TSE, Mr CHAN Han-pan, Miss Alice MAK, Dr Elizabeth QUAT, Dr CHIANG Lai-wan and Mr Christopher CHUNG voted against the motion.

Mr LEE Cheuk-yan, Ms Emily LAU, Ms Cyd HO, Mr Alan LEONG, Mr Albert CHAN, Mr WU Chi-wai, Mr CHAN Chi-chuen, Dr KWOK Ka-ki, Dr Fernando CHEUNG, Mr SIN Chung-kai and Dr Helena WONG abstained.

THE PRESIDENT, Mr Jasper TSANG, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 24 were present, two were in favour of the motion, 19 against it and three abstained; while among the Members returned by geographical constituencies through direct elections, 26 were present, two were in favour of the motion, 12 against it and 11 abstained. Since the question was not agreed by a majority of each of the two groups of Members present, he therefore declared that the motion was negatived.

PRESIDENT (in Cantonese): The motion debate on "Report of the Subcommittee on Integrated Education".

Members who wish to speak in the motion debate will please press the "Request to speak" button.

I now call upon Dr Fernando CHEUNG to speak and move the motion.
REPORT OF THE SUBCOMMITTEE ON INTEGRATED EDUCATION

DR FERNANDO CHEUNG (in Cantonese): President, I move that the motion, as printed on the Agenda, be passed.

I am the Chairman of the former Subcommittee on Integrated Education (the Subcommittee) under the Panel on Education. Between January 2013 and the end of September 2014, the Subcommittee had held a total of 18 meetings to examine the policy and implementation of integrated education. In addition to discussion with the Administration, the Subcommittee also held a number of theme-based hearings to receive views from more than 200 organizations and individuals. The deliberations of the Subcommittee were detailed in the report, and I will speak briefly on the few main points.

Members are of the view that the early identification and early intervention of students with special educational needs (commonly known as SEN students) is very important. However, as the relevant services are currently provided by various departments and Policy Bureaux, there has been a lack of co-ordination. The Subcommittee has therefore passed a motion to urge the Administration to establish a cross-departmental and cross-sectoral working group, and it has also written to the Chief Secretary for Administration for this cause. To improve the relevant services, members recommend that the Administration should take practicable steps to shorten the waiting time for assessment of SEN students so that the assessment can be completed preferably within three months.

Under the current school place allocation systems, students with different types of SEN may be admitted to the same school. Members consider that the Administration should explore feasible ways to enable schools to implement targeted support for supporting different types of SEN students within the same school. Members also recommend that the Administration should, having regard to the well-being of the students and parental choice, exercise greater flexibility in the placement of students with limited intelligence (that is, intelligence quotient between 70 and 79) to special or ordinary schools. At present, public sector primary and secondary schools receive additional resources, including the Learning Support Grant, to cater for SEN students. And yet, members have pointed out that some schools have not utilized the full amount of grant, they therefore recommend the Administration to provide sufficient guidance to schools to ensure the efficient use of resources.
With regard to professional support, members hold that the Administration should explore the possibility of increasing the existing ratio of educational psychologists to schools from 1:7.5 to 1:4 and extend the School-based Educational Psychology Service to pre-school children, so that their learning and developmental problems can be handled at the earliest possibility. The Subcommittee is of the view that while the Whole School Approach has its merits, it has been implemented in such a hasty and sweeping manner that both the schools and the teaching force have suffered immense pressure. To better cope with SEN students in schools, the majority of members suggest the Administration to consider implementing a pilot scheme of providing the post of trained Co-ordinator for SEN students in schools, and subject to successful outcomes, if the pilot scheme achieves success, propose a timetable for establishing this regular post in each ordinary school.

Furthermore, members have also expressed the view that our limited resources should be deployed to strengthen the training of teachers. The Subcommittee considers that the Administration should strengthen pre-service training on integrated education for teachers and review the existing training targets, as well as enable all school heads and teachers to complete the Basic, Advanced and Thematic training courses relevant to their needs. Furthermore, the Administration should set a timetable for the completion of these courses, instead of merely requiring a certain percentage of teachers to complete the relevant courses.

Members are also concerned that the four core subjects of Chinese Language, English Language, Mathematics and Liberal Studies under the new senior secondary (NSS) curriculum place heavy emphasis on students' language competency and timed written assessments, which is very unfavourable to SEN students with special learning difficulties. The Subcommittee considers that the Administration should review the NSS curriculum with due regard to the needs of SEN students, and provide the necessary technical support and accommodation.

With regard to higher education, members are also deeply concerned about the relatively lower percentage of SEN students admitted to universities, and there is no policy on the implementation of integrated education in the higher education sector. To improve the mechanism, the Subcommittee urges the Administration to actively explore the setting up of a standing forum participated by all University Grants Committee (UGC)-funded institutions to share experience, and offer the special injection of funding to UGC-funded institutions for supporting SEN students as early as possible.
Under the existing school-based management framework, complaints will be followed up by the complaint-handling procedures put in place by individual schools in the first place. Yet, many organizations have highlighted the conflicting roles of schools in being the subject of complaint and the investigator of complaints at the same time. The majority of members suggest that the Administration should consider establishing an independent complaint-handling mechanism to handle complaints about integrated education, but some members have expressed the concern that this may give rise to duplication of work and resources.

Members are concerned about the difficulties faced by students with mental derangement in mainstream education, which had caused tragedies in the past. However, as mental derangement is currently not a specified type of SEN, members therefore urge the Administration to consider ways to strengthen support for students with mental distress and derangement under the existing integrated education system. Some members hold that the Administration should make reference to overseas experiences and enact legislation on integrated education to provide for the responsibilities of all parties and the entitlements of SEN students, but some members have reservation about this. The majority of members urge the Administration to consider with an open mind the adoption of the legislative approach in Hong Kong; and where appropriate, initiate the necessary study and consultation in due course. In addition, the Subcommittee also urges the Administration to formulate concrete plans and draw up individual education plans for all SEN students.

President, the Subcommittee has put forward a total of 41 recommendations. I hope that the Administration will give careful consideration to these recommendations and take proactive follow-up actions. President, the following are my personal views.

According to the Government, the five basic principles of integrated education are early identification, early intervention, Whole School Approach, home-school co-operation and cross-sector collaboration. Early identification and early intervention are very important, and the Administration is well aware that the age from zero to six years is the "golden period" and an important stage for the development of children's core competencies such as learning, communication, language, cognition and senses. After this period, their learning ability will diminish. The absence of support for the difficulties they face during that period will have lifelong implications for the children. At present, the
Government has lagged behind in identification, assessment and intervention. As far as we understand, members of the public often have to wait for six months before they are assessed by the Child Assessment Centre of the Department of Health, and assessment of this kind must be referred by professionals. Without referral from educational psychologists or other professionals, they even do not have the chance to be waitlisted.

According to the findings of the opinion poll, which is said to be the largest scale ever in Hong Kong, conducted jointly by the Hong Kong Society for the Protection of Children and The Hong Kong Institute of Education, about one seventh of children aged between three and six, who are at pre-school stage, have SEN and developmental disabilities. In other words, 25 000 young children suffered such disabilities, but only half were diagnosed. Of these 12 000-odd young children, again only half (that is, some 6 000 children) are receiving the relevant services, with the remaining 6 000 to 7 000 still on the waiting list. The services that they are waiting can be classified into three categories: First, places in the kindergarten-cum-child care centres, meaning that the Government will provide additional resources for the recruitment of special education teachers (that is, trained teaching staff) to help students with SEN. The number of children waiting for such services has increased from 800 plus four years ago (in 2008-2009) to more than 1 700 people at present, and the waiting time has also increased from some eight months to over a year. Likewise, the waitlisting situation of another kind of service called "early education and training service" is the same as that of the places in the kindergarten-cum-child care centres. While the waiting time was over eight months for some 1 800 people four years ago, it has increased and 3 000 plus to nearly 4 000 people have been waiting for 15 months. Young children of more serious condition, on the other hand, have been waiting for places in the Special Child Care Centres. The number of people on the relevant waiting list has increased from some 800 four years ago to more than 1 400 at present, and the waiting time has also increased from one year to nearly one and a half year.

President, the "golden period" for children is from zero to six years of age; six years will pass in a wink whilst they keep waiting and waiting. How then can identification and intervention be regarded as "early"? In the report published by the Equal Opportunities Commission (EOC) in 2012, it is highlighted in the Executive Summary that the identification of SEN students is criticized to be too sloppy and simple, not covering enough details and the waiting time is too long. President, "early intervention" and "early
identification" have become mere slogans. While the Whole School Approach is a great idea, we notice that in practice, the target only requires a mere 10% of teaching staff to receive 30 hours of training. If we aim at whole school participation, why would we set such a low target and allow teaching staff to have no knowledge about integrated education? The EOC also pointed out in its 2012 report that nearly 20% of the school heads, teachers and professionals knew nothing about integrated education and SEN, and nearly 50% of the respondents were reluctant to accept and support students with more serious conditions. All these reflect that regardless of how noble integrated education sounds, we are not ready for its implementation. Worse still, many schools simply are not ready to accept students with different types of SEN, nor do they have the resources to cater for their needs.

President, our report is a summary of the wisdom offered by Members over the past year or so. Credit also goes to the Secretariat, which has compared the legislation on inclusive education in Taiwan, the United Kingdom and the United States. Its report clearly shows that inclusive education has been implemented in all three countries. While integrated education aims to help children with SEN to integrate into the school environment, inclusive education aims to equip the schools to cater for the needs of SEN students. The two directions are totally different. In Hong Kong, we demand the disadvantaged children to adapt to the mainstream environment, but in other places, changes are made to the mainstream environment to cater for the learner diversity in school and enable all students to grow under the same environment. According to the findings of the comparison, the legislation of those three countries are scheme-based, meaning that individual education plans will be devised, under which different stakeholders including schools, professionals, teachers, parents and even the community will provide assistance for children in accordance with the targets set having regard to the needs and conditions of individual students. This gives rise to a contract, which specifies the obligations and rights of all the parties concerned. The endorsement of scheme-based legislation can best enable students or children with SEN to learn under an appropriate environment.

As a foreign saying goes, "A mind is a terrible thing to waste". We do not want to waste any single child as he or she may make great contribution in the future. It is hoped that the education authorities will look categorically at those 41 recommendations (The buzzer sounded) … Thank you, President.
Dr Fernando CHEUNG moved the following motion: (Translation)

"That this Council notes the Report of the Subcommittee on Integrated Education."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Dr Fernando CHEUNG be passed.

