

**立法會**  
***Legislative Council***

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**Finance Committee of the Legislative Council**

**Minutes of the 40<sup>th</sup> meeting**  
**held at Conference Room 1 of the Legislative Council Complex**  
**on Monday, 20 March 2015, at 3:00 pm**

**Members present:**

Hon Tommy CHEUNG Yu-yan, SBS, JP (Chairman)  
Hon CHAN Kin-por, BBS, JP (Deputy Chairman)  
Hon Albert HO Chun-yan  
Hon LEE Cheuk-yan  
Hon James TO Kun-sun  
Hon CHAN Kam-lam, SBS, JP  
Hon LEUNG Yiu-chung  
Dr Hon LAU Wong-fat, GBM, GBS, JP  
Hon Emily LAU Wai-hing, JP  
Hon TAM Yiu-chung, GBS, JP  
Hon Frederick FUNG Kin-kee, SBS, JP  
Hon Vincent FANG Kang, SBS, JP  
Hon WONG Kwok-hing, BBS, MH  
Prof Hon Joseph LEE Kok-long, SBS, JP, PhD, RN  
Hon Jeffrey LAM Kin-fung, GBS, JP  
Hon Andrew LEUNG Kwan-yuen, GBS, JP  
Hon WONG Ting-kwong, SBS, JP  
Hon Ronny TONG Ka-wah, SC  
Hon Cyd HO Sau-lan, JP  
Hon Starry LEE Wai-king, JP  
Dr Hon LAM Tai-fai, SBS, JP  
Hon CHAN Hak-kan, JP  
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP  
Dr Hon LEUNG Ka-lau

Hon CHEUNG Kwok-che  
Hon WONG Kwok-kin, SBS  
Hon IP Kwok-him, GBS, JP  
Hon Mrs Regina IP LAU Suk-yee, GBS, JP  
Hon Paul TSE Wai-chun, JP  
Hon Alan LEONG Kah-kit, SC  
Hon LEUNG Kwok-hung  
Hon Albert CHAN Wai-yip  
Hon WONG Yuk-man  
Hon Claudia MO  
Hon Michael TIEN Puk-sun, BBS, JP  
Hon James TIEN Pei-chun, GBS, JP  
Hon NG Leung-sing, SBS, JP  
Hon Steven HO Chun-yin  
Hon Frankie YICK Chi-ming  
Hon WU Chi-wai, MH  
Hon YIU Si-wing  
Hon Gary FAN Kwok-wai  
Hon MA Fung-kwok, SBS, JP  
Hon Charles Peter MOK, JP  
Hon CHAN Chi-chuen  
Hon CHAN Han-pan, JP  
Dr Hon Kenneth CHAN Ka-lok  
Hon CHAN Yuen-han, SBS, JP  
Hon LEUNG Che-cheung, BBS, MH, JP  
Dr Hon KWOK Ka-ki  
Hon KWOK Wai-keung  
Hon Dennis KWOK  
Hon Christopher CHEUNG Wah-fung, SBS, JP  
Dr Hon Fernando CHEUNG Chiu-hung  
Hon SIN Chung-kai, SBS, JP  
Hon IP Kin-yuen  
Dr Hon Elizabeth QUAT, JP  
Hon Martin LIAO Cheung-kong, SBS, JP  
Hon TANG Ka-piu, JP  
Dr Hon CHIANG Lai-wan, JP  
Ir Dr Hon LO Wai-kwok, BBS, MH, JP  
Hon CHUNG Kwok-pan  
Hon Tony TSE Wai-chuen, BBS

**Members absent:**

Hon Abraham SHEK Lai-him, GBS, JP  
Hon Kenneth LEUNG  
Hon Alice MAK Mei-kuen, JP  
Dr Hon Helena WONG Pik-wan  
Hon POON Siu-ping, BBS, MH  
Hon Christopher CHUNG Shu-kun, BBS, MH, JP

**Public officers attending:**

Professor K C CHAN, GBS, JP	Secretary for Financial Services and the Treasury
Ms Elizabeth TSE Man-yee, JP	Permanent Secretary for Financial Services and the Treasury (Treasury)
Ms Esther LEUNG, JP	Deputy Secretary for Financial Services and the Treasury (Treasury) 1
Mr Alfred ZHI Jian-hong	Principal Executive Officer (General), Financial Services and the Treasury Bureau (The Treasury Branch)
Ms Kitty CHOI, JP	Director of Administration
Mrs DO PANG Wai-yee, JP	Deputy Director of Administration
Mr Kevin YEUNG Yun-hung, JP	Under Secretary for Education
Mr Brian LO Sai-hung, JP	Deputy Secretary for Education (1)
Ms Pecvin YONG Pui-wan	Principal Assistant Secretary for Education (Further Education)
Prof CHANG Chung-nan	President, Chu Hai College of Higher Education
Mr K K KWOK	Director of New Campus Development, Chu Hai College of Higher Education
Mr Paul CHU	Head of the Department of Architecture, Chu Hai College of Higher Education
Mrs Alice YU NG Ka-chun	Project Director (3), Architectural Services Department
Mr LO Kwok-kong	Chief Civil Engineer (Public Works Programme), Housing Department
Ms Sonia YUNG Tak-ling	Chief Architect (4), Housing Department
Miss Charmaine WONG Hoi-wan, JP	Assistant Director of Home Affairs (2)

