

# **OFFICIAL RECORD OF PROCEEDINGS**

**Wednesday, 25 November 2015**

**The Council met at Eleven o'clock**

## **MEMBERS PRESENT:**

THE PRESIDENT

THE HONOURABLE JASPER TSANG YOK-SING, G.B.M., 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

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, G.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 CYD HO SAU-LAN, J.P.

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

DR THE HONOURABLE LAM TAI-FAI, S.B.S., 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 CHEUNG KWOK-CHE

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 WONG YUK-MAN

THE HONOURABLE CLAUDIA MO

THE HONOURABLE MICHAEL TIEN PUK-SUN, B.B.S., J.P.

THE HONOURABLE JAMES TIEN PEI-CHUN, G.B.S., J.P.

THE HONOURABLE NG LEUNG-SING, S.B.S., J.P.

THE HONOURABLE STEVEN HO CHUN-YIN, B.B.S.

THE HONOURABLE WU CHI-WAI, M.H.

THE HONOURABLE YIU SI-WING, B.B.S.

THE HONOURABLE GARY FAN KWOK-WAI

THE HONOURABLE MA FUNG-KWOK, S.B.S., J.P.

THE HONOURABLE CHARLES PETER MOK, J.P.

THE HONOURABLE CHAN CHI-CHUEN

THE HONOURABLE CHAN HAN-PAN, J.P.

DR THE HONOURABLE KENNETH CHAN KA-LOK

THE HONOURABLE CHAN YUEN-HAN, S.B.S., J.P.

THE HONOURABLE LEUNG CHE-CHEUNG, B.B.S., M.H., J.P.

THE HONOURABLE KENNETH LEUNG

THE HONOURABLE ALICE MAK MEI-KUEN, B.B.S., J.P.

DR THE HONOURABLE KWOK KA-KI

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

THE HONOURABLE FRANKIE YICK CHI-MING, J.P.

**PUBLIC OFFICERS ATTENDING:**

THE HONOURABLE JOHN TSANG CHUN-WAH, G.B.M., J.P.  
THE FINANCIAL SECRETARY

MR YAU SHING-MU, J.P.  
SECRETARY FOR TRANSPORT AND HOUSING

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

THE HONOURABLE GREGORY SO KAM-LEUNG, G.B.S., J.P.  
SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT

THE HONOURABLE RAYMOND TAM CHI-YUEN, G.B.S., J.P.  
SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS

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 ERIC MA SIU-CHEUNG, J.P.  
SECRETARY FOR DEVELOPMENT

MS FLORENCE HUI HIU-FAI, S.B.S., J.P.  
SECRETARY FOR HOME AFFAIRS

**CLERKS IN ATTENDANCE:**

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

MISS ODELIA LEUNG HING-YEE, DEPUTY SECRETARY GENERAL

MS DORA WAI, ASSISTANT SECRETARY GENERAL

MR MATTHEW LOO, ASSISTANT SECRETARY GENERAL

**PRESIDENT** (in Cantonese): 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:

Subsidiary Legislation/Instruments	<i>L.N. No.</i>
Interpretation and General Clauses Ordinance (Amendment of Schedule 6) Order 2015 .....	227/2015
Securities and Futures (Contracts Limits and Reportable Positions) (Amendment) Rules 2015 .....	228/2015
Declaration of Change of Titles (Communications and Technology Branch and Secretaries of Communications and Technology Branch) Notice 2015 .....	230/2015

## **Other Papers**

- |        |   |   |
|--------|---|---|
| No. 30 | — | Occupational Safety and Health Council<br>Annual Report 2014-2015 |
| No. 31 | — | Estate Agents Authority<br>Annual Report 2014/15                  |
| No. 32 | — | Hong Kong Housing Authority<br>Annual Report 2014/15              |

- No. 33 — Hong Kong Housing Authority  
Financial Statements for the year ended 31 March 2015
- No. 34 — Immigration Service Welfare Fund  
Report on the administration of the Fund prepared by the  
Director of Immigration Incorporated in accordance with  
section 12(b) of the Immigration Service (Welfare Fund)  
Regulation
- No. 35 — The Commissioner on Interception of Communications and  
Surveillance  
Annual Report 2014 to the Chief Executive (together with  
a statement under section 49(4) of the Interception of  
Communications and Surveillance Ordinance)
- No. 36 — Report of changes made to the approved Estimates of  
Expenditure during the second quarter of 2015-16  
Public Finance Ordinance : Section 8
- No. 37 — Ocean Park Hong Kong  
Annual Report 2014-2015

Report No. 5/15-16 of the House Committee on Consideration of  
Subsidiary Legislation and Other Instruments

## ORAL ANSWERS TO QUESTIONS

**PRESIDENT** (in Cantonese): Questions. First question.

### Combating Problem of Bid-rigging in Relation to Building Maintenance Works

1. **MR CHAN HAN-PAN** (in Cantonese): *President, some flat owners of private residential buildings have relayed to me that the problem of bid-rigging in relation to building maintenance works has become serious in recent years.*

*They have pointed out that as most flat owners lack the professional knowledge in maintenance works, it is difficult for them to judge whether the tender prices of various maintenance works are reasonable. Moreover, there are loopholes in the process for implementing building maintenance works pursuant to statutory orders, which have been exploited by bid-rigging syndicates. For instance, flat owners are required to hire authorized persons as project consultants to co-ordinate and supervise maintenance works, and yet the independence of the authorized persons is in doubt as they may have intricate connections with the works companies submitting bids. Furthermore, members of owners' corporations (OCs) are subject to individual flat owners' queries from time to time as to whether they have handled the tendering exercises for maintenance works in an impartial manner, and consequently neighbourhood relationship is strained. In this connection, will the Government inform this Council:*

- (1) of the number of reports and complaints received by the Government in each of the past five years about suspected bid-rigging in relation to residential building maintenance works (with a breakdown by District Council district); the number of substantiated cases and the names of the housing estates involved, and whether the authorities have instituted prosecutions in respect of such cases; if they have, of the details; if not, the reasons for that;*
- (2) given that some members of the public have criticized that the Government has failed to take the initiative to combat bid-rigging and its combating efforts are ineffective, whether the Government will consider taking measures, which are more effective, to combat bid-rigging; if it will, of the details; if not, the reasons for that; and*
- (3) given that a political party has recommended the Government to improve the process for implementing building maintenance works pursuant to statutory orders, establish an independent supervising institution which will appoint authorized persons as advance works consultants to take charge of tendering matters in collaboration with independent accountants, and then let OCs appoint at the same time the works companies and authorized persons responsible for monitoring the works, with a view to combating bid-rigging*



*activities, whether the authorities will take on board such recommendations; if they will, of the details; if not, the reasons for that?*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): President, the Government is very concerned about suspected bid-rigging in building maintenance works. Bid-rigging is a complex problem, which involves problems such as a few building owners colluding with owners' corporations (OCs), management companies and maintenance works consultants in order to manipulate building maintenance decisions, and so on, or even corruption and triad involvement. Relevant government departments and related organizations work closely in taking a multi-pronged approach to combat and prevent bid-rigging in building maintenance works.

On the three parts of the question, the information provided by relevant bureaux and departments are consolidated in my reply as follows:

- (1) According to the statistics compiled by the Home Affairs Department since last year, six complaints by building owners alleging bid-rigging practices were received in 2014, including one from Yau Tsim Mong district, one from Kowloon City district, two from Tsuen Wan district, and two from Sha Tin district; and the Department received no such complaints from January to October 2015. Since these complaints were only made by individual owners and the Department has no power to conduct investigation, it is not possible to ascertain whether the complaints are substantiated. If the complaints suspect the involvement of improper means, the Department will advise owners to report to law-enforcement agencies.

On enforcement, the Independent Commission Against Corruption (ICAC) received some 3 800 corruption complaints involving building management and maintenance from 2011 to September 2015. One hundred and twenty-one and 106 persons were prosecuted and convicted respectively during that period as a result of such types of complaints.

The Organized Crime and Triad Bureau of the Hong Kong Police Force launched the RenoSafe Scheme to encourage the public to provide intelligence more proactively by educating them about crimes that may arise from building maintenance works. As at October 2015, the Police hotlines have received 41 reports, of which 28 involved problems concerning bid-rigging in building maintenance works. Relevant cases have already been referred to respective units or other departments for follow-up.

To protect the interests of the relevant building owners, and in view of the need of law-enforcement agencies to maintain confidentiality, we will not disclose the names of the buildings concerned or other information on the cases.

- (2) As I mentioned just now, relevant government departments and related agencies work closely in taking a multi-pronged approach to strengthen the combat against and prevention of bid-rigging in building maintenance works.

In particular, the Home Affairs Department, through its Building Management Professional Advisory Service Scheme, engages professional property management companies to assist owners of old buildings, especially the "three-nil" buildings, in forming OCs, applying for subsidies, commencing maintenance works and following up on the tendering, and so on. One hundred and fifty-nine OCs have been assisted so far to apply for subsidies to commence maintenance works. The Department has implemented since April 2014 the two-year pilot "AP Easy" Building Maintenance Advisory Service Scheme in collaboration with three professional bodies, which provide OCs intending to carry out building maintenance works with professional advice in respect of the selection of appropriate consultant to commence works. Of the 73 eligible OCs joining the Scheme so far, the Department has arranged 72 OCs to meet the expert team and is arranging a meeting for the remaining one.

The ICAC provides advice on effective corruption prevention measures, checklists on points-to-note and templates of documents for the reference of owners; and conducts district seminars to

elaborate on the corruption risks in building maintenance and the related preventive measures. On law enforcement, as bid-rigging has aroused extensive public concern, the ICAC, in addition to its permanent dedicated group, established a special task force in April this year that investigated and detected several inter-related complaints involving building renovation contracts.

Moreover, the Police are concerned about illegal acts that may arise from building maintenance works, and will mount intelligence-led enforcement operations to stop infiltration by triads or criminal syndicates in building maintenance works through unlawful means in order to make profits. The Police, through its RenoSafe Scheme, also educate the public to be aware of anyone employing unlawful means to influence the tendering and procedures of maintenance works. The Police distribute information packages, posters and banners to step up the promotion of related messages.

As executive agencies for the Operation Building Bright, the Urban Renewal Authority (URA) and the Hong Kong Housing Society have adopted new tendering arrangements since 2013 to ensure that the tendering procedures of the participating buildings are open, fair and competitive. Moreover, the Integrated Building Maintenance Assistance Scheme currently run by the URA, apart from offering financial support, engages independent consultant to provide third-party professional advice and estimate the market costs of the required repair and maintenance works for owners' reference. We are now taking stock with the URA of the experience from various assistance schemes, and will devise measures to strengthen the technical support offered to building owners in general, and reduce the risks of bid-rigging in their building maintenance works. We will make further announcements in due course.

Furthermore, the Competition Ordinance will come into full operation on 14 December 2015. To facilitate the understanding and compliance of the Ordinance, including provisions related to bid-rigging, within the construction industry, the Construction

Industry Council has drawn up the "Reference Materials — Competition Law for the Construction Industry" for reference by the industry.

- (3) The proposal to establish an independent body to regulate building maintenance matters involves considerations on multiple fronts. First, as owners are responsible for selecting appropriate consultants for their buildings, it is inappropriate for an independent body to appoint Authorized Persons as advance works consultants on their behalf.

As I mentioned earlier, bid-rigging often involves different aspects of improper or illegal conducts. At present, the Police, the ICAC and the Competition Commission are already handling the relevant investigation and enforcement work. Instead of setting up another independent body, we consider it more direct and effective for these law-enforcement agencies to tackle the matters in accordance with their statutory powers under relevant legislation. This also avoids problems such as overlap of functions. Moreover, as building maintenance often involves building management issues, setting up an independent body would not make it easier to intervene in owners' disputes on maintenance issues or other building management matters.

Another consideration is the administrative expenses inevitably entailed from setting up such independent body, which may have to be covered by levies from the industry. This would very likely be passed on to building owners, resulting in higher costs of maintenance works. We ought to consider such implication carefully.

Due to the foregoing considerations, the Government has no plan to set up an independent regulatory body on building maintenance matters. We wish to stress that the responsibility to maintain and repair private buildings, including undertaking the required tendering work for appointment of consultants and contractors, rests with the owners. Proper building maintenance and prevention of bid-rigging

require all owners' active participation and proactive monitoring of the work of OCs, management companies, and maintenance works consultants, and so on.

**MR CHAN HAN-PAN** (in Cantonese): *President, members of the public are in a panicky mood and have become nervous and suspicious as they do not know if they are caught in bid-rigging and they all the more cannot tell what is the reasonable price, thus making it even easier for them to believe hearsay and rumour. The bid-rigging syndicates can more easily take the opportunity to exploit them. It is disappointing that the Bureau's reply today is no more than cliché and a read-out from the script. For example, in the main reply the Bureau mentioned that a total of 41 reports have been received, of which 28 are under investigation. But what is the result of the investigation? The RenoSafe Scheme has been introduced for a long time and yet, the Bureau did not tell us in its reply the result of the investigation on these cases. When some professionals who are the black sheep of the industry are taking part in bid-rigging and when the Government is not genuinely committed to plugging the loopholes, it is actually conniving at these practices.*

*My supplementary question is that while the problem of bid-rigging involves technical issues and even triad involvement, the Government is telling us that it is not going to set up a dedicated department due to the expensive costs involved which may otherwise render the maintenance works affected. But the costs are actually just a drop in the bucket. To put it plainly, more than \$10 million involved in bid-rigging are pocketed by other people willy-nilly. I would like to ask the Government if it will demonstrate its resolve to show the people that it is willing to fight against the bid-rigging syndicates.*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): President, Mr CHAN Han-pan, we have expressly stated that the Government attaches great importance to bid-rigging in building maintenance works. The Government has the resolve and plan to tackle this problem. On the question of the reasonable price, we have accumulated quite a lot of experience from the maintenance works under the Operation Building Bright, which can serve as reference in many aspects. As

many buildings will ask about the reasonable price and how this can be handled when commissioning consultants and inviting tenders for their maintenance works, the authorities have, as I have said, adopted some measures. For instance, the URA, in assisting buildings in the tendering of maintenance works, does not only provide technical support but also teaches owners ways to determine whether the price is reasonable, such as requiring the bidder for the consultancy contract to set out clearly the persons to be engaged, the qualifications of these persons and the time to be allocated, to enable owners to ascertain whether the price is reasonable.

Moreover, we also engage independent consultants to make an assessment of the price, so that the owners can ascertain whether the maintenance works and tendering price are reasonable. In this connection, we hope that we can provide owners with support technically. We are currently conducting a review in collaboration with colleagues in the URA. On the prosecution front, as I said in my reply earlier on, 106 people have been convicted successfully.

**MR CHAN HAN-PAN** (in Cantonese): *President, my question is that, of the 41 reports received by the Police in relation to the RenoSafe Scheme, 28 cases are under investigation. Has the investigation of these cases arrived at any result? If so, what is the result? The Secretary has not answered my supplementary question.*

**PRESIDENT** (in Cantonese): Mr CHAN Han-pan, this is not the question that you just asked. You asked the Government whether it has the resolve to fight against the bid-rigging syndicates, and the Secretary has indicated the Government's resolve to do so. If his reply remains unconvincing to you, please follow it up through other channels.

**MR CHEUNG KWOK-CHE** (in Cantonese): *President, from the entire main reply, I think we are talking about ways to plug the loopholes in the lower stream or to address the bid-rigging problem in the lower stream. But insofar as the upper stream is concerned, that is, concerning how the OC or flat owners handle*

*major maintenance works as a whole, the main reply has not provided a comprehensive answer; nor has it explained how the District Offices (DOs) liaise with the OCs in the districts. The DOs have a lot of Liaison Officers but the figures show that only 159 OCs have applied for subsidies for commencement of works so far, of which some 70 are eligible for the subsidies under the scheme, and so on. But there are more than 1 000 maintenance projects being carried out a year. Why is it that only such a small number of projects are given special attention?*

*President, I wish to ask the Home Affairs Bureau what they have done in the upper stream over the years in order for the OCs to have the knowledge to carry out maintenance works. Besides, have the Liaison Officers of the DOs provided timely assistance to ensure that proper preparations are made with the OCs prior to the maintenance works, so that the OCs are prepared for the commencement of the future works and the taking of measures against bid-rigging? Will the Home Affairs Bureau please answer my question?*

**PRESIDENT** (in Cantonese): Secretary for Home Affairs, please reply.

**SECRETARY FOR HOME AFFAIRS** (in Cantonese): I thank Mr CHEUNG Kwok-che for his supplementary question. In respect of building management, the Government encourages owners and OCs to ensure timely maintenance and repair of their buildings for the safety of the public and buildings. To this end, we provide support to owners and OCs on building management and maintenance mainly through three measures, which include reviewing the entire Building Management Ordinance, regulating the property management industry and taking target-specific measures. The Home Affairs Department (HAD) is responsible for assisting the Secretary for Home Affairs in the implementation of the Building Management Ordinance. The District Building Management Liaison Teams of respective DOs advise and assist owners on matters relating to building management, including building maintenance works, to enable owners to better manage their buildings.

Moreover, we have in recent years introduced a number of measures targeting owners of old buildings, especially the management of "three-nil" buildings and the needs of these buildings in setting up OCs, with a view to providing comprehensive and in-depth support. In recent years, building management has involved an increasingly wide scope of issues and become more and more complicated. In the event of disputes between an OC and a property management company, particularly when major maintenance works are involved, the DO will make the utmost effort to provide co-ordination and mediation, while encouraging all parties to the disputes to foster communication. If the disputes persist, we will refer the case for professional advice, in the hope that all parties concerned can work in concert to discuss the entire large-scale maintenance project as well as other issues relating to property management, so that they can eventually resolve the problem together.

**MR CHEUNG KWOK-CHE** (in Cantonese): *President, the Secretary has not told me what the Liaison Officers will do. It is because everyone knows when the maintenance works of a building will commence or how many such projects will be undertaken in the district. She has to tell us the situation or she can provide the figures after this meeting to explain how the Liaison Officers made contacts with building owners as well as how many times they have communicated with them, in order to give us an idea about their work.*

**PRESIDENT** (in Cantonese): Mr CHEUNG, the Secretary has heard your request. Secretary for Home Affairs, can you provide figures on the work of the Liaison Officers?

**SECRETARY FOR HOME AFFAIRS** (in Cantonese): We can provide some figures in this connection. (Appendix I)

**MR TONY TSE** (in Cantonese): *President, Hong Kong does not only face an ageing population. In fact, the problem of ageing buildings is also increasingly serious. We have seen more and more buildings aged 30 years or more in Hong*



*Kong. Indeed, I think the Government is duty-bound to provide assistance to small owners. On the question of setting up a regulatory body, the Secretary for Development has put forward a host of reasons explaining that no consideration will be given to setting up a regulatory body. These reasons, in my view, do not hold water, and I find this disappointing.*

*Secretary, my supplementary question is this: We understand that it takes time and careful consideration to establish a regulatory body. In this connection, the Hong Kong Institute of Surveyors and I have proposed the setting up of an inter-organizational professional group, which can be named advisory committee on building maintenance works, before the regulatory body is established. Its main role is to set out the names of consultants ...*

**PRESIDENT** (in Cantonese): Mr TSE, please ask your supplementary question.

**MR TONY TSE** (in Cantonese): *I would like to ask the Government whether it will consider this proposal. If not, why not?*

**PRESIDENT** (in Cantonese): Secretary for Development, please reply.

**SECRETARY FOR DEVELOPMENT** (in Cantonese): I thank Mr Tony TSE for his suggestion. We have all along maintained close liaison with various professional bodies, and we have also discussed with the Hong Kong Institute of Surveyors their proposal of drawing up a list of professional consultants. We are studying this proposal now. As I said earlier on, we have been conducting studies with colleagues in the URA and taking stock with them the experience that we have obtained from the Integrated Building Maintenance Assistance Scheme, and we will also make reference to this proposal in the review.

**MR JAMES TO** (in Cantonese): *President, the prevalence of bid-rigging and the acts of bid-rigging syndicates are actually comparable to organized crimes in scale. President, I would like to ask the Government whether it will set up an inter-departmental task force to combat these acts. Looking back, two decades*

*ago, the Government established an inter-departmental law-enforcement group to explore ways to combat vice establishments commonly known as "fish ball stalls" from a multi-dimensional angle and on all fronts through various channels.*

*Bid-rigging involves hundreds of thousand dollars of the public and causes significant nuisance to the living environment at large. I would like to ask the Government whether it is aware that the bid-rigging problem has become an act of organized crime syndicates and whether it will set up an inter-departmental task force to combat such acts.*

**PRESIDENT** (in Cantonese): Secretary for Development, please reply.

**SECRETARY FOR DEVELOPMENT** (in Cantonese): President, proper co-ordination work will be done within the Government. As we mentioned earlier, there will be an inter-departmental working group comprising colleagues from the Development Bureau, the Home Affairs Bureau, the ICAC and the Police to look into these issues.

**MR ALBERT HO** (in Cantonese): *President, in fact, the Democratic Party has long actively called for the establishment of an independent regulatory body to assist owners to carry out large-scale maintenance works and to prevent bid-rigging from affecting or exploiting the public or cheating money out of the people. However, in its reply to the same request today, the Government put forward a diversity of excuses to reject it. President, what is most ridiculous is that in its reply the Government mentioned that the establishment of an independent body involves administrative costs and that the levies to be imposed on the industry may subsequently be passed onto the public. This is downright a nonsensical, unwise answer.*

*President, the Government knows very well that the problem of bid-rigging is affecting the well-being of several million people living in private buildings. The Government is duty-bound to deal with this problem. Now that it has failed to crack the case, though we appreciate the difficulties involved, we urge the*

*Government to assist the people to prevent crime. The Government can meet the expenditure with the tax revenue, so what does it have to do with the industry? The Government has failed to tackle the problem now, but since it has such a huge surplus and such a large amount of tax revenue, in order to protect the well-being of several million people ...*

**PRESIDENT** (in Cantonese): Mr HO, please ask your supplementary question.

**MR ALBERT HO** (in Cantonese): ... *this is actually very simple. Why does it not meet the expenditure by levying a tax or allocating a small sum of money from the enormous surplus for setting up a regulatory body? This is simple, and this is what the Government should do. Will the authorities reconsider it?*

**PRESIDENT** (in Cantonese): Secretary for Development, please reply.

**SECRETARY FOR DEVELOPMENT** (in Cantonese): President, as I mentioned earlier, the responsibility to maintain and repair private buildings, including inviting tender and appointing consultants, rests with the owners. The Government will do its utmost to provide owners with assistance and technical support. We hope that we can provide them with assistance institutionally. If illegal acts are involved, we will carry out the prosecution work jointly with the law-enforcement agencies in accordance with the existing laws.

**MR TAM YIU-CHUNG** (in Cantonese): *President, in its reply earlier the Government stated that it does have the resolve to combat bid-rigging syndicates but in reality, the small owners still cannot put their mind at ease because transparency is lacking in the building maintenance costs and it is difficult for owners to assess whether the price of the maintenance works is reasonable, thus making it possible for the bid-rigging syndicates to take advantage of the situation.*

*Chief Secretary for Administration, Carrie LAM, pointed out some time ago that the ICAC will develop a database using the information collected under the Operation Building Bright. This, we support. But can the Bureau provide more details on the setting up of this database? In the long term, will the Bureau collect statistics on the maintenance of private residential buildings, so that the database will have greater reference value?*

**PRESIDENT** (in Cantonese): Secretary for Development, please reply.

**SECRETARY FOR DEVELOPMENT** (in Cantonese): President, there are also relevant initiatives made in the community. For example, based on the data obtained from the Operation Building Bright projects, the University of Hong Kong compiled a simple building maintenance cost estimator in March this year, and this is an initiative taken as a start. On the other hand, through the Building Rehab Info Net, the URA shares information on Operation Building Bright cases for reference by interested building owners who wish to carry out maintenance works, including the contract price of the repair works and details of the cases, such as what kind of works were carried out and the situation of the repair works. Colleagues in the URA will gradually upload case samples of the Integrated Building Maintenance Assistance Scheme onto the Info Net later to provide more information for public reference.

In the long term, we will look into the feasibility of expanding the database to provide more information for the public. Members must understand that building maintenance is rather complex, for the cost depends on the design of the building and the scale of the maintenance works and more often than not, it also depends on whether the owners have additional demands, such as whether they hope to carry out renovation works. Therefore, more detailed consideration is warranted before deciding on whether or not to provide more information in the database.

**PRESIDENT** (in Cantonese): We have spent almost 24 minutes 30 seconds on this question. Second question.

## Government's Efforts in Addressing Climate Change

2. **MS EMILY LAU** (in Cantonese): *The Secretary for the Environment (the Secretary) will attend the United Nations Climate Change Conference, COP21 (the Climate Conference) to be held in Paris at the end of this month, and the C40 Large Cities Climate Summit will also be held in Paris at the same time. So far, the Secretary has not announced any new emission reduction commitments for Hong Kong and he has merely indicated that he will co-ordinate the efforts within the Government and communicate with the industries concerned after the Climate Conference. There are comments that this stance is not conducive to promoting international and inter-city discussions on addressing climate change. Regarding the Government's efforts in addressing climate change, will the Executive Authorities inform this Council:*

- (1) *given that there are a number of issues on the agenda of the Climate Conference, of the issues the discussion of which will be participated by the Secretary, and the major issues of concern of the authorities; whether the Government will pledge to set more stringent carbon reduction targets; if it will, of the details and the implementation date;*
- (2) *given that electricity generation and transportation are the major sources of greenhouse gas (GHG) emissions in Hong Kong, and the Scheme of Control Agreement (SCA) which regulates the power sector will expire in 2018, whether the Environment Bureau (ENB) has any plans to require the two power companies to shoulder more responsibilities in reducing GHG emissions under the new SCA; if ENB has such plans, of the details; concerning the reduction of GHG emissions from transportation, apart from the emission reduction measures mentioned in the Hong Kong Climate Change Report 2015, whether the Government has made reference to the experience of other regions and conducted studies on introducing other emission reduction measures; if it has, of the details; and*
- (3) *given that the C40 Large Cities Climate Leadership Group has organized the C40 Cities Climate Leadership Awards for three successive years since 2013 to commend cities for implementing*

*effective policies relating to climate change (e.g. promoting low-carbon lifestyle and green buildings) and share the experience with other cities, and that Hong Kong, despite being a member of the C40 Steering Committee, was not granted any awards in those three years, whether ENB has reviewed what relevant policy areas improvements on which Hong Kong needs to make, in order to enhance its efforts in addressing climate change?*

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): President, established in 2005, the C40 Cities Climate Leadership Group (C40) is an alliance formed by cities around the world to address climate change. The C40 endeavours to promote member cities' efforts in sustainable development, including carbon reduction. As a member city, Hong Kong is also a member of the C40 Steering Committee.

The United Nations adopted the United Nations Framework Convention on Climate Change (UNFCCC) in 1992, and have convened the United Nations Climate Change Conference (COP) on a yearly basis since 1995. The COP serves to report on the implementation of the UNFCCC, adopt resolutions on regulations and conduct discussions about new commitments. The twenty-first COP (COP21) will be held in Paris, France in December 2015.

My reply to the question raised by Ms Emily LAU is as follows:

- (1) I will attend the C40 Steering Committee Meeting, C40 Forum, and so on, to be held in Paris this December. I will also join the national delegation in attending various activities of the COP21 including the High-Level Segment, and will conduct and chair a seminar in the COP21 exhibition centre to discuss and share Hong Kong's strategies for addressing extreme climate risks. We will keep in view the discussions conducted and agreements reached at the COP21, and will study the agreements in detail, particularly the relevant carbon reduction commitments. We will also review our future policies in the light of the latest developments worldwide and local circumstances in addressing climate change in the post-COP21 era.

- (2) To reduce carbon emission from electricity generation, we earlier reviewed the future fuel mix for electricity generation and consulted the public. Having regard to the views received, in launching the public consultation on the future development of the electricity market in March this year, we announced that we would increase the percentage of gas generation to around 50% in 2020 and maintain the current interim measure to import 80% of the nuclear output from the Daya Bay Nuclear Power Station, such that nuclear import would account for around one-fourth of the total fuel mix. Subject to public views on the tariff implications, the Government is prepared to boost its support to the development of more renewable energy. In addition, the Government will enhance its efforts to promote energy saving and meet the remaining demand for electricity by coal-fired generation. These measures will help us achieve the target of reducing the carbon intensity by 50% to 60% by 2020 when compared with the 2005 level. We will implement the above plan with the power companies in the next regulatory period. Besides, in negotiating the new Scheme of Control Agreements with the power companies, we will also consider putting in place a suitable mechanism to enhance the promotion of energy efficiency, energy saving and the use of more renewable energy by power companies.

As regards the reduction of greenhouse gas (GHG) emissions from transportation, we will continue to encourage the use of public transport services and develop a transportation system with railway as the backbone. The Railway Development Strategy 2014 recommends that seven new railway projects be completed in the planning horizon up to 2031. The expanded railway network will cover areas inhabited by about 75% of our total population. We will keep in view and make reference to the experiences of other regions in transport emissions reduction. Furthermore, the Government has been actively promoting the wider use of electrical vehicles. With no roadside emissions, electrical vehicles are more energy-efficient than conventional vehicles and can help reduce GHG emissions. As at end October 2015, there were over 3 000

electrical vehicles in Hong Kong, which was a remarkable increase when compared with the figure of less than 100 in end 2010. We will continue to develop low-carbon public transport, keeping in view and making reference to the appropriate experiences of other regions in their transportation systems.

- (3) The C40 Cities Awards (formerly known as the C40 Cities Climate Leadership Awards) encourage healthy competition among cities around the world to step up their efforts in environmental protection. For the C40 Cities Awards this year, over 216 entries from 94 cities, including Hong Kong, were submitted. Most cities including Hong Kong did not win the Awards. Nevertheless, the two entries from Hong Kong have been recognized as among the 100 global best practices in addressing climate change this year. They will be included in the C40 database of best practices, and will also appear in a new publication titled "*Cities100*".

The Government of Hong Kong has been actively taking mitigation and adaptation measures to address climate change. The Hong Kong Climate Change Report 2015 published earlier consolidates the efforts of the relevant government departments. We will continue to review and optimize our policies and actions on carbon reduction in the areas of optimizing our fuel mix, maximizing energy efficiency, promoting green road transport, using clean fuel for motor vehicles and turning waste to energy.

**MS EMILY LAU** (in Cantonese): *Hong Kong people are thrilled to learn that someone has won an award, and we will celebrate likewise for the many sports awards we win lately. Now that the Secretary said that we do not win any awards in this regard, as is the case for most cities. This is understandable, since they get to compete with each other. Could the Secretary name for us the cities which have won the awards? Also, has the Government reviewed if our inadequate effort on environmental protection and emissions reduction is the reason why we cannot win the awards?*



**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): President, I thank Ms LAU for her concern about the issue as well as her supplementary question. As regards the awards, C40 will not announce the 10 cities to be awarded under the 10 respective categories until the meetings are held in early December, so the results are not yet available. However, as evident in this year, they consider that handing out the awards to merely 10 entries may not fully achieve the goal of C40, which is to facilitate various cities to share their best environmental practices through this platform. Therefore, we see that they have new arrangements this time, that is, the 200 or so entries from more than 90 cities are incorporated into a database named *Cities100* to serve as reference for various cities. Hong Kong has two entries on this occasion, and both have been included in the *Cities100* database. That is a reflection of the objective of entire C40, which is to facilitate sharing of best environmental practices through an information exchange platform. Hence, I see it as a positive step.

Of course, on the question as to how to win the awards, the process varies with different awards. The most important point for us being part of the C40 platform is that we are given a good opportunity for exchange, as different initiatives may be put to different uses in different cities. Some cities are still in the stage of development. Some practices have won the awards because they best suit the economic and social environments of those cities. Therefore, winning awards or not is not really a matter to be concerned about, notwithstanding the positive contribution it entails. Nevertheless, I can see that apart from presenting the 10 awards, C40 has also gathered 100 good models from among the cities, which is a good step to take. This is also a positive sign that out of the 200 or so entries, the two from Hong Kong are all included in the database.

**MS CYD HO** (in Cantonese): *President, the Secretary mentioned in part (1) of the main reply that when attending the C40 meetings to be held in Paris, they will also share Hong Kong's strategies for addressing extreme climate risks. Yet, in the press conference held by the Secretary and the Under Secretary last week, when it came to the report on climate change, I noted that they admitted the absence of any contingency measure for Hong Kong in this regard. Of course,*

*the issues of rising sea levels, flooding, electricity and water resources are also mentioned in the report. I am going to raise a simple, direct question in relation to people's daily life, namely very hot temperatures.*

*Last year, Hong Kong recorded a temperature as high as 36°C, with "feeling temperature" on the street soaring to 40°C. What measures are in place in Hong Kong to expeditiously tackle such kind of heat island effect? Districts where public rental housing (PRH) units inhabited by the grassroots are built are not the only areas affected. The health of the grassroots is also greatly undermined by the emissions from the many vehicles running in urban centres as well as the rise in temperature caused by the reflection of light by glass curtain walls.*

*Apart from the makeshift measures mentioned by the Secretary, such as the implementation of green building standards for PRH units completed after 2015-2016, the provision of heat shelters and the supply of drinking water for outdoor workers, what other immediate initiatives do the authorities have in place to mitigate the heat island effect in urban areas? For example, commercial buildings may be asked to replace their glass curtain walls with another type of walls; or water-cooled air conditioning systems can be installed for the districts. Also, what are the immediate improvement measures for old PRH estates?*

**PRESIDENT** (in Cantonese): Ms HO, please let the Secretary answer.

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): President, I thank Ms HO for raising the supplementary question. This is an issue of concern for tropical cities (including Hong Kong) under the impact of climate change, because Hong Kong's weather is basically hot in summer, and the impact of extreme climate on Hong Kong may also be intensified by global warming.

We may discuss the subject from several perspectives. The first one is the source, that is, how to mitigate the impact of extreme climate and heat island effect on Hong Kong. There may not be any short-term solution to the issues, so

I hope to have Members' understanding that addressing climate change is a long-term task. For example, the Government has from a planning perspective enhanced the ventilation performance and, with the support of the Environment Bureau, installed the first District Cooling System at the Kai Tak New Development Area. This not only increases the efficiency of electricity consumption for commercial buildings in the district as a whole, but also spares the need for individual buildings to install rooftop cooling systems, thus mitigating the heat island effect of the whole district. Moreover, the rooftop space thus vacated can be used for greening purposes so as to further reduce the heat island effect.

As regards the old districts, the subject is rather complicated. The initiatives proposed by the Development Bureau under the urban greening master plans are the world's commonest and quickest ways to mitigate the problem for densely populated old districts. As for glass curtain walls and the heat island effect, the two are not directly related scientifically. Whether glass or concrete is used will not have a big difference in terms of heat island effect. The main point is whether there is any greening or whether there is any water substance to absorb heat; using glass or concrete basically does not make much difference.

On the other hand, I hope Members would understand that, as mentioned in our Climate Change Report, even we make a concerted effort to address global warming through carbon reduction, temperature rise would remain unavoidable in the next few decades. Therefore, apart from minimizing heat island effect, there is a need to make the city more adaptable to this trend. Hong Kong is all along a hot city, and there is a basis for issuing notification, including the very hot weather warnings issued to outdoor workers. On this basis, we must endeavour to keep abreast of the times and strengthen the co-operation between different departments in this regard.

To put it simply, through the new developments in the city and the transformation of old districts, the heat island effect can be mitigated in the medium and long terms. At the same time, we need to strengthen the notification which serves as an appropriate means of communication with the public to alert employees engaging in outdoor work under very hot weather of the availability of shelters.

**MS CYD HO** (in Cantonese): *President, I know the scope of the subject is so wide that the Secretary may not be able to make a full reply in three minutes. May I know if the Secretary can undertake to conduct a detailed consultation and discussion with the community as a whole after attending the climate conference in Paris?*

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): President, I consider such idea categorically positive. Earlier, through the publication of the straightforward document, namely the Hong Kong Climate Change Report 2015, we seek to deepen Hong Kong people's understanding of climate change. Hence, it is our pleasure to keep communicating with the community after the Paris conference.

**MR CHAN HAK-KAN** (in Cantonese): *President, 90% of energy consumption in Hong Kong is related to buildings, accounting for 60% of Hong Kong's GHG emissions, yet there is nothing worth mentioning about the policies and measures adopted by the authorities for promoting green building. The Secretary, being an expert on green building, can do nothing but passively launch the Energy Saving Charter and green building labelling initiatives. On the other hand, Singapore rolled out its first and second Green Building Master Plans in 2006 and 2009 respectively. Nowadays, green building constitutes one-fourth of their gross floor area, and there are 2 100 or so buildings constructed with green building features. Will the SAR Government set a carbon reduction target for buildings in Hong Kong and map out a green building blueprint?*

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): President, I thank Mr CHAN's supplementary question in this regard. A lot of people in Hong Kong like to single out Singapore for comparison in various aspects, including green building. Recently, Hong Kong hosted one of the most important international green building conferences in the world. Experts from Singapore visited Hong Kong to gain an understanding of the latest work of the Hong Kong Government, including Hong Kong's first "Energy Saving Plan for the Built Environment 2015~2025+". They indicated that they were positive towards the efforts of the Hong Kong Government on energy saving and carbon reduction,

including green building. Their view was that if this blueprint could be implemented step by step, we should be able to achieve good results. This is the feedback which we received from the Singapore experts.

To put it simply, we hope that different cities can strengthen their energy saving or green efforts. In Hong Kong, as buildings account for 90% of electricity consumption and 60% of the carbon emissions, the lion's share of carbon emissions and electricity consumption come from buildings. In this connection, the Government unveiled in May this year Hong Kong's first "Energy Saving Plan for the Built Environment 2015~2025+", which sets out ways to achieve energy reduction on various fronts, including green building, and that is part of the effort.

In my view, the greatest challenge to Hong Kong stems from new buildings and this is one aspect. We already have a foundation and will continue to strengthen it. As regards government buildings, including public housing, we have made pledges accordingly. A large number of public housing flats will be built in Hong Kong over a long stretch of time ahead, and the Transport and Housing Bureau has pledged that all new public housing flats will be built based on the second-highest, or gold, standard set by the Hong Kong Green Building Council. It is our estimate that, through this policy, at least one-third of the public housing flats in Hong Kong will subsequently achieve a pretty high green building standard. Hence, this is a very good initiative.

To be frank, the hardest part comes to the privately-owned existing buildings, which make up the greatest proportion of buildings in Hong Kong. The biggest challenge lies on how to expedite the implementation of energy saving measures in these old building clusters and turn them into greener ones. Therefore, we will rise to the challenges in our work on the blueprint, strengthen communication with the industries in the year to come and establish a platform for further achievement in this regard.

**DR KENNETH CHAN** (in Cantonese): *President, I wish to follow up on the issues relating to public transport systems or public transport modes in part (2) of the Secretary's main reply. The Government's policy is certainly one of*

*railway-oriented, but buses, minibuses and taxis cannot just disappear completely in Hong Kong society. To members of the public or users, the development of green transport systems, in particular those for buses, minibuses and taxis, seems rather slow. Although the Secretary remarked in his reply that they "will continue to develop low-carbon public transport", one may imagine that when buses, minibuses and taxis come together in the same public transport interchange, those queuing for them will have to bear the brunt of the carbon emissions and high temperature thus generated. In this connection, will the Secretary make it clear if he admits the development is slow in this regard? Second, what are the practical and effective ways to make up for the lag in this respect?*

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): President, the focus of our discussion today is on addressing climate change, which covers carbon reduction, adaptation, and so on. What Dr CHAN mentioned somewhat deviates from the subject matter, though it may be marginally relevant. It has more to do with the pollutants that contribute to local air pollution. It is perhaps more appropriate for the Secretary for Transport and Housing to reply.

However, I wish to point out that we have set up an Inter-departmental Working Group on Climate Change comprising members from different bureaux and departments such as the Transport and Housing Bureau and the Transport Department. We will get together to discuss the issue of addressing climate change. One of the topics under discussion and subject to further review is on how to make better use of the opportunities brought about by electric buses in the context of public transport services. Apart from generating fewer carbon emissions, electric buses can also reduce air pollutants on the local roadside, including bus stations. Another advantage of the electric buses is that they emit less heat on the roadside and can thus mitigate the heat island effect on the roadside to a certain extent. Therefore, my brief reply today is that we will take forward the development of public bus electrification through departmental collaboration to help address climate change and improve the local roadside environment.

**PRESIDENT** (in Cantonese): Secretary, as you mentioned "the reduction of GHG emissions from transportation" in your main reply, the supplementary question raised by Dr Kenneth CHAN is relevant. We have spent almost 24 minutes on this question. We will now proceed to the third question.

### **Appointment of Chairmen and Members of Supreme Governing Bodies of Tertiary Institutions by Chancellor**

3. **DR KWOK KA-KI** (in Cantonese): *President, under the relevant legislation, the Chief Executive may, in his capacity as the Chancellor of the various publicly-funded tertiary institutions, appoint the chairmen and some of the members of the supreme governing bodies (i.e. "the Council") of these institutions. The term of office of the immediate past Chairman of the Council of the University of Hong Kong (HKU Council) ended on the 6th of this month, but the authorities have not yet announced the successor as of the middle of this month. In this connection, will the Government inform this Council:*

- (1) *of the factors to be taken into account by the Chancellor under the existing system in appointing the Chairman and members of the HKU Council, and whether such factors include the candidate's stance on safeguarding university autonomy and academic freedom, his familiarity with the affairs of the university, the political stance he has taken and his relationship with the Central Authorities; if so, of the details; if not, the reasons for that;*
- (2) *of the specific reasons for the Chancellor not announcing the successor before the departure from office of the immediate past Chairman of the HKU Council; whether such reasons include the opposition from the public and the teaching staff and students of the university to a particular candidate; whether the office of the Chairman of the HKU Council has previously been left vacant in the past because the Chancellor had yet to make any appointment; whether the authorities have assessed the impact on the operation of the university caused by such office being left vacant; if they have, of the details; and*

- (3) *whether the Chancellor, prior to appointing the chairmen and members of the supreme governing bodies of the various institutions, is required under the existing system to fully consult the teaching staff and students of the respective institutions as well as the public; if not, of the reasons for that; if so, the details, and when an appointment is being extensively questioned, whether the Chancellor is required to withdraw his decision to make such an appointment and conduct afresh another consultation on the appointment; if not, of the reasons for that?*

**SECRETARY FOR EDUCATION** (in Cantonese): President, the Government makes appointments to statutory bodies on the basis of the merit of individuals concerned, taking into account a candidate's ability, expertise, experience, integrity and commitment to public service and with due regard to the statutory provisions of statutory bodies, functions and nature of business of the bodies concerned.

Regarding Dr KWOK's question, our reply is as follows:

(1) and (3)

The eight University Grants Committee (UGC)-funded institutions in Hong Kong are all independent autonomous statutory bodies. They have their own Councils, serving as their supreme governing bodies. The respective ordinances and statutes of the eight UGC-funded institutions provide for the composition of their Councils, which consist of a certain number of members appointed by the Government or the Chancellor. Due to historical reasons as well as differences in terms of governance philosophy, religion, culture and circumstances of individual institutions, the legal provisions for the eight UGC-funded institutions, including the provisions setting out the composition of the Councils, do vary. Taking the University of Hong Kong (HKU) as an example, its Council consists of 24 persons, including seven (Chairman and six members) or 29.2%



appointed by the Chancellor. The remaining 17 members include members appointed by the Council itself, the Vice-Chancellor, representatives of teaching staff and students, and so on.

Regarding Council members appointed by the Government or the Chancellor, all along, appointments are made on a merit basis according to the abovementioned principle, taking into consideration the operation of institutions and the needs of higher education development of Hong Kong, with a view to appointing suitable candidates as Council members in accordance with the respective ordinances of the institutions.

Except ex-officio members, all Council members, including those appointed by the Government or the Chancellor, serve in their personal capacity. Members appointed by the Government or the Chancellor are prominent in their fields and eminent community leaders, who serve on a voluntary basis in an effort to contribute to the community. All Council members are expected to perform their duties under the law and act in the best long-term interests of the university, as well as safeguard academic freedom and institutional autonomy.

That said, as stated in the UGC Notes on Procedures, while institutions enjoy academic freedom and institutional autonomy, this does not exempt institutions from public interests and criticism. In fact, in view of the significant funding the institutions receive in the form of Government subvention, as well as the importance of higher education to the overall development of society, it is incumbent upon the Government and the community at large to have a legitimate interest in the operation of the institutions. Therefore, while remaining committed to safeguarding the academic freedom and institutional autonomy, the Council, as the supreme governing body of the institution, also has a responsibility to ensure transparency and accountability in the operation of the institution, with due regard to good governance, to secure that funding is put to appropriate uses that serve the best interests of the community and students.

- (2) Regarding appointments to the HKU Council, the decision, when made, will be announced at an appropriate time. In fact, relevant provisions of the Statutes of the University of Hong Kong Ordinance (Cap. 1053) stipulate that the Council may still exercise its powers notwithstanding a vacancy in the body. To our understanding, at its meeting held on 12 November, the HKU Council discussed various arrangements while the office of the Council Chairman was left vacant, including the election of a chairman among the Council members themselves to act at the meeting and the election of a spokesperson for the Council. In fact, apart from members appointed by the Chancellor, a seat under another membership category of the HKU Council is also vacant for the time being. Besides, there have been similar cases with other universities where the office of Council Chairman was left vacant temporarily for various reasons.

**DR KWOK KA-KI** (in Cantonese): *President, when the Secretary said that appointments were made on the basis of the merit of individuals, he was lying with eyes wide open. On the appointment of members or chairmen to the Councils, we note that LEUNG Chun-ying, a man who keeps tearing Hong Kong apart, has placed "LEUNG's Fans" in these Councils either for the fulfilment of certain political tasks, or as a means of political reward, so that people like Arthur LI and Leonie KI Man-fung could be appointed to the HKU Council. Since the storm over the appointment of the pro-vice-chancellor began, the HKU has suffered from numerous infirmities and pains. On the other hand, the offices of Chairmen of the Councils of the Lingnan University and The Chinese University of Hong Kong (CUHK) are still left vacant. It is evident that LEUNG Chun-ying, being the Chancellor, has spared no opportunity to exploit his appointment authority to turn the eight universities red and make them his political tool.*

*President, it was reported even by the China News Service on 9 November that for a hundred years since the founding of the HKU, the office of the Chairman of the HKU Council had never been left vacant, and it had not been so even during wartime ...*

**PRESIDENT** (in Cantonese): Dr KWOK, please ask your supplementary question.

**DR KWOK KA-KI** (in Cantonese): *Yes, President. The website of the China News Service also pointed out that the biggest controversy of the matter was that Arthur LI was rumoured to be the top candidate for appointment by LEUNG Chun-ying. Yet, Mr Arthur LI is notoriously known as the "education czar", for during his tenure of the Secretary for Education, he had repeatedly jeopardize institutional autonomy and impair academic freedom ...*

**PRESIDENT** (in Cantonese): Dr KWOK, you have spent a lot of time expressing your views, please ask your supplementary question.

**DR KWOK KA-KI** (in Cantonese): *President, I am going to put my question. In part (3) of my main question, I ask the Secretary how the authorities will handle the case if the person appointed or to be appointed does not have the support of students and the public. Why would I ask that? It is because the referendum conducted by the HKU students indicates that 90% of the students oppose the appointment of Arthur LI as the Chairman of the HKU Council, whereas 95% of the respondents of the referendum conducted by the Academic Staff Association oppose the appointment. May I ask the Secretary this — you should answer me: If an appointment of a person like Arthur LI is opposed by over 90% of the students and academic staff, should the Government persist in appointing that person? Can this fulfil the objective of upholding academic freedom and institutional autonomy of universities in Hong Kong? If the Government insists on appointing that person, it will not only undermine academic freedom but will also impair the hard-won institutional autonomy in Hong Kong and even ruin the new generation of university students in Hong Kong. Is it the intention of the authorities to ruin the education of the young people generation after generation?*

**SECRETARY FOR EDUCATION** (in Cantonese): President, I have to stress again here that on the appointment of members to all statutory bodies, we always adhere to the principle of basing on the merit of individuals. We will take into account a candidate's ability, expertise, experience, integrity and commitment to public services. We will also give due regard to the functions and nature of business of the statutory bodies concerned, and act in accordance with the law. As for the arrangement involving individuals, I will not comment here.

Regarding the situation of the two universities mentioned just now, as in the case of CUHK, I hope Members would understand that the Chancellor can only appoint of the Chairman of the Council on the recommendation of the Council of the university concerned. If the Council has not made any recommendation, as stipulated in law, the Chancellor may not make any appointment. This is a simple example for illustrating that we act in accordance with the law.

**DR KWOK KA-KI** (in Cantonese): *President, obviously, the Secretary has not answered my question. I asked the Secretary if a person was not supported by students and academic staff, would the Government insist on appointing that person. Will the Secretary answer this? Does it mean that as long as LEUNG Chun-ying considers that the appointment is based on the merit of individuals, he will turn a blind eye to the opposition of students and academic staff and make the appointment willfully?*

**PRESIDENT** (in Cantonese): Dr KWOK, you have already repeated your supplementary question. Secretary, do you have anything to add?

**SECRETARY FOR EDUCATION** (in Cantonese): I have nothing to add.

**MR IP KIN-YUEN** (in Cantonese): *President, the Secretary stated in the main reply that, "Regarding appointments to the HKU Council, the decision, when made, will be announced at an appropriate time." In fact, the "appropriate*

*time" has long passed. The office of the Chairman is now left vacant, which is highly inappropriate. I must say that it is regrettable. The Secretary said just now that the appointment of the Chairman of the Council should base on merit of individuals. May I ask the Secretary to explain the definition of "merit"? Should "merit" include the ability to consolidate the cohesion of all the people in the university and the ability to gain the support of all stakeholders including teachers, students and alumni? Will these qualities be regarded as part of the "merit" in considering the appointment and will these qualities be considered important? Should the appointee possess these qualities in order to take up the office of the Chairman of the Council?*

**SECRETARY FOR EDUCATION** (in Cantonese): President, there is one important point, that is, the appointees are appointed to the public offices in their individual capacities. These members are usually leading figures in their respective sectors and eminent community leaders who serve on a voluntary basis in these public offices. Moreover, it is important for them to act in the interest of the long-term development of universities as well as in the interest of students. Furthermore, we know that these appointees will surely discharge their duties and safeguard academic freedom and institutional autonomy in accordance with the law.

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

**MR IP KIN-YUEN** (in Cantonese): *President, the Secretary is obviously circumventing the question. He has not answered my question at all.*

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

**MR IP KIN-YUEN** (in Cantonese): *My supplementary question is: In the appointment of the Chairman of the Council, is it important for the appointee to possess the ability to consolidate the cohesion of all the people in the universities and gain the support of the stakeholders of universities? Why does the Secretary not give a direct answer to my question?*

**SECRETARY FOR EDUCATION** (in Cantonese): President, as I said, in making the appointment of any one of the member of the Council, we are duty-bound to make sure that the appointee is an individual in his or her respective sector who can make concrete contribution to the statutory bodies concerned (that is, an institute in this case), and that the appointee will act in the interest of the institute. The major principle is that the appointee is able to contribute.

**MR ALAN LEONG** (in Cantonese): *President, the Secretary's main reply has more than one page and hundreds of words. I would like the Secretary to confirm with this Council whether he has consulted the Chief Executive in preparing the answer to this question. Does the Secretary's reply represent his own thought — as if he has the authority to make a decision — or just follow the instruction of LEUNG Chun-ying?*

**SECRETARY FOR EDUCATION** (in Cantonese): President, my response to the question is made in my capacity of the Secretary for Education and in accordance with the Education Ordinance and the legislation concerning the UGC, inter-institutional collaboration and individual institutions.

**MR LEE CHEUK-YAN** (in Cantonese): *President, my heart rends for the HKU, as the office of the Chairman of the HKU Council is still left vacant. I feel heart-rending for LEUNG Chun-ying's ultimate intention to stretch his wicked influence into the HKU. This will definitely jeopardize the institutional autonomy of universities in Hong Kong. My supplementary question is about a point stressed by the Secretary just now, which is also an "all-purpose key" the*

*Government resorts to these days — making appointments on the basis of merit of individuals. A moment ago, Mr IP Kin-yuen asked the Secretary to provide a definition for "making appointments on the basis of merit of individuals". Let me give the definition. It means "appointment of lackeys". It is as simple as that. The purpose of the Government's appointments are simply not for the development of universities ...*

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

**MR LEE CHEUK-YAN** (in Cantonese): ... *it is obvious to all that Arthur LI is the almost certain candidate now. People are most worried about the possible appointment of Arthur LI to the office of Chancellor, for he does not care about the development of universities and that of the HKU, and he had opposed donations to the HKU and discouraged others from making donations to the HKU in the past. He lacks integrity and he is ignorant ...*

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

**MR LEE CHEUK-YAN** (in Cantonese): *In the incident concerning the appointment of Johannes CHAN, he even made remarks about whether the HKU needed a party committee secretary and criticized Johannes CHAN for not possessing a doctorate. But he forgot that Johannes CHAN is so far the only Honorary Senior Counsel ...*

**PRESIDENT** (in Cantonese): Mr LEE, please stop expressing your views.

**MR LEE CHEUK-YAN** (in Cantonese): *The Secretary has pointed out that various elements will be taken into consideration in making appointments. My supplementary question is: Has the Secretary taken into consideration the*

*element of "harmony"? Since there is no doubt that Arthur LI is prone to "provoke disputes", he will surely leave the HKU in utter confusion. To put it coarsely in Cantonese, I do not want to "撻朵" (meaning to "adduce the name of a famous person to win support"), but for the interest of the HKU, I have no alternative but to adduce the name of XI Jinping. XI Jinping once said that Hong Kong needed harmony. Does this also apply to the HKU? If so, should the Government hold off the appointment of Arthur LI, a person who is prone to "provoke disputes" and will leave the HKU in utter confusion, to the office of the Chairman of the HKU Council? Will the Government take into consideration the element of "harmony"?*

**SECRETARY FOR EDUCATION** (in Cantonese): President, just now, I have stressed once and again that in considering the appointments of the members, we will make sure that the person concerned has the ability to make contribution to the institution concerned and will act in the long-term interest of the institution and students before making the appointment. I will not comment on individual cases.