UNDER SECRETARY FOR EDUCATION (in Cantonese): President, thanks to Dr Fernando CHEUNG for moving this motion today so that the Legislative Council can have another discussion on an education issue which is of grave public concern. Like Honourable Members, the Education Bureau is highly concerned about the learning of children with special educational needs (SEN) in schools, and periodic reviews are conducted in order to provide support for them effectively. Under the Disability Discrimination Ordinance, all schools have the responsibility to admit SEN students and provide them with appropriate support so as to help them develop their potentials. In other words, the right of SEN students to receive education has already been protected by law.

Under the current dual-track mode, the Education Bureau will, subject to the assessment and recommendation of specialists as well as parental consent, place students with more severe and/or multiple disabilities in special schools, while other students with SEN will receive education in ordinary schools. To help SEN students integrate into normal schooling, the Education Bureau implements integrated education in accordance with five basic principles, namely, early identification, early intervention, Whole School Approach, home-school co-operation and cross-sector collaboration. To implement integrated education, the Education Bureau has been providing schools with additional resources, professional support and teacher training, so as to help the schools take care of SEN students. The relevant estimated expenditure has risen from $878 million in the 2009-2010 school year to about $1.235 billion in the 2014-2015 school year, representing an increase of about 40%.

The professional personnel of the Education Bureau pay regular visits to schools to give specialist advice on school policies, integrated education support measures, teaching strategies, resource deployment, home-school co-operation, and so on, so that the schools can improve their school-based support for SEN students.
The Education Bureau has been keeping in view the implementation of integrated education on a regular basis so that feasible improvement measures can be introduced in a timely manner. Recently, the ceiling of Learning Support Grant (LSG) for public sector primary or secondary schools has been increased from $1 million to $1.5 million per annum starting from the 2013-2014 school year, so that more financial support can be given to schools which have admitted more SEN students. In the 2014-2015 school year, the rates of LSG have been increased by 30%. In subsequent school years, the grant rates and the ceiling of LSG for each school will be adjusted annually according to the change in the Composite Consumer Price Index. Regarding teacher training, a new round of thematic training courses was offered in the 2012-2013 school year to help serving teachers cater for SEN students. The curriculum and training targets have also been adjusted to better cater for the training needs of teachers. We will also extend the School-based Educational Psychology Service progressively, with the aim of covering all public sector primary and secondary schools by the 2016-2017 school year.

Effective implementation of integrated education requires the support and collaboration of various sectors in the community. We will step up publicity through different media and means to enhance public understanding of integrated education and to promote the concept of integrated education as well as effective measures.

With years of implementation, an inclusive culture and the spirit of the Whole School Approach have gradually taken root in schools. The Education Bureau has been keeping in view the implementation of integrated education. Subject to the review findings, suitable improvement measures will be introduced as it is our hope to further enhance the effectiveness of integrated education.

President, I thank Honourable Members for their concern about the development of integrated education. I will give a detailed response after listening to the views of Members.

MR TOMMY CHEUNG (in Cantonese): President, first of all, I have to thank the Subcommittee on Integrated Education (the Subcommittee) for its report. Although I may not totally agree with the recommendations contained in the
I am impressed by its rich content and comprehensive recommendations covering different areas of integrated education, indicating that much effort has been made by the Subcommittee.

I do not oppose the recommendation to establish a cross-departmental and cross-sectoral working group to critically review the existing mechanism and deploy necessary resources to ensure that early identification and intervention can be provided to students with special educational needs (SEN). As a matter of fact, the provision of early identification and appropriate treatment for SEN students, at early ages in particular, would benefit not only the students, parents, teachers and schools, but also the community at large.

I nonetheless have a different view on integrated education. I have all along opposed the adoption of a board-brush approach. While I think students with mild SEN should be encouraged to receive mainstream education, I have reservation about placing students with moderate or severe SEN in mainstream schools. According to my observation, local teachers generally lack the ability and professional skills to cope with SEN students. I certainly understand that the Administration has strengthened the relevant training in recent years, but frankly, there are different types of SEN students and a more distinctive classification is: learning difficulties, intellectual disability, autism, attention deficit, hyperactivity disorder or communication disorders. Yet, there are dozens more SENs that cannot be distinctively classified and coupled with the difference in severity of SEN students, various learning needs and problems may arise even if there is only one or two SEN students in a class. I therefore have serious doubt on whether teachers who have only completed the basic course on SEN can cope with the situation.

I learnt that in practice, pushing through integrated education did not help children with SEN integrate into mainstream schools, but has even adversely affected the learning needs of other students. As the needs of regular and SEN students cannot be well taken care of at the same time, both parties suffer in many cases. Their relationship may even turn sour if the self-esteem of a SEN student is crippled by another student who has inadvertently used offensive language or lost temper.

President, I also wish to highlight another case. Many years ago, the admission of some SEN students by certain British schools had attracted strong
views from the parents of other students. At that time, the Education Bureau forced those schools to accept SEN students by granting them several hundred thousand dollars. But what could be done by that sum of money? The parents of other students held strong views that the Government forced the school to do something for SEN students but without providing sufficient funding; and consequently, they had to make financial contributions to cater for the SEN students. This had jeopardized the harmony between parents and students of the two sides. After all, the students are studying in the same school, why should the parents be so mean? Having said that, it is the Education Bureau which started the trouble.

In fact, there are still many disputes on integrated education in various places of the world. Is this approach beneficial to students with SEN? This is still doubtful. Let me advise the Administration, if no sufficient support and training can be provided for the teachers, integrated education should not be implemented across the board.

As I have always said, the Government is quick in making promises but slow in giving out money. It promises to do this and that by asking other people to foot the bill. Although it has undertaken to implement integrated education, it is reluctant to inject resources to provide support for teachers and students in this regard. In the end, not only students and teachers suffer, but also students with SEN.

In 2013-2014, there were 33 830 SEN students in Hong Kong, representing an increase of 92% compared to the number five years ago, but additional support and service costs provided by the Education Bureau for integrated education have only increased by about 26% during the same period. Many people even criticize that when compared with foreign countries, the injection of resources in Hong Kong is insufficient. We must nonetheless admit that the amount of resources required to support SEN students is considerable. The Liberal Party has all along considered that resources must be used appropriately. Therefore, for Band 3 schools having a higher intake of SEN students, we are of the view that the Administration should provide additional resources, raise the ceiling of the Learning Support Grant and remove the restriction of the maximum grant of $1.5 million per school per annum. In this connection, my colleague Mr Frankie YICK will give a detailed explanation later on.
President, the Liberal Party and I do not find it necessary to consider legislating for integrated education for the time being. As I have said earlier, the implementation of integrated education is very complicated and difficult, and there are still disputes over the matter. It is therefore undesirable to enact legislation hastily at this stage.

President, I so submit.

MR TANG KA-PIU (in Cantonese): President, I thank the Subcommittee on Integrated Education (the Subcommittee) for presenting its report to the Council. I also thank the Subcommittee for its diligent efforts over the past two years or so in receiving views from various deputations and studying this matter. As a result, the Government has attached greater importance to integrated education.

In fact, whenever we seek views from teachers or social workers in the fields of youth and family about their work in relation to children with special educational needs (SEN) in recent years, they invariably opine that it involves a huge workload and they are clueless as to how better services can be provided to help these children. Of course, considering the statistics from the Government, more resources have definitely been allocated in this area, both in terms of the percentage rates as well as the service items, but is that adequate? Of course, Mr Tommy CHEUNG has raised some fundamental policy issues in his speech and queried the rationale for further development along the direction of integrated education.

I am deeply impressed by an education case raised at a meeting of the Subcommittee just before the end of the last Legislative Session. The case is related to a collaboration programme between Kowloon Bay St. John the Baptist Catholic Primary School and the Faculty of Education of The Chinese University of Hong Kong, under which about four to six students with hearing impairment are placed in one class with predominantly hearing or able-bodied students. Taking into account the learning needs of students with hearing impairment, a diverse mode of sign-bilingualism teaching is adopted for this class of students. In other words, these five to six students with hearing impairment would be taught through sign-bilingualism, that is, while English or Chinese is used as the medium of instruction, it will be supplemented with sign language. In the course of implementation, positive results have been attained, as evident from the inclusive attitude of hearing students towards students with hearing impairment, improvements in academic results of students with hearing impairment as well as provision of whole person education for students.
We learn from this case that other than special education and integrated education, perhaps another route is available. Is it possible for each mainstream school to admit a certain number of SEN students with similar impairment so that each class or each form will have a specific number of SEN students, say, there are at least three to six SEN students with hearing or visual impairment in each class? Of course, the problem of SEN students with emotional impairment would have to be considered from a more scientific perspective, such as whether it is appropriate to group a large number of SEN students with Asperger syndrome or autism in one class. If the grouping of SEN students with a particular kind of impairment has proven effect, it can be a better option than the existing arrangement where different numbers of SEN students with different impairments may study in the same school. For example, the school may have two students with hearing impairment who are in different classes or forms, several students with visual impairment, several students with emotional impairment or 10-odd students with dyslexia.

As a matter of fact, the Government has not provided the schools with adequate resources for the employment and training of teachers to cater for the different needs of various types of SEN students. Teachers can hardly cope with the work if they are engaged in managing the students' emotions and helping them catch up with the progress of academic studies. Can the Administration explore an alternative mode within the scope of integrated education such that SEN students with similar impairment can be placed in the same school or even in same class? In this way, schools can concentrate on helping the development of SEN students as teaching resources can be focused on helping a particular type of SEN students attain better academic results. If a school has to take care of students with different SENs, it can hardly cope with the work. Even with the additional resources provided by the Government, the school can hardly employ the relevant specialists or purchase better quality services.

Last month, under the Legislative Council Redress System, Duty Roster Members including myself met with a concern group on integrated education. On behalf of the concern group, I would like to relay some of their demands here. Firstly, some parents with SEN children are extremely worried and helpless during the schooling period of their children from primary to secondary school as they do not know where to obtain information or support in the district. They also have no idea whether there are other families with a similar situation or with similar needs living in the same district. They strongly request that a centre should be established to provide such information or support.
After consulting various departments, we note that only one department, that is, the Social Welfare Department (SWD) is responsible for this area of work. Under the SWD, there are 16 District Support Centres for Persons with Disabilities (DSCs). But these district-based DSCs mainly aim at providing support services to adults who have visual impairment or hearing impairment, or who are physically or mentally handicapped. Parents of SEN children are reluctant to approach these centres for their children have yet to reach such stages. If the children were at such stages, they would not be able to study in mainstream schools through integrated education. The parents consider that the DSCs cannot provide them with assistance, and the centres are also primarily engaged in providing different services to disabled persons with more urgent needs. Hence, the SWD's claim that the DSCs can help SEN children in receiving integrated education is not true as there is no service to cater for their needs.