Mr Benjamin MOK Kwan-yu, JP	District Officer (Sham Shui Po), Home Affairs Department
Mr FONG Kai-leung	Assistant Director of Social Welfare (Rehabilitation and Medical Social Services)

**Clerk in attendance:**

Ms Anita SIT	Assistant Secretary General 1
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**Staff in attendance:**

Mr Derek LO	Chief Council Secretary (1)5
Mr Daniel SIN	Senior Council Secretary (1)7
Mr Frankie WOO	Senior Legislative Assistant (1)3
Ms Michelle NIEN	Legislative Assistant (1)5
Miss Yannes HO	Legislative Assistant (1)6

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Action

The Chairman advised that two meetings had been scheduled for the day and there would be a ten-minute break after the first meeting was adjourned.

**Item No. 1 – FCR(2014-15)56**

**RECOMMENDATIONS OF THE ESTABLISHMENT  
SUBCOMMITTEE MADE ON 10 DECEMBER 2014,  
7, 23, 28 JANUARY AND 11 FEBRUARY 2015**

2. The Chairman advised that the item sought the Committee's approval of the recommendations of the Establishment Subcommittee on items EC(2014-15)11 to EC(2014-15)17 made at its meetings on 10 December 2014, 7, 23, 28 January and 11 February 2015.

3. Mr Dennis KWOK and Ms Emily LAU expressed support for the proposal for the creation of posts to strengthen the directorate structure of the Judiciary Administration in the Judiciary under EC(2014-15)11. However, both members expressed concern about the long waiting time and heavy workload at the courts, and the need to increase judicial manpower. In particular, Mr KWOK enquired about the current staffing situation of the Court of First Instance of the High Court.

4. The Chairman reminded members that the Administration might not be able to answer questions on the item EC(2014-15)11 at the meeting as no member had requested prior to the meeting that the item be taken out for separate deliberation by this Committee and hence no arrangement had been made for the public officers in charge of the item to attend the meeting. At the invitation of the Chairman, Director of Administration ("D of Admin") said that, according to the Judiciary, as at 10 March 2015, the number of vacancies for Judges of the Court of First Instance of the High Court was ten and the recruitment exercises had been underway since October 2014.

Voting on FCR(2014-15)56

5. There being no further questions from members, the Chairman put the item to vote. The Chairman declared the Committee approved the item.

**Item No. 2 – FCR(2014-15)54**

**2014-15 JUDICIAL SERVICE PAY ADJUSTMENT**

6. The Chairman advised that the item sought the Committee's approval for, with effect from 1 April 2014, an increase in pay by 6.77% for judges and judicial officers ("JJOs").

7. Dr Priscilla LEUNG, Chairman of the Panel on Administration of Justice and Legal Services ("AJLS Panel"), reported that the proposal was discussed at the Panel meeting on 24 November 2014. Panel members expressed support for the proposal. Some Panel members expressed concern about the insufficient manpower in Judges to handle the increasing workload at the courts.

8. Mr WONG Yuk-man expressed support for the proposal, but criticized the Administration for appointing political allies of the Chief Executive to posts in judicial bodies such as the Standing Committee on Judicial Salaries and Conditions of Service ("the Judicial Committee") and Judges of the District Court.

Conditions of service of judges and judicial officers

9. Mr Dennis KWOK, Mr LEE Cheuk-yan and Ms Emily LAU expressed support for the proposal. Members said that in determining an appropriate level of salary increase, the salary and benefits of JJOs should be benchmarked with private sector legal practitioners in order to recruit and retain talents. Ms Emily LAU expressed concern about an overall lack of interest for

legal practitioners to join the Judiciary, and called on the Administration to step up its assistance to the Judiciary in the recruitment of JJOs.

10. Dr Priscilla LEUNG remarked that many legal practitioners in the private sector who joined the Judiciary were motivated by their aspirations to serve the public, and salary and benefits were not their primary consideration. She said that the Judiciary should improve the transparency in the recruitment and appointment of JJOs.