**MR LEE CHEUK-YAN** (in Cantonese): *President, I am just asking whether the element of "harmony" will be taken into consideration.*

**PRESIDENT** (in Cantonese): Secretary, do you have anything to add regarding the question of "harmony"?

**SECRETARY FOR EDUCATION** (in Cantonese): President, I would like to stress once again that the capability of a person to make contribution to an institute include an array of elements, and that may only be one of the elements.

**MR CHAN CHI-CHUEN** (in Cantonese): *President, the Secretary said in the very beginning of the main reply that appointments were made on the merit of individuals, yet what are the merits of the existing HKU Council? I would use*



*this phrase to describe it: "唔地才"<sup>1</sup> — meaning not clear and not knowing. The public would like to know whether the person claiming to have the "merit" has yet to develop the merit, but I think the Secretary would not be able to provide the answer despite further pursue.*

*My supplementary question is about the incident in which students stormed into the conference room during a meeting of the HKU Council held some time ago. The tape recording of the meeting was leaked later, proving that certain members of the HKU Council had been babbling nonsense. This is rather ridiculous. The Education Bureau subsequently issued a statement to strongly condemn the leak. However, the Education Bureau had not made any statement when the Wen Wei Po Daily disclosed that Johannes CHAN would soon be appointed the pro-vice-chancellor. May I ask the Secretary whether he will come forward to condemn that disclosure?*

**PRESIDENT** (in Cantonese): Mr CHAN, your question is irrelevant to the main question.

**MR CHAN CHI-CHUEN** (in Cantonese): *President, the two questions are definitely relevant, for they can prove that the standard adopted by the Government in handling the HKU Council incident varies according to the authority and force involved.*

**PRESIDENT** (in Cantonese): Secretary, would you like to answer this question?

**SECRETARY FOR EDUCATION** (in Cantonese): President, Members can see that the two incidents cannot be linked together. The Education Bureau responded only after the management of the HKU had given its response, made

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<sup>1</sup> "唔地才": The Cantonese pronunciation of the last character of the term "唔地才" (ng4dei6coi4), that is "才"(coi4) puns with the character "才" (coi4) (meaning merit) in the Chinese idiom "用人唯才".

its decision, made public its position and decided to call the Police to handle the situation. The Education Bureau also considered the incident serious, and that was why we made a response to the incident. President, it is that simple.

**DR KENNETH CHAN** (in Cantonese): *President, let me follow up on the question put forth by Mr CHAN Chi-chuen.*

*Actually, the Secretary for Education said in the main reply that "the Council, as the supreme governing body of the institution, also has a responsibility to ensure transparency and accountability in the operation of the institution, with due regard to good governance, to secure that funding is put to appropriate uses that serve the best interests of the community and students." In the incident concerning the appointment of Prof Johannes CHAN, which involved considerable controversy, why has the Secretary for Education or the Education Bureau not reiterated this proper, righteous, normal and reasonable position and requested the HKU Council to enhance transparency and accountability? Why has the Secretary or the Bureau, on the contrary, sided with the HKU Council to make strong condemnation against the Council members who have responded to public queries about the incident and expressed their concerns about the use of public funds and public interests?*

**SECRETARY FOR EDUCATION** (in Cantonese): President, I emphasize once again that the response of the Education Bureau has already taken into account the response of the top management of the HKU to the incident, which includes seeking assistance from the authorities concerned and requiring the meeting to be held lawfully and in accordance with the procedures. The Education Bureau only made the response after that, because this is an important incident.

**MR PAUL TSE** (in Cantonese): *President, first, I have to declare that I am one of the members of the Court of HKU. President, Members should know from common sense that according to the protocol stipulated in the relevant laws and schedules to the laws of the HKU, the decision of the HKU will remain valid even if any office of Members, as well as that of the Chairman, of the HKU Council, is*

*left vacant, and the operation of the HKU will continue. However, this is the so-called contingency arrangement which is made to cope with unforeseeable situations, such as members become seriously ill or members have to attend to urgent family matters, and so on. The arrangement is not designed for the existing scenario. Moreover, over the many years in the past, there was no precedent of the office of the Chairman of the Council being left vacant. Since the District Council Election is now over, does the Secretary know the earliest time a decision will be made in this respect to let the HKU return to normal?*

**SECRETARY FOR EDUCATION** (in Cantonese): President, we understand the development of the incident, that is why I earnestly hope that the candidate can be identified at an appropriate time and we will announce the decision at an appropriate time.

**PRESIDENT** (in Cantonese): This Council has spent nearly 23 minutes on this question. Fourth question.

### **English Proficiency of Hong Kong People**

4. **MS STARRY LEE** (in Cantonese): *President, the study report published by the University of Hong Kong in August this year showed that among the members of the public aged 12 or above who responded to a survey, 62% claimed that they could speak English. However, upon assessment by researchers, only about 27% and 24% of the respondents had actually attained a certain level of proficiency in oral English and written English respectively, and only about 2% and 5% of respondents had been assessed as "Very well" in proficiency of oral English and written English respectively. Moreover, according to a report released by an education organization this month on English proficiency ranking of adults, Hong Kong ranked 33rd among 70 countries and territories and ninth in the Asian region (trailing behind Japan, Taiwan, South Korea and Vietnam), and its ranking is also lower than those of Shanghai and Beijing among Chinese cities. At the same time, the Examination Report and Question Papers for the Hong Kong Diploma of Secondary Education Examination published by the Hong*

*Kong Examinations and Assessment Authority this month also pointed out that some candidates sitting the English Language examination had used "Chinglish" in their composition, while candidates sitting Paper 4 on speaking skills were found to have a limited vocabulary and could only use simple words repeatedly in conversation. Regarding the English proficiency of Hong Kong people, will the Government inform this Council:*

- (1) whether it has examined if the aforesaid reports have objectively reflected the English proficiency of Hong Kong people; of the authorities' scientific methods to assess the English proficiency of Hong Kong people;*
- (2) whether it knows the number of schools in Hong Kong currently using English as the medium of daily communication on campus; of the measures in place to encourage schools to foster a good English-learning environment, such as organizing more activities like drama, recitation and singing to be conducted in English, so as to develop students' interest in learning English; and*
- (3) whether it has reviewed the effectiveness of the Native-speaking English Teacher (NET) Scheme which is currently implemented, including whether NETs only play a peripheral role to the English curriculums, and whether there are adequate opportunities for students to interact and exchange with NETs on campus; if it has reviewed, of the details; if not, the reasons for that?*

**SECRETARY FOR EDUCATION** (in Cantonese): President, my reply to Ms Starry LEE's question is as follows:

- (1) The first report mentioned by the Member is the territory-wide sociolinguistic studies on the language use in Hong Kong conducted by the University of Hong Kong. Study results regarding language use in society were published in 1983, 1993, 2003 and 2005. The 2015 study was based on telephone interviews with 2 000 Hong Kong citizens and detailed analysis of the 2011 census data, together

with expert assessment. The study results are, therefore, generally representative. According to the study report published in August 2015, there was an increase in the number of interviewees who believed they speak English "well" or "very well", from 14% in 2003 to 16.9% in 2015.

The second study mentioned by the Member must be the EF (Education First) English Proficiency Index. The report should be interpreted with caution as the study may be commercially-oriented, with a vested interest. According to the information provided by the EF online, the test takers are self-selected and self-recommended and the results may not necessarily provide a true picture of the English standards of the countries or regions concerned. Further, since the tests are administered online, non-Internet users and those taking the tests outside the data collection period are excluded. Therefore, generally speaking, it is evident that the test results are neither objective nor representative.

The third study mentioned by the Member is the Subject Examination Report and Question Papers published by the Hong Kong Examinations and Assessment Authority (HKEAA) this month. The report points out, in particular, some candidates' problems, such as "Chinglish" and "limited vocabulary", and pinpoint mainly the most representative and objective proficiency test administered by the HKEAA. The student problems listed in the report only serve as a reminder for candidates of what they should pay more attention to in their learning. Statistics from the Hong Kong Diploma of Secondary Education (HKDSE) Examinations have shown that the English standards of Hong Kong students have remained stable. Over the past four HKDSE Examinations (that is, 2012 to 2015), secondary students' performance in the English Language subject was quite steady, with more than 77% of them attaining Level 2 or above (that is, the minimum requirements for the application of civil service posts and associate degree programmes). The percentage of students

attaining Level 3 or above (that is, the minimum requirement for admission to local four-year undergraduate university programmes) increased from 50% in 2012 to 52.4% in 2015.

Furthermore, other factors, such as the Territory-wide System Assessment (TSA), will also be taken into account. TSA is conducted upon students' completion of Primary Three, Primary Six and Secondary Three to provide objective, comprehensive and quality territory-wide data on students' competencies in the three subjects of Chinese Language, English Language and Mathematics. In respect of their basic competencies in English Language, Primary Three students' performance was improved from 75.9% in 2004 to 80.3% in 2014, whereas Primary Six from 70.5% in 2005 to 72.4% in 2013, and Secondary Three from 68.6% in 2006 to 69.3% in 2014. It is thus evident that students' competencies have seen a steady development, though there is certainly room for improvement.

- (2) Regarding the arrangements made by the Education Bureau to fine-tune the medium of instruction for secondary schools as mentioned in part (2) of the question, since the 2010-2011 school year, there has been no more bifurcation of schools into Chinese medium of instruction schools and English medium of instruction schools and schools can make flexible arrangements on the number of classes adopting English as the medium of instruction according to the abilities and needs of the students. Therefore, different activities and arrangements will often be organized and made in schools to enable students to improve their English by enhancing their exposure to English and providing more opportunities for them to use English through non-language subjects and Extended Learning Activities.

Four hundred and fifty-nine public-sector primary schools and 406 public-sector secondary schools have joined the Native-speaking English Teacher (NET) Scheme. Generally speaking, the Scheme aims to provide many schools with English learning activities and

learning environment, such as English camp, English Day, English drama, Campus TV, overseas exchange programmes, "The English Alliance", digital story-telling, debating and puppetry competitions, with a view to creating more comprehensive conditions in daily life.

- (3) As regards the NET Scheme mentioned in part (3) of the question, we understand the significance of the relevant arrangements. Since 1998, we have begun conducting large-scale studies, and seen that these arrangements can help students learn English. The second large-scale evaluation was launched in the latter half of the 2014-2015 school year, and the results are expected to be available by the end of the 2015-2016 school year. Initial data analysis can help us gain a more comprehensive understanding of ways to enhance efforts on this front.

The Education Bureau is currently studying the possibility of providing an additional NET for public-sector primary schools with a greater number of classes and will follow up on the study findings in reviewing the pilot project.

**MS STARRY LEE** (in Cantonese): *President, my conclusion drawn from the Government's reply is that the English standard in Hong Kong is better than those in our neighbouring countries, and there is no serious problem with our students, given the rise in their English standards. Nevertheless, figures may sometimes numb the sense of the people. After examining the figures, we as political figures will make district visits to consult members of the public. When we consulted the employers or when the employers took the initiative to relay their views to us, quite a number of them expressed their concern about the English standards of the graduates in Hong Kong. Quite many multinational companies have indicated that the talents in Hong Kong compare less favourably than those in Singapore in terms of English standards, thus demonstrating, Secretary, a discrepancy between the actual situation and the figures. Hence, I would like to request the Secretary to regard upgrading the English standards of students as a key task.*

*Regarding part (2) of the main reply given by the Secretary, I think that he has not answered my question direct. In my opinion, an English environment is most crucial to learning the language. One must seize more opportunities to speak, listen to, write and read English with constant practice before progress can be made. Given that Hong Kong is a Chinese society, Hong Kong students actually do not have many opportunities to practise English in an English environment. This explains why I have been promoting more schools to require students to communicate in English on campus, with a view to providing them with a rich environment to practise English. Does the Secretary agree with me? Has the Secretary have a plan of this sort rather than proposing a language policy or organizing English camp?*

**SECRETARY FOR EDUCATION** (in Cantonese): President, I have already mentioned the factor in the main reply, though it is quite brief. Perhaps let me give a more detailed reply. The environment is a key factor. This is why I mentioned a moment ago that English Day can allow students to communicate in English all day long. During a visit to a school a couple of days ago, I found that the students in the school communicate in Chinese and English on alternate weeks. In fact, many individual schools have already embarked on similar activities to make teachers appreciate the significance of these activities, and understand and study how to enhance various components, including reading. Actually, as mentioned by the Honourable Member just now, ongoing activities, such as English Day, have been conducted in schools.

**PRESIDENT** (in Cantonese): Ms LEE, has your supplementary question not been answered?

**MS STARRY LEE** (in Cantonese): *The Secretary has not answered my supplementary question direct. The supplementary question raised by me just now is very specific. I propose promoting more schools to use English as the medium of daily communication, but the Secretary has not answered whether he agrees with my proposal and whether he will implement it, as well as revealing the number of schools which have already implemented this initiative.*



**SECRETARY FOR EDUCATION** (in Cantonese): Excuse me for missing this part just now, President. I fully agree with this initiative. Currently, we are arranging pairing between 50 international schools in Hong Kong with local primary or secondary schools to enable the students involved to conduct mutual visits and attend lessons together. This is a new idea. The relevant studies are being conducted, and the arrangements are being made, too.

**MR CHARLES PETER MOK:** *President, I find the reply provided by the Secretary totally unacceptable. He is simply looking for excuses to cover up the situation that we all see is deteriorating and he is telling us that nothing is wrong, everything is okay; but it is not.*

*Secretary, actually in your answer, you criticized the assessment made by the organization called Education First (EF), and that is misleading. But in fact, from our own personal experience and observation, we know that the level of spoken and written English is getting worse and worse.*

*President, in the reply provided by the Secretary, in terms of the IELTS results, Hong Kong is only ranked between "competent" and "good". I found it very surprising that the Secretary actually found that to be acceptable. You know we are not even "good". The English level in Hong Kong is not even good, but still the Secretary found it satisfactory. Now, my specific question is about the Native-speaking English Teacher (NET) programme. The Secretary is basically saying that he has been promoting a number of activities, such as English camp, drama, radio debates, and so on, but there is nothing done about reading. We all know that reading is the most important part when it comes to learning written and spoken English. Can the Secretary tell us whether there is any initiative being planned or promoted to encourage students to read more English books? Does the Secretary have a figure or target on the number of books to be read by students at different levels? Does he have any average figures for different grades and any targets that have been set?*

**SECRETARY FOR EDUCATION:** President, I would like to respond in three aspects. First, in terms of the commercial organization, EF, I have been talking about this particular test and information arranged for several years. The data

published would be on those who choose to sign online to do the test. There is also another argument. If I am competent or confident about my English standard, I do not need to sit the test. So this is another way to look at the test. That is why the test is not representative whatsoever. So, please do not be misled by this piece of information.

On the subject of IELTS, the 6.4 ranking is between the "competent users" and "good users" categories. If you ask me if I am satisfied with 6.4, probably I would say "No". Meanwhile, this test has been introduced into Hong Kong for several years now, and we really wish to see improvement in this as more and more graduates are expected to sit the test, and they are also encouraged by universities to do so. Hence, IELTS is gaining popularity, as more and more members of the public have expressed confidence in its representativeness.

Last but not least, in respect of reading, actually quite a lot of activities have been going on, in particular the promotion of reading, in schools. If you visit the schools, you will probably find them equipped with libraries. Moreover, a lot of students from different classes participate as volunteers in the libraries of many schools. This is a very popular activity in most schools. Though I do not have the specific figures on the number of schools doing it, most schools have libraries. I believe it is very common for schools to have their own libraries today.

**MR CHARLES PETER MOK:** *I was asking about the figure or target that has been set. Has the Education Bureau set any target on the number of books to be read by students?*

**SECRETARY FOR EDUCATION:** President, I believe different schools and class levels will have different practices and patterns. I have met a primary school student who reads 10 books a week, and a secondary school student who reads about one or two books a month. It all depends on the class level and the purpose of it, say side reading or leisure reading.

Talking about encouragement, I think both the schools and parents are supportive. If you go to restaurants over the weekends, you will find a lot of kids with books or electronic books in their hands. We believe the number of book readers is growing, and the reading culture is getting healthier and gaining momentum.

**MR KENNETH LEUNG:** *President, I think the data quoted by the Secretary is saying "Okay, 77% of students attained Level 2 or above" but it is kind of an attempt by the Secretary to massage the figures. In fact, we all know it is an indisputable fact that the general standard of English has declined during the past 30 years. I have spoken to many English teachers including, President, the wife of the Secretary, who was my secondary English teacher. The question is: Secretary, do you agree that the core of the issue lies in the English syllabus itself? Nowadays, we concentrate very much on the usage of English and there is no systematic way of teaching English grammar, which I think is very fundamental and important. If you are going to review the English curriculum, would you consider reviewing it and putting more emphasis on grammar teaching?*

**SECRETARY FOR EDUCATION:** President, I do agree that there is room for improvement. So, in terms of ongoing review of the curriculum of different levels with different focuses — in terms of different dimensions of language mastery, such as hearing, listening, speaking and writing — there should be room for further improvement. This is point number one. Secondly, the curriculum is a general guide. When it comes to the schools, their professional teachers should exercise their judgment in deciding when to do what along the line of the curriculum. We still have grammar teaching, but not to the fullest extent like being made a mechanical portion of the school syllabus. So this is the way it is moving, and teachers are mindful of it. But the priority is to encourage students to use the English language and then try to improve their grammar and style of writing. I agree we should focus on that.

**MR KENNETH LEUNG:** *President, I think the Secretary has not answered my question. Will he re-emphasize the role of formal grammar teaching? I am not asking what he is doing now, and I am not emphasizing on writing, reading and listening.*

**SECRETARY FOR EDUCATION:** President, let me confirm that systematic teaching of grammar is a very important part of the current English curriculum.

**IR DR LO WAI-KWOK** (in Cantonese): *President, quite a lot of ethnic minority students actually have more opportunities to get in touch with and make use of English in their daily life. Regarding its policy on education of students of ethnic minorities, has the Government capitalized on their edges on the English front and encourage them and local students to encourage and upgrade each other on the language front? Furthermore, can the Government conduct interviews with ethnic minority students in English, with a view to enhancing their chances of admission? Has the Government formulated a policy in this respect?*

**SECRETARY FOR EDUCATION** (in Cantonese): President, we hope to first understand the ability and interest of students upon their admission to schools before making arrangements. Even if students of ethnic minorities can only communicate in, English for example, upon admission, we will still understand and accept these students.

The day before yesterday, I visited a school in which 40% to 50% of its students were of ethnic minorities. These students were very pleased that they could be promoted from Secondary One to Secondary Two or Three together, whereas individual students had started to learn Chinese step by step. Meanwhile, local students were given more opportunities to communicate in English because of these ethnic minority students. In the example I cited just now, I was referring to this school when I mentioned that the students in a school communicate in Chinese and English on alternate weeks.

I personally witnessed that several hundred students in this school were able to fully express themselves using their languages. In one of the specially arranged activities — the school did not have time to make a special arrangement for me because of my short notice, so I was able to see the real picture clearly — a group of ethnic minority students were arranged to perform Cantonese operatic songs for me. Most importantly, they enjoyed singing the songs immensely. Although their pronunciation was not entirely accurate, I could still feel the environment typical of Cantonese operatic songs. Moreover, when I talked with these students, they were able to express themselves very naturally and comfortably.

**PRESIDENT** (in Cantonese): We have spent more than 22 minutes and 30 seconds on this question. Fifth question.

### **Impacts of Marine Works on Fisheries Industry**

5. **MR STEVEN HO** (in Cantonese): *President, the Hong Kong-Zhuhai-Macao Bridge (HZMB) is an important infrastructure project to link up the three places of Hong Kong, the Mainland and Macao. However, the HZMB project has been delayed repeatedly, and its completion date is not yet confirmed. Some fishermen have relayed to me that this project and other marine works not only have affected their fishing activities, but also posed hazards to the safety of vessels navigating at night as some works materials such as silt curtains have been left in the sea and become floating objects. Furthermore, the Government currently will not increase the ex-gratia allowances (EGA) for fishermen in respect of project delays. In this connection, will the Government inform this Council:*

- (1) *how the relevant government departments currently monitor the works progress of the contractors of the HZMB project; whether the authorities will provide compensations to the fishermen affected by the delays of that project; if they will, of the details; if not, the reasons for that;*

- (2) *as some fishermen have pointed out that the Government has failed to closely monitor the impacts of marine works on the fisheries industry and marine ecology, whether the Government has collected, before and after such works, data on the marine ecology and fisheries resources in the waters where marine works will be/have been carried out, so as to assess the impacts of such works more accurately; if it has, of the details; if not, the reasons for that, and whether it will collect such data; whether it will strengthen the monitoring of marine works contractors to ascertain if they have securely fastened works materials such as silt curtains, so as to ensure the safe navigation of vessels; and*
- (3) *given that delays in marine works will prolong the duration for which fishermen cannot carry out fishing activities in the waters concerned, whether the authorities will review the current system of EGA for fishermen, so as to grant additional EGA to fishermen affected by project delays?*

**SECRETARY FOR TRANSPORT AND HOUSING** (in Cantonese):  
President, our consolidated reply to Mr Steven HO's question is as follows.

Since the waters in Hong Kong do not belong to anybody, fishermen who lost their habitual fishing grounds due to marine works projects do not have legal rights over the waters where they habitually fish and they are not entitled to any statutory compensation. The Government, however, recognizes that the affected fishermen may face a reduction in income and may incur extra expenses in relocating their activities to fishing grounds elsewhere. Therefore, the Government has put in place a mechanism to provide an ex-gratia allowance to affected fishermen who fulfil certain eligibility criteria on compassionate ground. An inter-departmental working group has also been set up to handle the relevant matters.

The ex-gratia allowance payable to eligible fishermen affected by marine works projects is calculated on the basis of the notional value of fish catch from the affected area of marine works projects resulting in permanent loss of fishing

grounds (mainly due to reclamation operations); and the notional value of fish catch from the affected area of marine works projects resulting in temporary loss of fishing grounds due to sand dredging or mud disposal operations, and so on, respectively.

The Food and Health Bureau reviewed the mechanism in 2012, and obtained support from the Finance Committee of the Legislative Council on 27 April in the same year for a significant upward adjustment of the basis for calculating the ex-gratia allowance. According to the new calculation basis, the ex-gratia allowance payable in respect of marine works resulting in a permanent loss of fishing grounds is equivalent to the notional value of fish catch in the affected area for 11 years (rising from seven years) whereas the ex-gratia allowance payable in respect of marine works resulting in a temporary loss of fishing grounds is equivalent to the notional value of fish catch in the affected area for five years (rising from three years).

In respect of the Hong Kong-Zhuhai-Macao Bridge (HZMB) related local projects (that is, the Hong Kong Boundary Crossing Facilities, the Hong Kong Link Road and the Tuen Mun — Chek Lap Kok Link), the inter-departmental working group of the Government has adopted the revised basis to calculate the amount of ex-gratia allowance payable to eligible fishermen affected by the related works. After duly completing the registration of claims from fishermen affected, the working group has distributed the ex-gratia allowance to all eligible fishermen.

Regarding supervision of the progress of the projects, the Highways Department (HyD) has appointed professional engineering consultants and their resident site staff to monitor the quality and progress of works. The HyD regularly reviews the quality and progress of the works with the consultants and contractors, and will closely monitor the implementation of the remaining works with a view to completing the projects as soon as possible.

Prior to the construction of the HZMB related local projects, the HyD had conducted a professional and comprehensive environmental impact assessment in accordance with the requirements under the Environmental Impact Assessment

Ordinance (EIAO). The results of the water quality impact assessment revealed that upon the implementation of the corresponding mitigation measures during construction (such as control of backfilling rate and installation of silt curtains, and so on), the suspended solids in water would only be confined to the waters in the vicinity of the construction sites and have minimal impact on overall water quality. No unacceptable impact on water quality or the environment is anticipated during and after construction.

At the same time, before construction of the projects, the HyD conducted a four-week water quality baseline monitoring in nearby waters in accordance with the requirements under the EIAO. The data collected on marine environment have been used to continuously assess the impact of the construction works on the environment. The results of the water quality baseline monitoring were used to derive the two indicators for monitoring the environment during construction, that is, the "Action Levels" and "Limit Levels". If the water quality monitoring data exceeds the "Action Level", the contractor is required to carry out remedial actions to prevent the quality of the environment from deteriorating. If the water quality monitoring data exceeds the "Limit Level", the works shall not proceed without any appropriate remedial action being taken (including a critical review of the plants and working methods).

According to the water quality monitoring data collected since the commencement of the concerned marine works, the Independent Environmental Checker appointed by the HyD has confirmed that the water quality at the waters within the works areas has not exhibited any significant change when compared with that before the commencement of marine works. According to the statutory requirements, the water quality monitoring data has been uploaded to the dedicated website of the Environmental Project Office for the HZMB Projects for public viewing. According to the Environmental Impact Assessment (EIA) Reports, upon the implementation of water quality mitigation measures, most of the potential impact on fisheries and maricultures could be avoided. The EIA Reports did not suggest other specific monitoring plans on fisheries other than monitoring of water quality.



Regarding "sand spill prevention nets" mentioned in Mr HO's question, we believe it refers to the "silt curtains" which are commonly used in marine construction works to prevent sand or silt from flowing out of the work boundaries. To provide maintenance of the silt curtains and ensure navigation safety of ships nearby, the contractors and resident site engineers of the consultants conduct daily joint inspections on the condition of silt curtains to ensure that they are properly fastened. The contractors have also carried out regular monthly maintenance to ensure that all silt curtains are functioning at its maximum effectiveness. Twenty-four-hour hotlines are operated by the contractors and resident site engineers of the consultants. If fishermen or other offshore operators encounter any floating object suspected to be construction materials in the waters in the vicinity of the construction sites, they could immediately dial the hotlines or 1823 to facilitate immediate follow-up actions.

Since the commencement of the HZMB related local projects in end 2011, the HyD has received a total of four inquiries or complaints related to silt curtains which all occurred between mid-2013 and early 2014. The HyD immediately instructed the resident site engineers and contractors to send staff to conduct on-site inspection and follow up, and the cases were properly handled. The HyD has not received similar inquiries or complaints over the past 20 months.

**MR STEVEN HO** (in Cantonese): *President, I am very disappointed with the Government for it attaches no importance to the interests of fishermen. It is an undisputable fact that the marine works have a direct bearing on the livelihood of fishermen. Yet, the Government has basically never provided any compensation to them except a small amount of allowance, and all these have been made clear in the Secretary's main reply.*

*However, I would like the public to know that there are two ways for calculating the ex-gratia allowances (EGA). The first method is based on the permanent loss due to reclamation and the affected period is arguable; the other one is based on the loss of fish catch resulting from the Government's closure of fishing grounds for works projects and the fishing grounds concerned will be reopened in future. The authorities initially claimed that the HZMB project or other marine works could be completed in five years and EGA is thus calculated*

*based on this duration. Perhaps all of you will consider this approach reasonable — of course, the amount of compensation payable each year as proposed by the Secretary is another issue, which is open to question — but I want to ask the Secretary: How will he handle the issue of compensation in respect of project delays for whatever reasons? In the event that the HZMB project has yet to be completed in 2047, will the authorities only provide compensation based on the value of fish catch for five years without any extra payment? I hope the Government will give a reply to this question. And does the Secretary consider this EGA system is one without any inadequacy? If the answer is in the negative, will the authorities conduct a review in future?*

**SECRETARY FOR TRANSPORT AND HOUSING** (in Cantonese):

President, EGA is calculated on the basis of the notional value of fish catch from the affected area of marine works projects resulting in permanent loss of fishing grounds, or the notional value of fish catch from the affected area of marine works projects resulting in temporary loss of fishing grounds. The spirit of the entire system is that EGA is granted purely on compassionate grounds. The allowance is not granted owing to the legal rights of fishermen over the fishery produce from the waters concerned, and its calculation basis has nothing to do with the duration of the marine works. The authorities, in recognition that the income of fishermen might be affected by the works project and transitional arrangements might be necessary, have granted EGA to the latter accordingly. As a matter of fact, the allowance payable has significantly risen from three to five years of the notional value of fish catch from the affected waters due to the temporary loss of fishing grounds, and we consider that the arrangement has effectively relieved the pressure faced by the fishermen in conducting their fishing activities during the transitional period. For this reason, we will continue to adopt basis revised in 2012 for the calculation of EGA.

**MR STEVEN HO** (in Cantonese): *The Secretary gave no answer to my question. Does he mean that even if the project cannot be completed in five years or even in 2047, the authorities will not consider granting extra compensation, nor do they think that there is something wrong with the system?*

**SECRETARY FOR TRANSPORT AND HOUSING** (in Cantonese): President, the prediction made by Mr HO on the completion date is hypothetical, but the authorities will definitely complete the project as soon as possible. As regards Mr HO's question on whether the Food and Health Bureau might need to review the system, we will refer his view to the Bureau for its consideration.

**IR DR LO WAI-KWOK** (in Cantonese): *President, the Secretary mentioned in the main reply that the HyD attached great importance to the environmental impact assessment of the HZMB related local project. To reduce the possible impact on water quality arising from dredging of marine deposit, the "non-dredged" method has been adopted for the artificial island at the Hong Kong section of the Bridge. There are rumours that as it is somewhat difficult to stabilize marine deposits, this has made the foundation far from secure and that certain movement has been recorded. May I know the details in this respect and will the completion date be further affected?*

**SECRETARY FOR TRANSPORT AND HOUSING** (in Cantonese): President, I believe Ir Dr LO will understand that in order to minimize the impact to the marine environment, a "non-dredged" design for the reclamation works, which is the first of its kind in Hong Kong, has been adopted with ground-strengthening measures to stabilize the marine mud below, and imposition of additional fill material as surcharge upon the reclaimed land for consolidation of the marine mud layers below. Since the existing soft soil and marine mud layer underlying the reclaimed Hong Kong Boundary Crossing Facilities (HKBCF) artificial island was not dredged but left in place under the "non-dredged" design, the marine mud in different areas, with different thickness (ranging from about 10 m to 30 m), would be compressed or consolidated at different times when the reclaimed land is surcharged, which causes movements in the reclamation. In fact, this kind of movement is very common, with the HKBCF artificial island of no exception.

Since the surcharge period started in 2014, various degree of movement has been recorded on the HKBCF reclaimed land. According to records, the movement during construction was generally normal and the steel cells moved

only laterally at their top, but not at their bottom. Of the steel cells, larger movement of up to about 6 m to 7 m was observed at two adjoining steel cells. The contractor has already carried out remedial measures at its own cost to strengthen the marine mud around these moved steel cells to ensure that both the reclaimed land and the seawalls are structurally safe, and the function of the seawalls in compliance with the requirements. Hence, we believe that the above design for reclamation works will not bring about any further delay to the project as a whole.

**MR IP KWOK-HIM** (in Cantonese): *President, following the commencement of the HZMB project in 2011, some fishermen in Hong Kong have been suffering from a temporary or even permanent loss of fishing grounds, thus greatly affecting their livelihood. Some organizations have pointed out that they have sought EGA from the relevant departments for two consecutive years, yet the departments concerned have been procrastinating all along. The EGA granted to each fisherman currently is only \$15 per day, much less than the allowance of \$2,000 to \$3,000 granted in the past. Under such circumstances, the Administration always indicates its wish to develop a marine park, so as to compensate the fishermen, the fisheries industry and the environment affected by such marine works (including the HZMB project).*

*However, from what I see, marine parks are not effective in increasing fisheries resources, and what matters most is that the various unreasonable requirements of the licensing system has led to a further decline in fish catch from fishing grounds. Therefore, the policy has little merit to both the fisheries industry and the environment. Will the Administration consider reviewing the system for inheriting or transferring permits that allows fishing in marine parks, as well as abolishing the requirement that fishing permits can only be inherited by immediate family members so that new entrants to the fisheries industry will be able to get such permits, thereby alleviating the impact on the long-term development of the fisheries industry?*

**SECRETARY FOR TRANSPORT AND HOUSING** (in Cantonese): President, with regard to the supplementary question raised by Mr IP, the departments concerned have indeed spent quite some time before EGA can be

granted as the entire process involves registration, releasing information and so on. As I said in the main reply just now, the inter-departmental working group set up by the Government has already distributed EGA to those affected. Thereafter, the working group has also received some appeal cases which will be referred to the Appeal Board for processing upon collating all the necessary information.

As regards Mr IP's question on whether further review will be conducted on fishermen's entry to marine parks for fishing, the Food and Health Bureau has yet made any change to the policy in this regard. However, we are willing to keep listening to the views of Members or the industry.

**MR STEVEN HO** (in Cantonese): *President, I believe the Secretary will not be able to answer if I keep on asking about the policy. This being the case, I would like to ask about the navigation safety of marine stakeholders.*

*The Government has evaded the question on safeguarding the navigation safety of vessels in the main reply. Let me quote the Government's reply: "The contractors and resident site engineers of the consultants conduct daily joint inspections on the condition of silt curtains to ensure that they are properly fastened. The contractors have also carried out regular monthly maintenance to ensure that all silt curtains are functioning at its maximum effectiveness." (End of quote)*

*The navigation safety of fishermen is not safeguarded. Will the Government provide any data on the number of injuries caused by floating objects due to its lax control over the years? What monitoring system has been adopted by the Government? How such consultancies are penalized? Will the Secretary provide data in respect of the above question and explain the penalty mechanism?*

**SECRETARY FOR TRANSPORT AND HOUSING** (in Cantonese): President, in fact I have mentioned in the main reply that since the commencement of the HZMB related local projects in 2011, the HyD has

received a total of four inquiries or complaints related to silt curtains as mentioned by Mr HO, which were made between 2013 and 2014. Since then, the HyD has not received similar complaints or inquiries.

Regarding the four inquiries or complaints, engineers and contractors have followed up and handled all such cases properly. Apart from deploying resident site engineers to carry out regular inspections and maintenance, hotlines are also operated by the contractors. In case fishermen encounter any construction materials floating in the water, they can call the hotlines immediately for follow-up.

**MR STEVEN HO** (in Cantonese): *What I mean is, what kind of work has been done in the so-called proper handling of such cases?*

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

**SECRETARY FOR TRANSPORT AND HOUSING** (in Cantonese): President, there are mainly two areas of work. First, the resident site staff are well aware of their duty to conduct daily inspection on silt curtains to ensure that they are properly fastened. Of course, we cannot rule out the possibility of accidents which might arise out of tides or other disturbances, rather than the projects themselves, which might lead to the loosening of silt curtains. At any rate, the resident site staff are responsible for conducting such inspections.

Second, apart from providing maintenance, it is necessary to carry out periodic supervision. If such floating objects lead to any accident or injury which is subsequently found to be related to the project, the persons involved can actually pursue the responsibility through legal procedures.

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

**Provision of Electricity Charges Subsidy**

6. **MR WONG KWOK-HING** (in Cantonese): *President, the Government introduced a total of four rounds of time-limited electricity charges subsidy scheme (the scheme) in 2008, 2011, 2012 and 2013 respectively to provide electricity charges subsidy to each residential electricity account. The first three rounds of the scheme ended on 30 June this year, and the last round will end on 30 June next year. In this connection, will the Government inform this Council:*

- (1) of the balance of approved commitment, the number of the households which did not use up the electricity charges subsidy and the average amount of unused subsidy of such households, in each of the first three rounds of the scheme; whether it has projected if there will be any remaining approved commitment when the fourth round of the scheme ends; if it has projected, of the details; whether it will consider distributing the balance of the approved commitment of the various rounds of the scheme to the households concerned in the form of cash; if it will consider, of the details; if not, the reasons for that;*
- (2) as some low-income families have relayed to me that the scheme helps reduce their financial burden, whether the authorities will consider extending the implementation period of the various rounds of the scheme to 10 years or until the approved commitment is used up (whichever is earlier); if they will consider, of the details; if not, the reasons for that; and*
- (3) as there are views that some members of the public may not pay heed to reducing electricity consumption as there is still unused subsidy remaining in their electricity accounts, whether the authorities will consider expanding the coverage of the scheme by, for example, allowing members of the public to use the subsidy to purchase energy-efficient electrical appliances so as to encourage them to save energy; if they will consider, of the details; if not, the reasons for that?*

**SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY** (in Cantonese): President, the Electricity Charges Subsidy Scheme (the Scheme) is one of the one-off relief measures announced in the Budget of 2008-2009, 2011-2012, 2012-2013 and 2013-2014. The Scheme provides a subsidy to over 2.5 million residential electricity account holders in Hong Kong for payment of billed electricity charges. With the approval of the Finance Committee of the Legislative Council, the Government has so far provided four rounds of electricity charges subsidy with a maximum total subsidy of \$9,000 per residential electricity account. The validity period of the Scheme has been extended to 30 June 2016 or until the close of the relevant electricity accounts, whichever is earlier, lasting up to 94 months or about eight years.

My consolidated reply to the various parts of Mr WONG Kwok-hing's question is as follows:

In 2008, a commitment of \$8.8 billion was approved by the Finance Committee for the Government to implement the first round of the Scheme. Subsequently, the Government sought the approval of the Finance Committee for increasing the commitment for three times in 2011, 2012 and 2013 respectively for implementing the second to fourth rounds of the Scheme. The total approved commitment for four rounds of the Scheme amounted to \$22.3 billion and the outstanding commitment balance as at the end of October 2015 was about \$840 million.

The Scheme has benefited more than 2.5 million residential electricity account holders in Hong Kong. According to the two electricity companies, over 90% of the accounts had used up their subsidy under the Scheme as at the end of October 2015. About 190 000 eligible active accounts still have unused subsidy of about \$3,000 per account on average. Given the changing amount of unused subsidy of individual accounts and their unpredictable electricity consumption in future, we are unable to estimate the amount of outstanding approved commitment when the Scheme expires on 30 June 2016. Even though a small number of accounts may not fully utilize the subsidy, the electricity account holders should have already enjoyed nearly eight years of free electricity supply by then.



We do not see any evident grounds to substantiate the claim that households may tend to consume more electricity in order to use up the remaining balance of the subsidy before the Scheme expires, thus causing energy wastage. The Government has always attached great importance to environmental protection. We hope that households will, under all circumstances, be aware of the need to protect the environment and continue to save energy.

According to the ambit approved by the Finance Committee and the intent of the Scheme, the subsidy is meant to be used to cover billed electricity charges under the same residential electricity account. Suggestions such as paying out cash subsidy or expanding the ambit of the Scheme to subsidize the public for purchasing electrical appliances with higher energy efficiency will deviate from the approved ambit and the intent of the Scheme. There are also practical difficulties in implementation.

As the Scheme is a one-off relief measure instead of a recurrent subsidy scheme, it should have a time limit. Since the first round of the Scheme in 2008, the Government has repeatedly extended the validity period of the Scheme to as long as 94 months or about eight years. The subsidy was not meant to be a lump sum cash grant but rather, a subsidy for actual billed electricity charges within the validity period. As such, we do not consider it appropriate to extend the Scheme indefinitely or for an unreasonably long period.

We appreciate Members' concern about the arrangements for the unused electricity charges subsidy. There is still some time before the Scheme expires. Meanwhile, residential electricity account holders may continue to use their unused subsidy, if any, until 30 June 2016. We will keep in view the unused subsidy and decide on the arrangements in the light of the overall economic situation and the Government's fiscal position in a timely manner.

We will nevertheless continue to take into account the views of Members and various sectors of the community on the arrangements for the unused electricity charges subsidy.

**MR WONG KWOK-HING** (in Cantonese): *President, as a matter of fact, funding has already been earmarked for this. Can the Government show a greater human touch and, from the perspective of respect, love and care for the elderly, as well as energy-saving and environmental protection, take care of those households consisting of elderly singletons or elderly couples who lead a frugal life?*

*President, I have received many cases of the elderly, including households consisting of elderly singletons or elderly couples. I have got their electricity bills. Let me cite one of them as an example. The amount of unused subsidy in this account is \$7,435, while the monthly electricity fee is only \$17-odd. Based on these figures, the balance should be sufficient for use for more than 400 months. The balance in another account is \$6,000-odd, and the monthly electricity fee is only \$92. Similarly, the balance should be sufficient for use for 73 months. As for another account, the balance is \$5,319, while the monthly electricity fee is only \$40-odd. It should be able to last 132 more months. Why does the Government cut it across the board? In fact, the Government has no need to seek any additional funding from the Finance Committee, since funding has already been earmarked for this subsidy. Hence, can the Government show a greater human touch and, from the perspective of respect and love for the elderly as well as energy-saving, let them continue to use the balance?*

**SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY** (in Cantonese): *President, I can only reiterate — we have stressed not only today but also during the funding applications at a number of meetings of the Finance Committee before — as the Scheme is a one-off relief measure instead of a recurrent scheme, it should have a time limit. The subsidy was not meant to be a lump sum cash grant but rather, a subsidy for actual billed electricity charges within the validity period. For this reason, in terms of the design, we do not consider it appropriate to extend the Scheme indefinitely or for an unreasonably long period. Nevertheless, we understand Members' concern. As I have said earlier, we will continue to listen to the views of Members and the public on the arrangements for the unused subsidy.*

**MR KWOK WAI-KEUNG** (in Cantonese): *President, although residents in sub-divided units who are not electricity account holders cannot benefit from the Scheme, thus giving rise to some disputes, the Scheme is generally welcomed by members of the public. As at the end of October, 190 000 households have not used up their subsidy. They are low consumption users. We should commend them for upholding the principle of low consumption and saving resources as and when appropriate even when they can enjoy the subsidy. Nevertheless, as Mr WONG Kwok-hing has said, funding has already been earmarked for this. Why is the Government unable to treat these supporters of environmental protection well? In the first five paragraphs of the Secretary's main reply, he indicated that it is not feasible because the Scheme has been implemented for a long time and has extended for about eight years in total. The authorities do not intend to extend the validity period any further. Yet strangely, he stated in paragraph 6 of the main reply that there is still some time before 30 June 2016. The Government will keep in view the amount of subsidy used and, having regard to the unused amount, decide on the arrangements in the light of the overall economic situation and the Government's fiscal position in a timely manner. I find it very strange. In the first five paragraphs, the Secretary said it is not feasible, but in the last paragraph, he said consideration will then be given ...*

**PRESIDENT** (in Cantonese): Mr KWOK, please raise your supplementary question.

**MR KWOK WAI-KEUNG** (in Cantonese): *I would like to ask the Secretary whether it is now too early for us to put the question. If we ask about it later, will he have a better answer for these 190 000 households who have not used up the balance?*

**SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY** (in Cantonese): President, I thank the Honourable Member for his supplementary question. I can only reiterate, as mentioned in the main reply, first of all, why a time limit was designed. Furthermore, this time limit has been extended several

times, and thus we have also applied for increasing the commitment for the electricity charges subsidy several times. However, after all, this Scheme is time-limited because this type of scheme must be designed with a time limit. Of course, now there is still some time before the deadline of 30 June. We are certainly pleased to listen to the views of Members and the community.

**MR KWOK WAI-KEUNG** (in Cantonese): *My question is whether I will get a better answer if I ask the Secretary later.*

**PRESIDENT** (in Cantonese): Mr KWOK, you will know it when you ask him later.

**MR TANG KA-PIU** (in Cantonese): *President, I would like to hear the Secretary's or the Government's view. As a matter of fact, when we visited the districts, we found that all the residents, whether they be living in the middle-class areas, Home Ownership Scheme housing for the sandwich class or public rental housing, welcomed the Scheme and held that it could really alleviate their hardship, since they thought electricity charges would not go down in the future. After three rounds of the Scheme, does the Government regard the Scheme as effective and having achieved the objective of alleviating people's hardship?*

*Besides, will the Government consider granting the electricity charges subsidy again in the future? Because it seems Hong Kong is going to have an economic downturn.*

**SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY** (in Cantonese): President, I thank the Honourable Member for his supplementary question. We are delighted to hear that the Scheme was welcomed by Members

and the public. I remember that when we proposed the Scheme in the Budget in 2008, no doubt there were some controversies in society, but the majority of the public regarded it as a desirable relief measure. In fact, this measure has its practical effect because in the past few years, consumers and members of the public in Hong Kong were faced with rising and relatively high inflation pressure, and the Scheme could help them cope with inflation.

I have some figures here. Take 2008 as an example. The average inflation rate for the year was 4.3%. Had the Government not introduced the Scheme and the other one-off relief measures, the inflation rate would have reached 5.6% then. Hence, this Scheme has effectively helped members of the public to face the difficulties in their daily life. When we draw up the Budget every year, we will, in the light of the prevailing economic situation and fiscal strength, consider different measures in a holistic manner, so as to address the social needs.

**MR CHRISTOPHER CHUNG** (in Cantonese): *President, I think the Secretary should give consideration carefully. First, funding has already been earmarked for the Scheme. The last Budget has already planned to spend this sum of money. Second, the Scheme was not meant to encourage people to waste electricity by using up the subsidy, and third, those who still have an unused amount under the Scheme are the disadvantaged, singletons or the elderly. Although they have not used it up, they do need it. Since such money has already been earmarked, why can the Government not work with a people-oriented attitude? If the Government is people-oriented, can it revise the approach with this attitude in a timely manner to allow them to use up the remaining subsidy in this year?*

**SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY** (in Cantonese): President, I have explained the design of the Scheme in detail earlier. When we proposed this Scheme, we had briefed the Legislative Council on the relevant policy and publicize the Scheme to all the Hong Kong people. We

attach great importance to people's awareness of environmental protection. For this reason, a rather long validity period has been set for the Scheme. We do not wish to encourage any wastage.

However, this Scheme was designed with a time limit, and the unused amount cannot be converted to cash or used in any other way. I would like to explain that there is indeed such a restriction or feature in the design of this Scheme. We have heard Members' views, and we are pleased to listen to the views of Members and the community on this issue. We will give them due consideration.

(Mr Christopher CHUNG indicated his wish to raise another question)

**PRESIDENT** (in Cantonese): Mr CHUNG, the Secretary has clearly answered the supplementary question raised by you just now. If you have any other question, please wait for another turn.

**MR SIN CHUNG-KAI** (in Cantonese): *President, in the new round of consultation conducted by the Government on the Budget and the Policy Address, the Democratic Party has made this suggestion again, considering that the Government should reintroduce the Scheme when it puts forward relief measures in the next fiscal year. This is similar to the views of some Honourable Members. However, back then, some people considered it necessary to take environmental protection into account. My supplementary question is, after four fiscal years, do the authorities have any objective study results or data showing that the Scheme would turn out to stimulate greater electricity consumption? If they do not have any, this reason cannot stand. Does the Government have any proof that the Scheme would stimulate greater electricity consumption? Or is it simply the Government's groundless allegation or imagination without conducting any study?*

**SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY** (in Cantonese): If I have not interpreted this question wrong ... I remember when the Scheme was first proposed, there were a lot of discussions in the community on whether the Scheme would encourage more people to consume more electricity. In particular, if the validity period was too short, members of the public might rather use the electricity charges subsidy as soon as possible to avoid wasting it. For this reason, we proposed a longer validity period so that members of the public need not be over-anxious to use up the subsidy. In fact, as I have pointed out in the main reply, overall speaking, after several rounds of the Scheme, the electricity subsidy will have been available for use by members of the public for a total of eight years, and a lot of them have used up the subsidy within the eight-year period. Hence, in terms of the design, there is no incentive under this Scheme to prompt members of the public to use up the subsidy as early as possible against the principle of environmental protection.

**MR SIN CHUNG-KAI** (in Cantonese): *President, the Secretary has only replied to me about the design of the Scheme. My supplementary question is, have the authorities conducted any study and found any proof that the Scheme would stimulate greater electricity consumption? My earlier supplementary question has clearly raised this query. May I ask the Secretary whether or not any study has been conducted? I am not asking him about the then design.*

**SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY** (in Cantonese): President, we do not have to conduct any study in this regard because as a matter of fact, this Scheme was designed as a measure to help alleviate people's hardship. When we designed the Scheme, we had considered whether it had any special quality or characteristic that would lead to any counter-effect. After our discussion at that time, we did not think there was any.

**MR WONG KWOK-HING** (in Cantonese): *President, the Secretary kept saying that the design was made in this way, the Scheme operates in this way and the documents have also laid down the rules in this way, as though nothing can be changed. My supplementary question is, can the Government exercise its*

*discretion and handle this issue with a human touch? Cost overrun has occurred in many public works projects for various reasons, including filibustering in the Legislative Council, making it necessary for the Government to seek funding from the Council. Such a situation is also unexpected and unanticipated in the projects. How come the Government can seek funding from the Council to cover the cost overrun?*

*Now there is a remaining amount of money under the Scheme which can serve multiple purposes, but the Government is so stingy and rigid. Why can it not be more flexible? Hence, my supplementary question for the Secretary is, according to his logic, if cost overrun occurs in any works project in the future, he will not seek any more funding from the Legislative Council, will he? Otherwise, the Secretary should allow the 190 000 households who have not used up the subsidy to continue to use the remaining balance. My supplementary question is, can the Secretary exercise his discretion with a human touch to allow these households who have not used up the balance to continue to use the subsidy? My logic is very clear.*

**PRESIDENT** (in Cantonese): Mr WONG, you have raised this supplementary question earlier, and the Secretary has given his reply. Secretary, do you have anything to add?

**SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY** (in Cantonese): If Members put this matter and cost overrun in the same breath, I am afraid it is a bit beyond my imagination. Nevertheless, let me reiterate that we will continue to listen to the views of Members and the public on this matter. I would just like to point out that as the Scheme has its own restrictions, we cannot completely and readily take all the views, but we are pleased to consider the views raised by Members and the public within such restrictions.

**PRESIDENT** (in Cantonese): Oral questions end here.



**WRITTEN ANSWERS TO QUESTIONS****Closing down of Goodcape Securities Limited**

7. **MR TAM YIU-CHUNG** (in Chinese): *President, in January this year, the Securities and Futures Commission (SFC) served a Restriction Notice against Goodcape Securities Limited (GSL), prohibiting the company from carrying out all of the regulated activities for which it had been licensed under the Securities and Futures Ordinance (Cap. 571). In this connection, will the Government inform this Council whether it knows:*

- (1) *the number of complaints received by SFC to date from GSL's clients against the company and the total amount of money involved, with a breakdown by the content of the complaints (e.g. securities trading, deposits, etc.);*
- (2) *the number of GSL's clients who submitted claims to the Investor Compensation Fund to date and, among them, the respective numbers of claims for which compensation has been paid and which are being handled; the number of claims for which compensation will not be paid and whether the claimants have been notified of the decision that compensation will not be paid to them; and*
- (3) *the total amount of GSL's assets frozen at present; when SFC will commence the liquidation proceedings against GSL?*

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

- (1) The breakdown of the number of complaints so far received by the Securities and Futures Commission (SFC) from Goodcape Securities Limited (GSL)'s clients against the company and the total amount of money involved is provided below:

<i>Nature of complaint</i>	<i>Number of cases</i>	<i>Reported amount (HK\$ million)</i>
Securities dealing	365	126.05
Deposit taking	7	21.5

<i>Nature of complaint</i>	<i>Number of cases</i>	<i>Reported amount (HK\$ million)</i>
Securities dealing and deposit taking	20	20.72
Total	392	168.27

- (2) Regarding the number of GSL's clients who submitted claims to the Investor Compensation Fund, to date, 454 claims have been lodged against the Investor Compensation Fund, involving 476 claimants. As some claims are lodged by multiple claimants, such as claims in respect of joint accounts, the number of claimants is more than the number of claims.

Of the 454 claims, determinations have been made by the Investor Compensation Company Limited in respect of 295 claims (involving 304 claimants). Specifically:

- (i) 289 claims (involving 298 claimants) have been paid out, and the total compensation amount is about HK\$30.9 million.
- (ii) The determinations for two claims were that the claimants had not suffered any loss, and that therefore no compensation was payable. The claimants did not dispute the determinations.
- (iii) The claimants under four claims have objected to the provisional determinations made in respect of their claims. The Investor Compensation Company Limited will consider their grounds for objection before a final determination is made.

The Investor Compensation Company Limited is processing the remaining 159 claims in an expeditious manner.

- (3) According to the information provided by the Police, the banks concerned have already been notified that the funds in the bank accounts of the GSL and the parties involved cannot be processed temporarily.

The SFC's investigation into possible breaches of section 300 of the Securities and Futures Ordinance, that is, offence involving fraudulent or deceptive devices, and so on, in transactions in securities, futures contracts or leveraged foreign exchange trading, is still ongoing. The SFC has also been locating the missing funds, including funds which may have been transferred to the bank accounts of related institutions and individuals. According to the SFC's findings to date, it appears that the value of the assets held by the GSL substantially falls short of the total amount of the claims lodged so far.