In this regard, can consideration be given by the Education Bureau to designate one particular school in each of the 18 districts as the primary contact point or support centre, so that parents of SEN children studying in the same district can meet there for mutual support and exchange of information? That is the first point.

Secondly, while the Government claims that it cares for SEN students, the Education Bureau has not made any pledge in terms of statistics. At present, one educational psychologist serves about six to 10 schools, or eight schools on average. Will the Administration gradually improve this ratio in the next few years such that one educational psychologist will serve, say, three or four schools? Will the Administration set such a policy target so that training of additional specialists in the relevant areas can be enhanced to serve these students? The Administration has yet to give any undertaking in this regard.

My last point is about the Community Care Fund. Although the pilot project of the Education Bureau has been completed, I think the Administration should note that the project has only benefited one fifth of students who have been assessed and diagnosed with SEN and are waitlisting for the relevant services. What about the remaining four fifths of SEN students or their families? They have relayed to the Education Bureau the view that studies should be conducted to ascertain whether any of the remaining four fifths of SEN
students or their families have been deprived of treatment services due to financial difficulties. I hope the Administration can heed this view and study the issues involved.

Thank you.

**MR FRANKIE YICK** (in Cantonese): President, integrated education has been implemented by the Education Bureau for many years. But due to the lack of comprehensive planning and inadequate resource allocation, front-line teachers have been put under enormous pressures while students with special educational needs (SEN) have been deprived of proper care and attention. All along, the Liberal Party has supported that public funds should be properly utilized to provide suitable education for SEN students, so as to help them develop their potentials. Hence, the Liberal Party supports the measures proposed in the report for allocating additional resources.

Under the current dual-track mode, only a small number of SEN students with more severe and/or multiple disabilities would be referred to study in special schools, while the majority of SEN students will receive education in ordinary schools under the mainstream education system. According to government data, the number of SEN students studying in ordinary primary and secondary schools has been increasing. Although the Administration has increased the amount of Learning Support Grant (LSG) and enhanced the level of professional counselling services accordingly, the additional resources allocated lag far behind the increasing number of SEN students in Hong Kong. As highlighted in the report, the annual expenditure incurred by the Education Bureau on additional support and services for integrated education has risen from $850 million in the 2008-2009 school year to an estimated $1.08 billion in the 2013-2014 school year, representing an increase of about 26%. However, during the same period, the number of students assessed with SEN has risen by some 92% from 17 600 to about 33 830.

Given the lack of sufficient resources in general, individual schools are facing more hardships. Overall speaking, the proportion of SEN students in Band 3 schools would be higher. I have come across some Band 3 schools where as many as one sixth of their students have different types of SEN. These schools should have received more support. But regrettably, the $1.5 million
annual ceiling of LSG is applied to all schools across the board, and the amount is definitely inadequate for Band 3 schools with a relatively large number of SEN students.

Apart from the lack of flexibility in resource allocation, professional services provided by the Administration are also highly inadequate. Take for example the School-based Educational Psychology Service. Notwithstanding the Administration's pledge to gradually increase the number of educational psychologists (EPs) from 80 at present to 134, individual schools may only get 14 to 23 visit days in each school year from EP, if calculated on the basis that each EP serves six to 10 schools and each EP shall pay not less than 140 school visit days per school year. How can this level of service be sufficient for schools with a relatively large number of SEN students?

Hence, I hope consideration will be given by the Administration to abolishing the ceiling of $1.5 million so that different schools can apply for additional funds taking into account their actual needs, say, to employ additional teachers to improve the student-teacher ratio, engage professional and counselling services, and so on, so that SEN students studying in different school bands can get appropriate support and assistance.

While we agree to review the policy on integrated education, including its funding model, manpower requirement, training, and so on, we have reservation about the suggestion made by some members of the Subcommittee on the introduction of legislation on integrated education as stated in the report. At present, with the implementation of the Disability Discrimination Ordinance and the Code of Practice on Education, education institutions in Hong Kong must provide equal education opportunities to all qualified students, including SEN students. The problems concerning integrated education in Hong Kong are related to policy and its implementation instead of legal framework. Hence, we do not consider that there is a need to introduce legislation on integrated education at this stage.

Except for the above point, the Liberal Party generally supports the underlying principles, direction of review and improvement measures as stated in the report. President, I so submit.
MR MA FUNG-KWOK (in Cantonese): President, first of all, I would like to thank the Subcommittee on Integrated Education (the Subcommittee) for its work. Apart from highlighting several key issues in the current implementation of integrated education, the Subcommittee also suggests various recommendations and improvement measures. Many suggestions made by the Subcommittee are worthy of follow-up actions, and some worthy of support. Here, I would like to underline some matters which I am particularly concerned about.

The first point is about the policy of integrated education for pre-school children. Earlier, an opinion survey on support provided by kindergarten teachers to pre-school children with developmental disabilities was conducted by the Hong Kong Society for the Protection of Children in collaboration with the Centre for Special Educational Needs and Inclusive Education of The Hong Kong Institute of Education through questionnaire interviews covering 519 kindergartens and 5 000-odd kindergarten teachers in the territory. According to the findings, kindergarten teachers opine that as many as 7.4% of their students are suspected to have developmental disabilities. Roughly, it is estimated that some 12 500 kindergarten students are suspected to have developmental disabilities. This is an alarming figure indeed.

The Subcommittee's report also mentions that currently, pre-school rehabilitation services are only provided by the Social Welfare Department (SWD) through special child care centres, early education and training centres and the integrated programme in kindergarten-cum-child care centres. As shown by the Administration's data, there is a strong demand for such services. Currently, there are only 6 000-odd rehabilitation places, while close to 6 000 children are on the waiting list.

Meanwhile, pre-school children suspected to have special educational needs (SEN) will have to visit a general practitioner first and then be referred to a psychiatrist of the Hospital Authority for assessment and evaluation, if necessary. The waiting time for assessment can be several years. For example, only about 10 psychiatrists are deployed in the North District for this area of work and hence, the children must wait for a prolonged period of time before receiving assessment. After confirmation of diagnosis, these students have to wait again for rehabilitation services. If the parents do not want to wait, they would have to obtain rehabilitation services from the private sector at their own costs. But not
all families or parents can afford the high costs. Hence, it is incumbent upon the Administration to increase the provision of psychiatrists to relieve the pressure of front-line doctors and provide assessment services to children suspected to have SEN as early as possible, so that they would not miss the best intervention period for supporting developmental disorders.

Separately, at present, integrated education has yet to be implemented in kindergartens. Kindergartens practically receive no support from the Education Bureau and hence, they cannot work according to the objective of early identification, assessment and intervention. Even if kindergarten teachers may notice that individual students are suspected of having developmental disorders or SEN, they may not have the necessary knowledge to help these students. As a result, detection may be delayed, and children with SEN may not be identified until they enter primary schools. As it is the mainstream view of society to implement free kindergarten education, and repeated discussions have been held by the Panel on Education of the Legislative Council, I hold that the provision of full subsidy for kindergartens may present a golden opportunity for the implementation of integrated education. Hence, the Education Bureau should also conduct a feasibility study on this proposal. Meanwhile, the Administration should also improve the arrangement for subsidizing pre-school rehabilitation services.

Secondly, given that teachers are already fully occupied with teaching work, do they have the time and capacity to cater for SEN students? I think we all agree that at present, the curricula of both primary and secondary schools are very tight. Teachers must take up the duties of teaching and extra-curriculum activities or even additional administrative work. Under the circumstances, they would have great difficulties to cater for different types of SEN students in the same class. According to statistics, as at April last year, only about 10% and 27% of teachers in public sector secondary and primary schools respectively have received basic training on catering for SEN students. In other words, most teachers have not received such training. If teachers must take up the unfamiliar task of catering for SEN students on top of their hectic schedule, it will only exert additional pressures on them. In this connection, the Education Bureau must allocate additional resources to schools for strengthening teacher support and training. Consideration should also be given to arranging social workers to station in schools which have admitted SEN students, so that teachers and parents of SEN students can benefit from their expert knowledge and professional advice.
My third point is related to the implementation of the Learning Support Grant (LSG). As pointed out in the Subcommittee's report, schools granted with LSG can decide for themselves how to use the funds. Instead of using the grant on SEN students directly, some schools employ teaching assistants who are neither professionals nor tasked to cater for the SEN students. Some front-line teachers and social workers also point out that some schools have spent the grant on procuring services from outside organizations, for example, to engage social workers from welfare service organizations to follow up the SEN students in their schools. But as such a service is not a recurrent item, tender will be invited every year for service provision. As such, social workers who have already acquainted themselves with the SEN students may have to leave after a period of time, while social workers who take up the job must spend time to familiarize themselves with the students. Also, as we learn from some reports, some schools which fail to utilize the grant properly have returned the unused portion to the Education Bureau. Hence, the Education Bureau must play its due role in gate-keeping to ensure the dedicated use of specific resources to cater for SEN students and the stability of services provided.

Lastly, I am concerned about society's perception on SEN students. Given the general lack of understanding in society, SEN students may be stereotyped as "trouble makers" in schools or society. Schools may be reluctant to accept these students, while parents of ordinary students may have concerns about the effect of SEN students on the learning progress of their children. Hence, the Education Bureau should deal with the negative perception of society on integrated education squarely by encouraging the general public to be understanding and inclusive.

President, I hold that the concept of the so-called integrated education is not simply about arranging SEN students to have lessons with ordinary students in the same classroom. All in all, its successful implementation would hinge on regular reviews, complementary policies and long-term planning.

President, I so submit.

DR KWOK KA-KI (in Cantonese): President, first of all, I would like to thank the Subcommittee, and Dr Fernando CHEUNG in particular, for their hard work in taking this matter forward and following up various issues with the Government vigorously.
I am very disappointed that only the Under Secretary attends the meeting today. Of course, I am aware that he is in charge of this area of work. Nonetheless, it shows how much importance the Government has attached on special education. One of my children also has special educational needs (SEN). Many families in Hong Kong, and even some of my friends, also have children with SEN. On this subject, I can speak from my personal experience.