11. D of Admin undertook to relay to the Judiciary members' concerns on the salaries and recruitment of JJOs and said that the matter could be followed up at the AJLS Panel.

12. Mr Albert HO expressed concern about the long working hours of JJOs and the prolonged periods for which deputy judges were often appointed. He asked whether deputy judges were subject to the salary increase of JJOs. D of Admin said that the proposed salary increase of JJOs was applicable to deputy judges, and with the intake of substantive judicial manpower from the recruitment exercises, the number of deputy judges had been declining in the past year.

13. Mr WONG Kwok-hing expressed support for the proposal. Noting that the current salary adjustment proposal, dating back 11 months to 1 April 2014, was significantly behind up-to-date salary trend, he urged the Administration to review the salary review mechanism for JJOs. He also said that the Administration should take into account the salary trends of private sector legal practitioners. He also asked the Administration to consider forecasting rate of salary adjustment for JJOs.

14. D of Admin clarified that under normal circumstances, the proposal for salary adjustment of JJOs would have been brought to this Committee for approval earlier in the financial year. However, due to the backlog of agenda items for the Finance Committee, tabling of this item had been delayed. On the other hand, in determining the rate of salary adjustment for JJOs, the Judicial Committee would consider a basket of factors, which included benchmarking with private sector legal practitioners. There were difficulties under established mechanism to forecast the rate of salary adjustments for JJOs.

#### *Retirement age of judges and judicial officers*

15. Mr Dennis KWOK and Mr WONG Yuk-man urged the Administration to consider extending the retirement age of JJOs beyond the age of 65.

16. D of Admin said that the Judiciary was conducting reviews on the conditions of service and retirement age for JJOs, the results of which would be taken into consideration by the Judicial Committee in coming up with its recommendations on the rate of salary adjustment for JJOs. The Judiciary would also conduct regular reviews on manpower provisions of JJOs. At present, the service of the Chief Justice and Permanent Judges of the Court of Final Appeal, and Judges of the High Court was extendable to the age of 70 or 71. The retirement age of Judges of the District Court remained 65.

17. There being no further question from members, the Chairman put the item to vote. The Chairman declared the Committee approved the item.

**Item No. 3 – FCR(2014-15)52**

**LOAN FUND**

**HEAD 252 – LOANS TO SCHOOLS/TEACHERS**

**Subhead 106 Start-up loan for post-secondary education providers**

18. The Chairman advised that the item sought this Committee's approval for a start-up loan of \$250 million to Chu Hai College of Higher Education Limited for the operation of Chu Hai College of Higher Education ("Chu Hai College"), under the Start-up Loan Scheme for post-secondary education providers, from the Loan Fund.

19. Dr LAM Tai-fai, Chairman of the Panel on Education, reported that the proposal was discussed at the Panel meeting held on 10 November 2014. Panel members generally supported the proposal. In response to concerns by Panel members about the impact of the repayment of the start-up loan on the level of tuition fees payable by students of Chu Hai College, Chu Hai College advised that consideration of the level of tuition fees would not be affected by the development costs of the proposal or the repayment of the start-up loan, and that any adjustment to tuition fees was to keep pace with inflationary changes.

20. There being no question from members, the Chairman put the item to vote. The Chairman declared the Committee approved the item.

**Item No. 4 – FCR(2014-15)59**

**RECOMMENDATIONS OF THE**

**PUBLIC WORKS SUBCOMMITTEE MADE**

**ON 14, 30 JANUARY AND 28 FEBRUARY 2015**

21. The Chairman advised that the item sought the Committee's approval for the recommendations of the Public Works Subcommittee ("PWSC") made at

its meetings on 14, 30 January and 28 February 2015. Members of PWSC had requested that five public works items should be considered and voted on separately at this Committee's meeting.

**PWSC(2014-15)38**

**HEAD 711 – HOUSING**

**Social Welfare and Community Building – Community centres and halls**

**197SC – 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**

22. The Chairman advised that the item sought the Committee's approval for upgrading of 197SC to Category A at an estimated cost of \$318.3 million in money-of-the-day prices for the reprovisioning of Pak Tin Community Hall ("PTCH") and special child care centre-cum-early education and training centre in ("SCCC-cum-EETC") Pak Tin Estate redevelopment site, and the construction of a footbridge link at Nam Cheong Street, Sham Shui Po.

23. Dr KWOK Ka-ki said that there was a need for the reprovisioning of PTCH and the SCCC-cum-EETC but the scale of the proposed building complex for PTCH and the SCCC-cum-EETC fell short of community needs for special child care, early education and training, as well as geriatric care. He urged the Administration to consider expanding the scope of the project. Ms Claudia MO shared similar views and said that the Administration should be able to afford expanding the space and other provisions for building complex, such as adding an extra storey or re-arranging ancillary facilities within the complex.