### Handling of Complaints About Water Seepage

8. **MR ABRAHAM SHEK** (in Chinese): *President, regarding the handling of complaints about water seepage, will the Government inform this Council:*

- (1) *given that the Joint Office (JO) set up by the Food and Environmental Hygiene Department and the Buildings Department is responsible for handling complaints about water seepage in buildings, of the number of complaints about water seepage in residential premises received by JO in each of the past three years; among these complaints, of the respective numbers of cases in which investigation staff entered the premises concerned to conduct tests and those in which they failed to do so;*
- (2) *whether the staff of the outsourced consultants or those of JO are currently responsible for entering the premises concerned to investigate water seepage complaints;*
- (3) *of (i) the criteria adopted by JO for appointing the consultants, (ii) the average amount of fees currently paid to the consultants by JO for each case, and (iii) the total amount of fees paid last year to the consultants by JO; and*
- (4) *in respect of cases in which the sources of water seepage have not been identified despite that staff have entered the premises concerned to conduct tests, whether JO will continue to follow them up, such as by arranging staff to enter the premises concerned to conduct other tests until the sources of seepage have been identified;*

*if JO will, of the details, as well as the average amount of fees currently charged by the consultants on each occasion for arranging staff to enter the premises concerned for the second time to conduct other tests in respect of such type of cases; if not, the reasons for that?*

**SECRETARY FOR DEVELOPMENT** (in Chinese): President, proper management, maintenance and repair of buildings are the responsibilities of building owners. If water seepage is found in private buildings, the owners should first arrange their own investigation of the cause of seepage and, as appropriate, co-ordinate with the occupiers and other owners concerned for repairs. However, where the water seepage poses a health nuisance, a risk to the structural safety of the building or results in wastage of water, the Government would intervene and handle the case in accordance with the powers conferred by the Public Health and Municipal Services Ordinance (Cap. 132), Buildings Ordinance (Cap. 123) or Waterworks Ordinance (Cap. 102) respectively.

Currently, the Joint Office (JO) set up with the staff of Buildings Department and Food and Environmental Hygiene Department provides "one-stop" service in dealing with reports on water seepage. In general, there are three stages in the investigation of a water seepage case conducted by the JO. Stage I (confirming the existence of water seepage nuisance) and Stage II (initial investigation including colour water tests on drainage pipes or reversible pressure tests on water supply pipes) are carried out by JO staff. Where the source of seepage cannot be identified in Stage II, Stage III (professional investigation) will be required. In Stage III, an outsourced consultant is engaged to assist in conducting detailed investigation including the carrying out of moisture content monitoring of seepage area, water ponding test, water spray test and reversible pressure tests on water supply pipes to identify the source of seepage. Once the source of seepage has been identified at any stage of the investigation, the JO will issue a Nuisance Notice to the person concerned under the Public Health and Municipal Services Ordinance, requiring the abatement of nuisance within a specified period of time.

My reply to the four-part question is as follows:

- (1) In 2013, 2014 and the first eight months of 2015, JO received 28 504, 27 896 and 20 199 water seepage reports respectively, but JO does not separately compile statistics on cases concerning

residential flats. As regards the handling of reports, if the occupier of the flat suspected to be causing seepage does not co-operate by allowing the JO staff to enter the flat for investigation, the JO may issue a Notice of Intended Entry and a Notice of Intention to Apply for Warrant of Entry in accordance with the Public Health and Municipal Services Ordinance. These notices have been effective in making most of these occupiers co-operate with the JO in the investigation. If the occupier concerned remains un-cooperative, the JO will follow up by applying to the Court for a warrant authorizing the JO staff to enter the premises for investigation in accordance with the Public Health and Municipal Services Ordinance. Therefore, there has not been any case whereby tests cannot be conducted in the flat concerned.

- (2) As explained above, there are three stages in the investigation of a water seepage case. The JO staff are involved in the investigation work in respect of all water seepage reports, while the outsourced consultant is mainly responsible for the professional investigation in Stage III.
- (3) Under the requirements of the outsourced contract, the consultant staff responsible for investigation work should possess the relevant qualifications in surveying/engineering/architectural disciplines and have work experience relevant to building works or investigation of water seepage. The task of overseeing and verifying the investigation of water seepage should be undertaken by professional staff who are members of the Hong Kong Institute of Surveyors, the Hong Kong Institution of Engineers, the Hong Kong Institute of Architects, or possess equivalent qualifications, and have work experience relevant to building works or investigation of water seepage. The selection of outsourced consultants is conducted in accordance with the Government's tendering procedures.

In 2014-2015, the JO's expenditure for engaging consultants to conduct professional investigation was about \$23 million, involving about 7 600 cases of professional investigation. The average amount of fees paid to the consultants for each case was about \$3,000.

- (4) The cause for water seepage in buildings is complicated and often involves more than one source. The JO will conduct a series of appropriate non-destructive tests to ascertain the source of seepage. Among them, for more complicated cases, the JO has commissioned consultants to employ infrared camera and microwave tomography scanning device on a trial basis to facilitate identification of the source of water seepage since late 2013. However, the accuracy of these indirect tests varies with site circumstances, and they have to be supplemented by other tests or data in order to effectively confirm the source of water seepage. For such complicated cases, the average amount of fees paid to the consultants for each case was about \$14,000.

In order to improve the effectiveness of water seepage investigation, the JO commissioned a consultancy study at the end of 2014 to review the latest technological methods for identifying the source of water seepage in buildings. The study will research into the technological development both locally and overseas, and carry out field tests on selected cases. It will also assess and recommend the most suitable testing methods for use in private buildings, as well as formulate technical guidelines for the JO. The study is expected to be completed in 2016.

### **Sustainable Development of Traditional and Emerging Industries**

9. **MR CHUNG KWOK-PAN** (in Chinese): *President, some owners of enterprises have pointed out that the Government should advocate that while pursuing profits, enterprises should conduct their business in a sustainable manner, including avoiding damage to the environment and fulfilling corporate social responsibilities. It is learnt that the international fashion industry is taking strides towards this major trend, and leaders of the local fashion industry have also spearheaded the sustainable development of the industry, making achievements that surpass those of other Asian cities. Regarding the sustainable development of traditional industries (in particular the fashion industry) and emerging industries, will the Government inform this Council:*

- (1) *of the specific measures implemented by the Government in the past three years to promote the sustainable development of various industries; whether it has studied the effectiveness of such measures; if it has, of the details;*
- (2) *given that the Government plans to develop a number of emerging industries, such as the innovation and technology industry, of the specific measures the Government has in place to foster the sustainable development of the various emerging industries;*
- (3) *given that some members of the fashion industry have proposed the setting up of the first fashion centre in Hong Kong with the theme of sustainable development, with a view to helping Hong Kong become a knowledge hub for the sustainable development of the international fashion industry on one hand, and propelling Hong Kong's economic development on the other, whether the Government will support such proposal; if it will, of the implementation details of the proposal; if not, the reasons for that; and*
- (4) *given that the Advisory Group on Implementation of Fashion Initiatives established by the Government will launch a series of measures on a pilot basis in the next three years to promote the development of the fashion industry, whether the Group will study issues relating to the sustainable development of the fashion industry, and how the various government departments concerned will dovetail with the work of the Group?*

**SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT** (in Chinese): President, in response to the four parts of the question, my replies after consulting the Environment Bureau are as follows:

(1) and (2)

Since its establishment in 2013, the Economic Development Commission (EDC), personally led by the Chief Executive, has been studying how to make use of Hong Kong's existing advantages and the opportunities made available by the country, conducting in-depth discussions and studies on the visionary direction on the overall strategy and policy to broaden Hong Kong's economic base and

enhance economic growth, and identifying sectors or clusters of sectors which present opportunities for Hong Kong's further economic growth, with a view to recommending policies and other support measures for facilitating the sustained development of industries concerned.

In the past two years, the four Working Groups under the EDC (namely, the Working Group on Transportation; the Working Group on Convention and Exhibition Industries and Tourism; the Working Group on Manufacturing Industries, Innovative Technology, and Cultural and Creative Industries (MICWG); and the Working Group on Professional Services) have progressively submitted to the EDC specific recommendations on promoting the sustained development of the relevant industries, which were endorsed by the EDC and accepted by the Government. For example, in respect of the innovation and technology industry, the MICWG has made recommendations on improvements to the Innovation and Technology Fund (ITF), including extending the funding scope of the ITF, and so on, so as to enhance funding support for private and downstream research and development (R&D) projects and promote commercialization of R&D outcomes, with a view to promoting the sustained development of the industry.

The Government agrees that while promoting the development of industries and the economy, it is necessary to save energy and reduce waste in order to reduce the environmental burden on neighbours and safeguard the well-being of Hong Kong's future generations, thereby contributing to the long-term sustainable development of Hong Kong. Therefore, when formulating relevant policies or measures, the Government will carry out sustainability assessments to consider the implications of proposals concerned on sustainable development so as to integrate and balance the needs for economic and social development as well as environmental protection in the planning and formulation process.

The Government in collaboration with the Working Groups of the EDC will continue to study possible directions for supporting industries concerned and promoting their sustained development, and submit specific recommendations as appropriate.



- (3) On promoting the sustainable development of the fashion industry, the Hong Kong Research Institute of Textiles and Apparel (HKRITA) set up by the Government has included sustainability as an R&D focus in its technology development plan. The HKRITA promotes and provides solutions and technologies to the industry in respect of zero discharge, waterless technologies, energy efficiency, and for the advancement of manufacturing technologies, with a view to increasing efficiency of the overall supply chain to enhance competitiveness.

The Government will continue to promote the sustainable development of the industry and review the support measures from time to time to provide the industry with suitable assistance.

- (4) In the 2015 Budget, the Government indicated agreement with the recommendations of the EDC, and would launch a series of measures on a pilot basis in the next three years to promote the sustained development of the fashion industry, including promoting Hong Kong's fashion designers and brands through improving local fashion events and participating in those held overseas, providing technical training and support for the industry, and setting up a fashion incubation programme. The Advisory Group on Implementation of Fashion Initiatives (AGF) established by the Government and participated in by industry practitioners will essentially advise on, guide and co-ordinate the implementation of the above measures. The AGF is currently discussing the implementation details of the measures concerned. Upon completion of the discussion, the relevant bureaux and departments will examine the proposals in accordance with the established procedures and make arrangements for the resources required.

### **Provision of Medical Services to Hong Kong Elderly People Residing on the Mainland**

10. **MR WONG KWOK-KIN** (in Chinese): *President, it is learnt that at present, quite a number of Hong Kong elderly people are residing on the Mainland (Hong Kong elderly people on the Mainland). Last month, the Government launched a pilot scheme under which eligible Hong Kong elderly*

*people may use the Elderly Health Care Voucher (HCV) to pay for designated outpatient services in the University of Hong Kong-Shenzhen Hospital (HKU-SZ Hospital), which is jointly operated by the University of Hong Kong and the Shenzhen Municipal Government. However, some Hong Kong elderly people on the Mainland have remarked that as the majority of them reside in various areas outside Shenzhen in the Guangdong Province, they can hardly use HCV unless they travel a long distance to seek medical consultation at the HKU-SZ Hospital. The pilot scheme is therefore of very limited help to them. In this connection, will the Government inform this Council:*

- (1) of the anticipated annual number of attendances of elderly people seeking medical consultation at the HKU-SZ Hospital and using HCV; the means and channels through which the authorities inform the Hong Kong elderly people on the Mainland of the details of the pilot scheme;*
- (2) when it will conduct a review of the pilot scheme and of the criteria based on which it will conduct the review;*
- (3) whether it will consider extending the pilot scheme to other areas in the Guangdong Province; if it will, of the targeted areas and implementation timetable; if not, the reasons for that;*
- (4) whether the authorities anticipate that difficulties (e.g. the service quality and regulatory control of medical institutions), other than exchange rate issues, will be encountered when extending the pilot scheme to other areas or other medical institutions on the Mainland; if they do, of the details, and how the authorities will resolve such difficulties;*
- (5) whether it knows the respective numbers of Hong Kong medical institutions currently operating medical business on the Mainland in the form of joint venture and wholly-owned enterprise under the framework of the Mainland and Hong Kong Closer Economic Partnership Arrangement; whether the authorities have discussed with those medical institutions the provision of medical services collaboratively for Hong Kong elderly people on the Mainland; if they have, of the details; if not, whether they will consider conducting such discussions; if they will, of the criteria to be*

*adopted by the authorities for deciding whether they will co-operate with such medical institutions; and*

- (6) *of the schemes that the authorities will launch in the long run, in addition to expanding the Elderly HCV Scheme, to meet the medical needs of the Hong Kong elderly people on the Mainland?*

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

- (1) The Pilot Scheme for use of Elderly Healthcare Voucher (EHV) at the University of Hong Kong-Shenzhen Hospital (HKU-SZ Hospital) was launched on 6 October 2015. This is the first time that the Government allows elderly people to use healthcare vouchers outside Hong Kong. The objective of the pilot scheme is to provide Hong Kong elders who usually reside in Shenzhen an additional option to receive the necessary healthcare services locally without having to travel back to Hong Kong.

According to the statistics published by the Census and Statistics Department in September 2011, there were about 73 600 Hong Kong residents aged 60 and above residing in the Guangdong Province, of which 10 400 reside in Shenzhen. As elderly people residing in Hong Kong can also use healthcare vouchers at the HKU-SZ Hospital, it is difficult to estimate the total number of elderly people who would use healthcare vouchers at the HKU-SZ Hospital.

To promote and enhance elders' understanding of the pilot scheme, the Government publicizes the pilot scheme at the HKU-SZ Hospital and through various channels, including distributing leaflets and putting up posters at places such as immigration control points of Hong Kong, Social Security Field Unit (Guangdong Scheme) of the Social Welfare Department, two residential care homes for the elderly that participate in the Pilot Residential Care Services Scheme in Guangdong, Public Enquiry Service Centres of the Home Affairs Department, Hong Kong Economic and Trade Office in Guangdong of the Government of the Hong Kong Special Administrative Region, and non-profit-making organizations which provide services for Hong Kong residents residing in the Mainland. Moreover,

information of the pilot scheme is released on the EHV website and advertisements are displayed on cross-boundary buses and buses serving the border areas, in the hope that more elders, especially those who make cross-boundary journeys, could learn about the pilot scheme.

(2) and (3)

The pilot scheme has only been launched for a short time and a comprehensive review would only be conducted after implementation of the scheme for some time. We will closely monitor the daily operation and implementation of the pilot scheme, and based on the experience gained, consider the feasibility of extending the EHV scheme to other areas in the Mainland.

(4) The mode of operation under the pilot scheme at the HKU-SZ Hospital is similar to that adopted in Hong Kong and the scheme has largely been running smoothly since its implementation. As healthcare facilities and units are different in terms of administrative procedures, financial arrangement, operation environment and skills of staff, it is difficult for us to envisage the problems that we may encounter if the pilot scheme is to be extended.

(5) and (6)

For the time being, we do not have detailed information about the healthcare institutions established by Hong Kong service providers in the Mainland.

As mentioned in the parts (2) and (3) above, the pilot scheme was launched on 6 October 2015 and its effectiveness is yet to be assessed. We will closely monitor the operation of the pilot scheme and consider the feasibility of expanding the EHV scheme in the Mainland or introducing other healthcare schemes, taking into account the experience gained and the principle of prudent use of public money.

**Manpower Shortage in Construction Industry**

11. **MR JEFFREY LAM** (in Chinese): *President, it is learnt that despite substantial wage rises in the construction industry for eight consecutive years to attract and retain manpower, and the authorities' efforts to strengthen vocational training for the industry, the construction industry is still facing the problem of manpower shortage. Besides, as there are insufficient training venues and facilities, the number of training places offered by some training courses (e.g. operation of heavy plant and equipment) cannot be increased to cope with the demand. There are views that as a number of major infrastructure projects will soon commence in Hong Kong, the authorities should seriously explore the feasibility of further importation of foreign labour. In this connection, will the Government inform this Council:*

- (1) *whether it knows, regarding the training courses offered by the Construction Industry Council and the Vocational Training Council for each of the trades (including heavy plant and equipment operator, formwork carpenter, bar bender and fixer, bamboo scaffolder, metal scaffolder, leveller and concreter) in each of the past three years, (i) the student intake, (ii) the percentage of the student intake in the number of training places offered, and (iii) the number of persons waiting for admission;*
- (2) *whether the authorities have conducted studies on the supply of and demand for places of training courses of the construction industry in the past three years; if they have conducted such studies and the outcome shows that such places were in short supply, of the authorities' solutions and the relevant details; if they have not conducted such studies, the reasons for that;*
- (3) *of the number of applications for importation of labour received by the authorities since the implementation of further enhancement measures under the Supplementary Labour Scheme in May this year and, among them, the numbers of approved cases and workers involved, with a breakdown of such information by trade; and*
- (4) *as it takes time to train up construction workers and a number of major infrastructure projects (including the Expansion of Hong Kong International Airport into a Three-Runway System project) will soon commence, which will surely aggravate the manpower shortage problem, whether the authorities will review the policy on*

*importation of foreign labour, including setting a certain number of foreign workers to be imported and further enhancing the relevant measures, so as to resolve the problem of manpower shortage in the construction industry; if they will, of the details; if not, the reasons for that?*

**SECRETARY FOR DEVELOPMENT** (in Chinese): President, the Government and the Construction Industry Council (CIC) has all along been committed to strengthening training for local construction workers and attracting more new entrants to join the construction industry. Although these training initiatives have been implemented smoothly and have attained certain results, the shortage of skilled construction workers has yet to be fully resolved. Having regard to the report on manpower forecast for construction workers released by CIC in October 2014, the shortage of skilled construction workers would continue in the coming years. Under the premise of safeguarding the priority employment of local workers and their wage levels, the construction industry needs to import skilled workers in a timely and effective manner in order to cope with the keen manpower demand of the construction industry and sustain the economic and social development of Hong Kong.

My reply to the four parts of Mr LAM's question is as follows:

- (1) Information on the training courses offered by CIC and the Vocational Training Council (VTC) in the past three years is set out at Annex.
- (2) According to the VTC's record, in the past three years, the construction related training courses offered by the VTC had generally provide adequate training places and no applicant had to wait before admission.

Meanwhile, some short courses offered by the CIC including metal scaffolding (English) course, training of general welders and machine operation courses<sup>(1)</sup> have higher intake rates while the waiting time for admission is relatively long (generally less than three months but six months or more for individual courses), which can be mainly attributed to inadequate training venues, facilities and instructors.

(1) The related courses include excavator operation, mobile crane operation and tower crane operation.

The CIC has been allocating more resources for hiring instructors, setting up new and altering existing training centres, redeploying existing resources to increase the number of training places particularly for courses of greater needs such as metal scaffolding (English) course and training of general welders with a view to reducing the waiting time to less than six months. For machine operation courses, the CIC is also implementing a series of improvement measures according to the needs for individual courses to reduce the waiting time for admission. They include hiring more instructors, restructuring of the training courses, stepping up the collaboration with contractors in collaborative training, and procuring new machinery and computer simulated excavators.

- (3) In May 2015, having regard to the unique characteristics of the construction industry, the Government launched flexibility enhancement measures under the Supplementary Labour Scheme (SLS) to allow public sector works contractors to enhance flexibility in deployment of imported workers and allow imported workers to work across more than one public sector works contract. The resulting synergy effects could achieve more effective utilization of productivity. Since the launch of the flexibility enhancement measures, the Labour Department has received a total of nine construction related SLS applications as at end-October. Of them, there were two applications related to flexibility enhancement measures and they are under processing.
- (4) The Government has all along been committed to implementing public works projects, including the Three-Runway System, in accordance with work schedule and within budget with a view to improving the quality of life of the public and enhancing the long-term competitiveness of Hong Kong. The Government will keep close contact with the industry stakeholders and monitor the supply and demand for construction workers. We will review the effectiveness of various enhancement measures in a timely manner and make necessary adjustments as appropriate. Should these measures fail to effectively resolve the acute shortage problem of construction workers, the Government will keep open to all viable options.

## Annex

## Information on Training Provided by the Construction Industry Council and the Vocational Training Council

(i) Adult Short Courses Offered by the Construction Industry Council<sup>(1)</sup>

(Source: The Construction Industry Council)

	Trades	2014-2015 <sup>(2)</sup>					2013-2014 <sup>(2)(3)</sup>			2012-2013 <sup>(2)(3)</sup>		
		Training Places	No. of Intake	Intake Rate (%)	No. of Persons Waiting for Admission <sup>(4)</sup>	Waiting Time <sup>(4)</sup>	Training Places	No. of Intake	Intake Rate (%)	Training Places	No. of Intake	Intake Rate (%)
1	Bar Bender and Fixer	1 060	1 059	100	206	Under 3 months	1 040	977	94	720	686	95
2	Carpenter (formwork)	800	594	74	76	Under 3 months	860	550	64	440	437	99
3	Concretor	90	61	68	5	Under 3 months	90	67	74	60	49	82
4	Rigger/Metal Formwork Erector											
5	Metal Scaffolder											
	- Chinese course	100	37	37	18	Under 3 months	110	84	76	110	39	35
	- English course	40	40	100	23	Over 6 months	30	22	73	30	14	47
6	Leveller	540	456	84	176	Under 6 months	540	509	94	460	448	97
7	General Welder	90	92	102	44	About 6 months	80	80	100	60	57	95
8	Plasterer	330	251	76	29	Under 3 months	330	250	76	300	264	88
9	Bricklayer											
10	Tiler											
11	Metal Worker	150	108	72	11	Under 3 months	150	117	78	105	92	88
12	Structural Steel Welder	20	17	85	1	Under 3 months	20	8	40	20	8	40
13	Painter and Decorator	390	202	52	29	Under 3 months	345	302	87	315	267	85
14	Curtain Wall Installer	105	36	34	5	Under 3 months	105	15	14	15	15	100
15	Plumber	285	195	68	27	Under 3 months	270	187	69	210	159	76
16	Joiner	195	157	81	18	Under 3 months	165	138	84	135	97	72
17	Marble Worker	30	6	20	4	Under 3 months	45	5	11	15	15	100
18	Bamboo Scaffolder	75	47	63	2	Under 3 months	75	57	76	75	60	80
19	Machine Operation (by courses)											
	- Ground Investigation Operator's Assistant	24	23	96	8	Under 6 months	24	19	79	24	15	63



Trades	2014-2015 <sup>(2)</sup>					2013-2014 <sup>(2)(3)</sup>			2012-2013 <sup>(2)(3)</sup>		
	Training Places	No. of Intake	Intake Rate (%)	No. of Persons Waiting for Admission <sup>(4)</sup>	Waiting Time <sup>(4)</sup>	Training Places	No. of Intake	Intake Rate (%)	Training Places	No. of Intake	Intake Rate (%)
- Bulldozer and Loader Operation	25	25	100	11	Under 6 months	15	15	100	10	10	100
- Compactor Operation	25	27	108	4	Under 3 months	20	20	100	20	15	75
- Excavator Operation	25	25	100	17	Over 6 months	40	40	100	40	40	100
- Mobile Crane Operation	5	5	100	67	Over 6 months	5	5	100	30	30	100
- Tower Crane Operation	15	17	113	30	Over 6 months	15	15	100	15	15	100

Notes:

- (1) The adult short courses are full time courses for persons aged 18 or above who are engaged in other industries and interested in joining the construction industry. There are many classes provided for the courses throughout the year. The course contents are relatively condensed in order to equip the trainees with specific operative, craft or technical skills in specific fields within a short time.
- (2) The year refers to an academic year, that is, from September in the first year to August of the following year.
- (3) The Construction Industry Council has not compiled any statistics on the number of persons waiting for admission and their waiting time for the academic year of 2013-2014 and before.
- (4) The number of persons waiting for admission and waiting time reflects the position as at 31 August 2015.

(ii) **Basic Craft Courses Offered by the Construction Industry Council<sup>(1)</sup>**  
(Source: The Construction Industry Council)

	Trades	2014-2015 <sup>(2)</sup>					2013-2014 <sup>(2) (3)</sup>			2012-2013 <sup>(2) (3)</sup>		
		Training Places	No. of Intake	Intake Rate (%)	No. of Persons Waiting for Admission <sup>(4)</sup>	Waiting Time <sup>(4)</sup>	Training Places	No. of Intake	Intake Rate (%)	Training Places	No. of Intake	Intake Rate (%)
1	Carpenter (Formwork)	20	12	60	There is no person waiting for admission in general	20	20	100	No training course offered			
2	Plasterer	80	56	70		40	43	108	40	35	88	
3	Bricklayer											
4	Tiler											
5	Painter and Decorator	80	57	71		40	41	103	40	38	95	
6	Plumber	80	73	91		40	44	110	60	57	95	
7	Joiner	80	55	69		40	39	98	40	35	88	
8	Bamboo Scaffolder	20	10	50	20	0	0	20	7	35		

Notes:

- (1) Basic craft courses are one-year full-time courses provided for persons who are aged 15 or above, have attained Form 3 education level and interested in joining the construction industry. Applicants may enrol in courses in different categories according to their abilities and interests.

- (2) The year refers to an academic year, that is, from September of the first year to August of the following year.
- (3) The Construction Industry Council has not compiled any statistics on the number of persons waiting for admission and their waiting time for 2013-2014 or before.
- (4) The number of persons waiting for admission and the waiting time reflects the position as at 31 August 2015.

(iii) Courses offered by the Vocational Training Council<sup>(1)</sup>

(Source: The Vocational Training Council)

Trade	2014-2015 <sup>(2)</sup>					2013-2014 <sup>(2)</sup>					2012-2013 <sup>(2)</sup>				
	Training Places	No. of Intake <sup>(3)</sup>	Intake Rate (%)	No. of Persons Waiting for Admission	Waiting Time	Training Places	No. of Intake	Intake Rate (%)	No. of Persons Waiting for Admission	Waiting Time	Training Places	No. of Intake	Intake Rate (%)	No. of Persons Waiting for Admission	Waiting Time
Fire Service <sup>(4)</sup>	290	253	87	No applicant waiting for admission in general		270	316	117	No applicant waiting for admission in general		290	267	92	No waiting for admission for applicants in general	
Refrigeration/Air-conditioning/Ventilation <sup>(5)</sup>															
Lift/Escalator <sup>(6)</sup>															
Welding <sup>(7)</sup>															
Plumber <sup>(8)</sup>	340	273	80			280	257	92			280	291	104		
	240	214	89			220	251	114			210	234	111		
	200	205	103			200	178	89			200	160	80		

Notes:

- (1) The courses refer to Craft Certificate and/or Diploma of Vocational Education (DVE) courses. DVE trainees who have completed the first year may choose to work in the relevant trade in the construction industry as apprentices while completing the programme through part-time courses in three years under the Earn and Learn Pilot Scheme. DVE trainees who have obtained the Craft Certificate upon completion of 1.5 to 2 years may choose to work in relevant trades in the construction industry. Trainees who have obtained the DVE may also join the construction industry.
- (2) The year refers to academic year, that is, from September of the first year to August of the following year.
- (3) The actual number of intake may exceed the training places if necessary.
- (4) The relevant trades for courses on fire service are Fire Service Mechanical Fitter and Fire Service Electrical Fitter.
- (5) The relevant trades for courses on refrigeration/air-conditioning/ventilation are Refrigeration/Air-conditioning/Ventilation Mechanic (Air System) and Refrigeration/Air-conditioning/Ventilation Mechanic (Water System).
- (6) The relevant trades for courses on lifts/escalators are Escalator Mechanic and Lift Mechanic.
- (7) The relevant trade for courses on welding is General Welder.
- (8) Craft Certificate in Plumbing and Pipefitting is a three-year part-time day-release course.

## Security of Contactless Credit Cards

12. **DR CHIANG LAI-WAN** (in Chinese): *President, in recent years, credit cards that need no card readers or card-swiping for data transmission and only Near Field Communication technology is needed to complete transactions through short-range wireless (i.e. "contactless") data transmission (commonly*

*known as "touch-and-pay") have become increasingly popular. Recently, it was discovered that one could easily read the electronic information stored in contactless credit cards just by placing smart phones with certain mobile applications in the proximity of those cards, which has aroused concerns about the security of those credit cards. The Hong Kong Monetary Authority (HKMA) also announced the names of the seven card-issuing banks involved and required them to recall and replace those problematic credit cards expeditiously. In this connection, will the Government inform this Council:*

- (1) of the number of reports of crimes involving contactless credit cards in each of the past three years;*
- (2) whether HKMA has issued clear guidelines to card-issuing banks in respect of the security of contactless credit cards; if HKMA has, of the details; if not, the reasons for that;*
- (3) whether HKMA has investigated into the reasons why the information stored in the credit cards concerned can be read easily; if HKMA has, of the details; if not, the reasons for that;*
- (4) how HKMA regulates and enhances the security of contactless credit cards to protect credit card users; and*
- (5) whether HKMA has considered ways to step up publicity and education on the use of contactless credit cards safely, so as to enable users to understand the potential risks involved in using those credit cards and the ways to prevent personal data stored in credit cards from being stolen; if HKMA has, of the details; if not, the reasons for that?*

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

- (1) The Police and the Hong Kong Monetary Authority (HKMA) do not have statistical breakdown on crime cases relating to contactless credit cards.

- (2) In 2012, the HKMA issued the regulatory requirements relating to contactless credit cards. These include requiring card issuing banks not to store a customer's full name or other unnecessary information on the part of a card that is accessible in a contactless manner.
- (3) According to the HKMA's understanding from the relevant banks, this incident involved some contactless credit cards supplied by two providers, in which the full name of customers stored on those cards could be accessible by unauthorized persons in a contactless manner under certain circumstances, thereby causing concerns about personal data privacy. The HKMA notes that this has no security implication for transactions conducted by contactless credit cards.
- (4) As mentioned above, the HKMA issued clear regulatory requirements relating to contactless credit cards to card issuing banks in 2012. The HKMA has been closely monitoring the market developments. When banks adopt new technology to provide services, the HKMA will issue and review the relevant regulatory requirements as appropriate.

Before formulating the relevant regulatory requirements, the HKMA will listen to views of different sectors and strike an appropriate balance between transaction convenience and security.

- (5) According to the Code of Banking Practice, card issuing banks should advise cardholders to refer to the security advice provided by banks from time to time. Moreover, card issuing banks should review regularly their security advice to ensure that it remains adequate and appropriate as the technology environment evolves.

In addition, anti-crime appeals with respect to credit cards were made by the Police through the Facebook Page, Police Magazine and a radio programme in October and November 2015 respectively. The Police will continue to enhance public awareness and alertness through different publicity channels. Members of the public are reminded to attend to their credit cards, patronize reputable shops, pay full attention to transactions, and check regularly their accounts for suspicious transaction records.

**Hong Kong Labour Force Projections**

13. **MR LEUNG YIU-CHUNG** (in Chinese): *President, the Census and Statistics Department (C&SD) released, in September 2013 and October this year respectively, two feature articles on Hong Kong labour force projections for 2013 to 2041 and those for 2015 to 2064. Some members of the public have queried why there are significant discrepancies between the projection figures in the two articles. For example, while the former projected the size of the labour force in 2041 at about 3 520 000, the latter projected it at about 3 410 000 in the same year, with a difference of about 110 000 between them. Regarding labour force projections, will the Government inform this Council:*

- (1) of the reasons for the significant change in the size of 2041 labour force projected in the aforesaid two articles within a short period of two years; whether C&SD will make public the relevant projection methodology;*
- (2) of the constraints on, and assumptions in, the making of the labour force projections by C&SD at present; how C&SD ensures that the existing methodology for labour force projections is in line with the relevant international standards; and*
- (3) in the course of compiling the aforesaid labour force projections by C&SD, whether government officials other than those in C&SD have given views or data to C&SD; if so, of the details, and whether C&SD has changed its projection methodology in the light of the views and data involving political factors which it has received?*

**SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY** (in Chinese): President, the Census and Statistics Department (C&SD) compiles projected labour force (LF) basically by applying projected LF participation rates to the respective projected population. The methodology adopted was presented in the feature articles on Hong Kong LF projection published in September 2013 and October 2015. When making population and LF projections, prevailing policies and past trends were assumed to remain unchanged for derivation of the most likely outcome. If there are new policies implemented or changes in the trends, the population and LF figures will be different. The C&SD will closely monitor the latest population and labour market developments, and will update

the projected population and LF figures regularly as needed. There is currently no international standard on the compilation methodology of LF projections. The methodology adopted by the C&SD is similar to those adopted by other developed economies such as the USA, the UK and Australia.

Compared with the previous round, there was a lower projected LF this round largely because of a smaller projected population, which was mainly attributable to the downward adjustment in the assumption on the long term inflow of One-way Permit Holders, from 150 persons per day adopted in the previous round to 100 persons per day (from mid-2027 onwards) this round. The assumption adopted by the C&SD was based on the actual inflow figures in the past, taking into account the inflow of overage children and their spouses and children during the initial projection period. There is no political consideration involved in the projections.

### **Grants for Non-governmental Organizations Providing Social Welfare Services**

14. **MR CHRISTOPHER CHUNG** (in Chinese): *President, at present, quite a number of non-governmental organizations (NGOs) in Hong Kong provide various types of social welfare services by applying for grants from the Government or various funds or schemes administered by it. In this connection, will the Government inform this Council:*

- (1) *of the following detailed information of each NGO (set out in a table): (i) name, (ii) the amount of grants received in the current financial year to date and their uses, the source of such grants (e.g. from the Government, a fund or a scheme), and (iii) the year in which the NGO received grant for the first time; and*
- (2) *of the current number of funds/schemes from which NGOs may apply for grants; regarding each of such funds/schemes, of its name, the number of grant applications received and the amount of grants allocated in the current financial year to date, as well as its current balance (set out in a table)?*

**SECRETARY FOR LABOUR AND WELFARE** (in Chinese): President, my reply to Mr Christopher CHUNG's question is as follows:

- (1) The Social Welfare Department (SWD) has not kept information on the allocations or grants which individual non-governmental organizations (NGOs) have received through different channels for providing social welfare services.
- (2) The funds/schemes under the Labour and Welfare Bureau and SWD from which NGOs can apply for allocations for providing social welfare services and the information on approval of applications for this financial year are set out at Annex.

Annex

The funds/schemes under  
the Labour and Welfare Bureau and the SWD from which NGOs can apply  
for allocations for providing social welfare services

		<i>2015-2016 (Up to 31 October 2015)</i>		
	<i>Fund/scheme</i>	<i>Number of funding applications received</i>	<i>Approved funding amount</i>	<i>Balance</i>
<i>Funds</i>				
1	Queen Elizabeth Foundation for the Mentally Handicapped	The application period for 2015-2016 is from 9 October to 20 November 2015. The number of applications received can only be confirmed after the application deadline.	Applications yet to be approved	\$189 million

		<i>2015-2016 (Up to 31 October 2015)</i>		
	<i>Fund/scheme</i>	<i>Number of funding applications received</i>	<i>Approved funding amount</i>	<i>Balance</i>
2	Sir Robert Ho Tung Charitable Fund	303	Applications yet to be approved	\$9 million <sup>(1)</sup>
3	Community Investment and Inclusion Fund	41	Applications yet to be approved	\$134 million
4	Elder Academy Development Foundation	21	\$3.1 million	\$49 million
5	Child Development Fund	32	\$63.25 million	\$262 million
6	Hong Kong Paralympians Fund	125	\$6.52 million	\$228 million
7	Lotteries Fund	272	\$3.522 billion <sup>(2)</sup>	\$15.122 billion <sup>(3)</sup>
8	Partnership Fund for the Disadvantaged	Invitation for applications for this year has not commenced.	\$25.08 million <sup>(4)</sup>	\$211 million
9	Partnership Fund for the Disadvantaged — Dedicated Fund for After-school Learning and Support Programmes	105	\$41.07 million	\$159 million
<i>Other schemes</i>				
10	Neighbourhood Active Ageing Project <sup>(5)</sup>	0	\$0	\$20,000
11	Opportunities for the Elderly Project <sup>(6)</sup>	0	\$0	\$32,618



		2015-2016 (Up to 31 October 2015)		
	<i>Fund/scheme</i>	<i>Number of funding applications received</i>	<i>Approved funding amount</i>	<i>Balance</i>
12	Chief Executive's Community Project List	Invitation for applications for this year has not commenced.	\$99.97 million <sup>(7)</sup>	\$100 million
13	District Support Scheme for Children and Youth Development — Developmental Project	206	\$5.21 million	\$247,710
14	Rent/Rates/Government Rent Subsidy Scheme	266	Applications yet to be approved	N/A <sup>(8)</sup>
15	Community-based Support Projects for Persons with Disabilities (January 2015 to December 2017)	23	\$7.25 million	\$0 <sup>(9)</sup>
16	Financial support Scheme for Self-help Organizations of Persons with Disabilities/Chronic Illnesses (October 2014 to September 2016)	81	\$14.72 million	\$0 <sup>(10)</sup>
17	"Enhancing Employment of People with Disabilities through Small Enterprise" Project	8	\$8.82 million	\$64.41 million

		<i>2015-2016 (Up to 31 October 2015)</i>		
	<i>Fund/scheme</i>	<i>Number of funding applications received</i>	<i>Approved funding amount</i>	<i>Balance</i>
18	The Jockey Club IT Scheme for People with Visual Impairment	The application period for the 21st round is from 26 October to 30 November 2015. The number of applications received can only be confirmed after the application deadline.	Applications yet to be approved	\$2.10 million

## Notes:

- (1) The Trustee of the Sir Robert Ho Tung Charitable Fund allocates an amount of funding for applications by NGOs every year.
- (2) The amount of funding covers the social welfare projects undertaken by Government departments with allocations from the Lotteries Fund, for example, construction projects of social welfare facilities entrusted to the SWD, the Architectural Services Department or the Housing Department prior to allocation to NGOs.
- (3) The balance includes the \$10 billion transferred from the General Revenue of the Government to ensure that the Lotteries Fund has sufficient resources for the implementation of feasible projects under the Special Scheme on Privately Owned Sites for Welfare Uses.
- (4) The sum was approved this year in support of 35 applications received last year from the Ninth Round Application for the Partnership Fund for the Disadvantaged.
- (5) Each phase under the scheme lasts for two years. The latest phase runs from 2014 to 2016. The relevant funding applications were submitted from June to July 2014, and a total of 136 applications were received. The relevant funding was approved in November 2014, involving \$5.98 million.
- (6) The applications under the scheme cover two-year projects and one-year projects. The latest batch of two-year projects are implemented in 2014-2016, with 99 applications

received in 2014-2015 and funding of \$2.26 million approved in the same year. The latest batch of one-year projects are implemented in 2015-2016, with 270 applications received in early 2015 and funding of \$2.75 million approved in early 2015.

- (7) The amount of funding is to support the applications received in 2014-2015.
- (8) The SWD will set aside an allocation for the scheme based on the amount of funding sought and the availability of Government funds of the year.
- (9) The SWD has been allocated recurrent resources to implement this scheme. When the three-year period is completed, the SWD will receive applications from NGOs again.
- (10) The SWD has been allocated recurrent resources to implement this scheme. When the two-year period is completed, the SWD will receive applications from self-help organizations of persons with disabilities/chronic illnesses again.

### **Integrated Community Centres for Mental Wellness**

15. **MR CHEUNG KWOK-CHE** (in Chinese): *President, the Government has indicated in the 2015 Policy Address that it will increase the manpower of social workers in all Integrated Community Centres for Mental Wellness (ICCMWs) so as to enhance the support for mental patients. Many social workers have relayed to me that currently ICCMWs have unclear positioning of their services and their manpower is inadequate. In this connection, will the Government inform this Council:*

- (1) *given that each ICCMW is currently serving a population of about 330 000 while the number of people in need of mental health services is rising, whether the Government will conduct a detailed study on the demand for ICCMW's services in various districts and increase resources for and manpower of ICCMWs in light of the results of such a study; if it will, of the details;*
- (2) *whether the Government will set up additional ICCMWs in the coming three years to cope with the service demand; if it will, of the details;*
- (3) *given that at present the authorities has only stipulated that the target users of ICCMWs are people aged 15 or above, whether the Government will set an upper age limit for people using ICCMWs,*

*so that ICCMWs can provide services which are more suitable for users, and have a clearer division of labour and collaboration with other types of social services;*

- (4) *whether the Government will, on a regular basis, provide systematic on-the-job training on mental health services to the social workers newly recruited by ICCMWs, so as to enhance service quality and retain talents; if it will, of the details;*
- (5) *as some survey findings have indicated that there is currently a brain drain problem among welfare workers and activity assistants in ICCMWs due to unsatisfactory career prospect, whether the Government will enhance the qualifications recognition and promotion prospects for staff of these grades (e.g. by creating posts/grades such as occupational therapy assistant, rehabilitation training assistant, etc. and providing recognized training to assist them in obtaining professional qualifications); if it will, of the details; and*
- (6) *in respect of the 24 ICCMWs across the territory, of the following information on each ICCMW in each year from 2011-2012 to 2014-2015: (i) team size (i.e. 1 stands for full team and 0.5 stands for half a team, etc.), (ii) number of serious cases handled, (iii) number of general cases handled, (iv) number of members, (v) number of family members served, and (vi) number of social worker posts (set out such information for each year in the table of the same format as the table below)?*

*Year: \_\_\_\_\_*

<i>Centre</i>	<i>(i)</i>	<i>(ii)</i>	<i>(iii)</i>	<i>(iv)</i>	<i>(v)</i>	<i>(vi)</i>
<i>Centre 1</i>						
<i>Centre 2</i>						
<i>Centre 3</i>						
<i>Centre 4</i>						
<i>.</i>						
<i>.</i>						
<i>.</i>						
<i>Centre 24</i>						

**SECRETARY FOR LABOUR AND WELFARE** (in Chinese): President, the Government has all along been concerned about the needs of persons with mental health problems as well as their families and carers and keeps under review the operation of and demand for community support services to ensure that the services keep abreast of times. The Social Welfare Department (SWD) reorganized the mental health support services in October 2010 by setting up Integrated Community Centres for Mental Wellness (ICCMWs) across the territory through one-stop and district-based delivery mode. ICCMWs provide community support services ranging from prevention to crisis management for discharged mental patients, persons with suspected mental health problems, their families and carers and residents in the community. To dovetail with the Hospital Authority (HA)'s "Case Management Programme" for patients with severe mental illness and to provide services for more persons in need, additional resources have been allocated to strengthen the manpower of the ICCMWs in the past four years. The resources allocated to ICCMWs increased from \$135 million in 2010 to \$217 million in 2015, an increase by more than 60%, to strengthen the manpower and supervisory support of ICCMWs.

My reply to the questions raised by Mr CHEUNG Kwok-che is as follows:

- (1) The ICCMWs have already accumulated considerable experience in service provision since its launching in 2010 and the HA's Case Management Programme has been expanded to cover all districts in Hong Kong since 2014-2015. The SWD is conducting a review of the overall services of ICCMWs, including service planning and positioning, scope of services, manpower of service team, and so on, in collaboration with non-governmental organizations (NGOs) operating ICCMWs, the Hong Kong Council of Social Service and representatives of service user groups. The review is expected to be completed within 2016.
- (2) At present, there are 24 ICCMWs in Hong Kong. Individual service centres also set up additional service points in their respective service boundary to provide more accessible service and support to service users. The SWD will continue to monitor the operation of ICCMWs and take appropriate measures, including assisting individual ICCMWs to set up additional service points when necessary to meet service need.

- (3) ICCMWs mainly provide community psychiatric rehabilitation and mental health services for service users in need. The SWD does not set an upper age limit for service users. ICCMWs may collaborate with other service units, such as Integrated Children and Youth Services Centres, Integrated Family Service Centres and District Elderly Community Centres to provide comprehensive and appropriate support to meet other welfare needs of service users.

(4) and (5)

According to the SWD's Service Quality Standards, the NGOs or service units operating subvented services shall have induction policy and procedures for new staff, a training policy and a plan for staff training and development. NGOs operating ICCMWs can provide suitable training to their staff through the following means:

- (i) to enhance the service quality and to retain staff through flexible deployment of the allocated subvention on staff training under the Lump Sum Grant Subvention System;
- (ii) to provide training for new recruits by seeking funding from the \$1 billion Social Welfare Development Fund, which was set up in 2009 in pursuance of the Lump Sum Grant Independent Review Committee's recommendation;
- (iii) to provide training and training-related activities for social workers for improving their knowledge and skills by applying for grants under the SWD's Social Work Training Fund (for example, to organize for social workers or enrol them in courses/seminars/workshops); and
- (iv) to enrol their staff in annual mental health related training courses organized by the SWD and the HA.

The SWD will continue to monitor the training needs of the ICCMWs staff and maintain communication with the NGOs and the HA with a view to providing suitable training opportunities to enhance their effectiveness at work in meeting the service need.

- (6) The statistics on the number of members served, number of family members/carers served and number of cases served by the 24 ICCMWs in 2011-2012 to 2014-2015 are tabulated below:

<i>24 ICCMWs</i>	<i>2011-2012</i>	<i>2012-2013</i>	<i>2013-2014</i>	<i>2014-2015</i>
Number of members served	18 088	22 717	24 294	25 662
Number of cases served (as at the end of March of the financial year)	10 060	12 007	12 108	12 593
Number of family members/carers served	Not applicable <sup>Note</sup>	Not applicable <sup>Note</sup>	3 395	2 587

Note:

As the SWD started capturing information on family members/carers in 2013-2014, information concerned for 2011-2012 and 2012-2013 is not available.

According to the Funding and Service Agreement of ICCMWs, the essential staffing requirements of ICCMWs include social worker among other professionals. Under the Lump Sum Grant Subvention System, ICCMWs have the flexibility to deploy the subvention in arranging suitable staffing to ensure service quality to meet service needs. Hence, the SWD does not have statistics on the number of social worker posts of each ICCMW. Besides, the SWD does not have information on the number of cases with severe mental illness or general mental disorder handled by ICCMWs.

### Waiting Time for and Allocation of PRH

16. **DR FERNANDO CHEUNG** (in Chinese): *President, some members of the public have relayed to me that the waiting time for public rental housing (PRH) is getting increasingly longer at present, and they have no way to know the method by which the Housing Department (HD) calculates the waiting time of the PRH applicants. Furthermore, according to Report No. 61 of the Director of Audit, published in October 2013, the method by which HD calculates the PRH applicants' average waiting time lacks transparency, and the average waiting time claimed by HD is different from the actual waiting time perceived by the applicants. The Director of Audit also suggested that HD should make public the definition of average waiting time and the basis of its calculation. On the other hand, the Government attributes the prolonged waiting time of the PRH applicants to the opposition from members of the local communities and concern groups to some PRH projects as well as the increase in the applications for PRH from young people. Regarding the waiting time for and allocation of PRH, will the Government inform this Council of:*

- (1) *the justifications for HD not making public the actual waiting time for PRH regularly and the basis of its calculation;*
- (2) *the actual waiting time of general PRH applicants in each of the past five financial years as well as the current financial year to date, and set out the relevant information in the table below:*

Stage	Average actual waiting time (Year)	Average actual waiting time (from application to intake) (Year)
From application to registration		
From registration to first offer		
From first offer to second offer		
From second offer to third offer		



- (3) *the number of non-elderly singleton applicants on the PRH waiting list in each of the past 10 financial years as well as the current financial year to date, and set out a breakdown by education level (primary or below, secondary, tertiary or above) in a table;*
- (4) *the respective numbers of non-elderly singleton applicants allocated with PRH flats through (i) general application, (ii) compassionate rehousing and (iii) the Express Flat Allocation Scheme, in each of the past 10 financial years as well as the current financial year to date, and set out a breakdown by age group (18-30, 31-40, 41-50 and 51 or above) in a table; and*
- (5) *the total number of the projects opposed by members of the local communities or concern groups among those PRH projects proposed, commenced and completed in the past five financial years, as well as among those PRH projects planned to be built in the next five financial years, and set out the following information of the projects concerned: (i) the project names, (ii) the years in which the PRH projects were/scheduled to be completed, (iii) the number of flats built/planned to be built, (iv) the reasons for opposition, and (v) the modifications (e.g. reduction in the number of flats, abolition or deferral of the construction of the projects concerned) made in response to the objections?*

**SECRETARY FOR TRANSPORT AND HOUSING** (in Chinese): President, the Hong Kong Housing Authority (HA)'s objective is to provide public rental housing (PRH) to low-income families who cannot afford private rental accommodation, with the target of providing the first flat offer to general applicants (that is, family and elderly one-person applicants) at around three years on average. Waiting time refers to the time taken between registration for PRH and first flat offer, excluding any frozen period during the application period (for example, when the applicant has not yet fulfilled the residence requirement; the applicant has requested to put his/her application on hold pending arrival of family members for family reunion; the applicant is imprisoned, and so on). As regards the calculation of average waiting time (AWT) of general applicants, it refers to the average of the waiting time of those general applicants who were housed to PRH in the past 12 months.

My reply to the five-part question raised by Dr Fernando CHEUNG is as follows:

(1) and (2)

The definition, calculation basis and release of information regarding the average waiting time for PRH are covered in the Director of Audit's Report No. 61 on allocation and utilization of PRH flats published in October 2013, and subsequently in the Legislative Council Public Accounts Committee (PAC)'s Report No. 61 published in February 2014. At that time, the Housing Department (HD) already pointed out to the Director of Audit and the PAC that although eligible applicants are given three housing offers, they are already provided with a housing opportunity at the first offer. Whether an applicant accepts the first offer or waits for subsequent offers is entirely a matter of personal decision. Hence, waiting time is only counted up to the first offer. The decision as to whether or not to accept the first, second or third offer rests entirely with the applicant and is not under the control of the HA. It is therefore not appropriate for the HA to publish information regarding aspects of waiting time over which it has no control to avoid causing misunderstanding.

Furthermore, as applicants who refuse to accept the first or the second offer are already at the forefront of the waiting list, the HD will arrange flat allocation to these applicants as soon as suitable flats are available. The HD will not change the priority of applicants because of the refusal of the first or the second offer. However, the availability of suitable flats for allocation to these applicants depends on the supply of new and recovered flats in individual districts, as well as various factors such as whether other applicants who are offered flats at the same time will refuse to accept the housing offers and hence release the flats. Therefore, circumstances of individual applicants vary significantly. The average waiting time calculated from the first to the second offer; as well as from the second to the third offer will be of limited reference value to individual applicants.

The HD has repeatedly explained the definition of average waiting time and its calculation basis on different public occasions in the past (including meetings and papers of the HA and the Legislative Council, as well as responses to the media). Nevertheless, we agree with the suggestion of the Director of Audit and the PAC to enhance the publicity through various public channels and have done so accordingly. We have already provided the relevant information on the HA/HD's website and in the Application Guide for PRH for easy reference of applicants. At present, the HD also updates information about the average waiting time of general applicants on the HA/HD's website every quarter. This arrangement enhances the transparency of information.

The average waiting time of general applicants (according to the definition mentioned above) in the past five financial years are summarized in the following table:

	<i>AWT (years)</i>
As at end March 2011	2.0
As at end March 2012	2.6
As at end March 2013	2.7
As at end March 2014	3.0
As at end March 2015	3.3

According to the latest figures, as at end September 2015, the average waiting time of general applicants is 3.6 years.

- (3) As at end September 2015, there are 142 800 applications from non-elderly one-person applicants under the Quota and Points System (QPS). In the past 10 years, the number of QPS applicants is as follows:

	<i>Number of QPS applicants</i>
As at end March 2006	Not available
As at end March 2007	36 700
As at end March 2008	38 500
As at end March 2009	42 700
As at end March 2010	51 300
As at end March 2011	63 400

	<i>Number of QPS applicants</i>
As at end March 2012	87 800
As at end March 2013	111 500
As at end March 2014	126 200
As at end March 2015	140 600

As PRH applicants need not declare their education attainment in their applications, the HD has not kept information about the education attainment of applicants. For reference purpose, the HD conducts survey on PRH applicants every year. According to survey results from 2007 to 2015, the education attainment of non-elderly one-person applicants is as follows<sup>(1)</sup>:

<i>Education attainment</i>	<i>Year of survey</i>								
	2007	2008	2009	2010	2011	2012	2013	2014	2015
Primary school or below	14%	17%	10%	9%	6%	8%	7%	5%	6%
Secondary school	72%	65%	70%	68%	60%	58%	52%	52%	49%
Post-secondary <sup>(2)</sup>	6%	8%	9%	8%	16%	17%	21%	20%	19%
Tertiary or Above <sup>(3)</sup>	8%	9%	12%	15%	17%	17%	19%	23%	27%
Overall	100%	100%	100%	100%	100%	100%	100%	100%	100%

All figures reflect the position of the first quarter of each reference year.

Notes:

(2) Including Certificate, Diploma, Higher Certificate, Higher Diploma, Professional Diploma, Associate Degree, Pre-Associate Degree, Endorsement Certificate and other non-degree level courses in local or non-local institutions.

(3) Referring to courses at or above Bachelor degree level in local or non-local institutions.