In its high-sounding speech, the Government stresses the need for early identification and intervention. Let me talk about identification first. Most parents and kindergarten teachers have no knowledge about identifying children with SEN. For children with SEN under the age of six studying in kindergartens, the teachers would invariably consider them to be not attentive in class, too energetic or not obeying rules, and thus teachers will lodge complaints with the parents. Should any incident occurs, the parents will be blamed for not teaching their children properly. But in fact, these students, particularly kindergarten students, may have attention deficit and hyperactivity disorder.

According to specialists in psychiatry, the estimated number of students with different types of SEN varies from 10% in the least to one seventh as mentioned in the study just cited by Dr Fernando CHEUNG. At present, there are about 320,000 primary students and over 380,000 secondary students in Hong Kong, making up a total of 700,000 students. Hence, it is estimated that there are at least 70,000 to about 100,000 SEN students in Hong Kong. But according to the Government's statistics, there are 33,818 SEN students, representing less than 5% of the students. In other words, the Administration's work in identifying these students is ineffectual.

Let us not forget that it is very difficult to identify SEN students. First of all, the problems may be hardly noticeable even to parents and school teachers. When problems are detected, SEN students must wait for a long time before they can receive assessment from educational psychologists. According to the Government's statistics, the numbers of SEN students studying in Primary One to Primary Four are 797, 2,261, 3,516 and 3,518 respectively. What kind of problem is reflected by these figures? Does it mean the number of SEN students has increased suddenly? Of course not. The truth is that the problem of these students has not been identified in time, or not until they become Primary Three students. For children in the developmental stage, one year would be too long, yet the Administration has made them waste years of time. Throughout the years of schooling from kindergarten to Primary Two, these Primary Three students have been identified as academic under-achievers.
Secondly, the Secretary has just talked about the need for early intervention, which is nonsense. Currently, most teachers would receive 30 hours of relevant training. But according to an old friend of mine working in The Hong Kong Institute of Education, this level of training can hardly even scratch the surface. Yet the Education Bureau just reiterates the figures and tells us that many teachers have already received 30 hours, 60 hours or even 90 hours of training. I hope the Bureau can understand that it requires specialist training to cater for SEN students, and teachers must undergo special training and acquire the necessary experience before they can help these students.

Thirdly, as pointed out by the Equal Opportunities Commission, this approach is most unfair. Yet the Government has only responded by saying that its aim is to implement integrated education. But even with integrated education, it must be implemented in a fair manner. Take for example the Under Secretary, the President and me, we all wear glasses. But if one day, we were told that it was unfair for us to wear glasses because other people did not wear glasses and hence, we must take off our glasses for the sake of fairness so that nobody would be wearing glasses — would you say it is fair? If some people in our society have learning disabilities, the Administration is duty-bound to give them support. If the Administration fails to do so, it is depriving them of their rights. Who will pay the price ultimately? It would be our society as a whole.

According to a relevant study conducted in the United States 25 years ago, 80% of inmates in prisons across the country were having different types of learning disabilities. They were losers in society since their childhood. In fact, there are many children with learning disabilities in Hong Kong. But why would the number of such students drop substantially in the senior secondary or tertiary education stages? It is because these students can hardly advance to tertiary education. Hence, the Government has refused to acknowledge the problem. In fact, there are serious problems with its work, both in the areas of identification and intervention.

There are two areas of work the Government must work on. First, the Government should group students with different learning disabilities together and allow them to study under a conducive environment. For instance, I agree that students having attention deficit disorder, Asperger syndrome or mild autistic spectrum disorder can study under the same environment. Second, the funding provided by the Government to schools cannot serve any real purpose because
many schools do not even know how to put the money to proper use. They have no idea what should be done to cater for SEN students. The provision of financial resources alone cannot help because schools need manpower support.

Why do Taiwan and the United States enact the relevant legislation? The aim is to increase awareness among people within the entire educational framework and system, so that they can understand the need of these students and provide assistance accordingly. The problem will not go away just by citing some figures or doing some superficial work. Under Secretary, please go and ask the SEN students what they need. These children are like people who are short-sighted but having no glasses or people with hearing impairment but without hearing aids. All along, the Government has left them to fend for themselves until they have completed primary or even secondary school education. How many generations of manpower have been wasted in the past? How many more generations of children will the Government waste before it finally mends its way by formulating truly effective policies and enacting the necessary legislation to help these children?

President, I have too little time to speak and the Government has actually done too little. Thank you, President.

MR TAM YIU-CHUNG (in Cantonese): President, in the end of 2012, the Panel on Education decided to set up the Subcommittee on Integrated Education (the Subcommittee) to follow up issues relating to educational services for children with special educational needs (SEN). From commencement of work in January 2013 to end September this year, the Subcommittee held a total of 18 meetings, 14 of which were held to receive views from the education sector as well as other deputations. We have received many views with substance and insights which form a solid basis in our work on the entire issue of integrated education.

At the meetings, I heard the demand from different educational organizations that the Education Bureau should strengthen its support for schools. Similar views have also been expressed by Members who spoke on this issue just now. Under the existing policy, the Administration provides support to schools for implementing integrated education through the School-based Educational Psychology Service (SBEPS). Specifically, educational psychologists (EPs) will be deployed to visit schools on a regular basis to provide assessment and counselling for students, training for parents, consultation for teachers, as well as
It is clear that the services of EPs are critical in intervening the implementation of integrated education in schools. But, in reality, the SBEPS is seriously flawed both in terms of manpower provision and the content of services.

For instance, notwithstanding the Government's emphasis that about 70% of all public sector secondary and primary schools are covered under the SBEPS, it turns out that only 80 EPs are serving the 1,000 primary and secondary schools in the territory. Of these 80 EPs, only 20 are employed by the Education Bureau, while the other 60 EPs are employed by school sponsoring bodies. In other words, one EP is serving six to 10 schools.

It is the general view of deputations attending the meetings of the Subcommittee that the SBEPS lags far behind the demand of students, teachers and schools. Given the inadequate supply of EPs, students must wait at least six months or up to two years in some cases before they receive consultation and assessment of EPs. As pointed out by the Division of Educational Psychology of The Hong Kong Psychological Society, each psychologist must complete about 100 cases of student assessment annually, and each assessment case would take up to six to seven hours. Assessment work alone has taken up most of the working hours of psychologists and hence, professional support for schools and teachers has been reduced correspondingly.

According to some professional bodies, the current ratio of 1:8 or 1:10 between EPs and schools is highly unsatisfactory as such high ratios would prevent the provision of quality services. Moreover, as speech therapy and occupational therapy are not covered under the existing school-based support services, the Administration should review the existing scope of school-based support services, increase the manpower of EPs and co-opt other professionals in order to beef up the content of school-based support services.

Apart from enhancing school-based support, the Administration should also strengthen professional training for school teachers. According to the report published by the Equal Opportunities Commission in 2012, of the 192 schools covered under its study, half of their teachers have not received any training in integrated education. Meanwhile, as shown by the latest statistics of the Education Bureau, as at March this year, only about 40% of primary teachers and 15% of secondary teachers have completed 30 hours or more of training in special education.
I have also contacted some teachers who have received 30 hours or more of training in special education. From what I heard, these teachers do not have the confidence to handle SEN students even though they have received the relevant training. Hence, for teachers who have not received any training in special education, they would consider the task simply insurmountable.

Given the serious shortage of teachers with the necessary professional training as well as the excessive emphasis placed by schools and teachers on enhancing the academic results of students, teachers can hardly cope with the problem. In fact, it requires substantial time, techniques, efforts and love on the teachers' part to cater for students with autistic spectrum disorder, speech impairment or emotional problems. The overall effectiveness of integrated education will be seriously undermined if the needs of SEN students are neglected due to the lack of time, expertise or a caring heart on the teachers' part or other factors such as the ecology of schools, and so on.

I am not putting the blame on the teachers or the schools. But if we want to implement integrated education successfully, there is still much room for improvement. In terms of teacher training, I hold that teacher training in special education would have to be strengthened. The Administration would also need to hold discussions with teacher training organizations with a view of restructuring teacher training in special education. In this regard, I think there is still a lot of work to be done.

I so submit. Thank you, President.

DR HELENA WONG (in Cantonese): President, here, I would like to thank the Subcommittee on Integrated Education (the Subcommittee), led by Dr Fernando CHEUNG, for its work. It has compiled a report which is very rich in content.

President, the former Education and Manpower Bureau implemented integrated education under the banner of helping students with special educational needs (SEN) to integrate into the community and removing the "labelling effect", and placed the majority of SEN students in mainstream schools. However, after years of implementation, people still cast serious doubt on its effectiveness. Some teachers even told me that integrated education has brought disastrous consequences. I am told by teachers, some of them are even my best friends, that integrated education is not viable. Placing SEN students in large classes
will give rise to significant learning diversity among students, a situation which teachers are incapable of handling. Are the resources provided by the Government sufficient and can they give play to their effects?

President, the Subcommittee had held a number of hearings and invited students with learning difficulties and their parents to attend. Many SEN students, accompanied by their mothers, attended the hearing. Whenever parents talked about the learning of their children, they could not help crying. This is so disheartening. I have heard many sad stories when I attended meetings of the Subcommittee. What can be done to ensure that the implementation of integrated education will achieve its intended effect?

The Government has proactively implemented integrated education by placing SEN students in mainstream schools, claiming that the schools would be provided with various support for integrated education under the Whole School Approach. And yet, in the past three school years and the 2013-2014 school year, the additional support and services provided by the Government for integrated education mainly centred on the provision of additional teachers for schools, but there is no guarantee that the new recruits have received sufficient training on special education.

At present, participating schools are provided with a cash grant for procurement of services or appointment of teachers to provide school-based remedial services for students with low academic achievement. However, the Government has not categorically addressed the problem of significant learning diversity among students in the same classroom. Assuming that a certain class is comprised mostly of regular students (that is, students with normal learning ability) with the placement of a couple of students with different educational needs (such as students with hearing impairment, hyperactivity disorders or dyslexia), then is the grant provided by the Government for the appointment of additional teachers sufficient to handle a large class with some 30 students? The result is, SEN students being placed in large classes often found themselves lagging behind and need special care, but how can one teacher cater for the diversified learning needs of 30 students? If the teacher tends to cater for the majority, students with SEN will be neglected; if the teacher tends to cater for the few SEN students, other students will move around in the classroom. How can the teacher conduct the lesson? There are practical difficulties. I wonder if the Under Secretary has ever visited any class to observe how teachers teach in class and listen to their aspirations.
If the Government spends the funding on hardware to improve the environment and equipment of the school, which is essential, the result can be easily seen by all. However, in practice, for teachers, the best approach is that the Government will allocate more resources to implement small class teaching. Integrated education would not be viable without small class teaching. President, in September, I joined the parliamentary visit to Northern Europe with other Members. Arrangements had been made for us to visit a school in Finland to observe how students had their lessons. Finland also implements integrated education and has achieved great success. The reason is that Finland respects students' diversity and the Government has provided sufficient resources for the schools. Therefore, students with SEN can attend lessons on special subjects, such as language and Mathematics, separately, instead of having to attend lessons with other students in a large class.