24. Chief Civil Engineer (Public Works Programme), Housing Department ("CCE(PWP)/HD") said that the Administration had considered the comments made by members of PWSC and had fine-tuned the design of the proposed building complex without increasing the project cost and delaying the implementation. As a result, an additional provision of 36 service places would be provided at the SCCC-cum-EETC.

Service space provisions for special child care and early education and training

25. Expressing concern that the extra service places might have been obtained by compressing individual space provisions, Ms Cyd HO sought clarifications on how the additional service places were provided at the SCCC-cum-EETC.



26. Chief Architect (4), Housing Department said that the fine-tuned design provided an additional space of about 40 square metres ("m<sup>2</sup>") and an increase of the number of activity rooms from 14 to 18. Due to the need for balancing interests amongst various stakeholders in the development of the project site, the plot ratio of the project was about three, despite the permitted plot ratio being nine. Assistant Director of Social Welfare (Rehabilitation and Medical Social Services) ("ADSW(RMSS)") supplemented that the floor area for service place provisions of SCCC and EETC was 5.75 m<sup>2</sup> per person and 2.36 m<sup>2</sup> per person respectively, which was in line with the required standard for the services concerned.

27. Dr KWOK Ka-ki said that the above fine-tuning in design was not enough to cope with community needs. He enquired about how long applicants of service places of the SCCC-cum-EETC had to wait to receive the service. ADSW(RMSS) replied that the average waiting time was 19 months.

*Plot ratio of the building complex*

28. Ir Dr LO Wai-kwok asked whether the Social Welfare Department had given due consideration to the available plot ratio of the project site in view of the long queue for service places of the SCCC-cum-EETC. ADSW(RMSS) stressed that in the planning of public works, the Administration had to strike a balance of interests among various stakeholders, including local residents. The Administration had also made use of other developments to cater for local demands for service places of the SCCC-cum-EETC, and due to local concerns, the current proposal of a building complex with a plot ratio of three was considered appropriate.

29. Dr KWOK Ka-ki, Ms Cyd HO, Ms Emily LAU, Mr Alan LEONG, Mr LEUNG Kwok-hung and Mr Albert CHAN expressed dissatisfaction towards the Administration's underutilization of available plot ratio of the site for provisions of the much needed community facilities, and urged the Administration to explore the feasibility of increasing the plot ratio of the proposal. Mr LEUNG and Mr LEONG criticized the Administration for disregarding the request made by members of PWSC to optimize the use of land resources for provision of community facilities to meet community needs. CCE(PWP)/HD explained that building additional floors on top of the proposed multi-purpose hall would increase the project cost with respect to the original estimated cost and would delay the implementation programme of the Pak Tin Estate Redevelopment. CCE(PWP)/HD further added that the site made available upon demolition of the existing PTCH would be used to construct a public rental housing block which would then provide about 700 flats.

30. CCE(PWP)/HD and District Officer (Sham Shui Po), Home Affairs Department ("DO(SSP)/HAD") said that due to the site's proximity to Pak Tin Estate, there were concerns among local residents and Sham Shui Po District Council about the height of the building complex and its potential impact on ventilation and views.

31. The Chairman said that the Administration should strive to better utilize available plot ratio by further consultations with local residents. Ms Emily LAU and Ms Cyd HO shared a similar view. Ms LAU and Ms HO said that the Administration should accord a higher priority to the social service needs for the SCCC and EETC of the general public, and refer the matter to Sham Shui Po District Council to seek its agreement to further utilize the unused plot ratio of the site. On enquiry by the Chairman, DO(SSP)/HAD confirmed that there had been no further consultation with Sham Shui Po District Council on the proposal since its submission to PWSC.

Other issues

32. Dr CHIANG Lai-wan expressed support for the proposal and agreement with the Administration's consideration for balancing interests among various stakeholders. She expressed concern that the footbridge connecting the building complex and Nam Cheong Street might potentially be occupied by street sleepers.

33. DO(SSP)/HAD said that there had not been report on occupation of public space by street sleepers within the vicinity of Pak Tin Estate and the Administration had established procedures to deal with such situation should it happen on the footbridge. CCE(PWP)/HD supplemented that the footbridge had been designed to be well ventilated and planter boxes would be provided on both sides of the footbridge which might hinder sleepers occupation.

34. Mr Alan LEONG called on the Administration to review its policy on land development in order to fully utilize land resources to meet community needs. Secretary for Financial Services and the Treasury said that the Administration would strive to fully utilize existing land resources for building and development projects as far as practicable while also considering potential impacts of these projects on local residents.

35. The meeting was adjourned at 4:58 pm.