- (4) (i) The HD had in the past conducted an analysis on the age distribution of non-elderly one-person applicants housed under the QPS from 2006-2007 to 2014-2015. The results are as follows:

- (1) In surveys conducted in 2013 and earlier, non-elderly one-person applicants include (a) one-person applicants aged 58 or 59 who opt for the Single Elderly Persons Priority Scheme; (b) female one-person applicants with pregnancy of 16 weeks or more; and (c) QPS applicants. Since the 2014 survey, we have strictly followed the types of application and removed applicants (a) and (b) above (which belong to general applicants) from the survey on non-elderly one-person applicants. As applicants (a) and (b) above account for less than 1% of all applicants, the difference in coverage should have minimal impact on the use of past statistics for comparison purpose.

Age	2006-2007	2007-2008	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015
18 to 29	-	-	-	-	-	-	-	-	-
30 to 39	1	11	24	11	37	35	37	54	48
40 to 49	172	392	580	433	677	548	482	590	353
50 or above	1 150	1 190	1 387	1 504	1 032	1 264	1 171	1 276	865
Total	1 323	1 593	1 991	1 948	1 746	1 847	1 690	1 920	1 266

Note:

Applicants were housed under the QPS starting from 2006-2007. The figures do not include non-elderly one-person applicants housed through Compassionate Rehousing and the Express Flat Allocation Scheme.

(ii) and (iii)

Whether PRH applicants are housed through Compassionate Rehousing or the Express Flat Allocation Scheme is not directly related to their age. Hence, the HD has not conducted any analysis in this respect and therefore cannot provide any figures.

- (5) Over the past five years, the HA has consulted the District Councils (DCs) on some 80 public housing projects (including PRH and subsidized sales flats projects). Details of these projects are set out in the discussion paper submitted to the Legislative Council Panel on Housing (LC Paper No. CB(1)63/15-16(05)) in November 2015, and are repeated at Annex for ease of reference.

About 90% of the above projects involve rezoning or planning applications. It is difficult to provide a brief summary on the views received since relevant DCs and members of the general public had diversified views on these projects and their views also varied at different stages of consultation. In general, requests which we usually received during the consultation were mainly on provision of more community facilities (such as community halls, indoor sports centres, and so on); provision of public transport facilities (such as public transport terminus or interchanges, footbridges; parking spaces, and so on); as well as reprovisioning of existing facilities which would be affected by the developments. There were also concerns about the adverse impact on traffic, air ventilation, visual amenity or the property value in the adjacent areas brought about by the developments, and also concerns about infill or high-rise developments.

We must stress that we have all along endeavoured to address the requests of the locals and solicit their support through various community engagement activities and residents' forums, so as to facilitate the smooth implementation of each and every public housing project. Through communication and co-operation between the Government and the DCs, we in the end secured the support or no objection in principle from respective DCs for most of the public housing projects listed at Annex. At this stage, it is difficult for us to forecast or speculate the response of respective districts and DCs on the public housing projects which will commence in the coming five financial years.

We will continue to liaise with the DCs and the local communities and will review with relevant bureaux and departments in order to deliver public housing in a prudent, holistic and cost-effective manner. Where possible and where resources permit, we will also address the community's requests for public facilities. These tasks call for additional work and time, but we will proceed with planning applications and make corresponding amendments to scheme design in parallel in order to save time and to minimize the impact on the public housing construction programme.

#### Annex

The HA's Public Housing Projects for which DCs have been consulted from 2010-2011 to 2015-2016 (up to September 2015)

<i>District Council</i>	<i>Number of Projects</i>	<i>Site Location</i>	<i>Estimated Completion Year</i>	<i>Estimated Flat Number (About)</i>
Public Housing Projects with DC Consultation in 2010-2011				
Kwun Tong	1	Sau Ming Road	2018-2019	300
Sha Tin	2	Fo Tan Phases 1 and 2	2018-2019 to 2019-2020	4 800
	3	Wo Sheung Tun Street, Fo Tan (HOS)	2019-2020	800
North	4	Choi Yuen Road	2018-2019	1 100

<i>District Council</i>	<i>Number of Projects</i>	<i>Site Location</i>	<i>Estimated Completion Year</i>	<i>Estimated Flat Number (About)</i>
<b>Public Housing Projects with DC Consultation in 2011-2012</b>				
Wong Tai Sin	5	Ex-San Po Kong Flatted Factory <sup>@</sup>	2016-2017	900
Kwai Tsing	6	Ching Hong Road (HOS)	2016-2017	500
	7	Ex-Kwai Chung Police Quarters	2017-2018	900
Tuen Mun	8, 9	Tuen Mun Area 54 Site 2 Phases 1 and 2	2016-2017 to 2017-2018	4 700
North		<i>Choi Yuen Road</i>	<i>2018-2019</i>	<i>1 100</i>
	10	Fanling Area 49	2018-2019	900
Islands	11	Tung Chung Area 56	2016-2017	3 600
Eastern	12	Lin Shing Road	2017-2018	300
Sha Tin	13	Mei Mun Lane, Sha Tin Area 4C (HOS)	2016-2017	200
	14	Pik Tin Street, Sha Tin Area 4D (HOS)	2016-2017	300
	15	Hin Tin Street, Sha Tin Area 31 (HOS)	2017-2018	200
		<i>Fo Tan Phases 1 and 2</i>	<i>2018-2019 to 2019-2020</i>	<i>4 800</i>
<b>Public Housing Projects with DC Consultation in 2012-2013</b>				
Wong Tai Sin		<i>Ex-San Po Kong Flatted Factory<sup>@</sup></i>	<i>2016-2017</i>	<i>900</i>
Kwun Tong	16	Pik Wan Road, Yau Tong (HOS)	2020-2021 or beyond	600
Kowloon City	17	Kai Tak Site 1G1(B) (HOS)	2018-2019	700
	18	Sheung Lok Street (HOS)	2018-2019	600
Kwai Tsing		<i>Ex-Kwai Chung Police Quarters</i>	<i>2017-2018</i>	<i>900</i>
Tsuen Wan	19	Sha Tsui Road (HOS)	2016-2017	1 000

<i>District Council</i>	<i>Number of Projects</i>	<i>Site Location</i>	<i>Estimated Completion Year</i>	<i>Estimated Flat Number (About)</i>
Tuen Mun	20	Tuen Mun Area 29 West	2020-2021 or beyond	800
	21	Tuen Mun Area 54 Sites 1 and 1A	2020-2021 or beyond	3 200
	22, 23	Tuen Mun Area 54 Sites 3 and 4 (East) Phases 1 and 2	2020-2021 or beyond	5 300
	24	Tuen Mun Area 54 Site 5 (HOS)	2020-2021 or beyond	500
		Tuen Mun Area 2 <sup>^</sup> (HOS)	2018-2019	300
North		<i>Fanling Area 49</i>	<i>2018-2019</i>	<i>900</i>
Islands	25	Tung Chung Area 39	2018-2019	3 900
	26	Ngan Kwong Wan Road East (HOS)	2018-2019	200
	27	Ngan Kwong Wan Road West (HOS)	2018-2019	500
Eastern	28	Conversion of Chai Wan Factory Estate	2016-2017	200
Sham Shui Po	29, 30, 31, 32, 33	Pak Tin Estate Phases 7 to 13	2019-2020 and 2020-2021 or beyond	5 900
	34, 35, 36	Northwest Kowloon Reclamation Site 6 Phases 1 to 3	2019-2020 and 2020-2021 or beyond	3 300
	37	Fat Tseung Street West (HOS)	2019-2020	800
Yuen Long	38	Wang Yip Street West (HOS)	2016-2017	200
Public Housing Projects with DC Consultation in 2013-2014				
Kwun Tong	39	Eastern Harbour Crossing Site Phase 7	2018-2019	500
	40	Hiu Ming Street	2020-2021 or beyond	1 100
	41	Choi Hing Road, Choi Hung (HOS)	2018-2019	1 400



<i>District Council</i>	<i>Number of Projects</i>	<i>Site Location</i>	<i>Estimated Completion Year</i>	<i>Estimated Flat Number (About)</i>
Kwai Tsing	42, 43	Tai Wo Hau Road Phases 1 and 2	2020-2021 or beyond	800
Sham Shui Po		<i>Northwest Kowloon Reclamation Site 6 Phases 1 to 3</i>	<i>2019-2020 and 2020-2021 or beyond</i>	<i>3 300</i>
	44, 45	Lai Chi Kok Road — Tonkin Street Phases 1 and 2	2018-2019	3 900
	46, 47, 48	Shek Kip Mei Phases 3, 6 and 7	2018-2019 to 2019-2020	1 500
	49	Cheung Sha Wan Wholesale Food Market Site 3	2018-2019	1 300
	50, 51	Cheung Sha Wan Wholesale Food Market Site 5 Phases 1 and 2 (HOS)	2018-2019	2 500
		<i>Fat Tseung Street West (HOS)</i>	<i>2019-2020</i>	<i>800</i>
Sha Tin		<i>Fo Tan Phases 1 and 2</i>	<i>2018-2019 to 2019-2020</i>	<i>4 800</i>
	52	Shek Mun (Shek Mun Estate Phase 2)	2018-2019	3 000
	53	Hang Tai Road, Ma On Shan Area 86B	2020-2021 or beyond	1 700
		<i>Wo Sheung Tun Street, Fo Tan (HOS)</i>	<i>2019-2020</i>	<i>800</i>
	54, 55	Ma On Shan Road South and North (HOS)	2020-2021 or beyond	2 000
Yuen Long	56	Kiu Cheong Road East, Ping Shan (HOS)	2018-2019	2 400
Public Housing Projects with DC Consultation in 2014-2015				
Kwun Tong		<i>Choi Hing Road, Choi Hung (HOS)</i>	<i>2018-2019</i>	<i>1 400</i>
	57	Choi Wing Road	2020-2021 or beyond	800
		<i>Hiu Ming Street</i>	<i>2020-2021 or beyond</i>	<i>1 100</i>

<i>District Council</i>	<i>Number of Projects</i>	<i>Site Location</i>	<i>Estimated Completion Year</i>	<i>Estimated Flat Number (About)</i>
Wong Tai Sin	58	Fung Shing Street, Wong Tai Sin	2019-2020	800
	59, 60	Diamond Hill Phases 1 and 2	2020-2021 or beyond	3 100
	61	Diamond Hill Phase 3 (HOS)	2020-2021 or beyond	900
	62	Tung Tau Estate Phase 8	2019-2020	1 000
Kwai Tsing	63	Texaco Road <sup>#</sup> (HOS)	2019-2020	500
Tuen Mun	64	San Hing Road, Tuen Mun <sup>#</sup>	2020-2021 or beyond	1 500
North	65, 66	Queen's Hill Phases 1 and 2	2020-2021 or beyond	8 800
	67	Queen's Hill Phase 3 (HOS)	2020-2021 or beyond	3 200
Sha Tin		<i>Fo Tan Phases 1 and 2</i>	<i>2018-2019 to 2019-2020</i>	<i>4 800</i>
		<i>Wo Sheung Tun Street (HOS)</i>	<i>2019-2020</i>	<i>800</i>
	68	Au Pui Wan Street (HOS)	2019-2020	800
Islands	69	Tung Chung Area 27 (HOS)	2019-2020	1 200
Yuen Long	70	Wang Chau Phase 1	2020-2021 or beyond	2 300
	71	Wang Chau Phase 2 (HOS)	2020-2021 or beyond	1 700
Sai Kung	72	Tseung Kwan O Area 65C2 (HOS)	2019-2020	1 400
Tai Po	73, 74, 75	Tai Po Area 9 Phases 1 to 3	2020-2021 or beyond	4 900
	76	Chung Nga Road East, Tai Po <sup>#</sup>	2020-2021 or beyond	700
	77	Chung Nga Road West, Tai Po <sup>#</sup>	2020-2021 or beyond	1 000

<i>District Council</i>	<i>Number of Projects</i>	<i>Site Location</i>	<i>Estimated Completion Year</i>	<i>Estimated Flat Number (About)</i>
Public Housing Projects with DC Consultation in 2015-2016 (up to September 2015)				
Kwai Tsing	78, 79	Tsing Hung Road Phases 1 and 2 <sup>#</sup>	2019-2020 and 2020-2021 or beyond	3 800
Eastern	80	Wing Tai Road, Chai Wan	2019-2020	800
Sha Tin	81	Hang Kin Street, Ma On Shan (HOS)	2019-2020	700
Total for 2010-2011 to 2015-2016 (up to September 2015)				109 200 (81 projects)

Notes:

- (1) Based on September 2015 Public Housing Construction Programme. Figures may not add up to total due to rounding.
- (2) Anderson Road public housing development (about 17 900 PRH units for completion in 2015-2016 to 2017-2018) was supported by Kwun Tong DC in 2009-2010. Subsequent DC consultations on its proposed Layout Plans in 2010-2011 to 2011-2012 are excluded.
- (3) Tuen Mun DC was consulted on Tuen Mun Area 18 public housing development (about 1 000 PRH units completed in 2013-2014) in 2006-2007 to 2008-2009. Subsequent DC consultations for the community hall held in 2010-2011 to 2011-2012 are excluded.
- (4) Kwun Tong DC was consulted on Pik Wan Road in Yau Tong (HOS) in 2012-2013. The project was subsequently renamed as Pik Wan Road South in Yau Tong.

(HOS): Home Ownership Scheme/Subsidized Sale Flats Projects.

*Italic:* Projects for which DCs were consulted again.

@: Ex-San Po Kong Flatted Factory is a Green Form Subsidized Home Ownership Pilot Scheme project.

^: Tuen Mun Area 2 has been handed to Hong Kong Housing Society for subsidized housing development and it is excluded from the total of 81 projects for which DCs have been consulted.

#: Projects have yet obtained DCs' support.

**Regulation of Workshops Carrying out Repair and Maintenance of Vehicles**

17. **MR TONY TSE** (in Chinese): *President, in April this year, an explosion occurred in a workshop for repair and maintenance of vehicles (vehicle workshop) in Tsz Wan Shan when a liquefied petroleum gas taxi was being repaired there, resulting in casualties and damage to property. Some members of the public have expressed concern about the adequacy of the regulation of vehicle workshops. In this connection, will the Government inform this Council:*

- (1) *given that the authorities launched a Voluntary Registration Scheme for Vehicle Maintenance Workshops in July this year and vehicle workshops registered under the Scheme (registered vehicle workshops) must comply with or pledge to abide by the Practice Guidelines for Vehicle Maintenance Workshops which specify the requirements on different aspects of vehicle workshops, of the respective current numbers of vehicle workshops and registered vehicle workshops, broken down by District Council district; whether the authorities will introduce a mandatory registration scheme for vehicle workshops;*
- (2) *whether the authorities will stipulate that vehicle workshops must comply with the terms of the relevant land leases and the requirements under the Buildings Ordinance (Cap. 123) or the Town Planning Ordinance (Cap. 131) before they are permitted to be registered; of the channels for members of the public to enquire whether individual vehicle workshops are operating in breach of the terms of relevant land leases (non-compliant workshops);*
- (3) *as it has been reported that the aforesaid vehicle workshop in which an explosion occurred is located within a residential area, and the permitted use of the unit concerned under the relevant land lease is "shop for non-domestic purpose", whether the authorities have investigated if the use of the relevant properties for operating that particular vehicle workshop and the other existing vehicle workshops in various districts is in breach of the relevant terms of the land leases; if they have investigated, of the outcome;*

- (4) *in the past three years, regarding those properties in which non-compliant workshops are located, of the numbers of cases in which the Lands Department (i) issued warning letters to the owners of the properties concerned, (ii) delivered the warning letters to the Land Registry for registration, and (iii) resumed the properties concerned; whether the authorities have any policy or plan to eradicate all non-compliant workshops; if they do, of the details;*
- (5) *given that under the Town Planning Ordinance, the Planning Department (PlanD) is empowered to take law enforcement actions against unauthorized developments within development permission areas (DPAs) only, and since the vehicle workshops in the urban areas are not located in DPAs, PlanD cannot take law enforcement actions against those vehicle workshops in the urban areas which are in breach of the permitted uses laid down in the relevant statutory plans, whether the authorities will consider amending the relevant ordinances to eradicate such vehicle workshops; and*
- (6) *whether it has assessed the public's demand for the vehicle repair and maintenance services provided by vehicle workshops, so that the relevant assessment outcome can serve as a reference when formulating enhanced regulatory plans for vehicle workshops; if it has, of the criteria adopted for conducting the assessment concerned?*

**SECRETARY FOR TRANSPORT AND HOUSING** (in Chinese): President, at present, different aspects of the operation of vehicle maintenance workshops (vehicle workshops) must be in compliance with a number of legal requirements regulated by different government bureaux and departments, including:

- (i) occupational safety and health of employees — regulated by the Labour and Welfare Bureau and the Labour Department in accordance with the Factories and Industrial Undertakings Ordinance (Cap. 59) and the Occupational Safety and Health Ordinance (Cap. 509);

- (ii) location, building and fire safety — regulated respectively by the Development Bureau and the Buildings Department, as well as the Security Bureau and the Fire Services Department in accordance with the Buildings Ordinance (Cap. 123);
- (iii) gas safety — regulated by the Environment Bureau and the Electrical and Mechanical Services Department (EMSD) in accordance with the Gas Safety Ordinance (Cap. 51);
- (iv) storage of dangerous goods — regulated by the Security Bureau and the Fire Services Department in accordance with the Dangerous Goods Ordinance (Cap. 295); and
- (v) air pollution, water pollution, noise and waste disposal — regulated by the Environmental Protection Department in accordance with the Air Pollution Control Ordinance (Cap. 311), Water Pollution Control Ordinance (Cap. 358), Noise Control Ordinance (Cap. 400) and Waste Disposal Ordinance (Cap. 354).

My replies, prepared in consultation with Development Bureau, to the various parts of Mr Tony TSE's question are as follows:

(1) and (6)

Since the EMSD launched the Voluntary Registration Scheme for Vehicle Maintenance Workshops (VRSVMW) in July this year, over 400 applications have been received, of which 176 vehicle workshops have been registered successfully, while the other applications are being processed. According to the statistics of the EMSD, there are 2 736 vehicle workshops in Hong Kong as at August this year. The number of vehicle workshops in Hong Kong and the number of vehicle workshops registered under the VRSVMW in each district are at Annex.

As we indicated at the special meeting of the Legislative Council Panel on Transport on 22 July this year, in order to further enhance the standard of vehicle maintenance trade (the Trade), the EMSD would conduct an in-depth study on the feasibility of putting in place

a mandatory registration system for the Trade (both mechanics and workshops) having regard to the experience of the two voluntary registration schemes for vehicle mechanics and vehicle workshops. In the study, the EMSD will conduct a survey to gauge the general acceptance by the Trade and the public in respect of such mandatory registration, and carry out a regulatory impact assessment. The Government will report timely to the Legislative Council Panel on Transport on the outcomes of the study.

- (2) As I have pointed out in the preamble, different aspects of the operation of vehicle workshops must be in compliance with various legal requirements. The EMSD launched the VRSVMW with the objective to motivate the Trade to enhance their service standard on top of the current legal regulatory framework. To encourage more vehicle workshops to join the VRSVMW, vehicle workshops are eligible to apply for registration as long as they fulfil certain basic requirements. The EMSD will then vet the applications according to the requirements for different types of registration under the scheme. Currently, there are four types of registration under the VRSVMW, with Type Four being vehicle workshops situated at a residential building or a composite building with domestic part; or those only pledge to endeavour to abide by the Practice Guidelines for Vehicle Maintenance Workshops. The EMSD will not consider new applications for Type Four registration three years after the launch of the VRSVMW, whilst those vehicle workshops already registered under this type will be retained on the registration list subject to their compliance with the registration renewal requirements.

According to the Development Bureau, members of the public who wish to enquire whether individual vehicle workshops are operating in breach of the terms of the land leases may approach the Land Registry to check the terms and conditions of the relevant lease of the lot, and seek professional advice if necessary. If the EMSD receives complaints that vehicle workshops violate existing legislation, it will follow the existing practice to refer them to the responsible departments for follow-up.

- (3) As pointed out by the Development Bureau, whether a vehicle workshop is in breach of its lease conditions cannot be generalized as it depends on the relevant lease conditions of the lot and the actual operation of the premises.

The lease of the concerned lot where the Tsz Wan Shan vehicle workshop explosion happened in April was located stipulates that the ground floor of any buildings of the lot can be used for residential or commercial purposes. After seeking legal advice and considering the relevant lease condition and its context, the Lands Department (LandsD) takes the view that "vehicle repairing" in general is not in breach of the user restriction of "commercial" use.

In general, as regards lease enforcement, when the LandsD receives a complaint, referral or enquiry, it will conduct site inspection and, having regard to the actual circumstances of the case and the conditions of the relevant land lease, determine whether there is any breach of the lease conditions (including seeking legal advice if necessary). If a breach is found, the LandsD will take appropriate lease enforcement actions to rectify the breach of land lease.

- (4) In the past three years (that is, 2012 to 2014), the LandsD received a total of 13 complaints related to vehicle workshops, and took lease enforcement actions in six cases with confirmed breach of lease conditions, including issuing warning letters to the owners concerned. Five of the confirmed cases were rectified after issuing a warning letter, and the remaining one case was rectified after the LandsD had sent the warning letter to the Land Registry for registration. As all six cases were rectified after lease enforcement actions, there was no case of land re-entered or premises vested in the past three years. As land lease is a form of private contract, lease enforcement actions taken by the LandsD as the landlord and a party to the contract do not involve law enforcement or prosecution.

The LandsD adopts the same criteria in handling all cases of breach of lease conditions, and will continue to handle cases involving breach of lease conditions under the existing lease enforcement mechanisms, including places operating for "vehicle repairing business".



- (5) The Development Bureau points out that the Town Planning Ordinance (TPO) (Cap. 131) was amended in 1991 to empower the Planning Authority (that is, Director of Planning) to incorporate individual rural areas in the New Territories into development permission areas (DPAs), and to take enforcement actions against unauthorized developments found on land in these areas. However, in areas not covered by DPAs (including the urban and most new town areas), the Planning Authority is not empowered to take enforcement actions. Therefore, the Planning Department cannot take enforcement actions under the TPO against suspected cases of land uses in breach of the outline zoning plans in the urban areas. As regards the proposal of extending the planning enforcement authority to areas outside DPAs, the issue was discussed in the course of deliberation of the Town Planning (Amendment) Bill 2003. The conclusion is, owing to the relatively high-density developments and complicated uses of buildings in the urban areas and new towns, and that the Buildings Ordinance (Cap. 123) and land leases have long been adopted as the basis for regulating developments and land uses, if planning control is to be extended to these areas, a series of technical and interface problems will have to be resolved, and the demand on staff resources in government departments will also be enormous. The Government currently has no plan to extend the planning enforcement authority.

Annex

Number of vehicle maintenance workshops as at August 2015  
(by geographical distribution)

<i>District</i>	<i>Number of vehicle workshops</i>	<i>Number of vehicle workshops registered under the VRSVMW</i>
Eastern	256	26
Wan Chai	84	10
Central and Western	61	5
Southern	52	5
Islands (Lantau)	19	2
Sham Shui Po	168	10
Yau Tsim Mong	157	3
Tsuen Wan	92	5
Kwai Tsing	103	7

<i>District</i>	<i>Number of vehicle workshops</i>	<i>Number of vehicle workshops registered under the VRSVMW</i>
Kowloon City	468	27
Wong Tai Sin	104	10
Kwun Tong	203	13
North	196	16
Tai Po	78	6
Sha Tin	153	6
Sai Kung	66	1
Yuen Long	360	20
Tuen Mun	116	4
Total	2 736	176

### **Training and Supply of Workers for 26 Trades in Construction Industry**

18. **MR KWOK WAI-KEUNG** (in Chinese): *President, in February 2014, the Construction Industry Council formulated a labour-supply list for 26 trades. Regarding the training and supply of workers for those trades, will the Government inform this Council:*

- (1) *whether it knows the number of training courses provided by the Vocational Training Council and the Construction Industry Council (including the training bodies under them) for each of the aforesaid trades from 2014 to October 2015, and the following information of each training course (set out in a table of the same format as the table below for each trade): (i) course name, (ii) training body, (iii) respective total numbers of training places offered last year and this year, (iv) entry requirements, (v) duration of training, and (vi) employment rate of graduated trainees; and*

*Trade:* \_\_\_\_\_

(i)	(ii)	(iii)		(iv)	(v)	(vi)
		2014	2015			

- (2) *of the number of foreign workers imported from 2014 to October 2015 for each of the aforesaid trades?*

**SECRETARY FOR DEVELOPMENT** (in Chinese): President, the Government and the Construction Industry Council (CIC) has all along been committed to strengthening training for local construction workers and attracting more new entrants to join the construction industry. In early 2014, the CIC set up a Task Force on Short-term Labour Supply (the Task Force), comprising representatives of the relevant labour unions and trade associations. After thorough discussion, the Task Force identified 26 trades with manpower shortage to reflect the manpower situation of the market. The information would serve as reference for the CIC to fine tune their training initiatives to help cope with the keen manpower demand.

My reply to the two parts of Mr KWOK's question is as follows:

- (1) Regarding the 26 trades with manpower shortage, the CIC and the Vocational Training Council (VTC) have provided training for certain trades in 2014 and 2015. Please refer to Annex 1 for information on the training courses.
- (2) Although these training initiatives have been implemented smoothly and have attained certain results, the shortage of skilled construction workers has yet to be fully resolved. Under the premise of upholding priority in employment for local workers, and safeguarding their wage and welfare under the Supplementary Labour Scheme (SLS), contractors may consider applying for importation of labour at or below technician level. In April 2014, the Government rolled out enhancement measures to expedite the preparatory works for SLS applications involving the 26 trades with manpower shortage. As at the end of October 2015, approval has been granted to import 565 workers in total under the aforementioned enhancement measures. A breakdown by the 26 trades with manpower shortage is provided at Annex 2.

## Annex 1

## Training Courses Provided by the CIC for Trades with Manpower Shortage in 2014 and 2015

Training Institution	Names of Trades	Titles of Training Courses	Training Places <sup>(1)(2)</sup> (year)		Entry Requirements	Training Period	Employment Rate of Graduated Trainees	
			2014	2015 (January to end-October)			2014	2015 (January to end-October)
CIC	1. Bar Bender and Fixer	Classroom training provided by CIC or courses provided under the collaborative training schemes	1 332	1 000	All applicants must be physically fit; lawful residents of Hong Kong; and may be lawfully employed in Hong Kong.  Applicants for Basic Craft Courses must be aged 15 or above and have attained an education level of Form 3 or above or its equivalent.  Applicants for other courses must be aged 18 or above.	Duration of classroom training or courses under the collaborative training schemes (except Basic Craft Courses): about 2 to 6 months in general  Duration of Basic Craft Courses: 1 year	about 90% <sup>(4)</sup>	
	2. Carpenter (Formwork)		1 056	862				
	3. Concretor		178	115				
	4. Rigger/Metal Formwork Erector							
	5. General Welder		217	100				
	6. Leveller		832	648				
	7. Plasterer		536	439				
	8. Bricklayer							
	9. Metal Scaffolder		220	162				
	10. Metal Worker		224	198				
	11. Structural Steel Welder		20	20				
	12. Painter and Decorator		517	489				
	13. Curtain Wall Installer		105	90				
	14. and 15. Escalator Mechanic/Lift Mechanic		48	26				
	16. Plumber		379	305				
	17. Fire Service Mechanical Fitter		10	0 <sup>(3)</sup>				
	18. and 19. Refrigeration/Air-conditioning/Ventilation Mechanic (Air System)/(Water System)		105	32				
	20. Tunnel Worker		4	10				
	21. Plant and Equipment Operator (Tunnelling) — Tunnel Boring Machine		10	10				
	22. Trackworker		10	0 <sup>(3)</sup>				

Source: The CIC

## Notes:

- (1) Training places include those provided under adult short courses and Basic Craft Courses of CIC, and the courses under the collaborative training schemes with the industry, which take into account the courses forecasted to be offered in the same year.
- (2) The training places refer to those approved by the CIC. The number of trainees depends on the actual intake.

- (3) The training courses for Fire Service Mechanical Fitter and Trackworker are provided under the Contractor Cooperative Training Scheme. As at October 2015, there were no applications for the training places submitted by contractors.
- (4) The employment rate of graduate trainees represents the rate of graduates who have secured employment within three months after graduation.

### Training Courses Provided by the VTC for Trades with Manpower Shortage in 2013-2014 and 2014-2015

Training Institution	Names of Trades	Title of Training Courses	Training Places (year*)		Entry Requirements	Training Period	Employment Rate of Graduated Trainees	
			2013-2014	2014-2015			2013-2014	2014-2015
VTC	1.Welding	Craft	220	240	Completed Form 3 or its equivalent	Craft Certificate courses: 1.5 to 2 years	About 90% or above <sup>^</sup>	
	2.Lift/Escalator	Certificate	280	340				
	3.Fire Service	and/or	270	290				
	4.Refrigeration/Air-conditioning/Ventilation	Diploma in Vocational Education Programme <sup>#</sup>						
	5.Plumber	Craft Certificate <sup>@</sup>	200	200		3 years		

Source: The VTC

Notes:

\* The year refers to the academic year of training, that is, from September of the first year to August of the following year.

# The courses refer to Craft Certificate/Diploma in Vocational Education Programme. Trainees from the Diploma in Vocational Education Programme may join the Pilot Earn-and-Learn Scheme for apprenticeship training in the relevant trades of the construction industry after completing the first year programme and enrol in the three-year part-time day-release diploma course under Vocational Education Programme at the same time. Trainees who have obtained the Craft Certificates after completing the initial 1.5 to two-year programme may work in the relevant trades of the construction industry. Trainees may also join the construction industry after completing the diploma courses under the Vocational Education Programme. Details of relevant trades are as follows:

- (1) Relevant trades for courses on welding — General Welder,
- (2) Relevant trades for courses on lift/escalators — Escalator Mechanic and Lift Mechanic,
- (3) Relevant trades for courses on fire service — Fire Service Mechanical Fitter and Fire Service Electrical Fitter, and

- (4) Relevant trades for courses on refrigeration/air-conditioning/ventilation —  
Refrigeration/Air-conditioning/Ventilation Mechanic (Air System) and  
Refrigeration/Air-conditioning/Ventilation Mechanic (Water System).

@ Craft Certificate in Plumbing and Pipefitting is a three-year part-time day-release course.

^ The employment rate of graduated trainees represents the rate of graduates who have secured employment within six months after graduation.

## Annex 2

### Number of Imported Workers Approved under the Enhancement Measures of the Supplementary Labour Scheme with Breakdown by 26 Trades with Manpower Shortage in the Construction Industry (as at 31 October 2015)

<i>Trades</i>	<i>Number of imported workers approved</i>
1. Bar Bender and Fixer	103
2. Carpenter (Formwork)	56
3. Concretor	11
4. Rigger/Metal Formwork Erector	31
5. General Welder	58
6. Leveller	3
7. Plasterer	25
8. Bricklayer	17
9. Metal Scaffolder	-
10. Metal Worker	-
11. Structural Steel Welder	4
12. Painter and Decorator	-
13. Curtain Wall Installer	49
14. Structural Steel Erector	-
15. Escalator Mechanic	20
16. Lift Mechanic	17
17. Plumber	-
18. Fire Service Mechanical Fitter	-
19. Fire Service Electrical Fitter	-
20. Refrigeration/Air-conditioning/Ventilation Mechanic (Air System)	-

<i>Trades</i>	<i>Number of imported workers approved</i>
21. Refrigeration/Air-conditioning/Ventilation Mechanic (Water System)	-
22. Tunnel Worker	86
23. Compressed Air Worker	10
24. Plant and Equipment Operator (Tunnelling) — Tunnel Boring Machine	22
25. Trackworker	53
26. Shotfirer	-
Total	565

### **Redevelopment of Tai Hang Sai Estate**

19. **MR FREDERICK FUNG** (in Chinese): *President, the Chief Executive mentioned in the 2015 Policy Address that the Government must actively explore ways to increase the supply of subsidized sale flats through a multi-pronged approach by engaging public or non-profit-making organizations including the Hong Kong Housing Authority (HA), the Hong Kong Housing Society (HKHS), the Urban Renewal Authority (URA) and the Hong Kong Settlers Housing Corporation Limited (HKSHCL), in order that, by so doing, more property choices and home ownership opportunities will be provided for low and middle-income families. However, so far there has been no progress in the redevelopment of Tai Hang Sai (THS) Estate, the only private low-cost housing estate owned and managed by HKSHCL. In this connection, will the Government inform this Council:*

- (1) *of the latest progress of the authorities' work in exploring ways to increase the supply of subsidized sale flats through HKSHCL; the details of the discussions between the authorities and HKSHCL on the matter since the delivery of the aforesaid Policy Address; whether HKSHCL has put forward any concrete proposal for redeveloping THS Estate; if HKSHCL has, of the details; whether the authorities have offered any suggestions and assistance in respect of the relevant proposal and the rehousing of the residents of THS Estate; if they have not, of the reasons for that;*

- (2) *as there is still no noticeable progress in the redevelopment of THS Estate, whether the authorities have assessed if the statement mentioned in the Policy Address regarding increasing the supply of subsidized sale flats through HKSHCL is merely empty talk; if they have assessed and the outcome is in the negative, of the specific timetable for taking forward such work; and*
- (3) *whether the authorities will, on the basis of the consideration of making optimum use of the precious lands in the urban areas, step in proactively in the redevelopment of THS Estate, including (i) formulating different redevelopment approaches and plans, (ii) recovering the site of THS Estate by invoking the relevant land lease conditions, (iii) handing the site in question to HA, HKHS or URA for comprehensive redevelopment, and (iv) rehousing the residents of THS Estate by following the practices adopted by HA for rehousing residents affected by public housing redevelopment; if they will not, of the reasons for that?*

**SECRETARY FOR TRANSPORT AND HOUSING** (in Chinese): President, with inputs from the Development Bureau, the Lands Department and the Planning Department, my consolidated reply to the various parts of the question raised by Mr Frederick FUNG is as follows.

The Chief Executive stated in the 2015 Policy Address that as there was a marked increase in demand from low-to middle-income families for Home Ownership Scheme (HOS) flats or other subsidized sale flats, the Government would actively explore ways to increase the supply of subsidized sale flats through a multi-pronged approach by engaging public or non-profit-making organizations including the Hong Kong Housing Authority (HA), the Hong Kong Housing Society (HKHS), Urban Renewal Authority and the Hong Kong Settlers Housing Corporation Limited (HKSHCL). This would provide more choices and more home ownership opportunities for low-to middle-income families.

In respect of the HKSHCL, the Government granted a parcel of land at a concessionary rate to the HKSHCL in 1961 for the development of Tai Hang Sai (THS) Estate and stipulated in the land lease that the HKSHCL should, on the land granted, provide at least 1 600 flats for letting to persons of small means. THS Estate is a private rental housing estate and is constructed, let and managed



by the HKSHCL as the lessee of the lot (that is, N.K.I.L. 4 479). It is neither owned nor managed by the Government or the HA. The redevelopment arrangements of THS Estate are also determined by the HKSHCL. Just like other private property owners, as long as the redevelopment complies with the legislation, including the Town Planning Ordinance (Cap. 131), the Buildings Ordinance (Cap. 123), and so on, and relevant lease conditions, the HKSHCL can decide on its own as to whether, how and when to redevelop THS Estate.

As stated in the reply to the written question raised by Mr Frederick FUNG at the Legislative Council meeting on 29 April 2015, the HKSHCL had sought the Government's views on its ideas to redevelop THS Estate, including whether its ideas complied with the planning requirements and lease conditions of the lot concerned.

The Government understands that all along the HKSHCL wishes to redevelop THS Estate on its own and is still considering various feasible options. However, the HKSHCL has yet to submit its concrete plan or application for redevelopment. After the HKSHCL formulates a concrete proposal and submits applications to the Government, the Government will consider matters relating to compliance with planning requirements and modification of lease conditions of the lot concerned according to applicable policies. As there is no information indicating that the HKSHCL is in breach of relevant lease conditions, the Government has no grounds nor intention to re-enter the land concerned.

As we have pointed out in our reply to the written question by Mr Frederick FUNG in April 2015, in examining various redevelopment proposals, the HKSHCL, as the grantee and redeveloper, has to continue to cater for the housing needs of the residents in THS Estate and to work out proper rehousing arrangements. According to the HA's prevailing policy, the HA will not rehouse residents affected by the HKSHCL's redevelopment exercise on behalf of the corporation. At the moment, the number of people awaiting allocation of the HA's public rental housing (PRH) flats is large and is continuously increasing, and demand for HOS flats is also keen. As THS Estate is not a PRH under the HA and its redevelopment programme is not under the HA, it would be unfair to PRH and HOS applicants if the HA is required to use its public housing resources to rehouse the residents of THS Estate.

**Radio Television Hong Kong Taking over Analogue Spectrum to be Vacated by Asia Television Limited**

20. **MR CHARLES PETER MOK** (in Chinese): *President, the Chief Executive in Council decided on 1 April 2015 (i) not to renew the domestic free television programme service licence of Asia Television Limited (ATV) and, for the purpose of complying with the requirement under subsection (1)(a) of section 8 of Schedule 4 to the Broadcasting Ordinance (Cap. 562) (i.e. notice of non-renewal had to be served at least 12 months before the expiry of the validity of the licence), (ii) to extend, under subsection (2) of that section, the term of ATV's existing licence to 1 April 2016. In view of this, the Communications Authority has given notice to ATV on the withdrawal of the two sets of analogue television channels and 1.5 digital multiplexes assigned to it with effect from 2 April 2016. On the other hand, the Government has requested Radio Television Hong Kong (RTHK) to utilize the two sets of analogue television channels to broadcast suitable programmes after 1 April 2016 until analogue switch-off by end of 2020. In this connection, will the Government inform this Council:*

- (1) of the estimated additional manpower needed and extra annual operating expenditure to be incurred by RTHK to provide analogue television broadcasting services;*
- (2) whether it has formulated a specific timetable for the spectrum handover between ATV and RTHK, and whether it has provided additional resources for RTHK to meet the extra expenditure thus incurred, so that preparation for the handover arrangements can be made as early as possible; if it has, of the details; if not, the reasons for that;*
- (3) of the number of principal and fill-in transmission stations currently operated by ATV; whether the inter-departmental task force set up by the authorities has discussed with ATV the operational and handover arrangements for these transmission stations before and after ATV discontinues its broadcasting services in order that RTHK can expeditiously take over from ATV and provide the analogue television broadcasting services upon the latter's discontinuation of broadcasting services to ensure a "seamless handover"; and*

- (4) *of the work progress of the re-planning of the proposed New Broadcasting House of RTHK to be built in Tseung Kwan O, the latest cost estimate, and the anticipated time for completing the planning and re-submitting a funding application to the Finance Committee of this Council; whether the authorities have assessed if the planning work for the project needs to be expedited to align with the provision of analogue television broadcasting services by RTHK?*

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

(1) to (3)

On 1 April 2015, the Chief Executive in Council decided not to renew the domestic free television programme service (free TV) licence of Asia Television Limited (ATV). To comply with the requirement under the Broadcasting Ordinance as to the length of notice for non-renewal of licence, the Chief Executive in Council decided to extend the term of ATV's existing licence to 1 April 2016. We understand that the non-renewal decision will leave the viewing public with fewer free television (TV) programme choices during the transition period. In particular, as a result of the decision, the nearly 400 000 households that are not yet equipped with digital terrestrial television (DTT) sets or set-top boxes can only have access to two analogue TV programme channels. To mitigate the impact arising from the lack of free TV channel choices, the Radio Television Hong Kong (RTHK) is preparing to broadcast programmes of its DTT programme channels on ATV's two existing analogue TV programme channels, and the preparation work is underway. The Government is studying and firming up the detailed arrangements. The Government will provide additional resources to the RTHK in accordance with established procedures, taking into account the RTHK's staffing and resource requirements.

The Government has established a task force, comprising representatives from relevant bureaux and departments, to handle various issues arising from the non-renewal of ATV's licence.

Currently, the transmission networks for free TV broadcasting services in Hong Kong are constructed and managed by two free TV licensees (that is, ATV and Television Broadcasts Limited). The present analogue TV and DTT transmission networks consist of six main analogue and DTT stations as well as over 30 analogue and DTT fill-in stations, some of which are operated and managed by ATV and situated on Government land or Government-owned premises leased to ATV. In view of the expiry of ATV's free TV licence, the Government is progressively terminating the leases concerned. The task force will follow up on the relevant issues to ensure the smooth handover of, among other things, the spectrum to be vacated by ATV and the transmission stations operated and managed by ATV upon the expiry of its free TV licence.

- (4) The funding application for the construction of the New Broadcasting House (New BH) of the RTHK was not supported by the Public Works Subcommittee (PWSC) of the Legislative Council in January 2014. Most PWSC Members agreed in principle that there was a need for a New BH but raised serious concern over the cost estimate and scope of the project. The RTHK and the Architectural Services Department have since early 2014 been reviewing the proposal, having regard to the concerns of the PWSC of Legislative Council over the cost estimate and scope of the New BH Project, with a view to working out the most cost-effective proposal which can address Members' concern. As the problems encountered during the review process were more complicated than expected, we need more time to complete the review process. We will take forward the New BH Project in accordance with the procedures for implementing government capital works projects. Upon completion of the review and internal planning, we will follow up on the proposal in accordance with the established mechanism.

### **Protection of Endangered Species of Animals and Plants**

21. **DR KENNETH CHAN** (in Chinese): *President, the international trade in ivory has been banned (the ban) by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) since 1990, and the Government has enacted the Protection of Endangered Species of Animals and*

*Plants Ordinance (Cap. 586) to give effect to CITES. Ivory legally imported before the ban may not be re-exported for commercial purposes, but may be traded locally in Hong Kong if they have been registered with the Agriculture, Fisheries and Conservation Department (AFCD) and are kept under a valid Licence to Possess (Possession Licence) issued by AFCD. Regarding the protection of endangered species of animals and plants, will the Government inform this Council:*

- (1) of the number of ivory smuggling cases cracked down by the authorities since January this year, the details of the ivory (including quantity and market value), the destinations, the respective numbers of persons arrested, prosecuted and convicted, as well as the maximum and the minimum penalties imposed on those convicted; among the confiscated ivory, of the respective quantities of ivory which is still being stockpiled by the authorities at present and which has been disposed of;*
- (2) regarding the biggest case among those mentioned in (1), of the quantity and the market value of the ivory involved, the respective numbers of persons arrested, prosecuted and convicted, as well as the penalties imposed on those convicted;*
- (3) given that AFCD indicated in May last year that the confiscated ivory stockpile of about 28 tonnes would be disposed of by incineration in phases and the disposal was expected to be completed by the middle of this year, of the current progress of the work concerned; whether there is still some ivory yet to be disposed of; if so, of the quantity concerned and when the authorities expect the disposal of the remaining ivory to be completed; the expenditure and manpower involved in the disposal so far;*
- (4) given that between 2011 and 2013, the number of holders of Possession Licences, the quantity of ivory covered by such licences and the quantity of ivory registered for commercial purposes were on the rise, whether the authorities have taken the initiative to look into the causes for such rises;*
- (5) given that people in possession of ivory as personal effect or for non-commercial purposes before the ban are not required to apply*

*for Possession Licences, and they are required to apply to AFCD if they intend to change the use of the ivory in their possession for commercial purposes after the ban, of the mechanism adopted by AFCD for vetting and approving such applications; the relevant vetting and approval criteria and the restrictions to which the power of AFCD in vetting and approving such applications is subject; the respective numbers of applications approved and rejected by AFCD each year since 2011, as well as the grounds for making the relevant decisions; how the authorities prevent people from using the vetting and approval mechanism to turn smuggled ivory into ivory that may be legally sold;*

- (6) of the number of cases involving the smuggling of species listed in Cap. 586 cracked down by the authorities since January this year, the details of the smuggled items (including the species, quantities and market values), the destinations, the respective numbers of persons arrested, prosecuted and convicted, as well as the maximum and the minimum penalties imposed on those convicted; and*
- (7) of the expenditure and manpower involved in the implementation of the provisions of CITES in each of the past three years; whether the authorities have plans to allocate more resources to combat the relevant smuggling activities; if they do, of the details; if not, the reasons for that?*

**SECRETARY FOR THE ENVIRONMENT** (in Chinese): President, the Government is committed to the implementation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) through the enforcement of the Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586) (the Ordinance).

- (1) Details regarding the ivory smuggling cases cracked down by the authorities during January to October this year are set out below:

Number of cases	97
Quantity of ivory	1 100 kg
Value of the detected ivory	\$11 million
Number of persons prosecuted	25

Number of persons convicted	25
Maximum penalty	Imprisonment of six months
Minimum penalty	A fine of \$30,000

The ivory seized mainly came from South Africa, Kenya, and Nigeria. Although they were reported to be destined for Hong Kong, yet according to intelligence analysis, it was believed that the majority of them would be transferred to peripheral regions.

The 1 100 kg of ivory seized between January and October 2015 have hitherto been kept by the Government and will be disposed of by incineration.

- (2) Details regarding the largest case of ivory smuggling activities between January and October this year are set out below:

Quantity of ivory seized	164 kg
Value of the seized ivory	\$1.3 million
Number of persons prosecuted	0*
Number of persons convicted	0
Penalty	-

Note:

\* No arrest was made in the case.

- (3) About 22 tonnes of ivory has been disposed of by the Agriculture, Fisheries and Conservation Department (AFCD) so far and the remaining ivory is scheduled to be disposed of by mid-2016. The progress of ivory disposal takes longer time than expected because the incinerator used for ivory disposal has been put under maintenance for about two months in mid-2015. Also, some ivory is being kept by the Customs and Excise Department (C&ED) and it takes time to complete the relevant legal procedures before the handover of ivory to the AFCD. About 3.3 tonnes of ivory, which has been newly confiscated since 2014, will also be disposed of by incineration. The expenditure involved in disposing of the about 28 tonnes of confiscated ivory stockpile is about \$210,000 and the manpower requirement is met by deployment of existing staff.

- (4) In the 1980s, Hong Kong was a trade centre of ivory in the Asian region, and substantial amount of ivory had been legally imported into Hong Kong in accordance with the CITES provisions before the international trade ban in 1990. After being registered with the AFCD, such ivory can be legally traded in Hong Kong under a Licence to Possess, and a separate Licence should be obtained for each keeping premises. Between 2011 and 2014, the registered ivory under Licences to Possess has been reduced from 116.5 tonnes to 111.3 tonnes and the number of the Licences from 431 to 413. Numbers of both items did not show any increasing trend.
- (5) Applications for Licences to Possess ivory for commercial purposes are strictly scrutinized by the AFCD in accordance with relevant provisions of the Ordinance. When vetting the applications, the AFCD will require the applicants to prove that the ivory involved had been legally imported into Hong Kong before the international trade ban and that they were registered at that time. The vetting and approval mechanism includes inspection of documents and relevant transaction records certifying that the ivory was imported legally and examination of the types, quantities and markings (if applicable) of the ivory against the AFCD's records. If the applicant fails to provide relevant documentary proof, the AFCD will reject the corresponding application. After the AFCD's consideration, a person with a Licence to Possess is allowed to conduct commercial transaction of ivory in Hong Kong according to the conditions listed on the Licence. It is believed that the abovementioned stringent vetting process could effectively prevent people from turning smuggled ivory into ivory that may be legally sold. Applications for Licences to Possess are generally made for renewal, only a few individuals apply for Licences to Possess for commercial purpose regarding their registered ivory which was originally for their personal and non-commercial use. The AFCD does not maintain statistics about the application for change of purpose.
- (6) There was a wide range of endangered species involved in the enforcement actions taken to combat illegal trade in endangered species. The more common species include live tortoise/turtle and snake, reptile leather product, pangolin carcass/scale, timber, ivory and orchid, and so on. It is believed that the smuggling activities



are destined for various cities in the region. Enforcement operations conducted by the authorities against smuggling of endangered species between January and October this year are set out below:

Number of cases	347
Quantity of items	1 058 tonnes and 24 852 pieces
Value of items	\$117 million
Number of persons convicted	123
Maximum penalty	Imprisonment of six months
Minimum penalty	A fine of \$100

- (7) Manpower and the expenditure involved in the implementation of the CITES (including combat actions against smuggling of endangered species, such as ivory) by the AFCD in the past three years are set out below:

	2012-2013	2013-2014	2014-2015
Number of staff	43.0	46.0	48.0
Expenditure (\$ million)	25.3	28.8	30.8

As the financial resources involved in the combat actions against smuggling activities have been subsumed under the general operating expenditures, the manpower and expenditure involved in such work of the C&ED could not be quantified separately.

The AFCD and the C&ED will review the manpower resource arrangement in the implementation of the CITES from time to time and will suitably seek the required manpower and resources as and when necessary.

### **Mammography Provided by Public Hospitals**

22. **DR LEUNG KA-LAU** (in Chinese): *President, according to statistics, the waiting time for patients to receive mammography at public hospitals is getting longer and longer, and the waiting time for patients in different hospital clusters (clusters) vary. The authorities have indicated that those patients belonging to groups with a higher risk of developing breast cancer will be accorded priority for receiving such examination. In this connection, will the Government inform this Council if it knows:*

- (1) *in respect of the Hospital Authority (HA) as a whole and individual clusters respectively and among the patients receiving mammography in each of the past five financial years, the numbers of unconfirmed patients (and the percentages of such numbers in the total number of patients receiving mammography), a breakdown of the numbers of confirmed patients by stage of breast cancer (and the respective percentages of such numbers in the total numbers of patients receiving mammography), and the respective numbers of patients who, prior to receiving mammography, had waited for (i) 60 days or less, (ii) 61 to 180 days, (iii) 181 to 360 days, (iv) 361 to 540 days and (v) 541 days or more (set out in tables of the same format as the table below);*

Year: \_\_\_\_\_

Overall/cluster : \_\_\_\_\_

Waiting time	Number of unconfirmed patients [%]	Number of confirmed patients					Total numbers of patients receiving mammography
		Stage I [%]	Stage II [%]	Stage III [%]	Stage IV [%]	Unstaged [%]	
(i)							
(ii)							
(iii)							
(iv)							
(v)							

- (2) *in respect of HA as a whole and individual clusters respectively, the numbers of patients receiving mammography in each of the past five financial years, broken down by age group ((i) 0-44, (ii) 45-54, (iii) 55-64, (iv) 65-74 and (v) 75 or above) (set out in tables of the same format as the table below);*

Year: \_\_\_\_\_

Cluster	Age group				
	(i)	(ii)	(iii)	(iv)	(v)
Hong Kong East					
Hong Kong West					
Kowloon Central					
Kowloon East					
Kowloon West					

<i>Cluster</i>	<i>Age group</i>				
	<i>(i)</i>	<i>(ii)</i>	<i>(iii)</i>	<i>(iv)</i>	<i>(v)</i>
<i>New Territories East</i>					
<i>New Territories West</i>					
<i>Overall</i>					

- (3) *the criteria adopted by HA's doctors for determining whether a patient belongs to the priority groups; whether the various clusters have adopted the same criteria; among the patients who were determined as belonging to the priority groups last year, the number and percentage of those who had been arranged to receive mammography within two months (with a tabulated breakdown by HA as a whole and individual clusters);*
- (4) *whether HA has set up a referral arrangement so that patients belonging to the same risk group are given the choice of being referred to hospitals in other clusters with shorter waiting time to receive mammography; if HA has, of the details; if HA has not, the reasons for that;*
- (5) *whether HA will consider including mammography in the Public-Private Partnership programmes; if HA will, of the details; if HA will not, the reasons for that; and*
- (6) *the age-standardized incidence rates of breast cancer in female in 2013 and 2014?*

**SECRETARY FOR FOOD AND HEALTH** (in Chinese): President, the Hospital Authority (HA) performs mammography for patients in need to assist diagnosis and treatment. My reply to various parts of the question raised by Dr LEUNG Ka-lau on mammography service is as follows:

- (1) and (2)

As the HA does not maintain statistics on the number of patients who are confirmed to have breast cancer after receiving mammography, we are unable to provide a breakdown of the relevant number of confirmed and unconfirmed patients.

As for the waiting time for receiving mammography, the statistics kept by the HA use the percentile of the waiting time of all patients receiving mammography as the basis for classification. The HA has only kept the statistical information of mammography since 2011-2012. The following table sets out the 25th, 50th, 75th and 90th percentiles of the waiting time of patients for receiving mammography in each cluster in the past four years:

<i>Waiting Time (number of days)</i>																
<i>Cluster</i>	<i>2011-2012</i>				<i>2012-2013</i>				<i>2013-2014</i>				<i>2014-2015</i>			
	<i>Percentile</i>				<i>Percentile</i>				<i>Percentile</i>				<i>Percentile</i>			
	<i>25th</i>	<i>50th</i>	<i>75th</i>	<i>90th</i>	<i>25th</i>	<i>50th</i>	<i>75th</i>	<i>90th</i>	<i>25th</i>	<i>50th</i>	<i>75th</i>	<i>90th</i>	<i>25th</i>	<i>50th</i>	<i>75th</i>	<i>90th</i>
HKE	84	290	392	510	110	329	393	554	174	351	460	677	175	384	524	618
HKW	8	242	335	406	13	312	385	436	198	330	424	435	196	349	453	573
KC	24	153	292	365	11	166	281	375	15	131	246	373	21	183	296	376
KE	<1	117	513	622	<1	64	521	659	<1	48	559	678	<1	208	587	678
KW	33	190	339	381	59	205	379	501	116	260	423	476	125	252	429	600
NTE	111	274	453	553	134	326	535	594	97	320	580	622	75	245	476	805
NTW	10	192	393	509	7	51	405	593	8	138	469	579	7	104	622	825
Overall	22	222	362	465	24	243	389	537	46	273	419	565	51	273	442	642

Note:

"<1" means that the patient can receive service within one day.