According to our observation, each class has only eight to 10 students but there are two teachers. While one teacher is mainly responsible for teaching, the other plays a supporting role as an assistant, and the two of them will work together to take care of those 10 students. Can we adopt this approach right now? No, we cannot because we have placed a few students with SEN in a large class with 30 other students. How can the teacher manage such a big class? Not only do normal students fail to get the assistance they need, students with problems are also adversely affected. That is why we describe the current integrated education disastrous for it fails to cater for the two different types of students and respect their learner diversity.

How can we get the work done properly? President, firstly, I think the Government should inject more resources rather than tightening the purse strings. How should the Government deploy its resources? For a normal special school, the average unit cost per school place is $250,000 in 2013-2014, subject to different disability type. Nonetheless, the current unit cost provided by the Government to help students placed in mainstream schools under integrated education is $50,000 only, in addition to certain grants. And yet, the total amount of the grants and $50,000 is still much lower than the $250,000 unit cost earmarked for special education, and the difference is huge. It is precisely due to this approach of the Government that the schools have to "spend within their means" by putting all students together. As a result, the success of integrated education has to be resigned to fate, which has led to serious problems today.
President, to improve integrated education, I strongly agree with a number of recommendations listed in the report, that is, early identification of SEN students so as to identify and provide the necessary support for children with special learning disabilities at early ages. Furthermore, sufficient resources and flexibility should also be provided in class placement and teaching, with a view to devising tailor-made courses for SEN students.

MR WONG KWOK-HING (in Cantonese): President, integrated education has been implemented in Hong Kong for many years. Although the Administration has provided monetary resources for schools, no proper arrangements have been made in respect of manpower. The most obvious point is that the Administration has not created the dedicated permanent post of Co-ordinator in the establishment for students with special educational needs (SEN). In the absence of this post, the co-ordination and implementation of various integrated education measures often lack planning and foresight. Why is it necessary to create this post? I can suggest a number of reasons and I hope the Administration would consider them seriously.

Regarding the first reason, in the past five years, we noted a significant increase in the number of students with SEN. The first example is, by comparing the number of SEN students in primary and secondary schools between 2009-2010 and 2013-2014, we found that the number of SEN students in secondary schools has increased by more than double. While there were 8 000 SEN students in 2009-2010, the number had surged to 16 400 five years later, increasing by more than double. The increase in primary schools is nonetheless relatively smaller. There were 13 720 SEN students in 2009-2010 and the number has risen to 17 390 in 2013-2014, increasing by about one fourth and the actual increase is 3 670 people.

We also identified that SEN students can be classified into seven categories, including intellectual disability; autism; attention deficit and hyperactivity disorder; physical disability; visual impairment; hearing impairment, as well as speech and language impairment. From an analysis of the data on these seven categories, we found that the numbers of students having autism and hyperactivity disorder and attention deficit are particularly large, and these two categories particularly require teachers' extra effort. Let us look again at secondary students having autism. According to the 2009-2010 statistics, there were a total of 570 such students, but five years later in 2013-2014, the
number rose to 1,660, representing an increase of 2.9 times, nearly three times. For primary schools, there were a total of 1,480 such students in 2009-2010, but the number rose to 3,310 in 2013-2014, an increase of 2.23 times, which is a significant increase.

How about students having attention deficit or hyperactivity disorder? Likewise, in secondary schools, there were a total of 740 such students in 2009-2010, but the number surged to 3,010 in 2013-2014, an increase of more than four times. For primary schools, there were a total of 1,490 such students in 2009-2010, but it rose to 2,850 in 2013-2014, nearly a double increment.

These figures reveal how stunning the increase is. But did our resources, especially human resources, catch up with the increase? The answer is in the negative.

Regarding the second reason, we want to study the pressure and perception of teachers. The Hong Kong Federation of Education Workers conducted a survey on Hong Kong Teachers' Pressure and Happiness 2014 earlier, and the findings showed that teachers have to withstand immense pressure and are most unhappy. As colleagues have just pointed out, 63% of teachers worked more than 51 hours per week; 34% to 20% worked between 61 and 70 hours, and 9% worked 70 hours. Since teachers have to take care of SEN students in class, their pressure has been ever increasing. How can they happily cope with and handle their teaching work?

Regarding the third reason, despite the suggestion made in the report published by the Equal Opportunities Commission in 2012 on the creation of the Co-ordinator post for education purpose, the Administration replied that it has no intention to do so on the ground that from the 2008-2009 school year onwards, the rank of deputy head has been created in public sector primary schools to, *inter alia*, co-ordinate the relevant work. And yet, I do not think this perfunctory answer should be accepted or supported because given the heavy responsibilities and duties of the deputy head, I am sure he will not be able to do a good job if he is also tasked to assist and co-ordinate the work relating to special education at the same time.

Lastly, regarding the fourth reason, I am aware that the Education Bureau has undertaken to consider introducing a pilot scheme at the meeting of the former Subcommittee on Integrated Education. We therefore eagerly hope that
the Secretary will respond to this today. Will the Administration really introduce this pilot scheme? When will it be introduced and when can we have the result? When can the Administration confirm us the time for implementation upon completion of the pilot scheme?

Summarizing the abovementioned four reasons, if we cannot properly cater for the SEN students during the implementation of integrated education, and address their problems from the perspectives of manpower, resources and establishment, I think pressure will build up among teachers and fewer students will benefit.

MR IP KIN-YUEN (in Cantonese): President, the implementation of integrated education is a landmark development in our entire education system.

In the past, the focus of education might only be the intellectual development of children while less attention was paid on children with special educational needs (SEN). But with the continuous development in healthcare, educational concepts and the economy, we can afford to pay more attention and give better care to these children, or even help them develop their potentials. For their families, such contribution is quite significant. We are so concerned about integrated education because it is related to the development of our society as a whole.

The value of integrated education cannot be measured solely on the basis of economic benefits. I think it is remarkable for the Legislative Council to form the Subcommittee on Integrated Education (the Subcommittee) to study the related issues and publish a report. The question now is whether integrated education has been implemented successfully. That is actually the crux. If integrated education is implemented in name only but not in substance, it is just futile. As the Subcommittee reviewed the development of integrated education in Hong Kong, members were gravely saddened by the fact that such an excellent concept could not proceed effectively due to the lack of resources and proper policy support. Since its implementation, integrated education has just brought suffering to teachers and students, as well as a sense of helplessness to parents.

Improvements must be made to integrated education in Hong Kong. In the process, the Co-ordinator for special education needs (Co-ordinator for SEN) will play a pivotal role. As just mentioned by the Under Secretary, when the subject was discussed at meetings of the Subcommittee or in the course of
seeking to create the relevant post, members considered that this proposal should be implemented as a matter of priority. If the post of Co-ordinator for SEN is established in each school, a dedicated teacher who has undergone systematic training will take charge in co-ordinating the school's resources on special education and the sharing of experience and expertise among other teachers. This can help teachers promote the implementation of integrated education in the entire school. This point is vital. As such, it is our earnest hope that the Administration can allocate the necessary resources to implement the proposal of creating the post of Co-ordinator for SEN in schools. Moreover, this post must be an additional post or else, it would just create even more workload for the existing teachers. Hence, in future, we must explore ways to ensure that Co-ordinators for SEN can perform their functions effectively.

Proper implementation of integrated education must be underpinned by adequate resource allocation on the one hand, and sound concepts and relevant expertise on the other. The implementation of integrated education must be underpinned by good supporting measures, such as whether teachers are really capable of implementing integrated education. For instance, have all teachers received the necessary basic training so that they know how to handle children with SEN? As we all know, there are different types of SEN students including those with physical or mental disabilities. Can teachers properly take care of various types of SEN students? In this connection, teacher training is critical.

THE PRESIDENT'S DEPUTY, MR ANDREW LEUNG, took the Chair

No teacher can handle the different types of SEN students for he is not an all-knowing specialist. He must be supported by different professionals such as psychologists, occupational therapists, and so on. These resources involved are not simply limited to the availability of funds. Instead, these are educational resources to ensure the proper care of SEN students. The success of integrated education can only be achieved through these educational resources, as well as the interaction of schools and teachers. Separately, unlike the conventional mode of teaching a group of able-bodied students with the only emphasis on intellectual education, integrated education as well as its implementation would invariably exert a heavier burden on teachers. To a certain extent, this would depend on whether the scale of small class teaching can be maintained or even extended.
Lastly, I would like to highlight the Subcommittee's observation that there is obviously a weak link in the implementation of integrated education, namely, pre-school education. At present, work in this area is undertaken by the Education Bureau, the Social Welfare Department and the Hospital Authority separately under their respective purviews. Nonetheless, the Education Bureau has the least involvement. In the past few days, I had discussed the issue with the Hong Kong Society for the Protection of Children. According to the findings of a comprehensive study conducted by the Society, children with SEN can receive better care if they study in special child care centres or kindergarten-cum-child care centres. Children with SEN cannot be taken care of properly if they study in ordinary kindergartens. This is an important issue. I hold that if integrated education is to be implemented further, we must provide suitable support services to ordinary kindergartens. Moreover, for children with SEN, the pre-school stage is the golden intervention period. We would have done them wrong if their problems cannot be dealt with properly at this stage. Hence, we must ensure that all these aspects of work are done properly, or else integrated education would only be empty talk. Integrated education must be implemented both in form and in substance.

MS CYD HO (in Cantonese): Deputy President, first of all, I would like to thank Dr Fernando CHEUNG for making students with special educational needs (SEN) a mainstream issue for discussion in this Council.

When Dr Fernando CHEUNG was elected a Legislative Council Member for the term commencing 2004, he joined a subcommittee to study the issue of students with SEN. The report of the then subcommittee deserves careful reading by Honourable colleagues who have recently joined this Council and are concerned about students with SEN. I had also benefited from the report. Unfortunately, Dr Fernando CHEUNG left this Council between 2008 and 2012, and we took over the work. During that period, we had handled a very serious problem, that is, students with SEN did not have the opportunity to pursue their studies after they turned 18, and court proceedings were initiated. Dr CHEUNG re-joined this Council in this legislative term, and his work in this area continues.