Abbreviation for cluster:

HKE Hong Kong East  
 HKW Hong Kong West  
 KC Kowloon Central  
 KE Kowloon East  
 KW Kowloon West  
 NTE New Territories East  
 NTW New Territories West

The number of attendances of patients receiving mammography in each cluster in the past four years is set out in the table below:

<i>Number of attendances</i>				
<i>Cluster</i>	<i>2011-2012</i>	<i>2012-2013</i>	<i>2013-2014</i>	<i>2014-2015</i>
HKE	1 779	1 893	2 174	2 525
HKW	5 065	5 174	4 369	4 134
KC	1 707	1 879	2 643	2 720
KE	1 340	1 355	1 503	1 459
KW	4 385	4 510	4 025	4 576
NTE	3 615	3 760	4 042	4 189
NTW	1 301	1 481	1 406	1 479
Overall	19 192	20 052	20 162	21 082

The HA does not maintain separate statistics on the number of patients receiving mammography by age group.

- (3) The HA's doctors will arrange mammography examination for patients according to the medical assessment of their conditions. Those patients who are confirmed or suspected of having breast cancer, or who belong to the high-risk group of having breast cancer will be accorded priority for receiving mammography. In 2014, around 95% of patients who were accorded priority received mammography within two months. The HA does not keep separate statistics on the breakdown of such patients by cluster.
- (4) For better patient care, the HA will arrange patients who are accorded priority to receive mammography and laboratory tests performed by the relevant clinical management team in the patients' cluster, so as to have more effective co-ordination and support. For patients who are in the routine category, the HA is now further exploring the feasibility of referring them to other clusters for examination. If, after exploration, it is ascertained that such an arrangement help improve the service for these patients, the HA will take follow-up action as appropriate.
- (5) The HA values its collaboration with the private healthcare sector and has implemented a series of Public-Private Partnership (PPP) programmes since 2008. In contemplating clinical PPP programmes, the HA will conduct rigorous assessment and widely consult the healthcare sector as well as the public. It will also strike a balance among various consideration factors, such as the feasibility of the proposed programme, service demand, risk assessment, and available support from private healthcare providers, patients and other stakeholders. The HA will maintain close communication with the public and patients, and work closely with the relevant stakeholders, with a view to exploring the possibility of developing more PPP programmes in the future.
- (6) At present, the HA does not have the age-standardized incidence rates of breast cancer per 100 000 female population in 2013 and 2014. In 2011 and 2012, the relevant figures were 56.6 and 56.7 respectively.

**BILLS****First Reading of Bills**

**PRESIDENT** (in Cantonese): Bills: First Reading.

**MANDATORY PROVIDENT FUND SCHEMES (AMENDMENT) BILL 2015****DEPOSIT PROTECTION SCHEME (AMENDMENT) BILL 2015**

**CLERK** (in Cantonese): Mandatory Provident Fund Schemes (Amendment) Bill 2015  
Deposit Protection Scheme (Amendment) Bill 2015.

*Bills read the First time and ordered to be set down for Second Reading pursuant to Rule 53(3) of the Rules of Procedure.*

**Second Reading of Bills**

**PRESIDENT** (in Cantonese): Bills: Second Reading.

**MANDATORY PROVIDENT FUND SCHEMES (AMENDMENT) BILL 2015**

**SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY** (in Cantonese): President, I move the Second Reading of the Mandatory Provident Fund Schemes (Amendment) Bill 2015 (the Bill).

The Bill mainly aims to amend the Mandatory Provident Fund Schemes Ordinance (MPFSO) and its subsidiary legislation so as to enhance the default investment arrangements under the existing Mandatory Provident Fund (MPF) System and ensure that all scheme members can invest in a highly standardized Default Investment Strategy (DIS) which is subject to fee control and consistent with the objective of long-term retirement savings, thereby addressing the problems of high fees and difficulty in making investment choices as well as enhancing the MPF System.

The existing MPFSO does not regulate the default investment arrangements of MPF schemes. A trustee may choose various constituent funds (CFs) as the default investment arrangement on his own but some CFs are not consistent with the long-term investment objective of retirement savings. Such a situation is unsatisfactory. Therefore, we propose to mandate through the Bill that each MPF trustee must provide a highly standardized DIS which is subject to fee control in each MPF scheme.

We propose to stipulate the investment requirements of the DIS in legislation. Generally speaking, the DIS is based on two investment principles, that is, globally diversified and age-based de-risking investment principles. There are two CFs which adopt the globally diversified investment principle under the DIS, including the Core Accumulation Fund and the Age 65 Plus Fund. The Core Accumulation Fund invests 60% of its net asset value (NAV) in higher risk investments (such as global equities) and 40% in lower risk investments (such as global bonds) while the Age 65 Plus Fund invests 80% of its NAV in lower risk investments and 20% in higher risk investments.

To achieve the objective of the age-based de-risking investment principle, the Bill stipulates that a trustee must invest the accrued benefits of a DIS member who is between the age of 18 to 49 in the Core Accumulation Fund only. From the age of 50 onwards, his accrued benefits in the Core Accumulation Fund will be gradually switched to and completely invested in the Age 65 Plus Fund by the time he is 65.

The DIS is subject to a fee control mechanism. The total payment of fees (excluding out-of-pocket expenses) to be collected by a trustee cannot exceed a prescribed maximum rate to be specified in the law, that is, a daily rate equivalent to an annualized rate of 0.75% of the NAV of the CF. Such total payments include those asset based fees paid for the services provided by the trustee, the administrator, investment manager, custodian and their delegates as well as the sponsor or promoter of a scheme. It also includes the same types of fees chargeable to underlying investment funds. In determining the level of the fee cap, we have made reference to the trustees' administration costs of MPF schemes and struck a balance between the capacity of the industry and scheme members' expectation of fees. I would like to emphasize that the proposed level of the fee cap is just a starting point and there will be downward adjustment in future.

In order to enable timely changes to be made to the statutory investment requirements and level of the fee cap of the DIS when necessary, the Secretary for Financial Services and the Treasury is proposed to be the authority to make amendments in regard to these two aspects by notice published in the Gazette subject to negative vetting by the Legislative Council.

The DIS is established mainly for scheme members who have neither the knowledge nor intention to make investment choices. Therefore, the Bill stipulates that after the commencement of the Bill, the accrued benefits of a scheme member who has not made a fund choice will be invested in the DIS automatically. Other scheme members who consider the DIS desirable may also choose to invest their accrued benefits in the DIS.

As for the transitional arrangements, a trustee is required to transfer the pre-existing accrued benefits of an existing scheme member, whose accrued benefits are invested in a current default investment scheme as he did not make any investment choice, to the DIS. The Bill provides that a trustee is required to notify these existing scheme members in writing that, if they have not indicated within the 42-day opt-out period that they will not choose the DIS, their accrued benefits will be transferred to the DIS within 14 days after the opt-out period.

Nonetheless, the Bill stipulates that the aforementioned transitional arrangements are not applicable to two circumstances. First, the arrangements are not applicable to existing scheme members who are aged 60 and above before the commencement of the DIS because the age-based de-risking strategy is unlikely to bring significant benefits to an older member who is about to retire by transferring their accrued benefits to the DIS. Second, given that some MPF schemes have currently adopted guaranteed funds as the default arrangements, the aforementioned transitional arrangements are not applicable if transferring the accrued benefits to the DIS will cost the member the promised return of the guaranteed funds so as to protect members' interests.

The Bill also stipulates the consequences of non-compliance. Sanctions against a trustee's failure to comply with DIS-related requirements include revocation of its approval as an approved trustee, suspension or termination of its administration of the MPF scheme and financial penalties. We also propose to introduce a new requirement to enable the Mandatory Provident Fund Schemes Authority (MPFA) to impose financial penalty against a trustee's failure to invest a scheme member's accrued benefits according to the member's instruction.



On the other hand, taking into account the MPFA's experience in law enforcement and operation, we have also introduced some minor technical amendments in the Bill to ensure consistency in law enforcement, reduce the expenditure of the MPFA and facilitate daily administration.

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the Mandatory Provident Fund Schemes (Amendment) Bill 2015 be read the Second time.

In accordance with the Rules of Procedure, the debate is now adjourned and the Bill is referred to the House Committee.

## **DEPOSIT PROTECTION SCHEME (AMENDMENT) BILL 2015**

**SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY** (in Cantonese): President, I move the Second Reading of the Deposit Protection Scheme (Amendment) Bill 2015 (the Bill).

The main purpose of the Bill is to amend the Deposit Protection Scheme Ordinance in order to accelerate both the determination of the amount of compensation payable to affected depositors and the notification to such depositors when the Deposit Protection Scheme (DPS) is triggered.

An effective deposit protection mechanism can bolster depositors' confidence in the banking system. In recent years, deposit insurers in major markets have undertaken reforms to develop capacity to make prompter payouts. Notwithstanding that the DPS has never been triggered since its full launch in 2006, given the development of international markets after the global financial crisis and taking into account the views of the International Monetary Fund, the Government proposes switching the compensation determination approach under the Ordinance from a net basis to a gross basis.

According to the existing law, when the DPS is triggered, the Hong Kong Deposit Protection Board (HKDPB), in determining the amount of compensation payable to the affected depositor, will first set off the protected deposits against liabilities owed by the depositor to the relevant bank. The protection limit is \$500,000 of protected deposit per depositor with the same bank. With the gross payout approach proposed in the Bill, when determining the amount of

compensation, the depositors' protected deposits will not be offset against their liabilities, subject to a protection limit of \$500,000. It is anticipated that with the proposed gross payout approach, the HKDPB will significantly speed up the payment of compensation from around six weeks under the net payout approach to seven days.

Consequently, the Government proposes that the HKDPB should be allowed to recover from the relevant bank's assets the gross amount of compensation paid to the depositor on a gross amount basis and to collect from banks contributions to the Deposit Protection Scheme Fund according to the gross amount of relevant deposits placed with the banks.

The proposals of the Bill will not extinguish a depositor's liabilities owed to the relevant bank. Any amount of deposit in excess of the DPS compensation limit will continue to be subject to being set off against the depositor's liabilities owed to the bank under the relevant law. The depositor is still obliged to settle any outstanding debt owed to the bank or its liquidator after receiving the deposit compensation. The current creditor hierarchy in the insolvency of a bank under the Companies (Winding Up and Miscellaneous Provisions) Ordinance will remain unchanged.

We also wish to take this opportunity to make refinements to the existing Ordinance, including providing more certainty to the determination of the reference date used for calculating the deposit compensation amount. The proposal intends to align the quantification date (the reference date for calculating the interest accrued on the protected deposits or foreign currency conversion) with the date of the specified event that triggers the DPS. Under the Ordinance, a "specified event" occurs when a winding-up order is made by the Court of First Instance in respect of a bank, or the Monetary Authority serves on the HKDPB a notice of its decision that the DPS should be triggered.

Furthermore, the Government proposes empowering the HKDPB, in case of the DPS being triggered, to use electronic communication, in addition to the conventional paper-form communication, to notify depositors of the compensation arrangements. This can improve operational efficiency and shorten the time frame for compensation payouts to the depositors. Such electronic notices will be issued to those depositors who are used to receiving electronic communication from the bank concerned. Conventional paper notices will be issued to the rest of the affected depositors.

The Government conducted a public consultation on the proposals in the fourth quarter last year. The submissions indicated broad support for the proposals, acknowledging that they are conducive to increasing the payout efficiency, preserving depositors' confidence and contributing to the stability of the banking system. The banking industry notes that the proposed gross payout approach will accelerate the compensation process and streamline banks' work on information management regarding depositors' liabilities.

The Government briefed the Panel on Financial Affairs of the Legislative Council held on 4 May this year on the related legislative proposals. The Panel supports the proposals contained in this Bill.

President, the banking system and monitoring system in Hong Kong have all along been robust and the DPS has never been triggered since its launch. Nonetheless, I hope the Legislative Council will support the prompt passage of the Bill so as to improve the DPS and enhance the payout efficiency, with a view to continuing to strengthen depositors' confidence, promoting the stability of the banking system and entrenching Hong Kong's position as an international financial centre.

I so submit. Thank you, President.

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the Deposit Protection Scheme (Amendment) Bill 2015 be read the Second time.

In accordance with the Rules of Procedure, the debate is now adjourned and the Bill is referred to the House Committee.

## **MEMBERS' MOTIONS**

**PRESIDENT** (in Cantonese): Members' motions.

Mr Andrew LEUNG will move a motion under Rule 49E(2) of the Rules of Procedure to take note of the Declaration of Geographical Constituencies (Legislative Council) Order 2015, which was included in Report No. 5/15-16 of the House Committee laid on the Table of this Council.

I will first call upon Mr Andrew LEUNG to speak and move the motion, and then call upon the chairman of the subcommittee formed to scrutinize the relevant item of subsidiary legislation, Mr TAM Yiu-chung, to speak, to be followed by other Members.

Members who wish to speak on the motion will please press the "Request to speak" button.

I now call upon Mr Andrew LEUNG to speak and 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 to enable Members to debate the Declaration of Geographical Constituencies (Legislative Council) Order 2015 which was included in Report No. 5/15-16 of the House Committee.

President, I so submit.

#### **Mr Andrew LEUNG moved the following motion:**

"That this Council takes note of Report No. 5/15-16 of the House Committee laid on the Table of the Council on 25 November 2015 in relation to the subsidiary legislation and instrument(s) as listed below:

<u>Item Number</u>	<u>Title of Subsidiary Legislation or Instrument</u>
(1)	Declaration of Geographical Constituencies (Legislative Council) Order 2015 (L.N. 200/2015)."

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

**MR TAM YIU-CHUNG** (in Cantonese): President, I am presenting this report in my capacity as Chairman of the Subcommittee on Declaration of Geographical Constituencies (Legislative Council) Order 2015 (the Subcommittee). The Declaration of Geographical Constituencies (Legislative Council) Order 2015

(the Order) stipulates that the existing delineation and names of the five geographical constituencies (GCs) will remain unchanged for the Legislative Council general election in 2016. The Order also stipulates the number of seats allocated to each GC. Compared with the number of seats allocated to each GC in the 2012 Legislative Council Election, Kowloon West will get one more seat while Hong Kong Island will get one fewer seat, whereas the number of seats for Kowloon East, New Territories West and New Territories East will remain unchanged.

The Subcommittee was concerned mainly that under the current recommendations, the range of deviation from the resulting number of seats in Kowloon West is -9.63% while that of New Territories West is +10.82%, resulting in a large gap between the two. A member proposed that the Administration could consider increasing the number of GCs to six and re-delineating the New Territories GCs into three GCs with each getting six seats so as to achieve a more even distribution of population and of the seats among all GCs.

Furthermore, some members proposed that New Territories West should be allocated with one more seat so that the population served by each Member returned by New Territories West would be reduced from over 230 000 to around 210 000. These members also pointed out that the deviation from the resulting number of seats in New Territories West is already close to the statutory limit. Therefore, they urged the Administration to commence a review of the relevant statutory requirements under the Legislative Council Ordinance as early as possible in the light of the trend of population changes. For example, the Administration should consider whether the existing number of GCs and the upper limit on the number of Members in each GC can be adjusted so that the Electoral Affairs Commission can come up with timely and feasible proposals to address the problem of increasing population in New Territories West.

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

The Administration also pointed out that the existing number of GCs and their boundaries have been in use since the First Legislative Council in 1998. Members of the public are generally well accustomed to the relevant arrangements while persons and political parties intending to run in the election

have been conducting their district work based on the existing delineation of GCs. The Administration considered that the introduction of any changes would require detailed discussion by the public. With regard to the number of GCs for the 2016 Legislative Council general election, the Administration considered it appropriate to maintain the existing arrangements.

Deputy President, the Subcommittee and the Administration did not propose any amendment to the Order. I so submit.

**MR SIN CHUNG-KAI** (in Cantonese): We have touched upon this Bill at meetings of the Bills Committee, and in fact, Chairman TAM Yiu-chung also mentioned it in his short speech just now. Actually I also have a recommendation which the Government should consider. Certainly, after the veto of the constitutional reform proposal, now the total number of directly elected seats remains at 35. Nevertheless, under the existing law, there is no change to the delineation. But in fact, there is room to achieve a more even distribution of seats. If New Territories East and New Territories West are split into three constituencies and six seats are allocated to each of them, against this background, we can then see that the constituencies across the territory will become very much the same with a smaller difference.

If New Territories East and New Territories West are delineated into three constituencies, be they called New Territories East, New Territories West or New Territories North, the total number of seats will be maintained at 18. But look at the Hong Kong Island constituency, the number of seats has been reduced by one from seven to six. As to Kowloon East and West, the number of seats has increased to six in Kowloon West, while there are five seats in Kowloon East. If these six constituencies are delineated this way, they will be allocated six seats at most and five at least, thereby achieving a more even distribution with little difference.

In fact, this is far better than the current delineation of New Territories East and New Territories West. Coupled with the upper and lower limits of the fluctuation of the number of voters, the difference can actually be substantial. In fact, it is not a satisfactory condition. As Members of the Legislative Council, actually we may need to attend to a relatively vast geographical area, while colleagues serving Kowloon East and West are certainly more easily accessible.

I believe in the past, such large political parties as the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) or even the Democratic Party might have two Members elected. Hence, in respect of New Territories West, one of them could attend to Kwai Tsing and Tsuen Wan, while the other could attend to Tuen Mun and Yuen Long. But I believe that in terms of seats, no matter what the election result is, most political parties except the DAB will only have one colleague in each of various districts in the future. It is actually difficult for them to attend to such a vast geographical area. Even on Hong Kong Island, actually its population is some 1.2 million people. It is difficult to attend to all sorts of matters. Hence, the nine seats allocated to both the New Territories East and West constituencies are in fact quite many. I think we should consider introducing changes to the delineation as there are now five constituencies, and the current changes to this piece of subsidiary legislation do not require amendments to the principal ordinance.

Nevertheless, Secretary, the constitutional reform is one thing, while the reason for its failed passage is that substantial changes are involved. However, while it cannot be passed, there is still room to enhance the whole electoral system. Hence, I think we should not refuse to consider its enhancement. Certainly, time is running out and it is too late to make any changes, giving us no alternative but to accept this fact. Objectively, I will leave aside the question as to when there will be another opportunity to reactivate the constitutional reform — I certainly hope to reactivate the "Five-step Process" as soon as possible, so as to implement universal suffrage for electing the Chief Executive and all Legislative Council Members by universal suffrage thereafter — but before the implementation of universal suffrage, there is still room for improvement in a number of technical aspects while not violating the Basic Law as it has no such requirements. Frankly speaking, I do not know what rationale there is for objecting to the enhancement measures of splitting three constituencies into two or *vice versa*, so that the size of each of them will be largely the same. In contrast, the current situation is that five seats are allocated to the smallest constituency while nine seats are allocated to the largest one. Such a big difference is in fact not satisfactory. It is undesirable in terms of the development of political parties, the perspectives of voters or the relationship between voters and Members.

Certainly, the Government now states that when considering the whole constitutional reform package in the past three years, its focus was on the election of the Chief Executive while all other things were left unchanged. It did not

have a Plan B or think about what to do if it was passed or vetoed. Now the constitutional reform proposal has really been vetoed, and it turns out that it will do nothing at all. In fact, this is not desirable. Other than this, there are some more unsatisfactory situations, but the issue today is District Council elections. In fact, there is much room for enhancement insofar as the functional constituencies are concerned. But this is a digression not related to the legislative amendment. Secretary, I hope the Government will consider delineating the New Territories East and West constituencies to which nine seats are allocated into three constituencies, namely New Territories East, New Territories West and New Territories North. I do not know whether the Secretary will do so in the future, but I believe it is an issue that must be addressed in the following term of the Legislative Council. I do not know whether it will be handled by the next Chief Executive or in the following term of the Legislative Council, but I hope the Government will address this issue before the election in 2020. Certainly, I hope universal suffrage for electing the Chief Executive and even all Legislative Council Members will be implemented in 2020.

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

**MR ALBERT HO** (in Cantonese): Deputy President, the Democratic Party does not oppose this motion; I can say we even support it. But the system which has been in use since its establishment in 1998 have many shortcomings and warrants very much review and reform. Generally speaking, there can be no denying that the system is basically a form of direct election meeting international standards as at least the vote in each constituency carries equal value. But the vote in different constituencies does not carry the same value because some constituencies contain more seats while voters can only choose one candidate. In the past few years, the Government has repeatedly said it would consider increasing the number of constituencies such that each of them will contain five to six seats. I remember a couple of years ago the Secretary and Under Secretary both gave us an impression that they had seriously considered delineating the New Territories into three constituencies in the next election. But I do not understand for what reasons this plan was shelved in the end, so was the idea for reform.



I have just pointed out the shortcoming of the current system, which is the difference between large constituencies and the relatively smaller ones. Comparing New Territories East and New Territories West which each carries nine seats to Kowloon East which has only five seats, the value of each vote is not equal.

Second, in overly large constituencies, such as those carrying nine seats, the election threshold can be relatively low, that is, 7% of votes secures a win. I think it is not desirable. In many countries which have adopted proportional representation, the election threshold is possibly higher than 7% — meaning the threshold has to be higher than a certain percent, say 7%. But at present winning just 6% to 7% of votes can secure a seat. Some people question if it embodies adequate representation.

Hong Kong is not a place having multi-racial cultures which needs a very low threshold to protect minority racial groups. Hong Kong is not such a place. If it is, a special calculation method may be adopted, or even some seats may be reserved for ethnic minorities or religious communities. But this is not the case in Hong Kong. Hence, it is not the best or most appropriate practice for the development of representative government or a more representative democracy when a candidate can win an election with such a small percentage of votes. I fail to see any good reason for not to delineate the two constituencies of New Territories East and New Territories West into three.

Mr TAM Yiu-chung said just now that the continued adoption of this system is beneficial to Hong Kong because members of District Councils have been serving those areas for a long time and voters are used to it. What difference will it make to them? For example, what difference does a newly created New Territories Northwest constituency make to voters in Yuen Long? They are still going to choose the candidates who serve their areas. It makes no difference. It is not a "single-seat, single-vote" constituency. If the boundary of the constituency changes a lot, there may be a huge difference. But there is little impact on such a large constituency.

Second, Mr TAM Yiu-chung mentioned district work. Honestly, he and I both started out as elects in a geographical constituency and we both stood as candidates in the vast New Territories West. But how can a Member serve the entire constituency? Often I can only select some spots as my base in the entire New Territories West. For example, I mainly serve the Tuen Mun district, with

some additional service for Tin Shui Wai or Yuen Long. Yet as a Member and given the resources at our disposal, it is impossible to provide comprehensive and equal services to all the 2.8 million voters. Therefore, the so-called continuity in district work simply does not make sense.

As regards community integrity, I have just pointed out that there is not much community integrity to speak of in such a large constituency as it encompasses countless smaller communities. Instead the most important consideration is to make certain adjustments so that the vote across all constituencies in Hong Kong carries the same value, making each elected candidate returned by a more reasonable share of votes. What is the political consequence of the current model, especially the delineation of larger constituencies or the overall execution of proportional representation based on such a model? I believe the Government knows it very well that it is relatively unfavourable to large political parties. Of course, the impact on some large parties can be lessened if they have the means to allocate votes through meticulous organization. Nevertheless if mainstream political parties want to form a mainstream force, especially the opposition party — opposition means the party is not in power — if the ruling party and its counterpart not in power can alternate, we call the latter the opposition party, and this is not desirable to the latter. People doing research on political science have studied and pointed out that it will create fragmentation of the legislature and cause a lot of plates to emerge because some Members are elected by winning a few percent of votes. Maybe this is the intention of the Government; maybe the establishment and Beijing want to practise such a system. But I wonder: is it conducive to governance? Maybe. If the Government finds it necessary to keep preserving the principle of an executive-led system, not just executive-led, but even led by a Chief Executive who is not elected by universal suffrage and who has to be loyal to Beijing beyond anything, such a system is perhaps the best. It means that to them a fractured and fragmented Legislative Council is the best. The Government will surely have to face a lot of problems, clean up a lot of "mess" and face up to the consequences. Honestly, a fragmented Legislative Council will make it harder for the Government to convince opposition Members, rendering its lobbying work more difficult. The opposition camp can easily group themselves together to launch opposition actions, including resistance actions in the Council, such as filibustering, which will then be difficult to deal with. For the Government will fail to effectively liaise with a consolidated opposition party. But they will have to bear these consequences.

As a matter of fact, it is exactly because such an environment is undemocratic that resistance has emerged in various forms, which can be rule-breaking, unconventional and unwelcome by the public. But now people think it does not really matter as everything is manipulated. Therefore, in a nutshell, the Government is merely following long-established rules, just like CAO Shen, the second chancellor of the Western Han Dynasty, adhering to the system of governance established by his predecessor, XIAO He. According to the origin of this Chinese idiom, XIAO He was a highly effective man with strong abilities of governance. That was why CAO Shen followed the rules and systems set up by him. However, our existing system is far from ideal as we can all see that the operation of the Legislative Council under the current system has induced a lot of complaints from the Government.

In parliaments around the world, there are always a party in the government and one outside, who are respectively the ruling and the opposition. They will check and balance and compete against each other. They may also alternate with and replace each other. Such competition will then become interactive and alive, even bringing positive impact on the entire parliament. Sadly, the stalemate we are seeing right now has no way out. The party not in power will forever stay outside and consequently the mainstream opposition force will be unable to take shape, resulting in the continual fragmentation of the opposition camp. For the mainstream camp, such as pro-government parties, they will organize themselves into different groups which remain in effect being manipulated by a baton behind the scene. The functional constituencies, in addition, are also fragmented and manipulated by a baton behind them. In such an environment, we will continue to see that in the Legislative Council it is impossible for an environment to be created structure-wise that allows the mainstream and its opposition to coexist while accommodating alternative views. There are just fragments of different political views. Eventually, the two camps will only viciously — of course, sometimes it can be benevolent and beneficial, as well as creative and positive — but most of the time, they will only engage in levelling negative criticisms and then sink into a spiral of malicious fights — such are the consequences of the system.

We can see the Government's mentality through the consequences of the system, which is that it is not willing to make even the slightest change — even it is just to make it fairer by dividing the New Territories into three constituencies such that the current two constituencies, each carrying nine seats, will become three constituencies, each carrying six seats. In this way there will be five

constituencies in Hong Kong that have six seats each, and one constituency that has five seats. This is the fairest scenario. Can you find anything fairer than this? But now the Government remains adamant about maintaining two constituencies in the New Territories, each of which has nine seats. There is simply no logic in it. In addition, another point is there are a lot of problems with the calculation of votes, but this is not within the scope of the motion. For example, it is not fair to allocate seats using the largest remainder method. Seats should be allocated according to the percentage of votes a list of candidates has won. What is the point of calculating the largest remainder? All these practices are indeed painstakingly designed to target the parties not in power, especially the democrats, so as to reduce their influence and number of seats. It is a decision made by government experts after calculation.

Deputy President, I have said all this actually for the record and to tell people that it will be acceptable to us even if the motion is passed today, resulting in the change of seats. I have made many criticisms of the inadequacies and unfairness of the existing model of proportional representation in Hong Kong. Nonetheless, I still believe, and many would also agree, that this system still meets the minimum requirement to qualify as a popular election of international standards, because it allows open nomination and "one person, one vote" in each constituency. For these reasons, on the whole it is a system we should cherish. As a result, under these circumstances, we support this motion.

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

**MR ALBERT CHAN** (in Cantonese): Deputy President, in respect of the amendments and the delineation of constituencies, some voters of New Territories West have repeatedly urged me to convey their views. They think that the establishment of constituencies for candidates is unfair to New Territories West because it has the largest population. The Government has allocated nine seats to that district. If population is taken as the basis for calculation, the number of voters represented by each member will also be the highest, thus resulting in numerical unfairness. If Hong Kong has a population of 7 million people and 35 seats are taken as the basis for calculation, each member will have to serve 200 000 voters on average. Nevertheless, for such constituencies as the newly delineated Kowloon West, Kowloon East or Hong Kong Island, if we only take the number of people instead of voters as the basis for calculation, each

member will have to serve some 100 000 people approximately on average. But for New Territories West, there are more than 200 000 people to serve. Judging from this, each member will have a relatively heavy workload of serving the public. I have told voters of New Territories West that if I have to visit one estate every day, it will take me one year to visit them all, so it is evident how vast the area is.

I have been serving as a District Council member since the 1980s, and joined the Legislative Council in 1991. Be it the "double-seat, double-vote", the "single-seat, single-vote" or the proportional representation system currently in place, I have had a taste of it. Basically, there is a huge diversity in terms of the workload and situation of members. For example, in the 1990s, particularly when the "single-seat, single-vote" system was in place, there were about 300 000 people in a constituency. I had close contact with estate residents. Very often, I was able to attend meetings of owners' corporations (OCs) or owners' associations of the district. Sometimes, I could even attend meetings of the management committee of corporations, let alone general meetings. When they had to deal with some major issues, I would often hold discussions with them. For example, I went to visit Estate A at eight o'clock tonight, and then at nine o'clock, I would go visit Estate B. I could interview the households of two estates and discuss issues with the OCs or owners' committees in one night. Sometimes I even inspected the situation together with them at night. I remember very well that back then, the Castle Peak Road was going to undergo an extension. I inspected the roundabouts and design with a number of residents of Sham Tseng Village, or studied certain issues relating to noise barriers and the extension of Tuen Mun Road. I was actually comparable to a District Council member in terms of my close contact with the residents, and because of this I could get fully versed in local issues. I also remember the oil spillage of a vessel at Ma Wan in the 1990s. The fishermen and I had conducted inspections at sea for three days to ascertain where the oil spilled out had drifted to. At that time, the insurance company of the shipper invited a consultant to come to Hong Kong from Scotland, and we accompanied that consultant for two days. As the fishermen did not know English, I accompanied them to explain clearly to the consultant of the insurance company what impact would be caused by the oil spillage to the fishing activities and fish culture zones of fish farmers. I gave the consultant a detailed explanation in English of what the fishermen's points. At that time, our contact could be as close as that.

As a Member, the closer the relationship with people of his own district, the higher the validity of the views expressed on behalf of them in the Council. Sometimes, I notice that the speeches made by some Members of this Council actually do not make any sense. They pretend to be the ones who know it all after reading some newspaper reports and speak accordingly. They may have no communication with the social groups or victims concerned at all, but they pretend to be the ones who know it all. Hence, we can see that the systemic changes have actually altered, distorted or worsened the contact between Members and people. For this reason, the proportional representation system does not impress me at all. But I have to declare my interest. I was able to return to the Council thanks to the proportional representation system. Be it 2000, 2004 or 2008, I won the last seat and got elected. Certainly, if the "single-seat, single-vote" system were in place, it could have been another story.

I secured 75% of the votes in the Legislative Council Election in 1995 when the "single-seat, single-vote" system was adopted. I was also proud of myself because in terms of percentage, I got more votes than Martin. Martin secured some 74% of the votes, and I got more votes than him by a fraction of one percentage point. Certainly, his constituency was larger than that of mine. Back in those days, I stood for election in New Territories Central. Mr SIN Chung-kai belonged to New Territories South, while I belonged to New Territories Central. Mr SIN Chung-kai secured one third of the votes in Tsuen Wan, while I secured two thirds of the votes in Tsuen Wan and about one third to one fourth of the votes in Tuen Mun. As more emphasis was put on work in districts in those days, the relationship between Members and voters were closer. It was compelled by the circumstances. Under the "single-seat, single-vote" system, we can work very hard for a 300 000-strong constituency. But as I said just now, for a constituency with more than 2 million people, it will take me one year to visit the whole area, right? I have set up offices in Tung Chung, Tin Shui Wai, Tuen Mun and Tsuen Wan, and many years ago, I also had an office on Tsing Yi. But it was hamstrung by financial constraints later on. I once sustained a monthly loss of nearly \$10,000. I had to meet the shortfall myself by fishing out \$10,000 from my own pocket, and sustained a loss of some \$100,000 in a year. I am not a wealthy Member, nor do I have the backing of any consortium. I could only subsidize the expenditure of my offices with my own remuneration package as a Member. I did subsidize the expenditure, but when I could no longer cope, I had to close down some offices eventually. Certainly, now the situation has improved slightly as the accountable allowance for ward offices has increased to \$90,000. But the amount offered many years ago was absolutely not enough to meet the expenditure of five offices. Given

the large size of constituencies, it is really impossible for us to maintain close contact with voters of the districts. Now we often act like fire fighters, who will hurry to the scene to handle the situation only when something as critical as a disaster or a major problem has occurred in a certain district. As to other issues, such as the meetings of OCs in the past mentioned earlier on, we are rarely involved in them now. We will go to the district only when the issue involves serious disputes, corruption or maintenance works costing more than \$100 million, or that there are requests for assistance from residents. But this will put us in a passive position and we will seldom take the initiative to contact the relevant groups and individuals.

In fact, following the completion of the Legislative Council election and the announcement of the constitutional reform proposal relating to District Council elections in 2012 ... in fact, prior to 2012, there was the claim that the election on that occasion would be the last time for New Territories East and West to be split into two constituencies. At that time, rumours had it that they would be split into three constituencies, with Tai Po, North District and Yuen Long as one constituency; Sha Tin and Sai Kung as one constituency; Tuen Mun, Kwai Tsing and Tsuen Wan as one constituency; and there is a chance that the Islands District would be incorporated into the Hong Kong Island constituency. At that time, there was such a claim and the relevant proposal seemed mature. But since the election in 2012 and when the issue relating to the delineation of constituencies as set out in the constitutional reform proposal was revisited, the Government and the pro-government camp have demonstrated a dramatic change in attitude. I have learnt from government officials in private that since the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) has done a great job in vote allocation for New Territories West, such an example has led the pro-government camp to the conclusion that the retention of nine seats will bring positive impact to the DAB. The three candidates sent by them to contest the election all won by a landslide thanks to successful vote allocation, showing that its electioneering campaign and electoral machinery could operate freely. Under the co-ordination of the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region (LOCPG), together with the stability maintenance fund as well as the support and assistance of the state machinery fully mobilized by the Central Authorities, the success of the vote allocation has given rise to a new mode of election. Hence, large constituencies are not necessarily unfavorable, and initially, they were worried that the constituencies would be so large that the situation might sometimes run beyond their control.

Certainly, the wicked will reap their own fruit. They won in a certain constituency but lost in another. They secured five out of the nine seats in New Territories West, but only got three out of the nine seats in New Territories East. Certainly, judging from the District Council elections this time around, the whole electoral machinery of Hong Kong communists will become more pervasive, deepened and mature in the coming year. Certainly, we can see some examples in individual constituencies. Almost all major targets in this election, namely those who are interested in and capable of securing the super District Council Functional Constituency seats all lost in the election, except James TO. All first and second-string figures lost in the election. The electioneering campaign plotted, planned and co-ordinated by the Communist Party of China is really destined to win every game.

Certainly, underestimation of enemies or indolence may be the reason for some Members meeting their Waterloo. Some Members who have been re-elected many years in a row think that they are matchless and will win even if they do nothing at all, as in the past many years. Once the LOCPG blows the whistle, the votes will naturally go to their side. Unexpectedly, the turnout rate hit a record high this year with more young people registered as voters, and some people are even indignant with the LEUNG Chun-ying Administration. This is similar to the mentality of many voters who voted back then in 2003, reminding me of the situation in 2003. Certainly, some Members from the pro-government camp met their Waterloo in individual constituencies. But if we look at the total number of and the increase in votes, they prove that the system of Hong Kong communists is successful. We anticipate that the pro-government camp may secure another victory if these votes are transferred to the Legislative Council Election in 2016. In fact, an election is nothing but a game of calculations. In terms of calculation, the LOCPG in charge of the co-ordination of the election is indeed the best expert in Hong Kong elections. They are responsible for co-ordinating and planning how to distribute, organize, mobilize votes and conduct voter registration, and calculate the additional number of registered voters required in a certain district. The election this time around is interesting. The situation of specially targeted constituencies, such as that of Mr Michael TIEN, is indeed way too shocking, with an increase of 1 500 votes. Upon seeing it, I cannot help shivering unceasingly. How will this kind of electioneering campaign succeed without the backing of the state machinery?

Hence, I think we can feel proud. Even if we are small fry who can only rely on our courage, diligence and a bit of common sense, we managed to counter the full-scale state machinery mobilized by the Government of the People's



Republic of China with more than a billion of people. It is already a miracle among miracles that we can survive, let alone countering it. But how long we can survive is a matter to be decided by Hong Kong people.

Nevertheless, coming back to the motion and amendments today, we believe they will definitely be passed. Although I am a beneficiary of the proportional representation system, actually I still prefer the "single-seat, single-vote" system. I think that under the "single-seat, single-vote" system, Members can win the recognition from the majority of people in the districts, and the size of constituencies are smaller. For example, if the 35 seats across the territory are allocated to each constituency with 200 000 people, an electioneering campaign will become viable. For some minorities, that is, the small fry, even if they run in the elections in their own name, they can still launch an electioneering campaign in a constituency with 200 000 people. They can still launch a reasonable electioneering campaign by their hard work and acquaintances in the districts. There are some 2 million residents in New Territories West. It is impossible for those small fry fighting a lone battle to launch an electioneering campaign. Hence, this system is biased in favour of people with money and power. For minorities or those who fight alone with ideals, it is some sort of discrimination, which is also systemic discrimination. In view of this, I have made it a point to express my views on the legislation and the relevant system through the debate today.

**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. I now call upon the Secretary for Constitutional and Mainland Affairs to speak. This debate will come to a close after the Secretary has spoken.

**SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS** (in Cantonese): Deputy President, I would like to first thank the Chairman of the Subcommittee, Mr TAM Yiu-chung, for presenting the report on the work of the Subcommittee earlier. I also thank other Subcommittee members and several Members for speaking on this motion today.

Regarding the delineation of geographical constituencies (GCs) for the Legislative Council general election in 2016, the Electoral Affairs Commission (EAC) has, upon completion of a public consultation, submitted a report to the Chief Executive in accordance with the Electoral Affairs Commission Ordinance (Cap. 541) on 28 August. The EAC recommended that the existing boundaries and names of the five GCs should remain unchanged. Besides, the EAC allocated the 35 seats of GCs in accordance with various statutory requirements and according to population distribution as follows: five seats for Kowloon East, six seats for Hong Kong Island and Kowloon West respectively as well as nine seats each for New Territories East and New Territories West. The EAC report was tabled before the Legislative Council on 14 October in accordance with statutory requirements.

The Chief Executive in Council has accepted all of the aforementioned recommendations made by the EAC regarding the delineation and names of GCs and the allocation of seats and also made the Declaration of Geographical Constituencies (Legislative Council) Order 2015 (the Order).

Both the discussion of the Subcommittee and speeches given by several Members earlier have mentioned some issues which are outside the scope of the Order and may involve amendment of the principal ordinance, such as whether or not to increase the number of GCs or, as discussed by the Subcommittee, to adjust the upper and lower limits on the number of GC seats. Officials have reiterated the views of the Administration in regard to these issues at the meeting of the Subcommittee. They have particularly stated that the arrangement of dividing the whole territory into five GCs for the direct elections of the Legislative Council in GCs has been adopted for years and such an arrangement will remain unchanged for the direct elections of the Legislative Council in GCs in 2016.

As for the question of whether the number of GCs should be increased for the Legislative Council Election in 2020 and beyond, such as increasing the number of GCs to six as proposed by Mr SIN Chung-kai earlier, I noticed that not long ago, Third Side, a political group, had publicly stated that the number of GCs should be increased to eight. Some members of political parties have also made recommendations to me on whether the Administration can consider increasing the number of GCs to nine. There may be different views on whether the number of GCs should remain unchanged at five or be increased to six, eight, nine or the median of these numbers, seven. Therefore, if it is considered that the number of GCs should be adjusted in regard to the Legislative Council Election in 2012 and beyond, the Administration welcomes any discussions on

this issue among various sectors of the society in the future. The incumbent SAR Government will certainly listen to the views put forward in the discussions with an open mind.

However, having listened to the speeches given by Mr Albert HO and, to a certain extent, Mr Albert CHAN, I believe that when the incumbent or next-term SAR Government addresses the issue of the number of GCs for the Legislative Council Election in 2020 or beyond, there will be many conspiracy theories regardless of the Administration proposing that the number of GCs should remain unchanged at five or be increased to six, seven, eight or nine. Therefore, my conclusion is that we should resume a rational discussion and adopt an objective and impartial manner by all means in discussing how the relevant systems should be developed.

As Mr Albert CHAN has just mentioned the District Council elections, I would like to make some comments in this regard. In fact, the design of the electoral system is not tailored for any specific political party. We should design an open, fair, impartial and honest electoral system so that Hong Kong electors can select their representatives with their votes. As for which candidates can gain the support of electors and win the election, it is determined by various such factors in each election as the distribution of strength among all political groups, their election manifestos and work, and so on. Election results may vary even if the electoral system remains unchanged. It is evident to all in the past several elections, particularly the recent District Council elections. Therefore, I sincerely suggest avoidance of incorporating those political conspiracy theories into the discussion on electoral system when we consider whether or not certain adjustments should be made to the system. Otherwise, we will be putting the cart before the horse.

Deputy President, I reiterate that I am grateful to the Subcommittee for its work. I also thank the Legislative Council for supporting the amendments currently proposed by the EAC through supporting the Order.

Deputy President, I so submit.

**DEPUTY PRESIDENT** (in Cantonese): In accordance with Rule 49E(9) of the Rules of Procedure, I will not put any question on the motion.

**DEPUTY PRESIDENT** (in Cantonese): Debates on motions with no legislative effect.

The motion debate on "Expeditiously abolishing the Primary 3 Territory-wide System Assessment".

Members who wish to speak in the motion debate will please press the "Request to speak" button.

I now call upon Mr Albert CHAN to speak and move the motion.

### **EXPEDITIOUSLY ABOLISHING THE PRIMARY 3 TERRITORY-WIDE SYSTEM ASSESSMENT**

**MR ALBERT CHAN** (in Cantonese): Deputy President, I move that the motion as printed on the Agenda be passed. This motion is simple as it calls on the Government to expeditiously abolish the Primary 3 Territory-wide System Assessment (TSA), and conduct a comprehensive review of the other TSAs.

Deputy President, I am no expert on education. I have proposed this motion because some time ago when I visited the district, a resident with whom I am familiar said to me, "'Hulk', you always filibuster, so please do me a favour by dragging down this TSA! Because this TSA obliges me to help my son with his homework all the time and my child has to be drilled for the tests, not knowing when he can go to bed at night." He said that this constituted huge psychological pressure on himself, his family and his son, and created considerable obstacles to the growth of his child. He said that his child likes playing football but he just does not have the time to bring him to it.

Therefore, when this resident told me this, I went back to my office and asked my staff to look up the information right away. It happened to be around the time when my slot for proposing a motion was due. I initially intended to propose a motion on freedom of the press because press freedom has been an issue of concern to me over the years and I have seen the continual deterioration of the press freedom condition in Hong Kong, though the number of our world ranking has kept increasing. Deputy President, the number of our ranking is increasing, just that the bigger the number, the lower our ranking. So, I have grown concerned about this issue but I think the situation of children warrants

concern, too. It is because having listened to those remarks made by that resident, my reaction was that I immediately thought of the line, "save the children" in LU Xun's *A Madman's Diary*. If I can drag down the TSA ... and I promise all Hong Kong people that I will definitely pull all the stops out to drag it down. But as the TSA has already been put into practice, there is no way for me to drag it down at this stage. All I can do is to propose a motion to put forward this demand, and it is rare that I can discuss an issue so calmly in the Legislative Council.

Deputy President, in fact, there had been a lot of problems or hidden dangers from the mooted of the TSA to the formulation and implementation of the relevant policy. The TSA originates from the reform of the entire education system. Before the 1970s, there were the Hong Kong Attainment Test and the Primary 6 Academic Aptitude Test. The TSA was introduced in the wake of the education reform. Back then a lot of scholars already put forward views and made predictions on the TSA. They said that this type of assessment was set to give rise to many examinations, which would impose pressure on students and create problems for schools in education. With the TSA being implemented over time and as its nature changes, the problem would deteriorated increasingly seriously.

In fact, the TSA was initially intended as an assessment without reference to names. Its purpose is purely to assess the standard of students with no bearing on schools and individual students. It is only meant to provide the Education Bureau with data to understand the academic standard of students or their learning at different levels with a view to conducting an overall assessment of the general conditions of students. This is the original intention. But from the subsequent developments we have seen some ill omens, such as teachers committing suicide, and then an official of the Education Bureau went so far as to say harshly that had this been the reason for teachers killing themselves, how come only one or two teachers had done so? Does it mean that the Government would come to its senses only after teachers have committed suicide *en masse*? No sooner had these heartless remarks been published than the education sector mobilized its members on all fronts and flew into a rage, staging series of rallies and assemblies. But strangely enough, I found that for people who are officials nowadays, the more despicable they behave, the higher their chances of being promoted, and this is especially the case for the LEUNG Chun-ying Administration.

Let me come back to the TSA. Back then, not only the teachers were made to bear the brunt. The students faced a lot of problems, too. Incidents of students committing suicide due to the pressure from homework occurred time and again. This did not happen just once, but we heard cases of students killing themselves once in a while. In 2013, a girl in Primary 6 swallowed 30 sleeping pills and then plunged to her death. From this Members can see the situation faced by students and teachers. Some time ago, we learnt of a more frightening piece of news from a school administrator, that the Education Bureau might use the TSA results as a reference benchmark or data as the basis for culling schools. As a result, the schools have to force more drilling on students and teachers, and this has led to a change in the nature of education.

What are the questions asked in TSA papers? Deputy President, two colleagues and I have personally attempted a Primary 6 question paper for Chinese Language. I have two bachelor degrees and one master degree myself, whereas one colleague of mine has two master degrees and one bachelor degree and the other colleague has one bachelor degree and one master degree. The three of us hold eight degrees in total, including four master degrees and four bachelor degrees. But each of us filled in wrong answers for four questions on average. That is just a Primary 6 paper. I found that even some Vice Principals gave wrong answers for five questions. What level of competence does it represent for giving wrong answers for four or five questions? It was just a Primary 6 paper for Chinese Language but we still got several questions wrong. I have further reviewed these questions, and I really have no idea what exactly they aim to test. One of the questions is about an analysis of feelings, and I know that many people gave wrong answers for this question. Four choices were provided, including "helpless", "sad", "angry" and "anxious". Never mind the behaviour in question, but how can you expect a Primary 6 student to feel and tell the difference between being "helpless", "sad", "angry" and "anxious"? If you ask a Primary 6 student if he is happy or not, he knows how to answer it; if you ask him if he is angry or not, he knows how to answer it. But can he distinguish between helplessness and anxiety? What exactly does it aim to test? So, when we look at these questions, sometimes we really feel ... one may be able to tell the difference between these words after reading *The Dream of the Red Chamber* (《紅樓夢》). Sometimes when we look at these question papers, we do feel that the Education Bureau is most incompetent.

Let us then look at the performance of the Secretary for Education or officials in the Education Bureau. Over the past few years we have all seen the

community's aversion to and criticisms of the TSA. How has the community reacted to it? Looking back over the past several years, criticisms of the TSA have never ceased in society. In 2005, it was rumoured that some schools deliberately did not arrange for the poor performers to take the TSA. In 2006, a number of teachers committed suicide in a month, followed by Fanny LAW's improper remarks. Then, between 2007 and 2012, cases of students committing suicide continued to happen, and in the year of the outbreak of swine influenza, the then Education and Manpower Bureau announced the suspension of the TSA and the Bureau subsequently said that the Primary 6 TSA would be implemented in alternate years whereas the Primary 3 TSA would continue on a yearly basis. This aroused dissatisfaction among many people who questioned why the Primary 3 TSA should be implemented every year whereas the Primary 6 TSA could be implemented in alternate years. Then some parents formed an organization in opposition to the TSA. Upon its inception in 2013 this group was comprised of several thousand people, and to be more exact, only some 8 000 people joined this group on Facebook. But in October 2015, this group set up by parents to fight for the abolition of the Primary 3 TSA gained the support of 45 000 citizens and parents in a short span of one month. Public indignation and discontent cannot be clearer. But what response did the Bureau make?

This "Secretary No-good NG" nevertheless talked about the "five nots". He has read lots of books. He reads one book a day, and I wonder if it is *Lung Fu Pao* or comics. So, if he likes to read books, I would suggest him to read a book entitled *The Peter Principle* by a famous writer, Laurence J. PETER. The concept of "rising to the level of incompetence" in it is a most apt description of him. I read this book in my first year of university.

Deputy President, coming back to the response of the Bureau, it was always bureaucratic and fossilized, as if they were talking to themselves. They simply turned a blind eye to the problems and situation recounted by other people. The "five nots" that he talked about completely fail to pinpoint the problems faced by students, teachers and schools, especially the pressure and effects on students for they are subject to incessant drilling which hence deprived them of normal learning.

Therefore, I hope Members can support today's motion in order to put across a clear message to the Government, specifically that the Primary 3 TSA is entirely unnecessary. Deputy President, if we take an overview of places all over the world, and if we look at places where education of students is considered

liberal and advanced and worthy for reference ... The Secretary often conducts visits overseas and what an "offshore Secretary" he is. When it comes to the frequency of overseas visits, the Secretary for Education is definitely second to none. It is not the Secretary for Commerce and Economic Development, but the Secretary for Education.

In Germany, a national assessment is conducted only in Secondary 3; in France, it is for Primary 6 and junior secondary students; the Netherlands has no such assessment; and in Finland, it is in Primary 6 and Secondary 3. As such, we can see the situation in these advanced countries and actually they have a theoretical base, that is, this kind of assessment stifles the thinking, learning and growth of children and particularly, excessive compulsory assessments or tests undermine students' interests in some areas of development.

Some time ago, a worldwide study in which Hong Kong had participated pointed out that Hong Kong students ranked the first in reading, but they ranked almost the last in terms of interest in reading and initiative to read. It is because students can develop their ability to read under coercion through these assessments in primary school but when it comes to the development of interests or in other respects, excessive coercion on students may cause their ability to decline or be stifled in other areas. So, we can see that in many places elsewhere, their principle of education for students is to minimize compulsory assessments or tests particularly at the stage of Primary 3. A great majority of advanced places all over the world do not adopt this practice, and I have cited some examples earlier on.

Lastly, I hope that the Secretary will read this book entitled *The Death and Life of the Great American School System: How Testing and Choice Are Undermining Education*, a famous work by former Assistant Secretary of Education of the United States, Diane RAVITCH. Simply enough, these assessments will render education affected.

Deputy President, many amendments will be proposed to this motion today. Disregarding whether the amendments will be passed or which of these amendments or whether the original motion will be passed, I hope Members can support them unanimously, thereby putting across the clear message to the Government that the citizens of Hong Kong, Hongkongers and students do not accept the Primary 3 TSA.



**Mr Albert CHAN moved the following motion: (Translation)**

"That this Council requests the Government to expeditiously abolish the Primary 3 Territory-wide System Assessment ('TSA'), and conduct full consultation on and a comprehensive review of the Primary 6 and Secondary 3 TSA."

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

**DEPUTY PRESIDENT** (in Cantonese): Six Members will move amendments to this motion. This Council will now proceed to a joint debate on the motion and the six amendments.

I will call upon Members who move the amendments to speak in the following order: Mr Albert HO, Dr Kenneth CHAN, Mr IP Kin-yuen, Dr LAM Tai-fai, Ms Starry LEE and Dr Priscilla LEUNG; but they may not move the amendments at this stage.

**MR ALBERT HO** (in Cantonese): Deputy President, the Government implemented education reform in 2000 to abolish the Academic Aptitude Test (AAT) and introduced the Territory-wide System Assessment (TSA) in 2004 as a *quid pro quo* with a view to preventing excessive AAT drills for students. Nowadays, it is prevalent for schools to arrange tuition sessions for the TSA. The TSA is supposed to start at Primary 3, but some primary schools may begin to drill their students for the assessment as early as Primary 1, whereas Primary 1 students in some schools are even required to buy supplementary TSA exercises and attend tuition sessions. Although the Education Bureau has repeatedly stressed this as a low-stakes assessment, they fail to maintain its claimed objective.

The TSA has been criticized as a means used by schools to boost students. In a questionnaire survey conducted by the Hong Kong Professional Teachers' Union (HKPTU) in March to April this year, 139 primary school curriculum development officers and nearly 2 000 primary school teachers of Chinese, English and Mathematics were interviewed. The findings revealed that 70% of

the teachers held that the TSA affected teaching and learning, such as the drilling for students. They also criticized the TSA for its serious impact on the normalcy of education, and called for its entire abolition by the Education Bureau starting next year.

As the HKPTU survey finds out further, about 70% of the teachers held that it was necessary for students to undergo some drills before they could take the TSA, and about 70% of the teachers would arrange for tuition sessions to drill students, and it took at least two hours a week on average; and 34% and 26% of the teachers would arrange for tuition sessions after and before class respectively. It was also found that 97% of the teachers would require students to buy supplementary exercises. On average, each Primary 3 to 6 student needs to buy 3.1 supplementary exercise books; and the ratio of Primary 6 students doing so was 30% higher than two years ago.

Deputy President, the TSA has seriously distorted the environment of teaching and learning. To both teachers and students, the pressure of drilling is on the verge of explosion. Tens of thousands of parents flock to online groups to voice opposition to TSA drills, showing that the problem has got very serious and prevalent. In fact, according to the HKPTU survey, the recognition of the TSA among teachers is very low as well. However, Secretary for Education Eddie NG keeps repeating his monologue like a recorder, saying to such effect that, "The TSA is the only tool for evaluating the objective data from Hong Kong, and it should be free of pressure; most of the schools and teachers welcome the TSA and identify with its value." The attitude of Eddie NG has raised many eyebrows across the community and enraged a lot of parents. The Secretary has even refused to attend a public hearing on the TSA to be held in this Council on 29 November, citing personal reasons.

President Jasper TSANG, once a mathematics teacher and a principal, has disclosed in a newspaper article that a school for which he once served as supervisor felt the pressure from the Education Bureau five years ago because the TSA results of its students were far below the territory-wide average. Mr LEUNG Kee-cheong, former headmaster of the Fresh Fish Traders' School who supports abolishing the TSA, once said in a radio programme that TSA data had been used by the Education Bureau as one of the benchmarks for school culling, adding that schools in peril of not admitting enough students would be forced to arrange for some extra dose of TSA drills to avoid presenting any excuse for school culling. He disclosed that his school was always visited by Education

Bureau officials during his tenure. He recalled clearly what an official told him, to this effect, "Do you think your school can thrive on love alone? No parent would choose your school if it does not have good results." Mr LEUNG recounted how jubilant the parents were about the abolition of the Primary 6 AAT by the education authorities, but no one could foresee that the subsequent Primary 3 TSA marked a new beginning for students to start drilling as early as Primary 1. It is like blocking a tiger at the front door while letting a wolf in through the back door.

We have also come across a secondary school in the New Territories, which states on its website that apart from the examinations and tests designed for its general curricula, it also offers tests specifically for the Secondary 3 TSA. The problem is that continuous assessment has already been put in place for the school's regular tests and examinations to enhance students' incentive for learning and reflect the state of their learning, yet it still arranges a separate set of tests for the Secondary 3 TSA; at the same time, it announces a list of students with outstanding results for reward. This example is just the tip of the iceberg in the education sector. Such phenomenon is like a slap in the face of the Secretary for Education, who always says in a recorder's tone that "the TSA is the only tool for evaluating the objective data from Hong Kong, and it should be free of pressure", yet one can see how great the pressure is. The reality is that some schools may compete on the basis of the TSA to conduct examinations for the sake of examinations and arrange incessant drills for the tests.

The TSA has brought a morbid change to education in reality. It has turned into an "assessment monster" which greatly adds to the vicious competition among schools. A lot of schools may arrange drills for students in advance for the sake of the assessment, thus putting them under the immense pressure of examination and test throughout their primary school life and undermining their physical and psychological development.

In the meeting of the Panel on Education on 13 January last year, the Democratic Party proposed a motion "(urging) the Government to listen to the views of teachers, parents and students and conduct within six months a comprehensive review as well as consultation on the retention, abolition or improvement of TSA, so as to eliminate the drawbacks of TSA and avoid the morbid change to education". Nevertheless, given the opposition or abstention by most of the pro-establishment Members, the motion was negated due to lack of majority support. However, in the motion debate on "Returning a happy

childhood to students" in the Council meeting on 5 November last year, the amendment proposed by the Democratic Party was passed, and it reads, "(the Administration is urged to) review the assessment contents of the Territory-wide System Assessment to avoid the need for students to undergo mechanical drills on examination questions, and study whether the Territory-wide System Assessment should be abolished, so as to reduce students' study pressure." Despite the passage of the amendment, some pro-establishment political parties or Members yet abstained at the vote.

Despite the certain refinements proposed by the Education Bureau subsequently, we still have doubts about whether the initiatives can stop the morbid change induced by the TSA, and they are no guarantee that Education Bureau officials and school sponsoring bodies will cease to exert pressure on students, teachers and principals based on the TSA performance of relevant schools. Despite the Education Bureau's bid to set up a committee for review of the TSA under the community's strong opposition, we still have great reservations about the committee's composition. First, the committee is to be chaired by an Education Bureau official, thus lacking independence; second, with no representatives of parent group joining, parents' voices will not be heard; third, with no one to represent front-line teachers' groups, the views and perspectives of professional teachers and teachers' groups will be neglected in this categorically top-down committee structure.

If the Government continues to turn a deaf ear to the voices of various parties and work behind closed doors, we believe it will be difficult to win the community's acceptance of the review findings. Our call for a complete abolition of the TSA will remain, and the community as a whole will say "no" to it in an increasingly ferocious manner.

With these remarks, I call upon Members to support my amendment and the original motion today. Thank you.

**DR KENNETH CHAN** (in Cantonese): Deputy President, while the abolition of the Primary 3 Territory-wide System Assessment (TSA) is being debated in this Council, the online group in support of such an abolition has already received responses from more than 76 000 members of the public. Despite such a strong public opinion and clear public sentiment, I can tell Members that I hold no expectations for the Secretary for Education seated here today. He will only

repeat from the beginning to the end the replies provided in this Council over the past couple of weeks, including his reply to an oral question asked by me and the so-called official reply to a written question raised last week by another Member, because before attending this meeting today, he had hastily issued online the so-called valuable advice, or Insider's Perspectives, from the Education Bureau and repeated his explanation again. The Secretary for Education is not only a metal plate, but he is also stone-hearted and knows nothing about education.

Although the Secretary claims to be a book lover, I am not going to make any comments because I am a scholar, too. It is good that the Secretary really enjoys reading. However, I would like to ask him this question: Will he choose to do 30 TSA exercises or read 30 favourite books of his? He claims that he can finish 10 books on a flight, but will he choose to do 10 Primary 3, Primary 6 or Secondary 3 exercises in the course? Should he really do the exercises, I can offer to mark them. If he is a book lover, he should all the more understand all of this and he can ask parents, teachers and Primary 3 students whether they prefer reading or drills on exercises to make preparations for the TSA for Primary 3 or other grades. He should know the answer to this question and the moral of "not to do unto others what we would not do unto ourselves". Why does the Secretary still insist on his own views and obstinacy?

When I requested the Secretary to do the Primary 3 TSA Mathematics papers, he hastened to leave at a quick pace, whereas many colleagues and I have attempted to do the TSA test papers personally. Regarding the Secretary's comment that the Bureau has already issued guidelines to remind schools of "No Drilling", I think it is simply nonsense. Even Government Primary School students are required to undergo drills for the TSA, too. What effort has the Secretary made? Will schools and other people heed his advice of "No Drilling"? Since everyone is drilling, children are compelled to bear the heavy pressure. Actually, students begin to face this problem since Primary 1.

Having changed in nature, the education system has become badly corrupt because of morbid changes. In order to tackle the problem at root, the Secretary cannot rely solely on guidelines or an appeal for "No Drilling", as no one will heed him. In his reply to a Member's question, the Secretary said that there were "five nos", including no school bands, no school culling, and so on. However, schools will still label themselves, whereas sponsoring bodies will still label themselves or make comparisons. School principals, parents and teachers will feel very frightened at seeing the TSA scores. As a result, they will be compelled to boost students' performance. Will they violate the law should they

do so? Can the Secretary resolve the problem by simply advising them not to do so? Does the Secretary realize that the education system itself has undergone morbid changes? Of course, he still does not see it.

I do not believe in his remark that TSA results will not be used as the basis for school culling, but I believe in the comments made by the principal of the Fresh Fish Traders' School. The Education Bureau appears to care very much about schools by issuing gentle reminders for them to work wholeheartedly. What is more, it has even indicated that school results might be taken into consideration. Does the Secretary dare say that he has not issued such reminders? Does he dare ask departmental staff if they have made any such comments? Is the TSA used as a benchmark for culling schools? Are such comments a reminder of some sort? He has actually done that. He is now merely reading from the script and refusing to appreciate public sentiments seriously.

In a public opinion survey conducted by the Civic Party, 70% of the respondents said over the telephone that the TSA had brought heavy pressure to bear on parents, teachers, schools and students. Likewise, 70% of the respondents supported the abolition of the Primary 3 TSA to give primary schools more room for teaching and learning, with a view to allowing teachers, parents, students and schools to do their part rather than concentrating on TSA drills for the sake of achieving targets — it is found that targets really exist — or else they will be informed that they have failed to achieve the targets. Since schools have to strive to achieve the targets, many "divine exercise books" can be found on the market. Has the Secretary taken any action to prohibit these exercises? Certainly, he cannot do so because he does not have the legal power to do so. Neither does he have any legal power to prohibit drills. Yet, he has issued a statement about "No Drilling". What purpose does it serve? Does the Secretary seek to make himself feel good by taking comfort in his having made an effort? What is the point of doing so?

The TSA has now caused a stir among Hong Kong people, and there are lots of grievances. But the Secretary for Education cannot even do such a simple thing as calling a halt to the Primary 3 TSA to be held in May next year to allow all of us to breathe a sigh of relief. What is more, he has refused to admit failure, saying someone else has erred whereas he has done nothing wrong. Should the Secretary put the blame on others? Should the Secretary hold others responsible for the problem? Furthermore, the representativeness of the review committee itself has also been called into question.

Despite the limited number of booths set up by the Civic Party to collect signatures in the districts, we have collected nearly 2 000 signatures over two weekends only. Colleagues belonging to other several political parties have also managed to collect more than 6 000 signatures on the streets over two weekends. All this shows that the public sentiment is very clear. Of course, the Secretary needs not worry because some pro-government Members will definitely stand on his side. Likewise, the Government will definitely have supporters in this Chamber. For instance, Mrs Regina IP from the New People's Party has accused the Civic Party of compelling parents to put down their signatures. Why does she not compel parents to sign in support of the TSA to let us see if she is capable of making it happen? Will any parents sign in support of the TSA, Eddie NG, the New People's Party and Mrs Regina IP? When Mr Michael TIEN, her party comrade, was requested by journalists to do an TSA paper, he immediately complained in an emphatic and dramatic manner of the complexity of the test and said he could not possibly do it without drills. He was really emphatic at that time but then, like the Secretary, he stands firm on the side of the Government. Neither has he proposed any amendment nor expressed any views. All this demonstrates the fallacies and absurdities of the current political situation and education policy.

The Civic Party is now making a clear call for the abolition of the Primary 3 TSA. If the Secretary considers it to be an issue of immense significance, he may consider suspending the Primary 3 TSA first. He has once brought the Secondary 6 TSA to a halt and then implemented it on a biannual basis for reconsideration later because of the complaints lodged by Primary 6 students of excessive pressure and the need to attend to too many things concurrently. Now, I am telling the Secretary that the pressure borne by Primary 3 students is too heavy, and so the Primary 3 TSA should also be suspended.

The Secretary's refusal to suspend the Primary 3 TSA is akin to challenging the education sector, teachers, parents and students to not to sit the tests or participate in the drills, or to muddle through the tests. Since the Secretary is so fond of bickering with us, we can only do the same with him. The Panel on Education of the Legislative Council originally planned to convene a public hearing, but the Secretary has already declined to attend it for personal reasons without offering any apologies in public. Instead, he has merely kept repeating the stance of the Government with a stern look on his face.

Even if there is no TSA, primary schools still have internal and external assessment systems; even if there is no TSA, primary schools still have regular tests and examinations and still can do a proper job of teaching and learning. Would Eddie NG please allow educationists who know best to do the job. We can do well even without TSA. Please allow teachers, parents and students to happily feel the tradition and spirit of true education. We do not need to do the TSA which has experienced a morbid change just for the sake of it. I so submit.

**MR IP KIN-YUEN** (in Cantonese): Deputy President, the storm of the Territory-wide System Assessment (TSA) has finally fit the Education Bureau and Secretary Eddie NG, head-on, with the latter being left with no alternative but keeping himself on the hop to "put off fires" here and there recently. Not only did he write "Insider's Perspectives" and "Clear the Air", he also hosted a press briefing for this purpose. However, these acts are merely attempts to cover up the undesirable consequences caused by the morbid change in the TSA and to cool down the incident.

The TSA should be a simple issue which can actually be resolved at an earlier time, and it is no complicated issue of education. Regrettably, over the past few years, the problem has been escalating to such an extent that it has now become a social and political issue. Like the incident of excessive lead in water, Secretary Eddie NG was initially reluctant to face the problem and seriously tackle the issue. It was when the issue had aroused public outrage that he ultimately came forth to water down the incident. But he was making more mistakes with each remark he made. How could he have said that the TSA was welcomed by most schools and teachers? We cannot help questioning: Does the Secretary really live on this planet? Does he know the plight of the people? Is he prepared to take up the responsibility? Should the Secretary still feel good about himself, then the plight of education in Hong Kong, the difficulty of principals and teachers, as well as the dilemma faced by parents and students can hardly be expressed in words indeed.

My criticism of Secretary Eddie NG is not groundless. As early as five years ago, the Hong Kong Professional Teachers' Union (HKPTU) already warned that the TSA, which began from a promising commitment, had undergone a morbid change to become a policy exerting pressure on schools and tormenting our students. Since Secretary Eddie NG took up office in 2012, we have mentioned to him on a number of occasions that the morbid change in TSA should be rectified, and also presented to him the results of a number of



questionnaire surveys to request the Education Bureau to address the problem in a positive manner. Regrettably, the problem was left unresolved. Today when everyone considers it necessary to conduct a serious review of the TSA for it has developed from a single spark into a prairie fire, Secretary Eddie NG still insists that the TSA is indispensable. I think we are indeed casting pearls before swine.

Because of the time constraint, I do not intend to discuss the origin of and the morbid change in the TSA here. If Members are interested, they may refer to this book compiled by the HKPTU, namely *A Collection of Articles on the Territory-wide System Assessment (TSA)*. The Secretary and all Members were already given a copy on first issue in 2013, and the new edition has also been given to Members for their reference. Based on the conclusion drawn from various perspectives, this so-called low-stakes assessment has, due to a combination of factors, become a high-stakes assessment in the minds of students and teachers. The levels affected are not only confined to Primary 3, Primary 6 and Secondary 3. Its influence has reached down to even Primary 1 and Primary 2, rendering the entire primary education being subject to unnecessary pressure.

Deputy President, the key points of my amendment are: Suspend, review and abolish the Primary 3 TSA expeditiously, and that the Primary 6 and Secondary 3 TSAs should also be reviewed as soon as possible, so as to remove the pressure on both teachers and students. If no improvement is made even after the review, it is incumbent upon the Government to abolish the TSA completely in a decisive manner.

The Secretary has repeatedly stated that the TSA is an indispensable assessment tool, but this claim is actually untenable. Regarding the Primary 3 TSA, many academics, such as Prof Esther HO Siu-chu and Prof LAM Chi-chung of The Chinese University of Hong Kong, and Dr FUNG Chun-ip of The Hong Kong Institute of Education have clearly pointed out that the Primary 3 TSA is totally uncalled for. Is the number of tests and examinations for Hong Kong's primary school students still considered to be small? There are already numerous assessment tools — be they internal or external — for the students, and there is actually no need to arrange for the Primary 3 TSA in addition to those assessments. There will not be any problem even if the TSA is suspended for a year. If the Government can suspend the TSA immediately, this will help alleviate the enormous harm on the students. Why does the Education Bureau not do so?

So what kind of harm is inflicted on students by the TSA? I believe we all know very well that apart from ordinary lessons, primary school students now have to attend make-up classes. It is possible for Primary 1 to 6 students to attend make-up classes because of the TSA, and the knowledge taught in classes will likely be TSA questions. The endless drills in schools have taken up the rest time and playtime of school children. Today, if we make a casual browse of any online group, we can find that quite a number of parents vow to eliminate this assessment monster. Why? Because many parents have to do homework with their kids until very late at night, and the morbid change in TSA has made them gnash their teeth. Why does the Secretary not listen to the voices of parents direct?

Meanwhile, what kind of pressure is borne by our teachers? The Education Bureau points out that the TSA is intended to facilitate learning through assessment, but many people think and I also agree that students' learning is now controlled by assessment, and this is actually putting the cart before the horse. The HKPTU conducted a questionnaire survey on the TSA in 2015, covering about 2 000 primary school teachers and curriculum development officers. The results reveal that as many as 70% of the teachers consider that the assessment content covered by the TSA has dominated the teaching curriculum, homework plan as well as the test and examination modes. As a result, the assessment has controlled and dominated learning in schools, which is totally unacceptable.

Schools and school sponsoring bodies also feel the pressure exerted by the TSA. Over the past couple of months, many principals (including Principal LEUNG Kee-cheong mentioned by some Members earlier, and so on) and even Mr Jasper TSANG, who is a school supervisor, also confirmed that the Education Bureau has taken the lead in abusing the data by using TSA results to accredit or blame schools and school sponsoring bodies. While everyone is mistaken in thinking that the TSA is simply a low-stakes assessment, it is actually an assessment that one should never deal with casually. This being the case, people at the bottom are subject to the pressure from their superiors, and the entire school is exposed to TSA drills.

The Primary 3 TSA is the most disastrous because children are all undergoing growth. Nowadays, the influence of the Primary 3 TSA has extended to Primary 2 or even Primary 1. Just imagine, children aged six to eight, who only know a few words, are expected to spend their school life in an environment that is dominated by the culture of drilling. Take a look at this Primary 3 TSA paper on English in my hand. Do you know how many pages

there are in this paper? There are altogether 19 pages. Students are required to complete the paper in 25 minutes, meaning that they have to finish one page in one minute. They need to both read and write. The test paper also includes reading comprehension and composition. Under such circumstances, our children have already been trained to such an extent that once the test starts, they will read and write immediately. They are not allowed to wait and think. When a child of eight sees this test paper, he or she might have difficulty even in understanding the guidance notes for the questions. Will their pressure not be small in this case?

Deputy President, in what ways should children aged six to eight grow up? The Organisation for Economic Co-operation and Development issued a report in 2009 suggesting that it is necessary for all countries to nurture their talents by cultivating three major abilities: (1) the ability of taking actions on one's own initiative; (2) the ability of communication and interaction; and (3) the ability of social participation. Unfortunately, the TSA is implemented not in this direction. Are we aiming at nurturing a pool of talents who only perform well in examinations?

We can see that lower primary school students are deprived of playtime and we can rarely see any children play in the parks on weekdays. What has actually been struck down by the TSA? The answers are television programmes like 430 Space Shuttle, Kids Click and After School which were all broadcast in the afternoon, because no children will be able to watch these programmes in this period. They are either studying at tuition classes or schools, or being drilled for TSA questions at home. Our teaching and learning process is tied down and influenced by the TSA. The TSA is supposed to be an assessment seeking to capture data, but why does the objective of data capture become so important that even the health and happiness of students can be sacrificed?

Deputy President, the harms inflicted by TSA are growing increasingly severe. I believe Members all know very well that the increasingly difficult questions are beyond students' basic competencies. We must really right the wrongs of the system. First of all, the Government should abolish the Primary 3 TSA, and the Education Bureau should also invite people with different views to join the review committee, with a view to conducting a review of the TSA on the premise that there is no longer any pressing need for holding any TSA (*The buzzer sounded*) ... and suspending the TSA for this school year immediately.

I so submit.

**DEPUTY PRESIDENT** (in Cantonese): Mr IP, your speaking time is up. Please be seated.

**MS STARRY LEE** (in Cantonese): Deputy President, last month some people formed a group on a social networking website, demanding the abolition of the Primary 3 Territory-wide System Assessment (TSA). Shortly within a month, it has got responses from 40 000 members of the public and aroused heated discussions on the TSA in the community. Now the biggest problem with the TSA is that it has caused students to undergo unnecessary and excessive drills. Facing such drills, both students and teachers are under immense pressure. If the situation is serious, it will even undermine students' interest in learning and deviate from the original intent of introducing this assessment. For this reason, the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) considers that the priority task now is to set things right and immediately stop the excessive drilling.

As a matter of fact, the Education Bureau did not pay enough attention to the problems caused by the TSA, thus leading to this row. Hence, we request the Education Bureau to take decisive actions and immediately look into the actual situation of how various schools deal with the assessment. Any school found to have arranged excessive drills for students should be required to stop at once. Actually, the matter has already developed for quite some time. According to the information currently held by the Education Bureau, how do the schools conduct such drills and has any school been required to stop? I would like the Secretary to give a reply later on to let members of the public know about the situation.

To further gauge the views of the education sector and different stakeholders on the TSA, the DAB has met with representatives of the TSA Concern Group and also talked with different stakeholders earlier. In November, we invited the Chairman of the Committee on Home-School Co-operation, representatives of Parent-Teacher Associations, principals, academics, education groups and teachers to attend a TSA workshop organized by us to listen to the views of different stakeholders on the TSA. The participants unanimously agreed that the TSA was originally introduced with good intentions, but at the same time, they pointed out that having been implemented for a decade, the TSA has indeed deviated from the original model, and it has undergone a morbid change, showing a great disparity between the

ideal and reality. What happens now is that, students face mounting pressure and incessant drills in coping with the TSA. Such a situation runs counter to the original intent of introducing the TSA.

Some parents told me that students started to do exercises for the TSA in Primary 1, and their children who were studying in Primary 3 had to attend tutorials both before and after classes and during holidays so as to cope with the TSA. Some other parents remarked that now assignments from school are already overwhelming, and their children have to work through the night to complete their homework. The TSA exercises have really added to the already heavy pressure. They told me they would rather let their children miss a piece of homework and tell them to go to bed as early as possible in order not to affect their sleep. This indeed reflects the culture of unreasonably early and excessive drilling which has brought unnecessary pressure to bear on parents and students.

As a matter of fact, since the number of students has dropped in recent years, the education sector is worried about the culling of schools, and the school management dares not treat the TSA lightly. In addition, in the past, some school sponsoring bodies would compare the TSA results of their schools. Consequently, the school management could not but take the matter most seriously and work out corresponding strategies. In that case, pressure arises and goes down from one level to the next. School supervisors and school management committees exert pressure on principals, and principals then exert pressure on panel heads and teachers. As such, panel heads and teachers will certainly adopt the most direct and simplest method, that is, drilling students on various types of examination questions. Generally speaking, parents will comply with the requests of schools and urge their children to complete the exercises.

In view of the morbid change in the TSA, there is a demand in the community for the authorities to immediately abolish the Primary 3 TSA. Some people even request abolition of the whole assessment system across the board. Mr CHAN's original motion proposes to expeditiously abolish the Primary 3 TSA. While considering this motion, I kept asking myself a few questions: first of all, what was the original intent of introducing the TSA? If the Primary 3 TSA is abolished, does that mean children will not have to undergo excessive drilling? Is the Primary 3 TSA really so useless that it should be abolished immediately? Will its immediate abolition really bring the greatest benefit to children?

Let us first review the original intent of introducing the TSA. It is a territory-wide system assessment which seeks to gauge students' learning effectiveness at different stages. I have also doubted why the assessment has to be conducted in Primary 3 and whether it can be slightly deferred. However, according to the information in hand, local and overseas study results show that the difference in performance among students gradually widened when they moved up from Primary 3 to Primary 4. For this reason, at that time the authorities decided to conduct the system assessment in Primary 3, with a view to understanding as early as possible the basic competencies of students in different schools after three years of learning, so that schools and teachers can adjust the teaching and learning methods in a timely manner, narrow the gap among the students and further raise the overall standard of students territory-wide.

Hence, in considering this issue, from the perspective of making early improvement to teaching and learning and narrowing the gap among students, it is necessary to apply an objective yardstick to assess students' learning effectiveness in different schools after three years of efforts made by the schools. Otherwise, under the existing arrangement, if the first assessment takes place in Primary 6 and it is not until then that the schools adjust the teaching and learning methods based on the students' results, it will be too late because these students are already leaving for secondary schools, and they may have missed the opportunities of making rectifications and enhancements during these three years.

I also know that unlike the one-sided situation mentioned by Mr Albert CHAN, different cities have adopted the TSA. I have collected some information as well. For example, the National Assessment Programme in Australia has also put similar examinations in place, requiring students to sit for corresponding examinations in the third, fifth, seventh and ninth years of their studies. In the United Kingdom, there are also similar examinations which students take at the age of seven to 11, which is the age of primary students. Given these considerations, Deputy President, the DAB holds that it is inappropriate to rashly abolish the TSA across the board before the review is completed and before any alternative tool is available. I do not believe that abolition of the TSA will drastically improve the situation of excessive drilling because such a situation is actually inseparable from the culture and values of parents in Hong Kong society, in which the TSA plays only one part.

Deputy President, if the TSA is abolished, schools may be unable to take note of students' relative competencies early. As I have always thought, conventional wisdom has told us that the biggest problem is inability to see the

problems. The TSA was originally introduced to serve as a tool for the Education Bureau and schools to identify problems. Hence, from this perspective, it is necessary to put the TSA in place. Nevertheless, I must point out that many members of the sector have commented that now the TSA questions have completely deviated from the original model. The test questions become more and more difficult year on year. Basically, such questions do not tend to test the basic competencies of students.

I actually have personal experience in this matter. When my daughter was studying in Primary 3, she would frown deeply while doing the TSA exercises. Seeing her in such a state, I would accompany her when she did the exercises. At that time, I really felt angry because I simply could not understand why Primary 3 students had to do such difficult TSA exercises. For this reason, I expressed my view to the Education Bureau and asked about the situation. According to the reply I received, it is merely a tool to find out students' competencies, not meant to affect the students in any way. I then came to understand it and felt relatively assured. Nevertheless, at that time I also pointed out to the Education Bureau that if the TSA questions were not improved and drawn closer to our everyday life, the pressure on parents and students, I believe, would keep increasing. Regrettably, the Education Bureau has not made any improvement so far.

Hence, I understand this matter, and I believe a lot of parents who share my experience will have the same feeling. We really wish to get rid of the TSA, especially when we see our children doing the TSA exercises with knitted eyebrows. However, being a Member, apart from taking parents' feelings or certain views into account, I must also ponder the questions mentioned by me earlier, such as the original intent of introducing the TSA, and whether its abolition is beneficial to children. For this reason, I hope the Education Bureau will squarely face the series of problems arisen from the morbid change in the TSA currently.

In addition, I have to point out that at present, the Education Bureau has placed the whole responsibility of narrowing the difference in students' performance on the schools without providing too many resources or other support measures, thus giving the schools no breathing space at all. In particular, those schools which admit grass-roots students actually have no choice. They really need to conduct such drills because, as we all understand, families are as important as schools in enhancing students' performance. If

grass-roots students wish to attain the required standard, they cannot but undergo the drills. For this reason, I hope that during the review process, the Education Bureau will also pay attention to this part. If it places the whole responsibility of narrowing the difference in students' performance on the schools, it will actually cause the schools to continue to drill the students. To ameliorate and address the problems in a focused manner, the DAB proposes an amendment which includes five recommendations. Our view is quite specific. I hope the Secretary for Education will respond later as to whether the Bureau will accept our recommendations (1) to (5).

Deputy President, I so submit.

**DR PRISCILLA LEUNG** (in Cantonese): Deputy President, Hong Kong's Education Bureau always advocates examinations. It will invariably refer to examinations no matter what it talks about. It sticks to multiple choice questions even in promoting the Basic Law. I have been talking about it for many years, hoping that students will enjoy the subject of Liberal Studies and study it happily. But eventually when it is implemented, it has still become a subject. As a core subject for examination, it even includes compulsory questions, the marks of which will be taken into account, leaving parents, students and school teachers in great distress. There are even tutorial classes for Liberal Studies. This is the reality. Its original intent is good, but being distorted, it has become anomalous and also affected students' advancement to universities.

Hence, I have been thinking that the Education Bureau, trapped in the ivory tower, has come up with ideas that are too good to be true when formulating policies, while neglecting the reality during implementation, thereby keeping front-line teachers and students on the run.

The issue of the Territory-wide System Assessment (TSA) is in fact a bit similar to Liberal Studies. It has undergone morbid and substantive changes. The Government lobbied the community for support of the new senior secondary academic structure during the consultation. Likewise, it spoke highly of Liberal Studies, which subsequently became a "deadly paper", giving students a hard time in studying. I have been opposing Liberal Studies because of its examination method, which makes me feel pitiful for young people these days. Under such circumstances, they will become guinea pigs every time when something new is introduced. I keenly feel the pain because my two children have also got a taste



of the TSA. They have also experienced how Liberal Studies has become a core subject for examination containing compulsory questions, leaving everyone in anxiety. At the end, instead of enjoying it, they studied it merely for coping with examinations.

Hence, speaking of the Primary 3 TSA, apart from the test questions, actually the use of the TSA by the Education Bureau in determining the allocation of resources will definitely lead to competition among schools. Meanwhile, students are sandwiched in between, and the development of the drilling culture is inevitable. I agree that the drilling culture does not originate from the TSA. But if it involves allocation of resources, schools will have no alternative but resort to such an unwise move. Anyhow, I think the real problem lies with the policymaking of the Education Bureau, which is theoretical and way too impractical. It will only consult some education experts and develop some theories. But very often, it neglects an important stakeholder, that is, parents, when rolling out some new policies. Sometimes, it does not even have much idea about the situation of schools and students.

For this reason, in putting forward the amendment, I hope the Education Bureau can really open up their mindset and seriously listen to the views of the education sector. When we see the substantial changes of the TSA in nature and the emergence of the drilling culture, we actually feel upset. I think parents are really an important stakeholder in the education policy, particularly because when we interviewed some children at nursery and primary schools, we found that they might not know how to fully express themselves. Under such circumstances, parents must be one of the parties who can tell the effectiveness of implementation first hand. Being such an important stakeholder, how do parents actually feel? Do they understand the policies launched by the Education Bureau? Will TSA tutorial classes become necessary in the future? This is actually the reality in Hong Kong. We cannot overlook it, pointing out that since other countries will not be like that, neither will Hong Kong. In Hong Kong, if examinations are made compulsory, things will go that way.

Frankly, from my personal experience, actually I enjoyed playing much from Primary 1 to Primary 3, and I was naughty. I did not know what I had learnt, and I actually had not sat for any examination. I was happy before Primary 3, and in Primary 6, there came the public examination. But I think examinations come much earlier these days. Last time, an Honourable colleague asked an oral question. I carefully read the reply of the Education

Bureau, which stated that the TSA was presently the only assessment that reflected the competencies of children. When I saw the word "only", I really felt the need to oppose it. How would the Primary 3 assessment be the "only" method? In fact, many children have yet to be enlightened in Primary 3, and some of them remained like that even in Primary 6. I really subscribe to the ideas promoted these days, which bring out the message that a late start does not necessarily mean impeded development in the future. Hence, I really take exception to the emergence of this drilling culture at an early stage in schools due to excessive anxiety.

To be fair, many schools that I know do not impose any TSA drilling, including the two primary schools in which my two children have studied. I therefore did not feel that they were under great pressure at that time. But I absolutely believe that when such a large number of parents have talked about their pressure, many schools must be imposing such drills as they are worried about allocation of resources. And I absolutely oppose the enforcement of such drills at Primary 3. In my personal view, actually there is really no need to introduce such public examinations at Primary 3. If the Education Bureau can come up with ways to improve the TSA questions, or manages to adopt effective policies to ensure that schools are not allowed to force students to undergo drills — I am referring to effective policies instead of mere guidelines — I will raise no objection. But the authorities must ensure that once schools are found to be imposing drills in the course of implementation, they have to adopt effective ways to handle it at the policy level.

I do not understand why the Education Bureau embraces the TSA in such a way now. I think the authorities should humbly listen to the views in the community. For example, certain schools which may be in a relatively disadvantaged position may impose drills as they are really worried about resources. I think the authorities really have to consider these issues. Therefore, I consider it necessary to conduct a comprehensive review of the Primary 3 TSA. And before the completion of the review and the introduction of effective policies to prohibit such drilling culture in schools, especially the drills arranged at Primary 3, I suggest the Education Bureau consider putting on hold the Primary 3 TSA. The purpose of putting it on hold is to give us ample time to study what policies should be designed to eradicate drilling by schools or seek understanding from those important stakeholders, that is, parents, and we really should thoroughly think about whether it is necessary to embrace the TSA.

If the system is jointly designed by parents, schools, front-line teachers and education experts of the authorities, I will not oppose the engagement of more stakeholders. But we should not leave out any of the groups. I often think that the authorities have missed out parents. Even for the reply given by the Secretary in response to an oral question last time, I also pointed out that the relevant consultation had missed parents out. Hence, I very much hope that the authorities can really listen. While we are Members of the Legislative Council, we are also parents and workers in the education sector. We really consider it unnecessary to embrace such examinations. Even if the TSA is retained, the questions should be revised, so that students will not lose self-confidence after the tests because of not knowing how to answer the questions. Earlier on, I heard an Honourable colleague say that it would not have much influence. In fact, this is not true. If they do not know how to answer the questions, their self-confidence will be dealt a serious blow. I consider it most important to nurture the self-confidence of children at the primary school stage, so that they can learn happily. Compared to early drilling, this will definitely do more good to their achievement in the future. In this regard, we already have a number of successful examples.

For all of these reasons, I sincerely hope that the Education Bureau can consider conducting a comprehensive review of the TSA and formulate actual policies instead of providing guidelines. Guidelines can achieve nothing. In respect of front-line work, guidelines will not bring any effect. I believe if the authorities can introduce some effective policies, they will find it easier to secure extensive support from the community. Deputy President, I so submit.

**SECRETARY FOR EDUCATION** (in Cantonese): Deputy President, I would like to thank Mr Albert CHAN for proposing the motion today and the six Members for proposing amendments to the original motion prior to the meeting.

It has been over 10 years since the Territory-wide System Assessment (TSA) was introduced. All along, the Education Bureau has listened to the views of stakeholders to make refinements continuously. We have put in considerable efforts to enhance the community's understanding of the TSA, which include the production of a filmlet and the printing of pamphlets, and so on. Regrettably, the community as a whole does not understand the assessment system thoroughly. I would like to express my heartfelt thanks to Members and

various sectors of the community for their concern about the subject which has given me another opportunity to explain the system in detail and enhance the public's understanding. Various sectors can also take this opportunity to express their opinions. Hence, we can draw on collective wisdom and conduct constructive discussions on the further enhancement and perfection of the system in a focused and rational manner. We will work together to upgrade the quality of education and the learning effectiveness of students of Hong Kong.

As mentioned by Members, the main objective of the TSA is to gauge students' attainment of the basic competencies in the three subjects of Chinese Language, English Language and Mathematics at the end of the three key learning stages (that is, Primary 3, Primary 6 and Secondary 3), so as to prepare them for advancement to a higher stage of learning.

The data of the TSA will help the Government to formulate relevant policies and measures. For instance, the data indicating the reading competence of students will help us develop appropriate teaching and learning kits to cater for the discrepancies among students, to promote "learning through reading" and to foster the reading culture, and so on. As for schools, the TSA data can help individual schools to understand the basic competencies of their students. As Ms Starry LEE mentioned, the TSA data will enable schools to identify areas where reinforced support is required, enhance their teaching strategies as well as the learning effectiveness of students — I must stress that I am referring to the effectiveness of learning. Hence, the implementation of the TSA will benefit students, parents, schools, education and society as a whole, and I call these the "Five benefits".

At the same time, I have to reiterate once again that the TSA does not seek to assess the performance of individual students, and it is a low-stakes assessment. I must emphasize once again that the TSA does not report the performance of individual students. As some Members mentioned the relationship between students and the TSA earlier, I have to point out that the TSA will not report the performance of individual students, it will not affect the student's secondary education prospect and it will not be used for the allocation of school places for admission to secondary school. As for schools, at the initial stage, schools considered that the TSA had imposed heavy pressure on schools, as well as on teachers. For this reason, the TSA had stopped providing information that would create a labelling effect on schools. Besides, the results will not be

used as a benchmark for closure of schools. I stress here that there is no direct relationship between resource allocation and the TSA, thus the TSA is not used for purposes of closing schools and resource allocation.

(THE PRESIDENT resumed the Chair)

The motion moved by Mr Albert CHAN makes particular mention of the concern about the Primary 3 TSA. I would like to point out in this connection that according to local and overseas studies, students' learning gap normally starts to widen when they are promoted from Primary 3 to Primary 4. To the question asked by many people about the importance of the Primary 3 TSA, the answer is that this is the watershed of two different stages of learning. Hence, schools may understand the attainment level of basic competencies of Primary 3 students through the TSA, which helps teachers to identify learning difficulties with the help of other internal assessments and to make improvement in learning and teaching at an early stage. Otherwise, the gap between the high and low achiever students will be widened as they progress towards Primary 6. It will be too late to regret by then.

Assessments of a similar nature for students are conducted in a number of countries such as Australia, Canada and the United States, and even in some developing countries. This is a point also mentioned by Ms Starry LEE just now. As a common saying goes, "a skyscraper has to be built from the ground", which means a good foundation is the prerequisite for erecting a skyscraper. The TSA is the tool that helps students build a good foundation. Once the Primary 3 TSA is abolished, its functions of early identification and support will disappear as a result. The difference between school based assessments and the overall TSA is that the various tests conducted at school will only provide data on individual schools without any territory-wide reference. This is the difference between the TSA and the school-based assessment.

We must keep abreast of the times. When it comes to refining the objectives of the TSA, we will continue strengthening the communication with all stakeholders. In addition to sponsoring bodies, schools and teachers, the Education Bureau met with the Federations of Parent-Teacher Associations from 18 districts in the middle of this month, and we met with parents from various districts last Friday. Last Saturday, I attended a big event with the attendance of

a few hundred parents and seized the opportunity to listen to their views. I also had discussions with their children to understand whether they faced heavy pressure, and so on. We will give particular attention to gauging the views of different parties, especially those of parents.

As I announced some time ago, in October 2014, the Education Bureau set up the Coordinating Committee on Basic Competency Assessment (BCA) and Assessment Literacy (the Committee), which is the Committee mentioned by Members earlier. The Committee will conduct a thorough review of the implementation of the TSA. To enable the opinions of parents to be better heard, and in response to the views of Members, we will include in the Committee members concerned about co-operation between schools and parents. We will maintain an open attitude towards the feasibility of different enhancement measures in examining the implementation details of the TSA, which include the implementation arrangements, assessment content, assessment items and coverage as well as the supporting measures for implementation which include strategic arrangements for minimizing the drilling culture. It is hoped that preliminary plans will be made for implementation before the conduct of the TSA in the following year, so that they can be implemented as soon as possible.

As I said earlier, the TSA seeks to assess the basic competencies of students, where drills are unnecessary, and it intends to instil the attitude of making learning easier. This also echoes the slogan in the filmlet introducing the TSA, that is, "A small effort a day makes it easier to handle".

In formulating policies on education, the Government puts the well-being of students first. We hope that with the various measures implemented, students can enjoy happy learning, balanced development and healthy growth. I trust this is the common goal of the Government, schools and parents. As for the TSA, it is an education tool requiring refinement. In fact, the problem of drilling originated not from the TSA. Some people say that the drilling culture is a deep-seated problem. As the problem grows in severity, we should work together to tackle the problem at root, so that students will not be affected by excessive drilling and unreasonable pressure.

President, I would like to listen to the precious views of Members before giving a consolidated response to the issue overall.

**MR TOMMY CHEUNG** (in Cantonese): President, in general, my opinions rarely differ from that of the Liberal Party to which I belong in regard to issues unrelated to my sector. This occasion, however, is an exception and I therefore have to state from the outset that the following remarks are just my personal opinions which differ from the stance of the Liberal Party.

The Territory-wide System Assessment (TSA), which was introduced for students in Primary 3, Primary 6 and Secondary 3 respectively in 2004, has since served two major functions. First, it facilitates the collection of data for the Government to assess the overall academic standards of students so as to examine the differences among schools. Second, the TSA result is just like a medical report to certain schools as it helps teachers review and improve their teaching practices by taking into account the overall TSA scores attained by students.

Although the authorities have been claiming that TSA results will not affect the results of Secondary School Places Allocation (SSPA) of individual students, I believe many parents and schools disagree with such a claim — or some people simply do not understand rather than disagree with it — in fact, the existing mechanism for Central Allocation of secondary school places makes adjustments by referring to the academic performance reported by primary schools on three occasions and the results of Pre-Secondary One Hong Kong Attainment Test obtained by the graduates of each primary school (that is, the alumni of primary students). Therefore, the results of SSPA are basically unrelated to TSA results. Nonetheless, students can apply for Discretionary Places for SSPA and attend interviews arranged by their preferred secondary schools. It is another matter as to whether the secondary school concerned will consider the background of the student's primary school during the interview. It is undeniable, however, that TSA results have certain bearing on the ranking of schools.

In fact, when applying for secondary school places, a student who came first in a school with better TSA results usually has more and better options than a student who came first in a school with poorer TSA results. The pressure of drills on students actually comes not only from schools but also many parents who wish that the primary schools in which their children are studying can attain better TSA results so that their children can be placed in a favourable position when they apply for secondary school places. However, does it mean that a simple abolition of the Primary 3 TSA can solve all problems, including the worries of parents who consider that students are facing strong pressure? I am afraid it will only backfire. Students will have to take part in the Primary 6 TSA

only before they enter secondary schools if the Primary 3 TSA is abolished. Assuming that the authorities conduct the TSA in Primary 5, which is ahead of the prior schedule, so that data can be collected as early as possible, the authorities have to determine school rankings by referring to the results of one examination instead of two. Such a practice will certainly put schools under greater pressure and the drills for students will mostly be arranged in Primary 5 and Primary 6. If so, what is the difference from the notorious Academic Aptitude Test taken by Primary 6 students back then?

Furthermore, the number of functions performed by the TSA will decrease if the Primary 3 TSA is abolished. Another purpose of conducting the TSA in Primary 3 and Primary 6 respectively is to provide schools with reports on the Primary 3 TSA so that schools will have knowledge of the academic standards of their students in Chinese, English and Mathematics, thereby helping teachers identify the areas of their teaching which require improvement in the hope that the academic performance of students in these three subjects can be enhanced during the period between Primary 3 and Primary 6. This function cannot be fulfilled if the Primary 3 TSA is abolished.

President, in retrospect, during our youth, we also had to sit for the Secondary School Entrance Examination while we were in primary schools, take the screening test in Secondary 3 — as nine-year or 12-year free education was not available back then — sit for the Hong Kong Certificate of Education Examination in Secondary 5 and we even had to take the university entrance examination in Secondary 7. With the progress of time and social advancement, 12-year free education is now provided and there is a consensus in society that we should minimize by all means the pressure of examination borne by students. The Administration has been, in response to such a demand, enhancing the assessment mechanisms on a continued basis, particularly the assessments conducted in primary schools so that the SSPA results of individual students will no longer be determined by performance in one examination. The TSA was actually introduced in response to the hope that the school as a whole, instead of individual students, will bear the pressure of examination so that primary school students can study in a pressure-free environment.

As far as I understand it, the authorities also collect accumulated and objective data from the TSA so as to obtain information on the competency and learning progress of students in Hong Kong. The Regional Education Office will, based on the TSA reports of certain schools, arrange for its staff to visit the schools concerned and make appropriate recommendations on enhancing teaching



practices, thereby minimizing the difference among schools. All in all, such a practice is actually beneficial to students.

When the relevant subject was discussed in the Legislative Council a year ago, I actually pointed out that I would welcome any assessment mechanism which is better than the TSA in the sense that it would not only provide the Government with objective data but also prevent schools from mistakenly exerting additional pressure on students because of the TSA. Unfortunately, one year down the line, the authorities have still failed to actively respond to the criticisms made by various sectors. The Coordinating Committee on Basic Competency Assessment and Assessment Literacy (the Committee), which was established by the authorities in 2014, is supposed to advise on the direction relating to the development of the basic competency assessment project as well as the enhancement of assessment literacy in schools. However, the Committee has yet to propose any recommendation for improving the TSA and therefore it is really difficult to convince the public.

Can the authorities consider my proposal for changing the frequency of conducting the TSA from once every year to once every two years; or conducting random tests in every school without giving any prior notice? Apart from picking a certain class randomly at any time for taking tests, the authorities can also distribute test papers of different subjects at random to students in the same class, that is, students in one single class will take tests in Chinese, English and Mathematics respectively, so that schools can neither predict the time of taking tests nor the students who need to sit for such tests, thereby minimizing the incentive for schools to arrange drills for students and easing the worries of parents. The original design of the TSA, a mechanism which does not exert any pressure of examination, can therefore be restored as well.

Therefore, I urge the Secretary for Education to strengthen the communication with parents, the education sector and management of schools as well as exhorting the Committee to speed up its work and make recommendations for improving the TSA. I also call on parent-teacher associations to take the initiative of telling the schools that they do not support arranging drills for students. Otherwise, it will be highly suspicious that ...

President, there is no difficulty in abolishing TSA. However, can we literally ignore the difference in the academic standards of students until they enter secondary schools that we finally realize (*The buzzer sounded*) ... there is a great difference in the academic standards of students within the same school?

**MR LEE CHEUK-YAN** (in Cantonese): President, after hearing the Secretary's earlier remarks, I believe the Secretary may have travelled so much that he is out of sync with what is going on in Hong Kong. Being completely detached from reality, what he said seems to happen in another world but not Hong Kong. One could hear the impressive slogans of "no need for drilling" and "learning in a more relaxed way" from his mouth earlier, and then his claim that the Territory-wide System Assessment (TSA) is not meant to evaluate individuals and will neither give rise to school closures nor any labelling effect, and that it is designed merely to build up students' foundation. As a matter of fact, what he suggested may stem from the ideas conceived by him in an ivory tower or behind a closed door; in practice, does the Secretary have any idea of what is going on?

Despite the Secretary stressing that the TSA is not meant to assess individuals, my perception of his response is that the TSA is unlike the Academic Aptitude Test for primary schools in the past or Joint Primary 6 Examination, both of which would have the results assessed and affect individuals. However, the Secretary has forgotten the fact that the TSA does assess schools instead of individuals, and this gives rise to several problems. To assess schools, the Education Bureau will have to obtain data, and schools will then surmise the purpose of the Education Bureau in obtaining the data as well as the implications of the assessment on schools, and so on.

Obviously, school sponsoring bodies will subsequently exert pressure on schools, which will be required to figure out what to do if the data obtained by the Education Bureau are not impressive enough. Will the Secretary suggest that data being not impressive enough is not a matter at all and the schools will not be affected? If he does, what is the point of the assessment? The data are obtained for the purpose of lashing out at schools, and that is the problem. Schools will then need to polish their data, and as a result students will have to undergo drilling, a scenario that one may easily think of. Unlike what the Secretary suggested, it is impossible for schools to completely put it aside. However, the case recounted by a former headmaster of the Fresh Fish Traders' School is totally different from the Secretary's earlier remarks. The Secretary said that the TSA will not be used as a benchmark for school closure, but the former headmaster quoted a visiting Education Bureau official as saying that this could be one of the factors of consideration because of the school's unsatisfactory results.

Of course, another problem is that such data will influence how parents choose schools. If there is no drilling, the Education Bureau will keep lashing out at and criticizing the schools in question, their sponsoring bodies will do the same based on such data, and parents will refrain from choosing the schools in view of such data. Eventually, the inevitable outcome will be drilling, an ugly one.

We have heard of parents' account of TSA drilling. If students do not speak English well — it appears that reading from an English book for two minutes is a form of drilling — they have to stay in class as punishment, while parents have to wait outside until their children come out in tears. Of course, the "out-of-sync Secretary" can always say that this is not what is meant to be, but what is the solution in reality? He is still saying that they are all ears, but the problems have been there for years.

It is clearly known that once publishers begin to publish exercise books, the problem is right there. If drilling is not necessary, what are the exercise books for? Like the mock papers for our Hong Kong Certificate of Education Examinations in the past, drilling was required to review the past questions; similarly, there is now a need to review the TSA questions for 2013 and 2014 in order to attain the levels desired. Some parents have recounted to me the section on composition, which makes me wonder why 1 000 or so blanks are provided in the test paper. Even Members who contribute articles to newspapers may be asked to cap their writing to just 800 words, not to say 1 000 or so. Of course, the Secretary can always say that it is not their intention to drill them or require them to fill in all the 1 000 or so blanks, but the pressure remains.

Therefore, the Secretary remains ignorant of the problems at this stage and refuses to change his feeble stance of not abolishing the TSA. Some minimal patch-up may be made, but this is no solution at all. Why not removing the TSA altogether, particularly for Primary 3? There is a problem with the Primary 6 TSA because there is a Pre-S1 examination as well. Why are students required to take two examinations? Like the TSA, Pre-S1 is taken for the sake of schools. Why two examinations then? Hence, the Secretary fails to face up to the many problems and merely proceeds to present some empty and casual slogans like "no need for drilling", "learning in a relaxed way", "everyone sharing the same goal" to be followed by remarks like "we aspire to happy learning, where primary school students can grow happily to develop their interests without

any drilling". But when it comes to practical implementation, one burden over another will be imposed on students who get to undergo drilling since as early as Primary 1 or 2.

Hence, the most pathetic point about education in Hong Kong now is the way it hardens students' mind as if it was some piling works. How can it contribute to students' development of creativity, imagination and interest in learning? If students lose all interest in learning and just undergo drilling without any appetite for reading, there is actually no future for education in Hong Kong.

Thank you, President.

**MR TONY TSE** (in Cantonese): President, the controversy surrounding the Territory-wide System Assessment (TSA) has recently become the talk of the town. Quite a number of parents and members of the education sector have strongly criticized, both online and offline, the drawbacks of the TSA, including the constant efforts made by schools to push students to undergo drills on examination questions and require them to attend tuition sessions and do a lot of exercises, for the sake of attaining good TSA results. Meanwhile, given that the TSA is used as a benchmark to evaluate the abolition or otherwise of schools and the advancement of students — although the Secretary denied the accusation just now — they think that the TSA, like a demon, should be eradicated expeditiously to prevent it from causing trouble and bringing misery to the people. It is hoped that the Government can first abolish the assessment for Primary 3, to be followed by the assessments for Primary 6 and Secondary 3.

Given that the community has expressed these views on and dissatisfaction with the TSA, I think it is imperative for the Government to review how best to refine and improve the relevant assessment system, and examine if there is a need to abolish the TSA and whether students should be required to start undergoing the TSA at the Primary 3 level. If the Government considers it necessary to abolish the TSA, should it be replaced by a substitute assessment system? Or is it entirely unnecessary to conduct the relevant assessment? In my opinion, abolishing the TSA across the board rashly before these questions are considered carefully and answers are found might not be the best and most appropriate option for Hong Kong as a whole, including students and schools.

President, according to the information provided by the Education Bureau, and as also mentioned by the Secretary just now, the TSA seeks to assess the overall basic competencies of students in the three subjects, namely Chinese, English and Mathematics, at the three learning stages of Primary 3, Primary 6 and Secondary 3, with a view to providing comprehensive, objective and quality data and information to enable schools and teachers to improve their teaching strategies in a targeted manner, and also prompting the Government to provide timely support to schools for the purpose of upgrading the quality of education for the benefit of students.

Just now, the Secretary stated that the Education Bureau had issued the newly revised "Guidelines on Homework and Tests in Schools — No Drilling, Effective Learning" to remind schools not to change their teaching methods and focus heavily on drills and exercises for the sake of coping with the TSA, lest students' interest in learning would be greatly undermined. Actually, the original intention of the TSA might be good. Moreover, the Bureau has made it clear that it does not wish to see schools step up drills of students, but why are schools accused of drilling students excessively in actual practice? Are there problems with the TSA, schools or somewhere else? I think the Secretary should find the answers.

Certainly, there are reasons, purposes and significance for the establishment of most of the assessment mechanisms. Since different students have different learning abilities, naturally there will be differences in their learning performance. Through the setting of a uniform standard, we can use the same yardstick to assess the competency and performance of students, with the emphasis put on gauging the teaching and learning results through the relevant assessment. Rightly as the Secretary has stated, the assessment is not used to determine whether the learning results of individual students are good or poor. But since problems have arisen in this regard, the Secretary should address them seriously. Meanwhile, the Government and schools may deploy resources and adjust teaching and learning strategies having regard to the assessment results, thereby upgrading students' academic level overall. So, does the crux of the problems with the TSA lie in the actual operation, including the excessive drills arranged by schools for their students?

Actually, concerning the question of to what extent the drills arranged by schools for their students is regarded as excessive, there can hardly be a uniform, objective standard. Furthermore, in nowadays society, quite a number of parents

would like to see their children "win at the starting line" and insist on the belief and attitude that "jade is no jewel before carving". What is more, they complain of inadequate drills and homework given by schools to their children. As a result, they will sign up other tuition classes for their children for drills to be conducted outside schools. Meanwhile, they will also express their dissatisfaction and voice their aspirations to schools in the hope that enhanced drills can be provided as responses. Certainly, we can hardly ascertain who should be held responsible for such drills, but we cannot rule out that some parents actually say one thing in their responses to the drills arranged by schools to their children but mean quite another. On the one hand, they do not wish to see excessive drills arranged by schools for students, but on the other, they do not wish to see the schools' assessment results affected by inadequate drills.

President, on the face of it, the problems triggered by the TSA this time around are related to whether the Government should continue to adopt this assessment method. In my opinion, however, more important deep-rooted problems which warrant examination by Members are involved and should be reconsidered by parents, schools and even the entire community. What is the fundamental purpose of education? What attitude should be adopted in nurturing students? It is because I believe the way of thinking of society influences the way forward for education.

President, I so submit.