For the 10 years from 2004 to 2014, the situation was really unbearable. Any policy should have been successfully implemented within 10 years if the Government really wants to get things done. Why do we still have to hold a
motion debate on a report concerning this subject today? Why have the authorities still failed to grasp the essence of this issue such that this Council has to remind them and discuss this issue time and again?

We cannot say that the Government has not made any improvement in the past 10 years. Owing to the pressure exerted by this Council and the judicial proceedings, we had successfully strived for SEN students to pursue their studies after they turned 18. We had also successfully strived for subsidies to be granted to students with hearing impairments to buy two hearing aids instead of one. Despite the huge efforts made, little progress had been achieved. I really do not understand why each administrative measure has been implemented sloppily with unexpected results. Take integrated education as an example. Some schools admit students with SEN as a means to avoid closure. These schools received subsidies for helping students with SEN, but many parents complained to us that the schools have not directly used the subsidies to help their children. How come such a situation would arise? How come the administrative measures launched by the authorities cannot be implemented satisfactorily? When being pressurized, the authorities will allocate money to implement some measures, but they only agree to implement the measures after ascertaining that they will not suffer any loss.

I remember that we tried to persuade the Financial Secretary a few years ago to allocate funds for students with hearing impairments to purchase one more hearing aid. Our argument was that if funds were not allocated for purchasing one more hearing aid, the one now in use would be wasted as hearing aids could easily be damaged. If the users could not hear clearly or the effects were unsatisfactory, they would not use the hearing aid, and the money allocated could not achieve the desired effects. Consequently, the Financial Secretary agreed to allocate funds to purchase one more hearing aid for students with hearing impairments. Yet, after going through bureaucratic procedures and tendering, a batch of hearing aid for users with moderate hearing impairment was purchased for students with various degrees of hearing impairment. Consequently, for students with severe hearing impairment, the hearing aids designated for users with moderate hearing impairment were of no help; and for students with slight hearing impairment, the sounds amplified by those hearing aids were so loud that were unbearable by students and they simply took them off. Hence, the hearing aids could not offer any help.
From this incident, it can be reflected that even if the authorities allocated funds when being pressurized, they did not have the heart to do a good job and thus failed to grasp the crux of the problem. Owing to bureaucratic procedures, the funds allocated cannot achieve the desired effects.

Another issue is about the premises of special schools. Today, some special schools still need to share premises with other schools and there is very little space for students. Teachers do not even have an appropriate place to meet with parents in private. However, the authorities told us that these students still need to wait, just like the others, and they cannot be accorded priority. Why can't students with SEN be given special care?

Each year, some students with SEN will get outstanding results in examinations. For example, two years ago, an outstanding female student, who relied on lip reading, got outstanding results despite her serious impairment. The media thus reported extensively on her achievement. However, after such reports, the situation of other students with SEN remained the same. The authorities have not reflected on their inadequacies or reviewed the existing administrative measures and policies, so as to provide these students with appropriate care.

Deputy President, education should not be a business in which $1 investment can yield $1 return, this is particularly true for the case of special education. In addition to resolving the issue of insufficient funds, we also hope that officials would become more compassionate and treat these students with SEN as their own children. Apart from allocating additional funds in the Budget each year, they should also try hard to improve the administrative procedures that have been implemented, such as land allocation, funding application, allowing students to purchase hearing aids on their own, and so on, such that the funds allocated can achieve the desired effects.

In the middle of this year, we visited Norway and Finland, and we noticed that though Norway has invested far more money than Finland in education, the effectiveness is not as good as that of Finland. The reason is that under the Finnish education system, students as well as teachers are treated as persons. Thus, favourable effects can be achieved. May I ask our officials to think alike when dealing with special education (*The buzzer sounded*) …
DEPUTY PRESIDENT (in Cantonese): Ms HO, your speaking time is up.

DEPUTY PRESIDENT (in Cantonese): Does any other Member wish to speak?

MR LEUNG YIU-CHUNG (in Cantonese): Deputy President, I would like to thank Dr Fernando CHEUNG for the report on students with special learning difficulties. The report is the result of lengthy discussions among parents, school sponsoring bodies and organizations and the Subcommittee in the past year. I really hope the Education Bureau would spend time to understand the contents of the report and act in accordance with the relevant contents.

Deputy President, we had a case conference yesterday. Earlier on, a parent of a student with special learning difficulties raised many questions when we met. During the meeting with the officials yesterday, I was impressed by the remark made by an official. He said that the issue of special learning difficulties was complex and wide-ranging, and could not be handled easily. I really appreciate what he said because he understood that the problem is complex and wide-ranging. What matters most is how to address this problem.

Unfortunately, a few Honourable colleagues invariably said that the official's reply is a platitude without offering any new idea and cannot meet with the aspirations of those parents and deputations. After the meeting which lasted for an hour or so, no achievements have been made; we were just staying put, which was really a great pity. Deputy President, many parents and other concern groups have kept raising many questions. Owing to the excessively long waiting time for subsidized services, some children failed to receive timely assessment or services. Quite a number of parents have sought private services to avoid holding up their children's learning progress. However, the high costs of private services have exerted heavier burdens on grass-roots parents.

Deputy President, that is the crux of the problem. Of course, we cannot say that the Government has not made efforts; it is definitely incorrect to say so. For more than 10 years since 1996, I have been following up on the issue of students having learning difficulties, and I know that great progress has already been made and many improvement measures have been implemented. For example, the Hong Kong Examinations and Assessment Authority has implemented some accommodation measures in respect of examinations to cater for the needy students.
In 1996, many people in the community did not understand the problems related to learning difficulties, particularly dyslexia. As a teacher, I also did not understand these difficulties at that time, but nowadays, teachers generally understand these problems. The Education Bureau may be complacent because many teachers have attended lessons for a few hours and gained better understanding of these problems. Nevertheless, their understanding of the problems is superficial, and the problems have yet to be resolved at root. I have followed up on this matter for nearly 20 years and I think there is still much room for further improvement.

Although we have constantly asked the Government to make improvements, the Government just makes slight improvements at one time, just like "squeezing toothpaste", making life difficult for all of us. It does not matter if we suffer, but who are the ones suffering most? Deputy President, we have delayed in providing beneficial measures to such children, and failed to provide timely assistance. We have wasted their time and held up their progress. They have lost the opportunity to further pursue their studies, and they will have to face many obstacles in their future development. We are most worried about that and we do not want to see that happen. Therefore, we very much hope that the Education Bureau would really make greater efforts.

A number of Members have continuously appealed to the Government just now. Dr Fernando CHEUNG often says "my mouth has dried up"; this is his mantra and he seems desperate. Apart from appealing to the Government, I suggest that the Government should follow the practice of Taiwan and legislate in this respect. After enacting legislation, we no longer have to waste our time in talking, as there will be a legal basis, all stakeholders will have to bear legal responsibilities and meet legal requirements. That is most important. I visited Taiwan last Easter and I saw that great progress had been made and a lot of assistance had been provided in this respect. I also saw the growth of SEN students and their achievements, which were really impressive! The Taiwan Government has used a great deal of resources to assist in their development, so that they can achieve what cannot be done in the past, which is extremely important.

I also want to talk about my school — though I no longer teach there — a good teacher has spent a lot of time assisting three SEN students. At one time, these students received no help and they did not want to study; but under the fostering of my colleague, they won a lot of awards in science and technology,
not only in Hong Kong, but also in the Mainland and the United States. That is really impressive! The problem is that my colleague has to spend so much time and energy, and not everyone can afford to do so. If the time and energy he spent can be evenly shared out among other colleagues, stakeholders or professionals, even though it seems that a lot of SEN students apparently could not attain development, they would eventually have promising development.

Over the past few years, many students with learning difficulties have obtained good results in public examinations. These cases actually exist; hence, we should have confidence that these students can attain development and they can be changed. It only depends on the amount of resources and energy that the Government can put in. It is important to legislate and I hope the Government would consider legislating (*The buzzer sounded*) …

DEPUTY PRESIDENT (in Cantonese): Mr LEUNG, your speaking time is up, please stop speaking.

MS STARRY LEE (in Cantonese): Deputy President, the objectives and concepts of integrated education are worthy of our support. Integrated education allows the integration of students with special education needs (SEN) into mainstream schools and it can be implemented through the Whole School Approach.

Deputy President, we have a very long road to go in the implementation of integrated education and we are constantly exploring. Many front-line teachers … Secretary, if you have come into contact with them … as other Honourable colleagues have just mentioned, front-line teachers or principals consider this process a tough task. According to many front-line teachers, they have to spend a lot of time in class to deal with individual SEN students, which affect the teaching progress and the learning time for other students. A principal told me that he has to spend a few days each month to deal with a SEN student by talking to him and handling his case personally.

Deputy President, to understand this issue further, not long ago — during the last Legislative Council term — the then Under Secretary of the Education Bureau Mr Kenneth CHEN, who is currently the Secretary General of the Legislative Council, and I visited some schools to find out more about the
implementation of integrated education. We visited several schools including the school I just mentioned. During each visit, I always saw the principal looking distressed. In his view, the Whole School Approach and whole-campus support can in no way help him deal with the difficulties involved in implementing integrated education. As the principal, he had to take up the responsibility and had to spend a lot of time dealing with that student.

Another principal has a proactive attitude. He is often invited by the Education Bureau to share with other principals how to promote integrated education, but I also note that he actually has to face a lot of difficulties. After all, through his efforts and the involvement of his team, they can really help SEN students integrate into the school as a big family.

The Subcommittee has invited many different groups and front-line teachers to express their views. We all share the view that despite the additional resources provided by the Education Bureau in the past, the professional support is in fact inadequate. When compared with other foreign places implementing integrated education, there is a considerable lack of support for the Whole School Approach, such as inadequate speech therapists or other professional support.

In addition, at present SEN students are handled by front-line teachers and the existing resources of schools. The teachers' pressure has never been relieved; and they may not be able to deal with students with different types of SENs with their knowledge. Thus, teachers are under a lot of pressure.

Deputy President, I support the proposals in the report to strengthen school-based support and teacher training, and I believe we should continue to take more steps forward. Yet, I earnestly hope that the Secretary would regard this as a key issue. If the supporting measures cannot be constantly improved and front-line teachers and front-line principals continue to withstand immense pressure in taking care of students with learning diversity, these students will become the burdens of schools.