**MS CYD HO** (in Cantonese): President, everyone is afraid of examinations. However, not only are students afraid of examinations, school sponsoring bodies, principals and teachers are also no exception. According to the information published by the Education Bureau and the earlier remarks of the Secretary, the TSA is only meant to ascertain the practicability of schools' teaching methods, rather than assessing the performance of students. President, given that students' learning gap starts to widen from Primary 4, which is thus considered to be a critical year, the Secretary stated that conducting the assessment at Primary 3 will enable schools to know whether their teaching methods are appropriate; if the answer is in the negative, the Education Bureau will tender its advice to these schools in question. This is the purpose of the TSA.

Nonetheless, some district-level officials of the Education Bureau once told a school that its poor performance in the TSA would become one of the considerations for culling it. Such being the case, all the schools attach great

importance to the TSA. When the TSA becomes one of the factors affecting the survival of schools, principals and teachers, it is not uncommon to find a pyramid structure in management: the Education Bureau exerts pressure on school sponsoring bodies; school sponsoring bodies exert pressure on principals; principals exert pressure on teachers; teachers exert pressure on students who have the least power to resist. This morbid change is really horrible. Although it is possible for each system to undergo a morbid change, the morbid change in the TSA is particularly serious. Such a change has not only led to deterioration in the learning environment of Primary 3 students, children are also forced to adapt to examination methods which are in no way constructive. Some schools even start drilling their students at Primary 1.

In fact, on the first day of school, Primary 1 students only have to learn queuing up and move from the stage of kindergarten to traditional primary education. These are the only things they need to learn. But nowadays, some schools even start TSA drills early from Primary 1 and such drills are terribly inhuman. In a previous test paper on Chinese Language, students are required to read a four-panel comic in two minutes and then recite the content in one minute. This question paid no regard to the difference in character among students, in particular children. Some Primary 3 students are as talkative as birds that it is difficult for them to keep quiet because they love to talk very much. For some students, however, we cannot pry open their mouths to make them speak by any means. These students, whether they understand the content or not, will simply keep their mouths shut after reading the four-panel comic.

Against this background, if the Government adopts this kind of assessment, the life of introvert children will be miserable. Some parents have told me that in preparing the students for the part on story-telling, a girl, who had failed to re-tell the story, was given detention by her school until 5 pm, and she was allowed to leave the school finally just because she cried. Will this kind of drilling impair her self-confidence to such an extent that she will resist going to school? Some schools do not allow students with average or poor academic achievements to take part in the TSA for fear that their TSA performance will be adversely affected. To primary school students, however, this approach is discriminatory. If they know that all the students are required to take the test with only a few of them being excluded, they will likely be traumatized badly. This bad consequence brought by the morbid change in the TSA will sadden the children a great deal.

President, you once wrote in an article and said that you had come the first in the Secondary School Entrance Examination. You are really smart. In our generation — I believe there should not be much difference between our generations — students were only drilled to answer 100-plus mathematical questions in an hour at most, but we already had a hard time at that time. We all knew how to answer those questions but we were forced to complete them at great speed. Was it unacceptable if we did our calculations very slowly? However, speed was the overriding concern in that examination. Examinations in the past also placed great emphasis on the usage of Chinese and English vocabulary, but after the format had been changed to multiple choice questions, the results were even worse because some of the questions were quite subjective. Just like the example cited by Mr Albert CHAN just now, if a Primary 3 student is asked to choose among the words "anxious", "unrest" and "helpless", he should be able to tell their differences in the first place. However, the examiner is probably not aware that if a child is very strong in character, he will not choose the word "helpless" in any case. He may probably choose the word "furious", but the examiner is provided with one model answer only. For this reason, if a child who is doughty in character wishes to choose the word "furious" but the model answer is "helpless" instead, that will be a big problem then.

We must understand that students are born with different characters, and they also respond differently to the situation described in a question. Even secondary school students are no exception. Regarding the story about Mencius's mother having relocated three times for better education for her son, some candidates have indicated that the high property price is beyond the affordability of grass-roots families and hence, they can hardly move. This answer is most critical indeed but the examiner concerned has criticized the student for not giving an answer in the set direction, saying that this is not the matter asked in the question and students are expected to answer whether parents attach importance to children's study. Why are students not allowed to think out of the box? This is precisely due to the problems of the examination and assessment system, which exert enormous pressure on students.

I would also like to discuss another mathematical problem here. The question reads as follows: Five workers can make five items of clothing in five minutes, then how much time is needed for 100 workers to make 100 items of clothing? President, I believe you only need five seconds to answer this question. If a student is smart enough and has some knowledge of management studies, he will ask whether the 100 workers are all working at the same time or



whether they are split into five groups, as well as the size of the factory, and so on. If he considers the matter in a holistic approach, he has to know all of this background information. However, there is no such background information in the examiner's model answer, and the candidate will inevitably lose some points as a result. Hence, this consequence is attributable to the foolishness of the examiner, rather than that of the student. Under this system that has undergone a morbid change, not only do students lose their interest in study, but their creativity is also stifled. This is utterly a major shortcoming of the local education system in Hong Kong.

**MR LEUNG YIU-CHUNG** (in Cantonese): President, just now Mr Tony TSE pointed out that the TSA has recently become the talk of the town, and many people are discussing its retention or otherwise. I would like to add a few points here. It is true that recently, there have been heated discussions on the retention or otherwise of the TSA, but actually such discussions did not arise only today. Shortly after the TSA was introduced in 2004, many members of the education sector already raised a lot of views on its retention or otherwise. Although I have been in the teaching profession for years, I have never dealt with the TSA because I teach students of higher classes. However, my colleague told me that soon after the TSA was launched, he already had a load of views and found many problems. President, what were his views and what problems were they? As pointed out by many Honourable colleagues earlier, the main problem is that the contents of the TSA tests actually differ from the curriculums taught in school. As such, students find it difficult to adapt themselves to the questions or contents of the tests and do not know how to deal with them. If students find adaptation to such tests difficult while their schools or teachers are anxious about the assessment results, they cannot but find some other time or approaches to help students to get used to these tests. Teaching as usual every day will not readily enable the students to answer those questions. If teachers can enable students to answer those questions simply by teaching as usual, then there will not be any big problem. Most regrettably, that is not the case. Hence, the fundamental problem lies in the contents of the tests not dovetailing with our practice.

President, I have engaged in teaching for more than three decades, and I mostly teach students who sit for public examinations. In principle, so long as we teach in accordance with the curriculum, the students should be able to cope with the public examinations. Our only worry would be there not being enough time to teach everything in the curriculum. If that is the case, we will offer

tuition sessions to students to make up for some of the progress lost rather than giving extra ... Of course, we will also prepare some past papers to familiarize them with the question types. However, very often, the contents of TSA tests are incredibly extensive and differ from what is taught in school. As we can note from the news, both Dr Kenneth CHAN and Mr Michael TIEN tried to answer the TSA questions, but neither of them could answer all the questions correctly. I am sure if it was about the knowledge we learnt from textbooks, the two Honourable Members would definitely get the answers right, but as it turned out, that was not the case. The questions they answered are entirely different from what is taught in the textbooks. As it is said, they are meant to test students' wisdom, but wisdom varies among people. As a result, not every student may be able to answer these questions.

Hence, President, this is a significant problem. It runs counter to the objective set by the Education Bureau when it proposed the education reform and the TSA in 2000. It also contradicts the Secretary's remarks earlier. The Secretary said that the assessment sought to gauge students' attainment of the basic competencies at the end of different stages of learning. The reference was to only the "basic competencies" of students, but none of those questions were meant to test the students' basic competencies. For instance, the contents of those questions mentioned by some Honourable Members just now had nothing to do with basic competencies. How could they achieve the desired result? They could not achieve it at all. The Secretary still insisted that the tests were useful and able to show the results of all the schools in Hong Kong, but such an assessment is actually meant to test the students' intelligence. So the teachers cannot but drill the students, thus contradicting the original spirit of the assessment. This is the first point.

The second point is, the Secretary said there was no need to worry about this assessment. Neither parents nor schools needed worry because it would not serve as a reason for culling schools. Nor would it affect students' progression to secondary schools, so on and so forth. President, no doubt that statement is correct. The assessment will not directly cause culling of schools or affect students' advancement to secondary schools, but it will indirectly cause all of these problems. Has it ever come to the Secretary's mind that it will indirectly cause all of these problems? President, why is that the case? Because the culling of schools will not be based on the assessment results, and the Education Bureau will not dare admit it so explicitly. It will only say that the student

intake of such and such a school is not sufficient, so the school has to be closed. This is obvious and clear, but the question remains, why is the student intake insufficient? Why are students unable to study in the schools they desire after participation in the assessment prior to progression to secondary schools? Why? These are the underlying problems. If the assessment results of a school are not satisfactory, its intake of students will be affected, and these are what will happen in the end.

Hence, in my view, the Secretary should not live with closed eyes. He should not bury his head in the sand like an ostrich, ignoring the reality and repeating his replies to our questions like reciting a text. The fact is that at present, education groups, teachers, students as well as parents keep telling the Secretary that problems have arisen in this assessment system. The Secretary did not think there was any problem before. Now that he had received more complaints, he said he would listen to people's views, look into the situation and conduct a review. Such a dilatory approach is not addressing the problem seriously. Mr Albert CHAN's present proposal is to expeditiously abolish the assessment in Primary 3. I hope the Secretary will stop procrastinating. President, why? Because the longer the procrastination, the greater number of students and parents will be affected.

As we know, the District Board Election has just been held. A lot of parents kept asking the candidates if they objected to the TSA. The people around seemed to be threatening us that if we did not express objection, they would not vote for us. Nevertheless, actually it has been our view that there are problems with this assessment which we must oppose and change. And we must abolish it as the first step. This is really the talk of the town. Parents consider it pressing. They said that after a whole day's work, they have got to help their children do revision and homework (*The buzzer sounded*) ...

**PRESIDENT** (in Cantonese): Mr LEUNG, your speaking time is up.

**MR LEUNG YIU-CHUNG** (in Cantonese): ... and they find such a situation miserable.

**DR LEUNG KA-LAU** (in Cantonese): President, a few years ago when I first joined this Council I was a bachelor — I mean I was still single at the time. But in the blink of an eye, I now have three children and am expecting the fourth one. Looking around the Chamber, I am the only parent in the Council, meaning I have children who have to take the Territory-wide System Assessment (TSA). I have not considered matters related to education before this but now I have to give it some thoughts because I need to choose the schools, local or international, that my children will go to.

As I have not considered anything about this topic, I have no knowledge of it. I just listened to the speeches by Honourable colleagues and the Secretary. Do I want my children to take the TSA a few years later? The answer to this question will decide whether or not I support this motion.

First of all, I have heard some Honourable colleagues say that the TSA creates pressure of study and causes excessive drilling. I think learning necessarily causes pressure. I have taken a lot of examinations. Drilling is indeed essential. If you just rely on natural gift, you may not be able to cope on the spot. If you want to be able to cope with it you must drill yourself. Thus, it does not seem to be a reason against the TSA.

The second reason is that TSA questions are difficult. But I think that difficult questions should not pose any problem. In the past when I came to a difficult question in an examination, I immediately ignored it as I knew no one would be able to answer it. I could just ignore it. It was exactly because it was so difficult that everyone was in the same boat. Everyone could not answer it and neither could I. It was instead a good thing to skip the difficult question; I got one less to answer. On the contrary, sometimes if the questions were too easy and everyone knew how to answer them, it would be terrible when I answered a question wrong due to carelessness. I would get a lower mark just because I was careless. Difficult questions are not a problem. Just now Mr Albert CHAN quoted a question that he considers to be very difficult. But to me it is not — I am sorry, maybe I am just used to taking examinations.

However, in order to decide whether or not I will let my children take the TSA, I have to listen to the Secretary's speech. I regarded the Secretary as a salesman. Can he sell to me the merits of the TSA to children? Having listened to his speech, I am really baffled. He said the TSA is the only

assessment tool in Hong Kong, from which objective data will be obtained and used for making adjustments in teaching and thus achieving improvement. I wonder: what good does it do to my children? Absolutely none.

Honestly, if good TSA results can guarantee admission to a good secondary school and university, it is worth the effort and drilling is worthwhile and fair. However, the results after drilling have nothing to do with your children. If the assessment test is meant for assessing all the schools in Hong Kong, a simple sampling will do. Why bother having everyone take the test? Selecting 1 000 students to take the test may only produce an error of 2% or 3%. In this way there is no need for everyone to take the test and be drilled for it.

If the TSA is meant to make adjustments in teaching for individual schools so as to achieve improvement, I have another argument. There are two questions here. First, do only schools with less than satisfactory results need to make improvement and adjustments? Second, people already have a fairly good idea of which schools have good or bad results. Schools are categorized into Band 1, Band 2 and Band 3. Band 2 and Band 3 schools always hope to keep making improvement and adjustment to boost the results of their students so that more good students will be attracted to them. The TSA is unnecessary actually. After listening to the Secretary explaining the purpose of the TSA, I absolutely do not understand why such an assessment is needed.

On the contrary, I can come up with two reasons not to implement the TSA. First, education or education policies should give top priority to the well-being of students, not convenience to the Government or some parties so that they can obtain certain information. So first of all, the TSA seems to have not given top priority to the well-being of students. Regardless of the original intention, the actual implementation fails to achieve the effect.

Second, to my understanding, some schools with good results do not have to worry about being culled, so their students are not required to undergo any special drilling. The schools are free of such kind of worries, so their students can spend time on more constructive endeavours, such as acquiring more knowledge. But for Band 2 and Band 3 schools which have poorer results, as they are worried about being culled, they require their students to be drilled for the test. It thus gives rise to the unfair situation that the haves will only have more and the have-nots will have less and less. It means some students who should focus on improving their results are instead required to drill for the TSA,

while students who already have good results, as they do not need any drilling, will have more time to acquire more knowledge. In this way, an unfair situation is created.

Can an abolition of the TSA prevent pressure and drilling? It is impossible but pressure and drilling can be directed to more constructive purposes. As a result, my conclusion is that it is better not to take the test.

President, I so submit.

**MR FREDERICK FUNG** (in Cantonese): President, Article 31 of the United Nations Convention on the Rights of the Child states "the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts". Nonetheless, what is the reality faced by primary school students in Hong Kong? Although they are exhausted from the heavy schoolwork and an endless amount of homework, they still have to do many Territory-wide System Assessment (TSA) exercises. Furthermore, as the Secretary may have noticed also, schools sometimes even use the time for recess and lunch break as well as the hours before and after school to arrange tuition sessions on TSA. Even adults, not to mention children, will find it difficult to cope with such a heavy workload, right? What is the point of undergoing excessive drills? As a result, some kids do not even have enough time for sleep, let alone play.

Earlier on, the United Nations Children's Fund (UNICEF) has strongly advocated that children should be given at least an hour of playtime every day. However, is it a luxury for primary school students in Hong Kong? In fact, can the Secretary issue an order to require schools to give children an hour of playtime?

President, why have the education principles of joyful learning, developing potential and nurturing creativity eventually reverted to 'spoon-feeding' drills? In fact, the Hong Kong Professional Teachers' Union conducted a questionnaire survey on the TSA in 2011, 2013 and 2015 respectively. The findings of these surveys revealed that there is an excessive amount of tuition sessions and drills on the TSA, which has exerted tremendous pressure on teachers and students while the TSA has even affected school-based teaching and dictated the format of school tests and examinations. Furthermore, the content of TSA tests is actually beyond the basic competencies of students. According to the findings of another

survey, 75% of the teachers indicated that students had to complete an average of 22.8 TSA exercise books before graduating from Primary 6 in order to prepare for the TSA. The aforementioned information reveals the fact to the Secretary that there has been a morbid and substantive change in the TSA. The TSA is supposed to be a tool for gauging the basic competencies of students at different stages of learning but in the end, its usage is distorted and becomes the criterion for assessing the performance of schools. Originally, the TSA aims to help students and schools enhance learning and teaching respectively. However, it becomes the source for the Education Bureau to exert pressure on sponsoring bodies, school principals, teachers and even parents and students, bringing suffering to children as a result.

Unfortunately, the Education Bureau has failed to address this problem squarely as if it has turned a blind eye to the situation. Why? Because the officials have adopted a management approach that is not people-based and regarded themselves as the Chief Executive Officers of commercial organizations without realizing that they have actually adopted an indicator-based management approach, turning the TSA results into a tool for assessing the performance of schools. Even the President has mentioned that five years ago, the Education Bureau exerted pressure on a school in which he served as the supervisor because its TSA results were far below the average scores in Hong Kong.

Moreover, the former principal of the Fresh Fish Traders' School in Tai Kok Tsui, LEUNG Kee-cheong, who is an outspoken man, once recalled that an official of the Education Bureau had gone to his school and met with a number of school managers, telling him — I am not sure if the official was reproaching him — that he should care about not only the disadvantaged students. Does such a remark indicate that merely giving care to students is not enough that he should also improve their academic results?

President, I am shocked to learn about such a bureaucratic and caustic approach. When the Education Bureau officials and the Secretary for Education look at the test results of students, they have basically forgotten that these primary school students are actually real bodies who are ingenuous and artless. As every single primary school student is going through different developmental stages with diverse family backgrounds, their rate and pace of development vary. The school-based approach originates from the principle of tailoring teaching practices to students' varied abilities, which means providing students with appropriate teaching practices according to their levels, abilities and backgrounds.

It simply runs counter to the original intent of the TSA, which is to help students and schools improve their learning and teaching respectively, when the Education Bureau manages different schools in a standardized and indicator-based approach by making reference to the TSA results.

President, the Education Bureau has all along been advocating promotion of the Chinese culture, right? I believe we have all heard of Confucius, the Exemplar of Teachers of All Ages, who advocated tailoring teaching practices to students' varied abilities and providing education for all. However, do officials of the Education Bureau and the Secretary understand these basic concepts and principles of education? There has been a morbid change in the TSA and the problem lies in the fact that the original purpose of the TSA was buried in the bureaucracy of the Education Bureau and its management principle which focuses on statistics.

President, a more significant problem certainly lies in the attitude of the Government which has adopted a top-down approach that regards education as an investment, subjects the whole education system to market competition and continuously promotes the utilitarianism, marketization and commercialization of education, resulting in a total distortion of education. Sponsoring bodies, school principals, teachers, parents and students are left with no choice but to compete and strive for better results endlessly. The academic results as well as development of sports, arts and extracurricular interests of students have all given way to countless drills and become the tools of competition among various stakeholders in the education sector. In the end, children are reduced to machines undergoing drills and taking examinations while they are left with no spare time at all. The principles of joyful learning, stimulating creativity, enhancing self-understanding and developing potential are simply lies. This is the consequence of putting the cart before the horse and our society must reflect deeply on this problem.

Secretary, is it possible for us to respond to the call for providing children with playtime as advocated by the United Nations? Can we actually offer children an hour of playtime every day? I hope the Education Bureau can face the fact that the TSA is completely distorted with substantive changes. In view of this, the Hong Kong Association for Democracy and People's Livelihood has all along been requesting the Education Bureau to abolish the TSA before conducting a comprehensive review of different aspects of the TSA, such as its content and operation. I so submit.



**MS CLAUDIA MO** (in Cantonese): President, everyone is talking about this and that of the TSA, and there is an official Chinese name for it, which sounds so funny that no one can read it out. Also the name is so long that I have to look at it long and hard before I can read out "全港系統性評估"<sup>2</sup>. How can one read it out? The Education Bureau has failed to find a proper name to spell out what it means; even though we scribble it as "TSA", the Legislative Council Secretariat is fine with it. What is the point of this "systematic assessment"?

**PRESIDENT** (in Cantonese): Ms MO, it should be "全港性系統評估" (Territory-wide System Assessment).

**MS CLAUDIA MO** (in Cantonese): Here it is ... I wrote it down ... is it "全港性系統評估"? Maybe this is even funnier. President, brilliant, you are right, it should be "全港性系統評估". I got it wrong as I jotted it down too quickly. This sounds very funny indeed. What is the point of the word "性"<sup>3</sup>?

Let me come back to the subject matter. Not long ago, some Primary 4 to 6 students came to this Council for a visit. After briefing them on the work of this Council in the mini-council downstairs, I asked how many of them would like to see the TSA abolished, and 99% of them raised their hands. Why? They said it is very tough because drilling takes place every day. They are the Primary 4 to 6 students who are suffering now. Just now, I received a group of university students of journalism and talked about another subject. In passing, I asked if they had tasted the woes of the TSA; they replied that it was still a bit tough then, but not as much as now. In response, the Education Bureau will definitely say this shows that there was no problem in the past, and that the current problems stem from schools imposing drilling on students, and it has nothing to do with the Education Bureau, while schools, principals and teachers are to blame.

However, also not long ago, a journalist asked me to take a Primary 3 TSA or Territory-wide System Assessment test, which comprises the official questions extracted from the Education Bureau rather than the mock questions found in the

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<sup>2</sup> The correct Chinese name is "全港性系統評估". Ms MO's rendition literally means "systematic assessment for Hong Kong".

<sup>3</sup> In Chinese, the word "性" can be used as an adjectival marker, as well as a noun in itself meaning "sex" or "gender".

market, and I was given a short time to finish it. I thought that given my senior age and my capacity as a teacher of English, Primary 3 English should not be any challenge to me. Eventually, I was shocked by the number and complexity of the questions. For instance, a question asks if the "he" in line 10 of a preceding article refers to Peter, Mary or someone else. So, I got to do the counting quickly, yet I was unsure what line 10 was and whether the title was counted as one line, as I had never had any drilling. Only later did I learn that there are markers on each article, like a stroke against line 10 and another against line 20. It takes some drilling to develop such kind of skills. Moreover, given the number of questions and the time limit, one cannot waste too much time on counting the lines one by one, which was exactly what I did. Despite being an old auntie, I was pretty much scared to death by the Primary 3 English test.

Some of the questions are even pretentiously interesting, offering a price list of the coke and hamburger sold in a fast-food restaurant. But the picture attached — they had better show a photograph instead — is more like a pizza to me because it is very flat, but in fact it is a hamburger. I was confused at the time, wondering that pizza was clearly not on the list. To those Primary 3 "babies" — the President is laughing out loud, which is a rarity — is it not ridiculous? This is over the board. The momentary shock that I had at the time might have already cost me 15 to 20 seconds.

President, there is this type of questions that are even more insidious, a term that I hate using, but they really are. Let me illustrate it in this way. The price of French fries is included on the menu of that fast-food restaurant, and it sells cheaper between 4 pm and 6 pm every day. Then the question is: Siu Ming is supposed to have \$10 and he is going to buy French fries at 5 pm, how much should he pay? Buddy, this is a question about IQ rather than English; to test one's IQ, the questions should be asked in his mother tongue. President, you must be very smart and have a high IQ, but I would not suddenly switch to Spanish to test you, even though you may know a little Spanish as far as I guess, or confabulate. It is unreasonable for them not to set the questions in one's mother tongue, since it involves some extra effort of translation. Is it not ridiculous?

The journalist asked me to take the test, and I finished it in all hustle and haste. I felt great and understood all the questions, but to me, answering all the questions correctly was the sure outcome. Even though I was given half of the

allowed time or 12.5 minutes to finish it, I should not be praised in any way for answering all the questions correctly. But, President, the most funny part is, I got an answer wrong. When the journalist reminded me that there was around 10 seconds left for the test, I quickly looked at the question on English sentence writing based on a picture, which shows that a child picks up a toy in a toy shop, and it accidentally lands on the ground broken. Then, in the quickest possible way and simplest wording, I described the toy that landed on the ground. It should go as "and it broke", but I wrote down "broken" in haste, and that was wrong. Why? Because I knew that the time was running out and I got to rush through it.

Being old and self-styled as a teacher in the university, I also find it not easy to deal with. Given my senior age, the time allowed for taking the test should be cut half because Primary 3 students may well be my grandchildren. Yet, the authorities are ruining our children in such a way.

The question today does not call for the abolition of the Primary 6 TSA or Territory-wide System Assessment. It merely targets the one for Primary 3. Will Members please support it. Thank you.

**MR WU CHI-WAI** (in Cantonese): It is actually out of my expectation that we have to hold a debate in the Legislative Council today on a small assessment system originally not supposed to do any harm in primary education. In fact, two or three months ago, basically no one other than primary school teachers and some parents knows what the TSA is, that is, the Territory-wide System Assessment. But today, I believe many people of Hong Kong have come to know these three English letters. This is absolutely thanks to the Education Bureau, because the Education Bureau headed by the Secretary for Education has repeatedly concealed the shortcomings of the TSA. But the morbid changes and adverse consequences of the TSA are now eroding the childhood of students. The TSA and drilling equal unhappiness. I have even heard people say that this amounts to child abuse. The TSA has become the talk of the town. I can only say that it is due to the Education Bureau's complete failure to address the aspirations of the education sector in recent years. Even for a small systematic assessment, the Bureau has failed to handle it and address public sentiments properly, resulting in the present situation.

President, I am a product of the Secondary School Entrance Examination. Even if there was such an examination, children could still have a happy childhood before Primary 4. We could play, and we enjoyed our school life every day. It was not until Primary 5 and 6 that we began to face the pressure of examinations. We went to secondary schools after the examinations. After admittance to secondary schools, we could still have craze for football at least before Secondary 3. I believe those who have had the experience of taking the Secondary School Entrance Examination (SSEE) will remember those days. It was not until Secondary 4 and 5 that we had to face the pressure and hardship of the Hong Kong Certificate of Education Examination. But back then, these two public examinations were already criticized for exerting too much pressure on students throughout their development. Hence, a number of reforms have been undertaken.

Consequently, the Government has been introducing changes. Subsequently, the Primary 6 Academic Aptitude Test (AAT) was abolished when it was rolled over to 2000. At that time, the education sector loathed the pressure and torment caused to students by examinations. But primary school students could have a good time for only a few years. It was because in those several years, schools were allocated places as usual, while the old AAT results and standardized assessments were all abolished. However, making reference to the old AAT results was unlikely to be a permanent solution. Hence, from 2007 or 2008 onwards, the Government has used the Pre-Secondary One Hong Kong Attainment Test, commonly known as the Secondary One Streaming Test, as the basis of secondary school place allocation for Primary 6 students. From then on, typical pressure of school admittance examinations has again affected the daily life of primary school students.

At the same time, the TSA was gradually been rolled out from 2004 onwards. The targets of assessment are Primary 3, Primary 6 and Secondary 3 students, and the scope of tests covers the three foundation subjects of Chinese Language, English Language and Mathematics. When the AAT was abolished in 2000, many people considered it a major beneficent policy. Unexpectedly, in a few years, the abolishment of one test was replaced with the introduction of two

major assessments, Pre-S1 and the TSA. Together with the internal assessments for secondary school places allocation purpose, students' pressure of examinations and teachers' pressure of teaching have increased as a result.

In the era of the SSEE, there were criticisms that Hong Kong students were given "spoon-feeding" education. We think that the education reform will bring improvement, but unexpectedly, the situation has from bad to worse. Assessments have dominated the whole schooling stage. While this is an undesirable custom of eastern culture, the Education Bureau, which leads the way in education, has not only shown no intention to change such a situation, but also acted as the initiator. The TSA is the most obvious example. According to the Education Bureau, the original intent of the TSA is an assessment of learning. But in fact, it manipulates schools with the TSA data. It uses the TSA as a tool of manipulation in total disregard of the predicament of teachers and the well-being of students.

As a system assessment conducted across the territory, although many countries have adopted such an assessment in terms of methodology, it is conducted on a sampling basis. They will identify the problems and difficulties in the whole education system through system assessments, and then introduce fine-tuning, reforms or changes. But when all schools are required to hold examinations but afterwards, the authorities claim that such examinations serve no purpose while refusing to disclose the use of the data obtained, schools and parents will naturally become worried that such examinations will eventually affect the ratings of schools or serve as a comparison of quality of education among schools. In this way, it will no longer be a system assessment, but an examination for the purpose of competency assessment and comparison among schools and students. In that case, schools will naturally wish to boost more students to achieve better results and performance in the examinations, so that more students will choose them.

Hence, the core of the whole issue is the use of a wrong tool by the Education Bureau in conducting a territory-wide system assessment to gauge what has happened to the whole education system as proclaimed by it. Why does it not do strict sampling just as do all our academic studies? If sampling is

done on a certain number of schools only every year, people will feel in a different way. It will also enable the Education Bureau to identify the problems with the system by means of this mode of survey, so as to consider how best to carry out reforms. This will absolutely be more effective and reasonable than the TSA currently conducted territory-wide.

In fact, Members may look at Finland. Actually it shows that some countries will also conduct assessments regularly. But they will not assess one item only. Hence the TSA arrangement has totally disregarded (*The buzzer sounded*)...the necessary assessment tool ...

**PRESIDENT** (in Cantonese): Mr WU, your speaking time is up.

**MR WU CHI-WAI** (in Cantonese): ... bringing too much pressure to bear on students ...

**PRESIDENT** (in Cantonese): Mr WU, your speaking time is up.

**MR MA FUNG-KWOK** (in Cantonese): President, the Territory-wide System Assessment (TSA), which has been implemented since 2004, seeks to assess students' attainment of the basic competencies in the three major subjects, namely, Chinese Language, English Language and Mathematics, after they have respectively completed the curriculums in Primary 3, Primary 6 and Secondary 3. The assessment data will be used to help the Education Bureau to review its policies and facilitate the schools in identifying students' strengths and weaknesses so that they can adjust their teaching methods. The TSA have been implemented for more than a decade, during which there have been requests for reform, but this is the first time that the call for the abolition of the TSA initiated by parents on a social networking website has induced such responses, and subsequently, some schools have announced their intention of not letting their students participate in the assessment anymore.

Different opinions have emerged in the community, complaining about various problems brought by the TSA. Some people say that although the Education Bureau has ceased to disclose the attainment rates of students' basic competencies, the schools can still work out the students' overall attainment rate with the attainment rate of each question. With this they can make comparisons and use it as the basis for boosting students' performance. Some other people say that the Education Bureau will use the data as a benchmark for closure of schools. Some school sponsoring bodies and principals even complained that they had received telephone calls from the Education Bureau, which exerted pressure on them because their students' TSA results were not satisfactory.

Despite the pile of queries mentioned just now, the Education Bureau merely emphasized that the TSA was a low-stakes assessment established out of necessity and claimed that most teachers welcomed this measure. It also reminded the schools that there was no need to change their teaching and assessment methods in order to cope with the TSA, and neither should they use supplementary exercises which aimed at drilling. Yet it fell short of addressing the social concerns in a focused manner. Such a bureaucratic and weak reminder by the Education Bureau obviously fails to dispel the misgivings of schools, parents and students. What we have seen in the past period is only the Education Bureau and the schools each talking on their own.

President, the Education Bureau has stressed time and again that the TSA only assesses the basic competencies of students. As far as I understand it, if it is about their "basic" competencies, students should have no need to undergo any drills in order to cope with the assessment. I have found some test questions for the Primary 3 TSA on the website of the Hong Kong Examinations and Assessment Authority. Take Mathematics as an example. The whole paper consists of 38 questions. Most of the questions are indeed not difficult, but there are a variety of question types, ranging from multiple choice to drawings and long questions, and the time given for answering all the questions is only 40 minutes. As for the paper on Reading in Chinese Language, students have to read three articles and answer 23 questions within 25 minutes. In other words, they have to answer one question in about one minute on average. Unless they already have a good grasp of the question types and answering skills, they can hardly finish it in time. As such, students cannot but undergo much drilling in order to cope with the assessment. As pointed out by a recent survey, 70% of the teachers

thought that students must be drilled to cope with the TSA. In fact, does it necessarily mean that students have got the basic competencies if they can complete the papers quickly and accurately? I think it is open to question.

Given the inadequate transparency, coupled with the allegations that some schools have received telephone calls from the authorities which exerted pressure on them and even made some sort of menacing threats of closure of schools, the school sponsoring bodies and schools cannot be sure whether the TSA will only serve as reference and will not be used as the criteria for assessing schools and students as mentioned by the Education Bureau. As long as the doubts remain, schools and teachers will only continue to bear a heavy psychological burden. Fearing that their students will not meet the standard, they can only drill their students day and night. Whether or not the Education Bureau will disclose the attainment rates is in fact irrelevant.

It is undeniable that with excessive drilling by schools and parents, the TSA has changed in nature and become a kind of examination which gives students tremendous pressure rather than helping them develop, thus distorting the original intent of the assessment. Some people put all the blame on the Education Bureau and the whole TSA system for causing the present situation, but I do not totally agree. In my view, the Education Bureau certainly has a share of the responsibility, but the school sponsoring bodies, schools and parents actually have a considerable measure of it, too.

Certainly, some schools and parents do not seek to drill the students, allowing them to learn happily and cultivate an interest in learning. At the same time, however, certain school sponsoring bodies and schools are indeed keen on boosting students' performance. Some may do it in pursuit of ranking and reputation, while some may do it to appease parents who, with an elitist mindset, long to see their children attain outstanding results. Even if the TSA is abolished, the drills for students may not necessarily stop. All in all, students have become victims of pressure which goes down all the way from one level to another.

As a matter of fact, the education system in every country or place has its own approach of assessing students' standard. Every system may have merits and demerits as well as room for improvement. Hence, we must be pragmatic.



If there is any problem, we should identify it and find out carefully whether the problem lies with the policy itself or with the implementation. Only then can we administer the right remedy to cure the malady and alleviate the students' burden. In fact, the TSA has been implemented for 11 years. Although initiatives of refinement have been proposed, they are still unable to resolve its deficiencies. In my opinion, the Education Bureau can review the existing system in the following direction.

First of all, according to the Education Bureau, students' performance in the TSA will not affect the provision of resources for the schools or serve as a benchmark for closure of schools by the Bureau. If the Education Bureau simply wishes to gauge the students' overall standard through the TSA, can the assessment for Primary 3 students be held in alternate years like the assessment for Primary 6 students? Selecting some of the schools to participate in the assessment for sampling every year can also achieve the purpose of understanding students' overall standard, thereby relieving students' pressure and avoiding excessive boosting. Furthermore, the Education Bureau should study how to improve the dissemination of information so that the schools will understand clearly how the Bureau will use the TSA results and relevant data. It may also cease to disclose students' results and attainment rates to schools. Lastly, it should review the level of difficulty and duration of the tests to ensure that the tests really aim at testing students' basic competencies rather than requiring them to undergo incessant drills on techniques of answering questions.

With these remarks, President, I support Ms Starry LEE's amendment.

**MR ALAN LEONG** (in Cantonese): President, we often hear people say "reading books badly". If we are to find a vivid example, I believe Secretary Eddie NG will be the most typical one. The Secretary said that he will read some 30 books every month. I am not sure whether this is the reason for his confusing logic or even being illogical. President, like the incident of lead in drinking water, the Primary 3 Territory-wide System Assessment (TSA) is also toxic. We have immediately stopped consuming water containing excessive lead, but the TSA will still be held as scheduled. This is really strange.

In fact, the Secretary behaves in this way all along. Apart from lacking foresight, he also turns a deaf ear to the views of parents, schools, teachers and students about the TSA. For example, more than half a year ago, some parents actually expressed the view that the TSA (in particular the Primary 3 TSA) constituted enormous pressure on students in Primary 1 to Primary 3, who could hardly learn joyfully and even lost their happy childhood, but he heard nothing of these views. What did Secretary Eddie NG say? He said, "No, the TSA is welcomed by most schools and teachers."

This month, a group of parents and teachers suggested that should the authorities fail to introduce a solution that would help alleviate the pressure of Primary 1 to 3 students arising from the assessment, or should they fail to effectively monitor whether schools have arranged excessive drills for lower primary (Primary 1 to 3) students, the Education Bureau had better suspend the assessment scheduled for May next year until it can find a solution that could ease our minds. However, Secretary Eddie NG said that the proposal was not feasible and he did not see any need to suspend the Primary 3 TSA scheduled for next May.

Since residents of Kai Ching Estate learnt that their drinking water was found to contain excessive lead, the Government immediately arranged for water tankers and purchased distilled water for them. Why can the authorities not adopt the same approach to deal with the issue of TSA? Does the Secretary just "read books badly"? Perhaps reading too many books will really cause problems that affect one's logic. Obviously, the TSA and drinking water containing excessive lead are likewise toxic. Concerning the incident of lead in drinking water, the authorities instantly arranged for deployment of water tankers and distributed distilled water to the residents. However, when we asked the Secretary to suspend the Primary 3 TSA for the next academic year so that he could have sufficient time to identify a solution — similar to the replacement of water pipes at Kai Ching Estate — why did the Secretary not understand such simple logic? This is indeed very strange.

President, I would like to raise another point in particular. The Secretary, whose salary is over \$300,000 a month, has been in office for merely three years, but the number of his overseas trips has hit record highs time and again. Even though a public hearing is scheduled for this Sunday, he has turned down the invitation due to personal reasons and will not attend the meeting in any case. More strangely, for certain surveys and data that exist objectively, such as

surveys which prove that TSA drills are inhuman and unreasonable and have exerted enormous pressure on primary school students, he pretends that he is so lucky that he cannot see them.

President, you may have noticed that the Alliance for Children Development Rights interviewed 336 school children in total (including 78 kindergarten pupils and 182 primary school students) from 215 families between 30 October and 12 November. As revealed in the survey report released recently, in the most serious case, the student in question had to do his homework until 1 am. Besides, 55.5% of the surveyed primary school students had at least seven pieces of homework every day, and among them, 10% even had 10 or more pieces of homework; 40% of the students did their homework until 8 pm or beyond while 7.1% of the students did their homework until 11 pm or 12 am. In the most serious case, the student did his homework until 1 am or 2 am.

The survey also found that more than 40% of the surveyed primary school students had six dictations or tests each month, and among them, 8.2% even had 10 or more dictations or tests. Some students also indicated that they had dictation or test every day. Under such circumstances, how can they spare any time to watch cartoons and play intellectual games? This situation has severely affected the development of lower primary students indeed. However, Secretary Eddie NG does have the guts to pretend that he does not see and hear it, and keeps on travelling overseas and insists that the Primary 3 TSA should be held in May next year. What is the purpose of having such a Secretary? President, I so submit.

**DR LAM TAI-FAI** (in Cantonese): President, I would like to report to you that the Lam Tai Fai College was founded in 2004 and, coincidentally, the Territory-wide System Assessment (TSA) was officially launched by the Government in the same year. The Government's policy is originally intended to make use of the TSA to assess the basic competencies of students at three learning stages, namely Primary 3, Primary 6 and Secondary 3, to enable schools and teachers to understand the strengths and weaknesses of students. Meanwhile, the Government can also make use of the data and information obtained by the TSA to provide timely support to schools. Although this policy is well-intentioned, the implementation of the TSA has been fraught with problems since its introduction.

Although the Education Bureau often says that consultations on and reviews of the implementation of the TSA will be conducted from time to time, and close communication and liaison will be maintained with sponsoring bodies and schools, the storm involving the TSA has obviously demonstrated to Members that the work of the Education Bureau is very slapdash, and its consultation work is carried out in a routine and superficial manner. After the emergence of problems, the Bureau has again acted in a perfunctory manner. Not only has it turned a blind eye and a deaf ear to and taken the problems lightly, but it has never resolved the problems and administered the right cure immediately and wholeheartedly. This, together with its ongoing policy of delay, has eventually caused the problems to snowball. The grudges among the education sector and parents have worsened to such an extent that the situation today can even be described as emotions swelling to the boil.

The problems have dragged on probably because the Secretary does not understand what it means by "a single spark can start a prairie fire". Today, the TSA bomb has eventually exploded, and the situation has got out of hand. Unfortunately, President, since the Education Bureau has failed or was unable to resolve the problems caused by the TSA, the TSA has evolved into a storm in the education sector and, what is more, triggered a storm in society. Should the situation further develop in this manner, I am afraid it will only evolve into a political storm, and I believe Members feel gravely concerned.

Today, the whole city is deeply concerned about the storm triggered by the TSA. Members are also concerned about what the Secretary for Education will do to defuse the bomb and calm the storm, as well as addressing the aspirations of parents and schools, in the days to come. President, water can carry a boat, but also cause it to capsize. The TSA has been in operation for years. Since the education sector does not know the right way to implement and enforce the TSA, the original intention and purpose of the TSA have already been changed in nature and distorted. Meanwhile, the Education Bureau has failed to fulfil its initial undertaking of making good use of the data and information obtained from the TSA to provide schools with timely support. On the contrary, quite a number of schools worry that their ratings will be affected by the TSA test results. What is more, it is worried that the assessment data will be used by the Education Bureau to label school banding or even as a benchmark for school closures. In addition, the vast majority of parents are deeply concerned that the test results will affect the outcome of secondary school places allocation.

Faced with various worries and fears, quite a number of schools and parents cannot but continue to conduct make-up classes, boost up students and arrange for drills on test questions, with a view to coping with the TSA tests. In order to cope with the TSA which has already changed in nature, students, teachers and parents have been kept constantly on the run and placed under monstrous pressure. As a result, voices of discontent are heard everywhere, and the TSA is treated like a ghost.

President, a policy which is originally meant to benefit students has eventually inflicted harms on them. In fact, as an idiom goes, "His success was on account of Xiao He, and his defeat was on account of Xiao He (The key to his success is also his undoing)". Who can we blame for the emergence of the present situation? Should the blame be put solely on parents, students, schools and sponsoring bodies, whereas the Education Bureau and the Secretary for Education can stay aloof and watch from the sidelines? Today, I hope Members can pass a fair comment on it and, certainly, explore the abolition or otherwise of the TSA.

President, whether or not the TSA storm can be calmed down actually hinges on the Secretary for Education. As the saying goes, "let the one who ties the bell on the tiger take it off". It is because the incident is entirely attributed to the very slapdash approach taken by the Secretary for Education in implementing and enforcing the TSA. Should the Secretary be able to fully understand the actual situation and crux of the problems, put aside his pride and dignity, come down from his high horse, face the problems with courage, concede and accept the fact that the situation today is attributed to his poor performance, and spend more time with all stakeholders on proper communication and rational discussions, I believe this question is likely to be addressed and resolved.

President, given that "the one who ties the bell on the tiger should take it off", I very much hope that the Secretary can achieve the following. Firstly, he must stop putting the blame on schools and parents. Instead, he must admit his fault and take the responsibility with courage. An accountability official must demonstrate courage in taking the responsibility. Moreover, he must not indulge in self-intoxication. Members must bear in mind that "one must realize one's mistake before one can rectify it". Otherwise, there is absolutely no chance of correcting one's mistake. If mistakes are not corrected, the problems will never be resolved. So, the TSA will only make parents, students and sponsoring bodies continue to suffer. I hope the Secretary can stop blaming schools for the

problem and criticizing schools for conducting "extra drills", boosting up students and arranging for drills. Not only is the explanation given by the Secretary unconscionable, but it is basically putting the cart before the horse and passing the luck onto others.

Will parents, school principals and sponsoring bodies feel convinced after hearing the Secretary's remarks and seeing his performance? Has the Secretary noted the reaction of parents and sponsoring bodies? Do they accept the Secretary's views? Although the Secretary has repeatedly stated that the TSA is a low-stakes assessment, has he evaluated the misgivings of parents and sponsoring bodies? Can the Secretary dispel their misgivings? Should the Secretary keep repeating his thoughts like a recorder, I can tell him that he is merely "muffling his ears while stealing a bell" and deceiving himself and others. Not only will this problem remain unresolved, but it will only worsen.

Hence, I very much hope that the Secretary can stop "staying out of sync" and calling on people to cease the drilling. Recently, the Secretary has even described the TSA as a medical check-up and advised parents not to boost up their children in advance in order to "pass", even if they are concerned about the physical conditions of their children. Secretary, parents and sponsoring bodies are not asking for regular medical check-ups; instead, they are asking for pain relief as they do not want to suffer anymore. Does the Secretary understand this rationale? Pain should be relieved even after medical check-ups. Likewise, it is pointless to undergo medical check-ups without receiving treatment.

Secondly, I hope the Secretary can face the problems. Given that the incident has occurred and the storm has emerged, the Secretary cannot settle the matter by running away. Unless the Secretary leaves his office, he cannot refrain from commenting on politics on the ground that he is not in power. We as manufacturers understand very well that should a certain production line be found to have run into problems, the right cure must be administered to find out the root cause of the problems, or else that production line will no longer be able to continue production.

The Secretary has repeatedly stated that we must get to the bottom of the matter, but to achieve this goal, the Secretary must first find out where the problem lies rather than blaming it on the drilling culture. Should the TSA tests be implemented true to the original intention, meaning that only the basic competencies of students are assessed, I believe neither schools nor parents will

opt for "extra drills". The assessment currently conducted after "extra drills" is simply targeted at the competencies of students after drills rather than their basic competencies. Does the Secretary appreciate how difficult the test papers set by the Hong Kong Examinations and Assessment Authority are? Is this particular type of test questions deviating from the original intention of the TSA? I believe the Secretary has to spend more time addressing this problem.

President, my expectation for the Secretary is actually very humble. We do not expect the Secretary to fight a fierce battle and undertake Herculean tasks. Nor do we hope to see the Secretary toil until death. We just hope that he can show some commitment and sense of responsibility and understand where the problem really lies. Furthermore, he should demonstrate that not only does he have a heart, but he also has strength. A public hearing actually serves as an excellent platform for exchanges to be made and strategies to be mapped out. As the Chinese saying goes, "Three cobblers with their wits combined equal ZHUGE Liang the mastermind". However, the Secretary has not cherished this opportunity of listening to the aspirations of parents and other stakeholders. His decision is absolutely wrong. I do not wish to criticize the Secretary again for putting personal interest over public interest, as he might have a very important personal matter to attend, but he has really wasted this opportunity. As a result, he will be unable to listen to the views of 150 parents and sponsoring bodies on this platform. In the days to come, the Education Bureau (*The buzzer sounded*) ... President, I so submit.

**MR CHAN CHI-CHUEN** (in Cantonese): President, the wording of Mr Albert CHAN's motion today is most modest and pragmatic. He calls on the Government to expeditiously abolish the Primary 3 Territory-wide System Assessment (TSA) and conduct full consultation on and a comprehensive review of the Primary 6 and Secondary 3 TSA. As a matter of fact, our position is more progressive than this statement made in the motion, but why have we put forward our demand with such modest wording? It is because we hope to obtain support from as many Members from various political parties and groupings as possible and better still, we hope that this motion can be passed, in order for the Legislative Council to put across a clear message to the Secretary for Education, calling on him to seriously face this giant monster called TSA. Of course, it would be a more modest demand to call for its temporary suspension rather than expeditious abolition, because having listened to Dr Priscilla LEUNG's speech

proposing her amendment earlier on, I found that while she has not deleted the words "to expeditiously abolish" as proposed by Mr Albert CHAN, she used the word "suspend" in her speech.

President, this debate today should attract a high viewing rate because the group set up to fight for the abolition of the Primary 3 TSA, which has the support of over 70 000 citizens, has been watching the live broadcast of this debate. After every Member had spoken, they instantly made comments on the Internet and many parents also raised their views right away. Members, as we debate this motion here, we had better attempt a TSA question paper by ourselves. I have personally attempted a test paper on Chinese Language (Reading). I was given 35 minutes to finish it and I got one answer wrong. In fact, whether I got one or five answers wrong is not the point here. The point is that when we personally attempt these papers, we will find that the questions in them are riddled with problems. This is not just our view. Earlier on Ms Starry LEE of the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) also said in her speech that she was about to lose her temper while watching her children answer the TSA questions. She said that she did not understand why the questions have to be so ambiguous and questioned how these questions could assess the competence of students.

But it strikes me as strange that while Ms Starry LEE of the DAB thought that there are problems with these questions, she held that this is not a problem of the TSA. She went on to say that there is a problem with drilling but this is again not a problem of the TSA, adding that the solution is to call a halt to drilling. May I ask how to call a halt to drilling? I do not know if the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region can call a halt to the DAB, but if the Secretary is to call a halt to drilling by schools, can the Secretary succeed simply by telling schools to stop it? I most wish to tender a piece of advice to the Secretary: This is a debate with no binding effect, which means that even if this motion calling for the expeditious abolition of the TSA is passed, the Bureau can still refuse to abolish it. But I sincerely wish to tender the Secretary a piece of advice. For those several slogans that he stated earlier, such as "a small effort a day makes it easier to handle", or the TSA without drilling makes learning easier, I must say that parents feel resentful towards him every time he said them. I would advise him against chanting those slogans anymore. The more he says them, the more detestable he becomes, and he is already too detestable. He does not have to



provoke the parents any further by telling them to treat examinations with equanimity. Does he mean that no revision is necessary in times of examination? This is easier said than done. This also explains why the Secretary has been criticized as being detached from the public. Therefore, I sincerely implore the Secretary not to make such remarks as "a small effort a day makes it easier to handle". He may take things easy in handling his daily work, but that is his own business.

According to some studies, TSA papers have become more and more difficult year after year. For instance, after detailed studies, the passage in the paper for Reading was found to be longer in length year after year since 2004, with the number of words increasing from 546 to 1 140 at its peak, representing an increase of nearly 100%. Despite a downward trend in recent years, the passage still contained 878 words in 2014. Members should really take a look at these passages. The more one reads them, the more annoyed one feels, and the questions are just so ambiguous. I do not see how they can assess the ability of students or schools. Given such questions, how can students achieve good results? The key is drilling. Students have to be drilled to the extent that they are accustomed to reading these types of passages and to answering these types of tricky, ambiguous questions, so that through drilling, students can learn and develop certain skills for achieving good results.

Certainly, the Secretary said that the TSA results are used by the Government and the school management to gauge the standard of learning of schools, with a view to enhancing support for learning in Chinese Language, English Language and Mathematics as well as the effectiveness of the teaching strategies, while putting much stress on the point that the results are for reference only. The Secretary has also repeatedly reiterated that the results have no bearing on individual students; nor will they produce any major effect on schools or lead to the culling of schools. I would like to ask: What are the consequences of performing poorly in the TSA? What adverse consequences will there be for schools? If there will be no adverse consequences, assuming I am in the parents' group of a school, can I initiate the counter-measure of turning in blank test papers? If all students in a school turn in blank test papers, what will the Education Bureau do? Will it demand an explanation from the school? Some parents have even reacted by telling their children to answer the questions frivolously, and since the results have no bearing on their children's academic performance, they might as well tell their children to really take the test easy and

treat it like drawing by ticking whichever box they like. Of course, that is only the Government's line, whereas schools will not believe that the results will have no bearing on the development of the school.

During the wave of culling of primary schools in 2004, the then Permanent Secretary for Education and Manpower remarked all of a sudden that some of the schools being culled had TSA results that were below standard. There must be a reason for it, as everything that an official said must have some implications. In other words, it turned out that the TSA results might probably form a benchmark for the Bureau's decision on culling schools. After those remarks were made public, the under-enrolled schools were all on tenterhooks. In order not to become the next target of school culling, the entire school, from the management on the top to the teachers below, can only keep on buying exercise books and keep drilling students for the TSA questions, in order for the students to familiarize themselves with the types of questions and hence score good marks in the tests.

Can the Secretary tell parents in his reply later on what effective policy he has put in place to prevent drilling by schools? Will he issue education guidelines to restrict the number of exercise books used by schools and the number of teaching hours spent on the test or to stipulate that no drilling for the TSA is allowed during extra-curricular hours and schools breaching these rules will be punished? If no such guideline is issued, I believe all the schools will continue to drill their students and adopt this "spoon-fed" approach to ensure that their students achieve better TSA results.

**MR IP KWOK-HIM** (in Cantonese): President, I learnt from a newspaper column that some media worker invited you to do the Mathematics paper of the Territory-wide System Assessment (TSA). A primary school level Mathematics paper is definitely not a challenge to your good self. But to a lot of primary school students, it is definitely not the case.

In recent years, to students and parents, the reality is the TSA test papers of both Mathematics and Chinese Language are tough and difficult to answer, beyond the levels and actual abilities of students. Various local and overseas studies have indicated that the learning gap of students start to widen from Primary 3 to Primary 4. The most crucial aim of the TSA when it was introduced 10 years ago was to obtain quality data in an objective and

comprehensive manner in order to find out if students' abilities to acquire knowledge and learn basic subjects are up to the required levels. This allows teachers to, in conjunction with other assessments conducted in school, identify their difficulties in learning and thus make timely improvements in teaching and learning.

However, we cannot deny that obviously the TSA has undergone some morbid changes since its inception, causing the current system to run counter to its original intention at the time of introduction. To familiarize students with test questions and answering techniques in order to cope with the TSA, schools and parents have prepared loads of drilling in addition to normal schoolwork to help students get used to the tests or achieve good results. It has already become a routine. Many overseas countries, such as Australia and Canada, also conduct similar assessments of students. Insofar as its concept and system are concerned, the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) finds the TSA generally problem-free. The morbid changes which have occurred so far may be attributable to the chicken and egg question. Tracing the origin, no test means "no drilling". It is a matter of sequence.

The United Nations Children's Fund recommended that children should be allowed at least one hour of playtime every day. According to some survey findings, 30% of the students interviewed in Hong Kong expressed that an hour of playing every day is an unreachable dream, and almost even a luxury. Some parents told me that Primary 2 students often receive six pieces of homework on Fridays. Discounting other revision plans, one can imagine students and their parents will be spending such "productive and meaningful" time at home on the following Saturday and Sunday.