Apart from the implementation of integrated education, I would like to especially talk about early identification, early support and early intervention. This morning, one of the questions raised also touched upon these matters. Many people have heard about Heep Hong Society; I visited them earlier to understand the anxiety of parents with children having SEN.
We often hear stories about parents who quit their jobs to devote fully in taking care of their SEN children. It is because they do not want their children to miss their golden learning period. Parents understand that work is a life long issue, but if they miss the golden learning period of their children, they may ruin their children's lives. The stories of many of these parents are very touching!

On the other hand, they consider that the existing support of children by the communities, our society and schools is seriously inadequate. Take the time required for identification as an example; the concern groups pointed out at the hearing that the number of children newly referred to Child Assessment Centres and waiting for assessment is increasing year after year. Although these Centres promise that new cases would be assessed within six months, we are informed by many organizations that in most cases, it takes six months from the time a nurse at Maternal and Child Health Centres tells the parent that his child needs to be referred to a Child Assessment Centre for assessment to the time the child is first interviewed by a nurse at the Centre, and after being interviewed by the nurse, it takes another six months before assessment is conducted. Owing to prolonged waiting, children with learning diversity will miss the golden period for development. Those who are well-off can buy the relevant services. Yet, we are aware that private services are very expensive, and those who do not have the financial means have to seek help from the Community Care Fund. The Community Care Fund can provide constant assistance but as there are no service targets and private services are inadequate, these parents became extremely worried.

Some time ago, the DAB and some academics had jointly studied the issue and they published a research report on the recommendations for pre-school education for children with learning diversity. The report is very comprehensive, including specific recommendations to the Education Bureau on the implementation structure and funding models. We hope that early identification and early intervention can be achieved at the kindergarten stage so that children can receive appropriate support at an earlier stage.

Deputy President, I will hand this report to the Under Secretary after the meeting because I handed the report to the then Under Secretary, Mr CHEN, last time (The buzzer sounded) … I hope the Under Secretary would study it carefully.
DEPUTY PRESIDENT (in Cantonese): Does any other Member wish to speak?

(No Member indicated a wish to speak)

UNDER SECRETARY FOR EDUCATION (in Cantonese): Deputy President, I once again thank Dr Fernando CHEUNG for his motion. The fact that so many Members have spoken showed that we are equally concerned about the well-beings of students with special educational needs (SEN). The Government shares Members' position and hopes that effective assistance can be provided to these students to facilitate their healthy growth, happy learning and development of potentials, with a view to leading a meaningful life. From Members' speeches, I guess they all agree with the general direction of integrated education. It is only that they have a higher expectation on the implementation of the relevant policy.

(THE PRESIDENT resumed the Chair)

The Subcommittee on Integrated Education (the Subcommittee) has discussed for nearly two years and put forward a number of recommendations. I have attended nearly every open meeting of the Subcommittee. The Government will definitely give careful consideration to all the recommendations, and handle them in a proactive and pragmatic manner. Issues relating to integrated education are plenty and complicated, as evident from the speeches made by Members today, and many issues cannot be clearly explained here in a few words. I nonetheless wish to take this precious opportunity to update Members on the implementation of integrated education, and the Government's views towards the recommendations contained in the report.

With regard to early identification and assessment, various government departments, including the Department of Health (DH), Hospital Authority (HA), Social Welfare Department (SWD) and Education Bureau, will continue to play their respective role and co-ordinate with one another, so as to provide assistance within their own professional area.

Specifically speaking, the DH's Child Assessment Services will provide comprehensive assessment and diagnosis for children under 12 years of age
suspected to have development disorders, and arrange the necessary rehabilitation services for them according to their individual needs and family condition. In the past three years, preliminary interviews for nearly all registered cases were conducted by the DH within three weeks while professional assessments for nearly 90% of new cases were completed within six months. The DH is working on the recruitment of additional manpower, and exploring how to suitably allocate resources, increase service capacity and enhance the effectiveness of the assessment work, so as to cope with the ever-increasing service demand and referral cases.

The professional teams of the HA will provide treatment and training to children diagnosed with development disorders, with a view to enhancing their abilities in various respects. Knowledge about development disorders will also be provided to the parents and carers of these children. The SWD sends medical social workers to station at the DH's Child Assessment Centres and the HA's psychiatric wards and clinics, with a view to working in collaboration with the team of medical professionals to jointly develop children's rehabilitation plan so as to assist the implementation of the abovementioned support and services.

Some primary and secondary students are assessed by educational psychologists. Among them, about 80% were assessed within two months and another 10% were assessed within five months. The remaining cases may have a longer waiting time due to some specific circumstances, such as cases where parents requested to defer the assessment, or the assessment had to be held up pending the students' medical treatment.

In our view, the existing mechanism has been operating smoothly and efficiently with clear division of work. A permanent communication mechanism has been established among departments to jointly handle more complicated problems that require inter-departmental co-operation. For the time being, we have no plan to establish another inter-departmental or cross-sectoral working group to deal with matters relating to integrated education so as to avoid overlapping in organizational structure.

To effectively implement integrated education, many Members pointed out that we must enhance the professional capability of teachers. As such, starting from the 2007-2008 school year, the Education Bureau had been providing training courses on catering for SEN students pitched at Basic, Advanced and Thematic levels (BAT Courses) for in-service teachers, so that schools could
arrange for teachers to attend different courses in a systematic manner. The Education Bureau launched a new round of BAT Courses in the 2012-2013 school year, with the training targets adjusted. As at November 2014, about 42% of public sector primary schools teachers and 20% of public sector secondary school teachers have completed 30 hours or more of structured training in special education. In terms of school number, as at November 2014, more than 99% of public sector primary schools and about 91% of public sector secondary schools have 10% or more teachers having completed special education training, and about 85% of primary schools have 30% or more teachers having completed training in special education. We will continue to monitor the provision of training for school teachers, hoping that all teachers can receive fundamental training as early as possible, and pursue more advanced courses in the future.

Furthermore, the Education Bureau organizes seminars, workshops, talks and experience-sharing sessions every year, and has also incorporated topics on catering for learner diversity and spearheading the implementation of integrated education into the training programme for aspiring school principals and induction training for newly-appointed school principals. Teacher education institutions have also incorporated topics on integrated education or catering for learner diversity in the pre-service teacher training programme to enhance the knowledge of prospective school principals and teachers in this area.

Many Members suggested creating the post of Co-ordinator for SEN in schools. At present, schools are implementing integrated education through the Whole School Approach and have, upon our request, formed student support teams to plan and co-ordinate various support measures to cater for learner diversity. Furthermore, schools have assigned vice-principals or senior teachers to lead and co-ordinate the task for effective engagement of the teaching force in implementing integrated education. Over the past decade, the Education Bureau has incessantly sought to strengthen the manpower of primary and secondary schools to raise the quality of education and enable teachers to render enhanced support to students with SEN. In fact, the respective student-to-teacher ratios of public sector secondary and primary schools have improved from 18.1:1 and 19.1:1 in the 2004-2005 school year to 13.8:1 and 14.2:1 in the 2013-2014 school year. All local primary schools have been provided with student guidance officer/teacher/personnel to support, and with effect from the 2000-2001 school year, the SWD has fully implemented the initiative of "one school social worker for each secondary school" in all secondary schools. As we are still unsure if the
responsibilities and qualifications of the Co-ordinator for SEN can tie in with the Whole School Approach, we have reservation about the proposed creation of the post of Co-ordinator for SEN for the time being. We do not wish to see the creation of this new post a mere initiative to indirectly increase manpower. We will, however, carefully consider the possibility of introducing a pilot scheme to create the post of Co-ordinator for SEN.

A Member proposed that legislation be introduced to protect students with SEN. In my opening speech, I have pointed out that according to the Disability Discrimination Ordinance, it is unlawful for an education establishment to discriminate against people with disabilities. In other words, the existing laws of Hong Kong have provided effective protection for the rights of SEN students. We consider that we should focus on the provision of support for the implementation of integrated education in schools at this stage, and properly cater for SEN students. We therefore do not agree to enact new laws for the time being.

The need to develop individual education plans should be subject to students' needs for support based on professional judgment and decision of schools. The Education Bureau opposes the development of an individual education plan for all SEN students regardless of their practical needs. From an educational perspective, it will be more effective for schools to adopt the Whole School Approach in implementing integrated education to improve their culture, policy and measures, which in turn enhances the effectiveness of support for students with SEN. We will continue to closely monitor the implementation of integrated education, make reference to the development in other places and carefully consider all possible improvement initiative.

According to our observation, with the promotion of the Education Bureau, schools have generally adopted the 3-Tier Intervention Model to cater for SEN students, and to develop and implement individual education plans for students if necessary. Schools will, through regular reviews, adjust the tier of support and arrange timely and structured intervention for students, so that the most appropriate services can be made available to students with diverse support needs.

With regard to higher education, provisions have been set out in the University Grants Committee (UGC) Notes on Procedures and the relevant documents to provide for the policies and initiatives to protect students with SEN, and safeguard the rights of the students and teaching staff of UGC-funded institutions.
The Education Bureau has established a platform and organized workshops, seminars and the sharing of information on an irregular basis, so that both UGC-funded and self-financing institutions can make reference to and share experiences on the planning and implementation of support initiatives for SEN students.

To assist students with SEN to apply for admission to UGC-funded programmes and adapt more easily to school life, the UGC has, at the meeting held in September 2014, approved a funding of $20 million for the eight UGC-funded institutions to purchase the necessary equipment and facilities, so as to assist the learning of SEN students, strengthen training among academic and administrative staff for raising their awareness of supporting SEN students, as well as support student organizations to organize more activities to enable SEN students to integrate into school life. UGC institutions may use the funding to introduce various initiatives to enhance their support services for SEN students. We are inviting the eight institutions to submit their proposals, and it is expected that, upon approval, the funding will be allocated to various institutions in the 2014-2015 school year.

President, access to education is a basic right for children which should not be deprived of due to individual diversity. We are of the view that the community should accept people with different physical handicaps, and we have turned this idea into an integrated education policy for implementation in various schools. After more than a decade of hard work by fellow co-workers, I can say that integrated education has been generally accepted by schools, teachers and parents. Certainly, there is still room for improvement, but our commitment to integrated education should not be doubted. What is more, we are well aware that the implementation of integrated education will encounter many more challenges. Therefore, we will continue to regularly gauge the views of members of the trade and different stakeholders, including the Legislative Council, and introduce various enhancements where necessary and practicable, with a view to providing proper care for students with SEN.

Last of all, I am sincerely grateful to the views expressed by Members and members of the Subcommittee in the past two years, as well as the participation of various stakeholders, who have given us an opportunity to comprehensively review various problems relating to integrated education. For education policies, including that on the development of integrated education, "there is no best, only better". And, sustainable development must find its basis on the
summary of practice and experience. As a matter of fact, the Government has been increasing its injection in terms of policy, financial resources, professional support and teaching resources. In the 2014-2015 school year, the estimated expenses in this respect is about $1.235 billion, an increase of about 40% when compared with $878 million in the 2009-2010 school year. We nonetheless cannot rely solely on the Government for the implementation of integrated education, support from schools, families and society is also essential. We appreciate the support of various parties, such that services provided by the Government for SEN students through ordinary and special schools and different social welfare organizations can enjoy stable development in the past decade or so. We will continue to review the development of integrated education and work in concerted efforts with Members to provide a proper learning environment and support for SEN students.

Thank you, President.

PRESIDENT (in Cantonese): As Dr Fernando CHEUNG has used up his speaking time, I will not ask him to reply.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Dr Fernando CHEUNG be passed. Will those in favour please raise their hands?

(Members raised hands)

PRESIDENT (in Cantonese): Those against please raise their hands.

(No hands raised)

PRESIDENT (in Cantonese): I think the question is agreed by a majority respectively of each of the two groups of Members, that is, those returned by functional constituencies and those returned by geographical constituencies through direct elections, who are present. I declare the motion passed.
NEXT MEETING

PRESIDENT (in Cantonese): I now adjourn the Council until 11 am on Wednesday 17 December 2014.

*Adjourned accordingly at 6.06 pm.*
WRITTEN ANSWER

Written answer by the Secretary for Education to Ms Starry LEE's supplementary question to Question 4

As regards the implementation of the Native-speaking English Teacher (NET) Scheme in Primary Schools, the relevant information is set out as follows:

(1) An outline of the new commissioned evaluation study of the NET Scheme in Primary Schools to be conducted in the latter half of the 2014-2015 school year;

The first territory-wide evaluation of the NET Scheme in Primary Schools was a three-year longitudinal study conducted by the University of Melbourne between 2004 and 2006. A second territory-wide evaluation has been scheduled for the latter half of the 2014-2015 school year. An expert team composed of overseas and local academics has been commissioned to conduct the evaluation.

Below is an outline of the second evaluation study of the NET Scheme in Primary Schools:

(i) The prime objectives of the study

- To inform the public of the extent of effectiveness of the NET Scheme in Primary Schools as a territory-wide initiative supporting English language education in public-sector primary schools;

- To identify areas for improvement and recommend strategies to enhance the impact and effectiveness of the NET Scheme in Primary Schools; and

- To understand policy making regarding the development and implementation of the NET Scheme in Primary Schools.
The evaluation study is a piece of cross-sectional research to be conducted in primary schools participating in the NET Scheme. The focus will be on the impact of the Scheme in the following areas:

- Students' English learning and the English learning environment in schools;
- NETs' and local English teachers' professional development and collaboration;
- English language teaching (that is, pedagogy and curriculum development); and
- NET deployment.

The evaluation is to be designed as a cross-sectional study of a sample of schools in the NET Scheme. Schools will be selected with reference to a set of criteria, namely the geographical location, school type, school size, years of NETs' experience in teaching in local schools, and programme involvement (including schools taking part in the literacy programmes designed and supported by the NET Section of the Education Bureau and those non-programmes schools). Data is to be collected through different means to facilitate triangulation, including questionnaire surveys, focus group discussions, one-on-one interviews, and school visits during which the following will be observed:

- co-teaching in classrooms;
- co-planning meetings;


WRITTEN ANSWER — Continued

- the overall English environment of the school visited; and

- workshops for the NETs and local English teachers.

(iv) Key research questions

- In key stakeholders' views, in what ways and to what extent does the NET Scheme in Primary Schools help to improve students' learning of English?

- In what ways and to what extent does the NET Scheme in Primary Schools help to enhance the English speaking environment of the school?

- In what ways and to what extent does the NET Scheme in Primary Schools help to improve and increase local teachers' use of English in the classroom and enhance and expand their pedagogical practices?

- What are the key factors in determining effective NET deployment, utilization, and integration in schools?

- What factors foster and inhibit NET-LET collaboration according to the various stakeholders?

- What progress has been made on the key recommendations of the 2007 evaluation report and how might the NET Scheme in Primary Schools and the deployment of NETs be improved in light of the social, economic and demographic changes since the previous evaluation?

(v) The proposed time frame

It is planned that the evaluation will start in the latter half of the 2014-2015 school year. The final report will be completed by the end of the 2015-2016 school year.
The territory-wide online survey on the deployment of NETs in primary schools conducted in the 2013-2014 school year

The NET Section of the Education Bureau used to conduct a paper-based survey annually to collect primary schools' views on the support services provided. Since the 2012-2013 school year, an online platform has been developed with support from the Centre for the Advancement of Social Sciences Research of Hong Kong Baptist University to enhance efficiency and cost-effectiveness of data collection, interpretation, analysis and reporting.

The territory-wide online survey conducted by the NET Section between 23 January and 24 February 2014 for the 2013-2014 school year aimed to learn about the views of all the primary schools in the NET Scheme on NET deployment and the NET Section's support services. The part of the survey on NET deployment was a response to the suggestion put forward at the Panel on Education meeting held in July 2013.

Two sets of questionnaires with the same items, Form A and Form B, were administered. The difference between Form A and Form B is that the latter required from the respondents open-ended responses to items addressing the NET Section's support services.

All schools in the NET Scheme in Primary Schools that the NET Section had been supporting were informed of the survey. A letter addressed to the Principal was sent to each school requesting them to complete either set of questionnaires (409 invited to fill in Form A and 57 to fill in Form B). Each school was assigned a numerical code to access the questionnaire online. The English Panel was entrusted with completing the questionnaire as a team and asked to indicate which members of the school took part in completing the survey. In a majority of the schools, those involved in the completion of the survey included the English Panel Chair, the NET and the English Teacher with a role in co-ordinating the implementation of the NET Scheme in the school.
WRITTEN ANSWER — Continued

The response rates with respect to Form A and Form B were 95% and 93% respectively. A statistical software application, SPSS-X, was used by the Centre for the Advancement of Social Sciences Research of Hong Kong Baptist University to perform the data processing and analysis.

Below are the key findings related to NET deployment:

<table>
<thead>
<tr>
<th>Schools are asked to indicate the level of their agreement with each of the statements on a six-point Likert scale, where 1 indicates &quot;strongly disagree&quot; and 6 &quot;strongly agree&quot;.</th>
<th>Form A</th>
<th>Form B</th>
<th>Aggregate</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Agree and Strongly Agree</td>
<td>Average Ratings</td>
<td>Agree and Strongly Agree</td>
</tr>
<tr>
<td>(i) The NET can get a better understanding of students' early language development when he/she teaches at different year levels in KS1.</td>
<td>83.6% 5.15</td>
<td>84.9% 5.21</td>
<td>83.8% 5.16</td>
</tr>
<tr>
<td>(ii) The NET can keep track of students' learning needs and progress more easily when teaching three successive levels in one Key Stage (KS) (that is, P1 to P3 or P4 to P6).</td>
<td>75.7% 4.95</td>
<td>79.3% 5.06</td>
<td>76.2% 4.96</td>
</tr>
<tr>
<td>(iii) English lessons co-taught by the NET and a LET can enrich students' language exposure and development.</td>
<td>87.1% 5.24</td>
<td>96.2% 5.53</td>
<td>88.1% 5.27</td>
</tr>
</tbody>
</table>
Schools are asked to indicate the level of their agreement with each of the statements on a six-point Likert scale, where 1 indicates "strongly disagree" and 6 "strongly agree".

<table>
<thead>
<tr>
<th>(iv) Every English panel member should have an opportunity to collaborate with the NET, for example, lesson planning, co-teaching and organizing and conducting co-curricular activities.</th>
<th>Form A</th>
<th>Form B</th>
<th>Aggregate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agree and Strongly Agree</td>
<td>Average Ratings</td>
<td>Agree and Strongly Agree</td>
<td>Average Ratings</td>
</tr>
<tr>
<td>78%</td>
<td>5.06</td>
<td>79.2%</td>
<td>5.13</td>
</tr>
</tbody>
</table>

(v) It is important to engage the NET in KS1 school-based English curriculum development.

<table>
<thead>
<tr>
<th>(v)</th>
<th>Form A</th>
<th>Form B</th>
<th>Aggregate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agree and Strongly Agree</td>
<td>Average Ratings</td>
<td>Agree and Strongly Agree</td>
<td>Average Ratings</td>
</tr>
<tr>
<td>83.4%</td>
<td>5.19</td>
<td>85.2%</td>
<td>5.26</td>
</tr>
</tbody>
</table>

(vi) It is important to engage the NET in KS2 school-based English curriculum development.

<table>
<thead>
<tr>
<th>(vi)</th>
<th>Form A</th>
<th>Form B</th>
<th>Aggregate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agree and Strongly Agree</td>
<td>Average Ratings</td>
<td>Agree and Strongly Agree</td>
<td>Average Ratings</td>
</tr>
<tr>
<td>58.2%</td>
<td>4.63</td>
<td>66%</td>
<td>4.75</td>
</tr>
</tbody>
</table>
With the current provision of one NET for each school, which of the following modes of deployment would bring the greatest benefit to English language learning and teaching in your school?

<table>
<thead>
<tr>
<th>Schools are asked to give a &quot;Yes&quot; or &quot;No&quot; response and, where appropriate, indicate the year level chosen for item (iii).</th>
<th>Form A</th>
<th>Form B</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) Deploying the NET at different year levels in both KS 1 and 2.</td>
<td>48%</td>
<td>49.1%</td>
</tr>
<tr>
<td>(ii) Deploying the NET at different year levels within one KS.</td>
<td>51%</td>
<td>50.9%</td>
</tr>
<tr>
<td>(iii) Deploying the NET at one year level. (If this is your choice, please indicate the level by ticking the appropriate box)</td>
<td>P1</td>
<td>P2</td>
</tr>
<tr>
<td></td>
<td>0.25%</td>
<td>0.25%</td>
</tr>
<tr>
<td></td>
<td>P4</td>
<td>P5</td>
</tr>
<tr>
<td></td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>