Bearing such a heavy study load, I believe students and parents cannot but rise to the challenge and soldier on. According to media reports, psychiatrists have pointed out that in recent years their patients are definitely becoming younger. The youngest mental patients are children aged six to seven years, who are just Primary 1 or Primary 2 students. It tells how heavy their mental stress is. Depression is no longer a "privilege" of adults. How strong is the stress of parents and students in the face of the TSA? The DAB conducted a survey in this connection from the end of October to early November. The findings showed that among 600 parents interviewed, 73% thought drilling for the TSA will bring pressure to bear on their children. Some time ago the DAB also

organized a workshop on the TSA, where most attending representatives of the education sector, parents and teachers considered the current implementation of the TSA to have deviated from the original intention and the Education Bureau and schools have to bear the responsibility for it. The authorities have to address the problem squarely and take counter-measures to prevent unnecessary drilling.

President, to give the matter its fair deal, the Education Bureau is not unaware of nor has it turned a blind eye to the morbid changes that have happened 10 years into the implementation of the TSA. In 2011, the Bureau announced that a review of the TSA would be conducted and formed a relevant task force. A series of enhancement measures were made public last year which mainly focused on Primary 6 and Secondary 1. For students who have just entered primary school, it is nothing but a tragedy that drilling costs their interest in pursuing knowledge and learning. Therefore, to return a happy childhood to students and alleviate the pressure of schools, teachers, students and parents, the authorities should conduct a comprehensive and in-depth review of the current implementation of the TSA, surely including a review on the Primary 3 TSA. With such a review, they can identify the discrepancies between concept and execution of the TSA since it was introduced 10 years ago so that it can stay true to its original policy intention. In terms of its purpose, the function of the TSA cannot be dismissed lightly. Every law has a loophole. Before a substitute assessment tool is available, I believe it is not desirable to simply demand an abolition of the TSA across the board.

President, the DAB supports the amendments by Ms Starry LEE and Dr LAM Tai-fai. However, as Mr Albert CHAN's original motion and other amendments call for an immediate abolition of the TSA, the DAB does not support them. Thank you, President.

**DR FERNANDO CHEUNG** (in Cantonese): President, a number of Members have highlighted the harms inflicted by the Territory-wide System Assessment (TSA) on many students during their school years since Primary 1 and in their secondary school years. If the TSA is causing hardship next to abuse to the students in general, it will be disastrous for students with special education needs (SEN students) to cope with the TSA.

It is evident in the numerous examples and surveys that students, parents and teachers unanimously consider that the TSA compels them to arrange drills for students, which is adding to the burden on students. When students have to do homework late into the night every day, and parents, children and teachers are under tremendous pressure, the Secretary simply said publicly that those drills were redundant and unnecessary and called for all to remain "relaxed". We are struck dumb by such a response. May I ask the Secretary how he can make schools stop drilling students?

When officials from the Education Bureau conduct external school reviews, they will discuss with schools their respective TSA results. A number of school heads, including FUNG Pik-yee, the principal of the Aplichau Kaifong Primary School, and LEUNG Kee-cheong, the former principal of the Fresh Fish Traders' School, have pointed out repeatedly that officials from the Education Bureau will remind schools of their undesirable TSA results and the need to drill students and enhance students' performance during their visits to the schools. If that is the case, do schools have any alternative other than drilling students? When officials from the Education Bureau explain to a school the reason for the cut in school places and when the Education Bureau decides of its own accord which schools will be culled, the authorities will mention the TSA results. In the face of these scenarios in reality, schools and teachers cannot but drill their students. Under such circumstances, students cannot but undergo drills. This is a matter of survival, concerning the continuous existence of individual schools and individual teachers. Will the school concerned face "class cuts" and "culling"? Will teachers lose their jobs? This is the scourge of the TSA.

Under the current examination-oriented education system where learning is geared towards marks, why add the TSA? At issue is that the TSA aims not at assessing the performance of individual students but that of schools. The Education Bureau uses the TSA results to assess the effectiveness of the learning and teaching work of a school. By the same token, principals use these results to assess the effectiveness of the work of every teacher, whereas sponsoring bodies use the results to identify the best performing school under their supervision and then draw a territory-wide comparison. The tremendous pressure generated by this practice will bear on the students ultimately. This is the actual situation under the existing system. Yet, the Secretary for Education lies blatantly in public that these issues should not be a cause of concern and that parties involved should not be too nervous about the TSA and should not drill students.

Students have to do drills for the sake of adults. Even children suffering from autism or hyperactivity disorder have to undergo these drills. Some parents told us that their children had told their mothers they thought of ending their lives because of those drills. These children question the meaning of life and query if they live only to do homework. They worry about becoming losers. We have come across a case of a parent with hearing impairment. He did not know what the TSA meant, yet the school failed to explain it clearly to him other than telling him that the TSA was a very important public examination. As a result, the parent pressed his hearing child to undergo continual drills on examination questions at home. The drills provoked serious conflicts between the parents and the child, causing a breakdown in their relationship. They could not handle it and could only seek counselling assistance provided by social workers of certain organizations. However, a majority of SEN students are students suffering from hyperactivity disorder, attention deficiency, dyslexia and autism at present, and this group of students have to be drilled on TSA test questions a few hours every day.

There was this child suffering from severe communication disorder. In his normal English oral test, his mother would usually require the child to learn by heart an article to be used in the English oral test. The English oral test accounts for five marks, and the child could usually score two or three because he could recite part of the article. Due to communication disorder, the child could hardly converse with others, and it is naturally more difficult for him to communicate in English. For this reason, the child had never scored full marks in his English oral test, yet he managed to get the basic passing mark. However, after the child was promoted to Primary 3, he scored zero in his English oral test. His parent approached the school to find out why the child would get zero mark when he could recite a paragraph from an English article. The teacher felt sorry about that and pointed out that since the school oral test should be on a par with the TSA oral test, the assessment had to be conducted according to the mode of the TSA test. As a result, the child could only score zero in his oral test. This is the impact, is it not?

The test questions of the TSA are getting more and more difficult, which have deviated from the general curriculum. Students have to do TSA drills every day. Some parents say that there are times when a school examination is to be held the next day but students are required to complete a stack of TSA test papers given by their school. Parents say they really want to die when they face such a dilemma. They just cannot decide what to do. Should they press their

children to work till one o'clock or two o'clock late at night to finish the TSA questions? Should they stretch their children to such an extent? Why would the education system of Hong Kong overall bring forth so many family conflicts? Why do parents have to press their children right from Primary 1 merely for the sake of attaining good results so that they can continue their studies in universities, and then have good prospect and live a good life?

The existing examination system is really ridiculous. People are already fed up with it. Why do the authorities have to include the TSA? Besides, the scope of assessment of the TSA has deviated from the existing curriculum. At present, children in the kindergartens are learning the primary curriculum, whereas primary school students are learning the secondary school curriculum. Stop! Stop harming our children! The TSA will only torture the SEN children. They will have to carry this failure experience with them forever. These experiences keep reminding them that they are incapable losers and they can never hold their heads high. How would such a practice be conducive to the promotion of integrated education? The TSA is ruining integrated education. It indeed runs counter to integrated education.

For all of these reasons, I hope the motion and all the amendments proposed today will be passed. I particularly call for the immediate abolition of the Primary 3 TSA. Thank you, President.

**MR MARTIN LIAO** (in Cantonese): President, recently, some parents who cannot bear to see their children suffer from the Territory-wide System Assessment (TSA) drills have initiated the call for the abolition of the Primary 3 TSA on the Internet. It has received responses from tens of thousands of netizens, giving rise to controversies in the community over whether the TSA should be retained or abolished. Even though various interested parties discuss the question openly, they often stick to their own arguments, and even educationalists hold divergent views, implying quite a sense of division.

Both the supporting and opposing parties have put forward different justifications for and against the TSA. I am not going to repeat them here. Their justifications are complicated, but after all, the crux of the whole row lies with excessive drilling of young students. The irony is that such a problem should not have existed according to the original design of the authorities because

the TSA is a low-stakes assessment underpinned by a "five nots" policy: it does not report the performance of individual students; it is not used to determine students' advancement; it is not used for the allocation of school places for admission to Secondary 1; it is not used for ranking or classifying schools; and it is not a benchmark for closure of schools. In fact, there is no need to arrange extra drills for students.

However, let us look back at the time when the TSA tests took place for the first time in 2004. Since the birth rate had fallen at that time, some schools were worried that the TSA results would serve as a benchmark for closure of schools. So they provided extra tuition classes and conducted mock examinations one after another. A news headline read "Primary Three students in the territory undergo crazy drills to cope with system assessment". The spokesperson of the then Education and Manpower Bureau admitted that some schools had arranged for students to return to school for drills during holidays, and he stressed that students' learning and daily life should not be affected.

Eleven years down the line, however, this problem has not only seen no improvement but also worsened. Some parents said that the TSA has put their children under heavier pressure from class work and assignments and even caused emotional problems. Some children studying in Primary 1 already start to undergo drills for the TSA at the age of six or seven, and those studying in Primary 3 have got seven to eight TSA exercise books to do late into the night. According to the findings of a recent survey conducted by the Hong Kong Federation of Education Workers, as many as 80% of the teachers surveyed considered that the TSA requirements could be met only by drilling. Only 32% of them agreed that the TSA was a low-stakes assessment. More than 70% of the schools polled did not welcome the TSA. Besides, 54% and 45% of the teachers surveyed respectively held that the TSA would make students lose interest in learning and develop emotional problems.

Despite the implementation of certain refinements to the TSA, such as conducting the Primary 6 TSA in alternate years and not disclosing the attainment rates to individual primary schools, 57% of the teachers surveyed still considered that the TSA had made no improvement. Some schools also indicated that officials of the Education Bureau had exerted pressure on them with their attainment rates in the TSA.



As this row develops, some private primary schools have already withdrawn from the TSA. They can make such a choice, but what about the students in government schools and aided schools hamstrung by the system?

As Dr LAM Tai-fai put it rightly, let the one who tied the bell on the tiger take it off. Given the significant impact of the present chaos arising from the TSA on students, I hold that the authorities are duty-bound to expeditiously set things right and adopt effective measures to deter schools from excessively drilling students in preparation for the TSA. The Co-ordinating Committee on Basic Competency Assessment and Assessment Literacy (the Committee), which is now conducting a comprehensive review of the TSA system, should change its piecemeal approach adopted in the past and refine the TSA system overall. It should also engage representatives of parents in the review so that the future refined scheme will be drawn closer to public sentiments. President, most importantly, it is necessary to take remedial measures to immediately eliminate the prevailing abnormal phenomenon of drilling students excessively, thus returning a happy childhood to students so that they can truly enjoy learning. Only then will the public be convinced that the TSA should be retained. Since the Committee is expected to submit an enhancement proposal in a few months, I will wait and observe whether the proposal is worth our support before making my final decision on the retention or otherwise of the TSA. In closing, I would like to advise the Secretary that this motion debate in the Legislative Council is the last warning signal. If the existing situation of excessive drilling for the TSA cannot be improved, we had better remove the cause, that means abolishing the TSA. Simply put, mend them or end them. If we cannot change the situation, then we should end it. I so submit.

**MR WONG YUK-MAN** (in Cantonese): President, after the anti-national education movement in 2012, this year has seen another education issue developing into a political storm. In response to criticisms, the Secretary for Education, Eddie NG, said that the abolition of the Territory-wide System Assessment (TSA) is a major retrogression, turning a blind eye to the sufferings of students in being drilled for the TSA. Hong Kong students are generally more adept at studying than European and American students but they dislike studying more than European and American students, while lacking imagination, creativity and initiative. The reason, which everyone knows, is the education system. The SAR Government knows only to pander to outworn beliefs and insists on upholding this sick examination regime. A survey has found that one in three students in Hong Kong has anxiety symptoms, which is far more serious

than the situation in China and Germany, and there are also students showing symptoms of emotional disorder, such as self-harm. The next generation of Hong Kong has been ruined to such a state. Do they still have any future?

The original intention of the TSA is to assess the basic competencies of Primary 3, Primary 6 and Secondary 3 students in the three subjects of Chinese Language, English Language and Mathematics. Students will not be told of their results and so, the Education Bureau considers the TSA a low-stakes assessment with no bearing on individual students, but the Education Bureau provides schools with statistics on the assessment results of students and the performance indicators for students' language competencies. Out of fear and a competitive mindset, the schools have kept drilling their young students, resulting in these chaos revolving around the TSA nowadays.

President, students start to take the TSA at the stage of Primary 3. This is more insane than the previous Secondary School Entrance Examination and Academic Aptitude Test. Even though the Education Bureau wrote to schools some time ago to remind them of the problem concerning homework for students, the TSA-led primary education structure is not going to change. Primary 3 students are just small children at an exploratory stage in life where they are building up their ability and interest in learning, but they are outrageously made to try to achieve the performance indicators set by the Education Bureau. So, he does have a part to play, right?

The TSA has been implemented for a decade. May I ask the Education Bureau what conclusions it has drawn on Hong Kong students' competencies in Chinese Language, English Language and Mathematics? The Government has collected such data for a decade. How will the Education Bureau review the relevant policies and what appropriate support has it provided? This kind of assessment will only add to the pressure on the teaching and administrative staff as well as students, and we do not see how it can benefit students in their proficiency in Chinese and English.

Coming to this juncture, I think of the words of a notable contemporary sociologist, Max WEBER. He said that the modern society is moving towards a process of rationalization through which everything becomes calculable with its true meaning fading away. The Education Bureau has put in place this time-limited assessment based on uniform performance indicators called the TSA, requiring schools to attain the standards. As a result, the teaching process in schools is completely taken up by drilling for the TSA. After students

completed their primary studies, apart from tackling the difficult and tricky TSA questions, do they know how to get along with people and explore the world?

Education experts in Germany generally hold the view that more room should be allowed for imagination in children's brains. They think that children have their own order of growth and that children should do what is appropriate in the corresponding stage of life and therefore, they will not strain every nerve to impart knowledge to children at the primary school stage. However, children in Hong Kong do not have this blessing. The numerous possibilities of their future are already destroyed in their entirety before they are 10 years old. The education system of Hong Kong is the murderer who plunged countless students into the abyss of sufferings.

During this summer I visited a primary school in Taiwan where creativity is given much stress. I would like to give a brief account of how this school runs for reference by the Secretary. The children there are really happy. Their way of teaching is steered by the children's talents and development and premised on the rights of children. Coupled with the efforts made by the family, they work to achieve the teaching goals by way of projects. Just take a look at their division of classes. They have neither report cards nor examinations. There are two terms in Primary 1 and 2. In one of the terms the students visit the railways in Taiwan, which enables students to understand the history of railways and the condition of cities or villages in the peripheral areas of the railways. When students rise to Primary 3 and 4, they will visit the national park in Taiwan. In Primary 5, students are taught the kitchen science and healthy diet. Primary 6 students are taught the ecological crisis. This is how they teach their students, buddy. Each teacher supervises 10 students. This school is a single-storey structure built on a hill with lots of trees surrounding it. We saw kids aged five or six years old climbing trees, and the school provides a kindergarten, too. The person in charge of the school told me that their teaching goal is simple. He said that they will take all the teachers to Europe and the United States to inspect the primary schools and kindergartens there and the entire education goal is simple. That is, they want their students from kindergarten to Primary 6 to be happy at this stage. It is just this simple. Also, they wish to develop in the students the ability to explore questions and find solutions to them. They hold that every child is fond of Mother Nature as well as animals and plants and therefore, they start with Mother Nature as well as animals and plants. This school also has a small ranch with lots of woodlands, flowers and trees. This is what other people are doing. Is this not very enviable?

"Spoon-feeding" is also the norm of mainstream education in Taiwan. But this school does not follow this model but chooses to depart from the policy on mainstream education of the Ministry of Education. So, other people can do it this way. Of course, this definitely is not going to work in Hong Kong. Hong Kong also has one or two nature schools but there is too wide a gap in terms of their scale and curriculum. I have cited this example to point out that primary school students must be happy, buddy. They love Mother Nature; they love animals and plants; and they love to play and have fun. This Primary 3 TSA — let me not talk about the Primary 6 and Secondary 3 TSAs — How old are these Primary 3 students, Secretary? They keep meeting setbacks. They have to take examinations and tests every month and every week, and there is also this Primary 3 TSA. You people are bent on making children face setbacks time after time. Tell me, do they still have a life to speak of?

**DR KWOK KA-KI** (in Cantonese): President, the Primary 3 Territory-wide System Assessment (TSA) is only the tip of the iceberg. Yet why would this small-scale assessment cause such a strong reaction? The Secretary often says that there is nothing unusual about the assessment, and that the assessment is not something newly introduced but one that has been implemented for years. Some people say that this is political hyping arising from the District Council elections. If the political subject cannot get "access to households", that is, failing to move the families affected, it is not possible that tens of thousands of people have come forward in an extremely short period to make posts online and sign petitions to the extent of flooding the email boxes of the Secretary and the Education Bureau.

We were once students, and many of us have become parents now. However, the Secretary's response to the incident has truly disappointed parents. Although the Legislative Council has arranged a public hearing, the Secretary shows no sincerity in attending it. Perhaps the Secretary would like to exhibit his supreme authority as a government official and thus said he was unavailable on that day. It was said that if the public hearing could be rescheduled to the following week to cope with the Secretary's schedule, the Secretary would attend it, otherwise, the Secretary would not attend the hearing. How can a government official be so arrogant? He does not have any sense of humility. He even regards parents as his rivals and enemies. How can Hong Kong have a desirable education system under such circumstances?

At issue is not only the TSA as a whole, for particular attention has been targeted at the Primary 3 TSA. Members should recall that we are the unfortunate ones who have experienced the "spoon-feeding" education. President, I am the lucky one under the "spoon-feeding" education. It was out of luck that I could pass the examinations and be promoted to higher classes, and I was so fortunate to have the chance to pursue further studies. However, the entire education system in Hong Kong keeps producing losers. It is most unfortunate that some baffling and unnecessary examinations are included under the system. These examinations and assessments keep telling the students: You are useless, you will not have good prospect, and you had better go home to do revisions, tutorial classes and drills on and on.

Those elite schools, that is, the Band 1 schools, do not accord much importance to the TSA. It is usually schools in Band 2 and Band 3 that are more concerned about the TSA. Why? For these schools are under great pressure. Under the existing education system, schools must maintain an adequate number of students, otherwise, they may be culled. Yet how can schools maintain an adequate number of students? They can only resort to the practice adopted by the Education Bureau, that is, to promote the good assessment results attained by schools, telling parents that once their children enrol in their schools, their children will have good prospect, for they will be admitted to elite secondary schools and climb up the social ladder more easily.

Regrettably, the existing education system is much too bad indeed. At different stages of education, from graduation from secondary school to the completion of DSE and even graduation from universities, the system keeps producing losers. Be it the TSA or the DSE, neither one can give students any sense of satisfaction by bringing their potentials into full play. Actually, a good education system and a good teacher should guide students in bringing their potentials into full play. They should be able to explore the talents of students in such areas as drawing and music, and so on, or talents that can bring satisfaction to students, and lead students' development in those directions. However, the existing education system is comparable to a factory, and examinations have been made a tool for quality control. In other words, students will be regarded as successful once they can pass the bar. For this reason, Hong Kong and many places in Asia have created many "exam machines". Students have completely lost their interest in learning. The students' achievements are enabled only with

pressure from schools and parents. When students cry in doing the TSA drills, their parents cry, too. I do not know whether the Secretary has listened to the "phone-in" programmes. Some parents just burst into tears when they talked about those TSA drills. Some parents said that when they saw their daughters cry, they cried with them. They do not understand why they have to force their daughters to do those drills.

Why would an education system become so callous? Why do the authorities have to create such unnecessary anxieties and pressure? More importantly, learning and education should be joyful. But how can TSA be joyful? I have never heard any student say that he is happy because he can sit for the TSA, nor have I ever heard students say that they are happy because of their achievements in the TSA. As for teachers, as pointed out by some people, teachers did not expressed their views previously, yet recently, over 65%, or around 70%, of teachers and over 70% of parents demand the immediate abolition of the TSA. Yet, has Secretary Eddie NG heard their request? He simply sticks to his repetition without thinking. He keeps repeating that "the TSA is useful and helpful to students". Some people will give medicine with no efficacy or even poisons to others only. They will say that the medicine can alleviate the illness, yet they themselves will not take it. Parents have told the person that their children cry loudly when they are given the medicine due to the bitter taste of the medicine, and they note that the medicine cannot alleviate the illness. Despite hearing such a comment, the person prescribing the medicine keeps saying that it does not matter and asks parents to continue to give their children the medicine. At issue is that the person prescribing the medicine has never taken the medicine himself. This is the situation now. Secretary Eddie NG does not have to take the assessment, even if he was presented an TSA test paper, he refused to answer it.

I hope that officials in charge of education will think from the perspective of students and parents instead of giving some specious theory based on certain senseless figures and refusing to change the system. Even though the TSA has made students cry, exerted pressure on students or even forced them into a breakdown, the Education Bureau still chooses to turn a blind eye to that and refuses to make any change. I now throw down the gauntlet to the Bureau, yet Secretary Eddie NG has thrown down the gauntlet to all parents in the territory.

**DR HELENA WONG** (in Cantonese): President, the Government introduced the education reform in 2000. The Academic Aptitude Test (AAT) was abolished and subsequently replaced by the Territory-wide System Assessment (TSA) in 2004. The original purpose then was to prevent students from being excessively drilled for the AAT and bearing unnecessary pressure. To ensure that the TSA will not repeat the same mistake of the AAT, the authorities particularly stressed that the TSA would have no bearing on the allocation of Secondary 1 places and that the assessment data were obtained only for reference by the Education Bureau and for information by schools and so, the assessment should not create any pressure on students. But the result has turned out to be different. I hope the Secretary for Education can face the reality that the result has deviated from the original idea.

What we have seen as a commonplace is that many schools have arranged for tutorial classes in preparation for the TSA and made students buy supplementary TSA exercises. While the TSA is supposed to be conducted at Primary 3, Primary 6 and Secondary 3, we have seen that schools actually start drilling children for it at Primary 1. Students at such a young age are already drilled for the TSA questions, and this is even the case in subvented schools and government schools. The Secretary cannot even control the government schools under his charge, and as even these schools do not heed the instruction, it is all the more unlikely for the other schools to listen to it. So, the TSA has actually changed completely in nature. It is no longer the same as what the Secretary intended it to be initially.

I have recently organized signature campaigns for the abolition of the TSA in various districts and from what I have seen, there are indeed some differences between different districts or schools with respect to the abolition of the TSA or the extent to which they resist the TSA. In some districts, the students and parents seemed to be not too resistant to it, and I would say that there was a fifty-fifty split of opinions. But in some other districts the students reacted very strongly. For instance, in To Kwa Wan I came across some children attending schools in Hung Hom and their parents. They said that they were required to finish four TSA exercises, which were compulsory. So, they very much wished that the TSA could be abolished. Another example is that in Kai Ching Estate and Tak Long Estate where many new arrival families live, there are many children too, and when we talked about the TSA, the children frantically said that it would be best to abolish it. Every one of them was thrilled and jumped in joy on hearing the possibility of its abolition. Why was the problem of drilling more serious in some districts or schools? Does the Education Bureau have a good

grasp of and understand the situation? Now the Bureau seems to be completely ignorant of what is going on, carrying out work that is detached from the public and making such remarks as the TSA results having no implication on the allocation of places or having no implication on this and that, or the TSA constituting no pressure and being a low-stakes assessment, and so on. But this is not the case in reality.

Therefore, when the Education Bureau consistently and repeatedly referred to the TSA as a low-stakes assessment, it is neglecting the morbid change arising in the course of implementation of the TSA. Not only primary students and their parents face pressure, but also teachers and principals in schools as well as the school sponsoring bodies are feeling the pinch. Why is it that the assessment was initially said to be devoid of pressure but pressure is subsequently created? The Secretary should look into the reason for it. In fact, the Democratic Party already raised this problem two years ago, and we also proposed a motion and an amendment in this connection in this Council, but the Secretary paid no attention to us. It was only when the election was approaching and the problem had provoked public indignation as even parents originally engaged in discussions in the Facebook group had to come forth that the Bureau started to probe into and study the problem. Therefore, I think the Government has failed to keep tabs on the public pulse and actual implementation of the TSA.

Some principals and teachers have told us that the Administration, in holding meetings and discussions with the school sponsoring bodies or school management, may cite the TSA results of students to assess and judge the performance of the schools. As a result, the school sponsoring bodies will pressurize the principals, whereas the principals will pressurize the teachers who will then pressurize the students. Pressure therefore shifts from top to bottom and eventually lands on children in Primary 1. This is the case of the TSA now. Despite how lofty its original objective is and the fact that it is meant to be a low-stakes assessment, this morbid change has indeed emerged in its operation. The Democratic Party proposed the abolition of the TSA two years ago but met opposition from the pro-establishment camp. They only kept saying that studies had to be conducted, yet they are making the same point even now. I wonder when these studies can be completed.

The proposal of the Democratic Party is simple. Although we support the original motion, we hope that not only the Primary 3 TSA will be abolished but all the rest would be abolished altogether and that would be most desirable. It is because data are readily available for tracking those students who now study in



university through their years of learning since Primary 1. The Bureau has collected these data and so, it should be able to suspend or abolish the TSA and then conduct a review. The TSA can be reintroduced when the Bureau forms the view that no morbid change would occur and there is support from the community. Therefore, I think the TSA should be called to a complete halt now.

President, I think the Secretary should fully understand what is happening with the operation of the TSA. The Hong Kong Professional Teachers' Union conducted a questionnaire survey in March to April this year and interviewed 139 Curriculum Development Officers for primary schools and nearly 2 000 primary teachers for the subjects of Chinese Language, English Language and Mathematics. It was found that 70% of the interviewed teachers considered that the TSA had affected their teaching in that they had to enhance the tutorial classes and step up drilling for students. They criticized the TSA for seriously affecting the normal teaching environment for the subjects of Chinese Language, English Language and Mathematics.

President, we hope that the Education Bureau will immediately stop the TSA and then conduct studies carefully to find out where the problems lie and why some schools and students would have such strong resistance and aversion to the TSA. If no effective measure can be formulated to eliminate the morbid change arising in the course of implementation of the TSA which has caused schools, teachers, children and parents immense sufferings, should the Bureau not have the moral obligation to first suspend the TSA and then clearly look into it to identify the areas where problems have arisen? If the Government continues to claim that the original intention of the TSA is fine and that the problem is only attributed to drilling imposed by the schools themselves, I believe the Bureau does not in the least understand the factors causing a change in nature eventually in the enforcement of this policy by schools. Is it because of the crisis of reduction of classes and the culling of schools? Is it because government officials had intimidated the school sponsoring bodies over discussions with them? All of these are questions that the Bureau must look into and find clear answers.

I so submit.

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

**MR ABRAHAM SHEK:** President, I am fortunate to be connected to two types of educational institutions. I am the Chairman of the English Schools Foundation (ESF), which runs kindergartens, primary and secondary schools in Hong Kong, 22 schools in total. And I am also a school council member of a local school. Lastly, I am fortunate to have a seven-year-old granddaughter who is going to turn eight, so I know what I am talking about. It is all related to education.

Actually I wanted to talk about this subject previously. I have visited quite a number of schools, particularly the learning environment for the eight-year-old children. Both the local schools and the ESF schools produce outstanding students. Their teaching methods are similar, although different in nature, with one emphasizing learning by self-recognition, and the other by rote learning. But the outcome is the same, and the only difference between the eight-year-old children studying in an international school or ESF school and those studying in a local school, like my granddaughter, is that the latter is subject to pressure, the pressure of having to sit for the Territory-wide System Assessment (TSA). They are afraid of not achieving good results that their parents — the "tiger moms and dads" — and the "tiger headmaster and headmistress" have expected of them. They are also afraid that they cannot meet their standards. Generally speaking, the pressure on the eight-year-old children is enormous.

For students studying in international schools or ESF schools, on the other hand, they love to go to school because they are not pressurized for taking the test; they learn things at their own pace and they do not need to be measured. Secretary, I hope to share this experience with you, so that in your review, you can give consideration to what I have said. The eight-year-old children deserve to be given a chance to be happy, just as what Mr WONG Yuk-man said in a different manner earlier.

Secretary, I also respect your decision of not coming on this Sunday because family commitment is as equally important as your official commitment. The Secretary is not the only person in the Education Bureau. It is an institution and you have assigned people to come here and listen. Instead of being a personal system, it is an institutionalized system that we should be honouring.

President, the Secretary for Education has repeatedly reiterated that the TSA, which is intended to identify students' strengths and weaknesses and

enhance teaching strategies, is a low-stakes assessment on students' basic competencies and thus coaching is not necessary. This is such a noble thought and objective — I respect you, the Secretary — but the reality is different, and students are subject to a lot of pressure from parents and schools.

Such statements, which you reiterated earlier, reveal that the Government neither grasps the actual situation in the sector, nor understands parents' concerns and the reasons for their opposition to the TSA. The Administration has allowed the situation to escalate, ultimately leading to this crisis. The motion debate today is not political, the purpose of which is to extend our care for the eight-year-old children today. I think this is very important.

In contrast to the TSA, the results of the Academic Aptitude Test, which was abolished in 2000 after 22 years of existence, had a bearing on the allocation of Secondary One places, which was then considered to be a high-stakes assessment. However, the TSA involves the undesirable element of accountability — like your goodself who is also subject to accountability — the issue of accountability is initiated by the sponsoring bodies and the School Management Committees, who regard schools' TSA reports and attainment rates as core evaluation tools to measure a school's performance against schools territory-wide.

This inappropriate use of the data has changed the TSA from being a diagnostic and low-stakes assessment to an accountable and high-stakes assessment. Although this is not what you want, it turns out to be the opposite. Students aged eight are required to sit for their first TSA after undergoing coaching by their schools since Primary One. But are these results used to improve the school's learning and teaching strategy or to merely defend the school's reputation? I think the answer is obvious. The reputation of a school is more important than students' happiness.

Although the Education Bureau stopped disclosing the overall attainment rates of primary schools in 2014 — thank you for that — who can ensure that this has prevented schools from deriving the overall attainment rates by assessing the attainment rates of each question as shown in the school's TSA report? Clearly, this stopgap measure has not adequately addressed the problem.

President, one private school announced on 30 October that they would pull out of next year's TSA because the questions had become increasingly

difficult. But do aided schools and government schools have the same opportunity? No, their students will be subject to this test. Secretary, instead of holding the TSA test, I urge you to conduct a review of the Primary Three TSA. Please give them back their innocence and a happy childhood.

Thank you, President.

**MR GARY FAN** (in Cantonese): President, I speak in support of Mr Albert CHAN's motion. It takes more than one cold day for the river to freeze three feet deep — the problem has been brewing for quite some time. The Territory-wide System Assessment (TSA) has since 2004 been implemented in Primary 3. It is originally intended to assess the basic competencies of students in the three subjects of Chinese Language, English Language and Mathematics at the three learning stages of Primary 3, Primary 6 and Secondary 3. However, the enforcement of the policy has given rise to problems and shortcomings which have been hidden for a long time, and in particular, the emergence of the drilling culture has exerted immense pressure on teachers, parents and students. The Education Bureau is inexcusable in failing to ensure that the enforcement of the policy is consistent with its intended purpose, but the Secretary for Education, Eddie NG, refused to budge an inch in the face of opposition to the TSA and even shifted the blame of the drilling culture onto schools and parents. What he has done is indeed most questionable and constitutes an even greater fault on his part.

President, a retired primary school principal openly stated some time ago that the Education Bureau had always used the TSA results as an indicator of the school's effectiveness in teaching and made supervisors and managers of school sponsoring bodies accountable through the TSA, exerting invisible pressure on schools. Other principals and teachers also revealed that officials of the Education Bureau would call and tell them explicitly or implicitly that their schools might be culled if their results failed to attain the standard. This invisible pressure would permeate the school from top to bottom and finally fall on teachers and students, driving the entire school to make the TSA results their goal to the neglect of the true principles of education and hence giving rise to the drilling culture. Therefore, it is the Education Bureau that started the entire drilling culture.

However, Secretary Eddie NG has outrageously compared the TSA to a health check recently, holding that neither drilling nor boosting is the right response. This analogy drawn by Secretary Eddie NG is indicative of his

attempt to shirk his responsibility on the one hand and a revelation of his shallow understanding of the education policy on the other. It is because there are objective indicators to assess students' health conditions but unlike blood pressure and body fat percentage, the abilities of students cannot be assessed by objective benchmarks.

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

Deputy President, a famous educator, Xiaosi (Prof LO Wai-luen), has written an article entitled *The Faith of Education* (《教育的信仰》). This article was actually named after an article bearing the same name written by ZHU Ziqing in 1924. Back in those years ZHU Ziqing lambasted the education bureaucracy in China. He criticized the education policy of only aiming to satisfy utilitarian needs, chasing after efficiency and worshipping numbers blindly while putting excessive emphasis on academic achievements. To Xiaosi, the education policy of the SAR Government nowadays faces the same problems. The education policy has imposed three hurdles in a bid to control the students, which include "assessment of achievements", "adherence to rules" and "upholding of strict standards", attaching little importance to the development of a healthy personality, and so such education is crippled.

Deputy President, with regard to "assessment of achievements" as referred to by ZHU Ziqing and Xiaosi, it means that schools focus only on boosting students' academic achievements, attaining a high percentage of graduates pursuing further education, and winning as many championships as possible in competitions externally. "Adherence to rules" means applying authoritative rules and regulations to spur the students to work hard. As for "upholding of strict standards", it means that students are made to follow orderly, uniform standards in studies and in their behaviour in all aspects. The TSA policy is precisely employing these three measures of "assessment of achievements", "adherence to rules" and "upholding of strict standards" to encourage schools to boost students' results by assigning to students an enormous amount of exercises, using identical test papers to assess the strengths and weaknesses of students and gauging the teaching effectiveness of schools by multiple choice questions with the choices of A, B, C and D. Such an education policy is in itself a mistake.

Furthermore, many academics in the education sector have cited various examples to prove that the TSA questions have actually gone far beyond what is necessary for assessing students' basic competencies. Rather, they are intended to assess students' problem-solving ability and worse still, knowledge to be taught in Primary 4 is even incorporated into Primary 3 TSA questions. These problems cannot be resolved simply by reviewing the design of the questions as suggested by Ms Starry LEE of the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) in her amendment. It is because there is no uniform standard for gauging the so-called basic competencies. For instance, even the making of Ovaltine is, in the view of some people, knowledge of science. Therefore, if some basic competencies which can hardly be defined are turned into questions and scores, it is actually difficult for the assessment to arrive at objective data.

Deputy President, the Education Bureau has gone further to explain that the TSA results would enable schools to understand the ability of their students and then tailor their teaching to students' varied abilities. But to the Education Bureau, the "abilities" in "tailoring teaching to students' varied abilities" merely refer to students' academic performance in schools, whereas "teaching" means exerting pressure on schools which performed less well in the TSA and making them put in greater efforts to drill the students, so that the latter can achieve better TSA results in the next assessment. Such an education policy which is blindly steered by numerical goals runs contrary to the general understanding of "tailoring teaching to students' varied abilities" in the minds of the people.

Deputy President, the TSA has subjected primary school students to drills for open examinations since their Primary 1 or even kindergarten years. This has seriously distorted the education system of Hong Kong. The Neo Democrats supports the original motion proposed by Mr Albert CHAN. The Government should abolish the TSA and then conduct a comprehensive review and full consultation. As for the amendments, I always pay attention to the debating skills of Dr LAM Tai-fai and while Dr LAM, Chairman of the Panel on Education, seemed to have engaged in a war of words with Secretary Eddie NG on the surface in criticizing Secretary Eddie NG for not attending the public hearing on the TSA, he is actually pretending to be neutral and trying to take advantage of the situation while helping the Government divert the public attention and adopt stalling tactics. In his amendment Dr LAM Tai-fai has deleted the call for the expeditious abolition of the Primary 3 TSA. This declaration of position in black and white is giving the Government a mild rebuke which actually comes as a great favour in disguise.

The amendment proposed by Ms Starry LEE of the DAB has likewise rationalized the existence of the Primary 3 TSA while putting all the blame on the schools for drilling students for the questions. Even President Jasper TSANG has admitted that the school of which he was once the supervisor had faced pressure from the Education Bureau because the TSA results of students were far lower than the territory-wide average. However, the DAB has completely evaded the responsibility of the Education Bureau. Therefore, the Neo Democrats opposes the amendments proposed by Dr LAM Tai-fai and Ms Starry LEE.

Deputy President, there are not many 10 years in one's life and what is more, there is only one childhood. Students in Hong Kong already have to take private tutorial classes since they are in kindergarten, and the schools have even reduced the time for formal curriculum in Primary 1 and 2 only to drill students for the questions. This is abnormal. Therefore, the Neo Democrats hopes that students can (*The buzzer sounded*) ... have more spare time to rest and play, thereby developing a healthy personality.

**DEPUTY PRESIDENT** (in Cantonese): Mr FAN, your speaking time is up. Please be seated.

Does any other Member wish to speak?

(Mr LEUNG Kwok-hung stood up)

**DEPUTY PRESIDENT** (in Cantonese): Mr LEUNG Kwok-hung, do you wish to speak?

**MR LEUNG KWOK-HUNG** (in Cantonese): I am not speaking. I am just requesting a headcount.

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

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

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

**MR LEUNG KWOK-HUNG** (in Cantonese): Secretary Eddie NG, do you have time this Sunday? If you do, you should come here to listen to the people's views. God gives us the Sabbath in the hope that we can take the opportunity to cleanse our spirits. So, why does the Secretary not come this Sunday to cleanse his spirit? Of course, I have no idea of what more important personal business he has such that he cannot attend the public hearing.

Let me now get down to business by telling a story first. I seemed to have told a story called "EINSTEIN and his chair" here before. EINSTEIN was quite stupid when he was a student. As Members must also know, students receiving old-style or German education are expected to master carpentry. In this story, a class mistress of EINSTEIN's required every student in the class to make a chair, and so every student went home and made one. One of the students in the class was a good friend of EINSTEIN's. When he showed the teacher his chair, she was greatly shocked because she found the chair so ugly that it could hardly be called a chair. She could not help scolding him and told him to come before the whole class, so that other students could see him and the chair made by him. She then asked other students, "Has anyone seen a chair which is even uglier than this one?" One of the students said softly, "I have seen one even uglier." The teacher was very angry for she thought that the student was, like me, quarrelsome and defies authority. She asked again, "Is there really such an ugly chair?" That student answered softly, "There really is one." The teacher thus said to him, "Show me that chair." This student, EINSTEIN, who became a well-respected man later, took out a chair from his seat, but it was uglier than the one shown in front of the class. It turned out that EINSTEIN had made two chairs and handed in the less ugly chair to the teacher and kept the uglier one. At seeing the chair, the teacher was so moved that she could not help crying because she found that EINSTEIN was nobler than herself. EINSTEIN confessed to her that he had made an even uglier chair because he felt obliged to defend his classmate. The teacher's crying over her mistake demonstrated that she still had a bit of humanity. I think her tears were the best education.

I believe the students in the classroom that day had all learnt a lesson and found that their teacher could be biased and make mistakes. She could humiliate the spirit of a student who should be nurtured, for the pleasure of it. The reason



was that she felt annoyed by thinking that a certain student did not listen to her or perform a task wholeheartedly. Of course, I need not continue to tell the story. EINSTEIN was later regarded as a great man in the 20th century.

This story is actually cognate with the Territory-wide System Assessment (TSA) — is it necessary for the authorities to place Primary 3 students under tremendous pressure through examinations? Insofar as students who fail to catch up with the TSA are concerned, they might feel like the student who made an ugly chair, as I mentioned just now. Although there is no need for such students to be shown in public, they might as well be "neglected".

According to the "education stuffing" theory I once mentioned, all students, like "sausage casings", will be stuffed, whereas casings which can be stuffed with the most filling without bursting open will be expanded and stuffed with even more filling. The situation has become worse from kindergarten to university education, only that the TSA is demonstrating such competition before us in an even uglier manner. Since our Government covers everything, with the exception of Direct Subsidy Scheme schools, all subsidized schools are under government control. Buddy, why are the TSA results so poor? Are there any problems? Are there any problems with the teachers, school principals or other people? The crying teacher I mentioned can actually be found everywhere. However, is there an uglier chair?

Deputy President, since the implementation of the TSA, the authorities have all along adopted a most philistine value for money policy, hence forgetting that education is a lifelong vocation requiring teachers to tailor their teaching to students' varied abilities. Instead, students are regarded as products manufactured on the production lines or sushi in revolving sushi restaurants. Customers can choose whatever they want by throwing away the defective ones, for they think that they can choose something for the money paid.

Hence, Deputy President, I am actually wasting my time in scolding the Secretary. What can I say about someone who can still enjoy doing his job under such a system? Deputy President, I hope Secretary NG, after listening to this story, can realize something and go listen to the views to be presented by the ordinary people this Sunday.

Thank you, Deputy President.

**MR JAMES TO** (in Cantonese): Deputy President, I would like to raise two points. First, just now I heard a Member say (I quote), to this effect, "It is necessary for the Primary 3 Territory-wide System Assessment (TSA) to be put in place because as indicated by a research in the education sector, the disparity in performance among students gradually widens when students move up from Primary 3 to Primary 4. If the first assessment is not conducted until the students reach Primary 6, they will miss the opportunity of making early improvement. Now the biggest problem is to stop excessive drilling for the TSA." (End of quote)

(THE PRESIDENT'S DEPUTY, MR MA FUNG-KWOK, took the Chair)

Deputy President, I find such a statement very strange. A Member considers that the Primary 3 TSA cannot be abolished because if the assessment is not conducted until the students reach Primary 6, they will miss the opportunity of making early improvement. Deputy President, I do not know if it is because this Member does not understand the existing system or there are some other reasons. Under the existing TSA system, actually individual students will not know their TSA results. The schools will only submit all the test papers to the relevant authorities for assessment. As a result, students will not be able to identify their inadequacies by completing the TSA tests. Neither will they get the opportunity of making early improvement because of those test papers. Deputy President, this is the fact, but it turns out that some Honourable colleagues really do not even understand this basic situation.

The second point is, the Government has explained the policy intent of the TSA, and according to its original intent, schools are not expected to conduct drills for the TSA because the TSA is merely an overall assessment which serves as a benchmark in Hong Kong. Deputy President, when we learnt that even government schools had conducted drills for the TSA, this so-called policy intent, I believe, had gone "completely bankrupt". The principals or panel heads in government schools are also public officers. It is not possible that they do not understand the policy intent of the Education Bureau, is it? If even government schools conduct drills for the TSA, I wonder whether it is because they do not understand the policy intent, or they know the impact of the TSA on their schools, and therefore they cannot but conduct the drills. Hence, when even government schools conduct drills for the TSA, no matter how good the Government said the

original policy objective was, thus making it necessary to retain the TSA, the emergence of these unexpected problems has already made the policy intent of the TSA — regardless of how good it was — "completely bankrupt".

**DR CHIANG LAI-WAN** (in Cantonese): Deputy President, sorry, I do not know that Mr TO would finish his speech so quickly. I am giving my speech immediately.

Deputy President, I must first point out that I found the speeches made by Mr Albert HO and Mr Gary FAN just now have taken the point out of context because they told not the whole story. Just now they have quoted an article by Jasper TSANG, President of the Legislative Council, but only a fraction of it. They said President TSANG had come under pressure as the supervisor of a school a few years ago because of its poor TSA results. But they fell short of mentioning the latter part of the article, which stated that when Jasper TSANG was the supervisor, he found out that the TSA results of students were far below the Hong Kong average. The school had to review its teaching work to identify inadequacies and take specific measures of improvement. Today, the TSA results of the school are higher than the Hong Kong average but it has never required students to do drilling outside normal classes. What does it explain? Some schools rely on special drilling for their students to pass the TSA. But the students can get a pass or high mark at usual examinations in school. Given this, why do they need to conduct special drilling? If they can get good results at the TSA only after drilling, the credibility of school examinations is undermined. It illustrates that a territory-wide and standardized test for basic teaching effectiveness is essential. The aforementioned information basically comes from the article by Jasper TSANG, President of the Legislative Council.

Nevertheless, Deputy President, we also have to deal with some problems. When the TSA was introduced years ago, it was just a tool to assist in the assessment of students' performance so as to improve learning and teaching. However, some morbid changes have started to appear after the TSA has been implemented for more than 10 years, which led some schools to arrange excessive drills for their students, producing a great deal of unnecessary pressure to bear on some students, teachers and students. Taking my own experience as an example, I have seen my niece arguing with her mother if she could skip homework. She would rather do other things than burning the midnight oil to do

homework. It thus shows that excessive drilling has become the number one enemy of students and children as it brings them tremendous pressure. We have seen that several ten thousand people did sign an online petition to call for the abolition of the Primary 3 TSA. Yet undeniably we also see that some parents or schools in Hong Kong think the TSA can stay, just without the need for excessive drilling.

At around 4 pm yesterday, I received some Secondary 2 students from a secondary school at the Legislative Council. After we had chatted about affairs of the Council, out of curiosity I asked them what they thought of the TSA. One boy raised his hand and answered it was better not having to take it as it did not serve any purpose and was not counted towards the score of marks. Then some boys also said the TSA was useless. But the funny thing was the students I received yesterday were from the same school and all the boys sat on one side while all the girls sat on the other. Then a group of girls said that the TSA was useful. I asked one of the girls who raised her hand to voice her views. She said, "Drilling now is only for our own good. It is also good to do more exercises so that we are prepared to handle more homework in the future. It only helps us build a good foundation. Why do we not do it?" A few other girls nodded in agreement. It shows that both parents and students have different views on whether or not the TSA should be abolished. Therefore, if we ask students simple questions like "You do not need to take exams, alright?", to a certain degree many students would answer they do not want to do examinations. Or "Do you want to cancel the subject of Chinese History?" I believe more students will answer it is better to abolish the subject of Chinese History. Maybe we can ask Mr Albert CHAN who proposed this motion: "Do you want to just get paid but not attend meetings?" Of course he will say "yes"; otherwise why does he have to move a motion for the adjournment of the Council or request suspension of the meeting every week?

Deputy President, in conclusion, no one is perfect and nothing can be perfect. Any system comes with its own downsides but we cannot scrap a system and start a new one across the board just because of a small problem. I hope the Secretary and the Education Bureau will think long and hard about how to improve the system, and prevent by all means creating enormous pressure on teachers, students and parents. I shall stop here. Thank you.

**MR CHUNG KWOK-PAN** (in Cantonese): Deputy President, a decade ago (that means in 2004), the original intent of the Territory-wide System Assessment (TSA) was to replace the Academic Aptitude Tests (AAT) in Primary 6. As we all know, at that time the students also needed to undergo drills for the AAT and faced great pressure. For this reason, the authorities replaced them with the TSA which simply aimed at making a general assessment of the students' academic level in three subjects, namely, Chinese Language, English Language and Mathematics. However, a decade later, why did it turn out in such a way? Because it has gone back to the old path. Again, students have to undergo drills and do a lot of homework.

Why is that the case? One reason is that some schools tend to show off their strength by making use of their students' good performance in the TSA. This is also about ranking certainly. Moreover, as we have noted, the birth rate in Hong Kong has remained low over the past decade or so, and thus the intakes of students in primary and secondary schools are not high. Why are certain famous or high-ranking schools so popular? It is certainly because they enjoy various advantages. For example, their students have good performance, or their drills have made their students very fit. Hence, to strive for the enrolment of more students and provision of more resources and avoid becoming the target of closure, the schools must give people the impression that their students, who are fit and smart, are capable of getting good examination results. As such, the whole TSA system has been distorted.

Furthermore, as indicated by some front-line teachers, the Education Bureau has, to a certain degree, taken the lead in intensifying the situation because it told the school sponsoring bodies that the TSA was very important and they needed to achieve good results. After they had achieved good results, it might be easier for them to obtain more resources on various fronts. Since the Education Bureau said such things to the school sponsoring bodies, the school sponsoring bodies would certainly relay the message to the teachers, and the teachers would certainly force students to undergo more drills. In this cycle, an assessment which was not supposed to exert any pressure or require any drills has now place children in Primary 3 under immense pressure.

Primary 3 students are only six or seven years of age. Children at this age begin to learn about a lot of things. Yet the problem is that some schools already start drilling students in Primary 1 who are only five or six. How can children cope with so many examination questions, drills or tuition sessions at the

age of five or six? Making these young children bear with such great pressure, in my opinion, is a big problem. How can the schools enable Primary 3 students to attain better performance? They will definitely drill them on more difficult test questions day and night, familiarizing them with test questions so that they can complete the questions more easily during the assessment.

As a matter of fact, some Members tried to do the TSA questions, but they did not know how to answer some of the questions either. Evidently, even adults who have sat for so many different examinations or who have knowledge of teaching do not know how to answer the test questions for Primary 3 students. As such, has the TSA been distorted? For this reason, the Liberal Party considers it reasonable to abolish the Primary 3 TSA. However, we also appreciate the need to conduct a territory-wide assessment on the students' standard in Chinese Language, English Language and Mathematics in primary and secondary schools because if the authorities can find out earlier that certain schools are unable to reach the standard in certain aspects, the Education Bureau can provide these schools with more resources or support to help students or teachers to improve their learning or teaching methods. For this reason, I hold that the Primary 6 and Secondary 3 TSAs should be retained. Hence, the Liberal Party will support Mr Albert CHAN's original motion.

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): Mr Albert CHAN, you may now speak on the amendments. The speaking time limit is five minutes.

**MR ALBERT CHAN** (in Cantonese): Deputy President, I would like to thank the 30 Members who have spoken on this motion and the seven Members who have proposed amendments. Basically, I agree to the amendments proposed by the pan-democrat Members and I hope they can be passed by this Council.

With regard to the amendments proposed by the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) and Dr LAM Tai-fai, I do not think I can support them because their amendments will delete the wording "abolish the Primary 3 Territory-wide System Assessment" from the original motion. The speech made by Dr LAM Tai-fai was most emotional and his criticism was rather fierce, too. The expressions used in his criticism of the Secretary were 10 times more ferocious than mine. However, his stance in the end was very weak and feeble. This might be precisely a tradition of the pro-government camp, that is "scolding the Government slightly while actually lending it a big helping hand". On the other hand, he also sought to impress people or tell parents of his school his position on this issue. Nonetheless, he seeks to delete the wording "abolish the Primary 3 Territory-wide System Assessment" altogether as a show of his standpoint. This is most regrettable.

The amendment proposed by Ms Starry LEE fully reflects that the proposition or political theory advocated by the DAB is weak and contradictory. Deputy President, you are also a leftist and thus know very well the importance of the theoretical basis upheld by traditional leftists in the 1960s or 1970s. Ms Starry LEE's amendment has clearly pointed out the morbid change in the TSA since its implementation some 10 years ago. Deputy President, you should know it quite well that Marxists attached great importance to the issue of dissimilarization, and the emergence of communism was attributable to its criticisms of capitalism and the morbid change in human nature. For this reason, they reckoned that the capitalist system should be overthrown and be replaced by the new communist regime, and the role of the communists was to deal with the morbid change thoroughly. As one agrees that this system has undergone a morbid change, then should it be abolished instantly? The imbalanced, self-contradictory and inconsistent viewpoints illustrated in her theory and judgment are therefore manifestations of inadequacies and an utter failure in the proposition, from the perspectives of Marxists.

Deputy President, though you are now sitting up there, you should ask President Jasper TSANG to teach his disciple a lesson because Ms Starry LEE should be his successor who is nurtured by him. However, her inadequacy in political propositions has made people feel that the standard of the DAB is deteriorating while no successors can be found. Deputy President, you may as well give them a lesson with your political statements. Although you seldom speak, I believe your political statements will surely be more solid and tenable than those of the new generation of the DAB or the so-called "new leftists" in

Hong Kong. We consider that the amendment proposed by the DAB is actually made on behalf of the Executive Council as Ms Starry LEE is a Member of the Executive Council. Her remarks made on this subject represent the Government's position.

Deputy President, as for other amendments, the one by Dr Priscilla LEUNG has merely put a string to my motion. I certainly do not agree to the point raised in her conclusion, that is " ... with a view to eliminating [the negative impacts of] 'spoon-feeding' education and the examination-oriented education system", for the entire problem of the TSA involves more complicated issues, instead of the "spoon-feeding" education alone. Despite her arguments, if not totally irrelevant, cannot present the whole picture, she basically agrees with one most important point, that is, the need to expeditiously abolish the Primary 3 Territory-wide System Assessment. We thus consider her points acceptable.

Deputy President, I earnestly hope that we will not be ending up achieving nothing in respect of today's motion. In view of the opposition from the DAB and the Hong Kong Federation of Trade Unions, as well as objections from some Members returned by functional constituencies, it is likely that the motion will be negated due to insufficient votes. Such being the case, I implore parents in Hong Kong to see clearly whether Members from functional constituencies in this Council will once again betray their interests. We will know the answer later on. If your children continue to suffer from or be victimized by this assessment, it implies that this Council has yet to strike home a clear message to the Government which will only continue to make up excuses and procrastinate.

**SECRETARY FOR EDUCATION** (in Cantonese): Deputy President, once again, I thank Mr Albert CHAN for proposing the original motion, the six Members for their amendments, and nearly 25 Members for the valuable opinions offered. I have listened to Members' views in a sincere manner, and I would like to emphasize once again that we truly care about students, hoping that they can learn happily throughout the course, that is, to feel happy while attaining the goals of learning at the same time. As many psychologists and education experts have told us, one of the sources of sense of satisfaction for students lies with the capability to solve the difficulties encountered in learning and keep going forward.



As I said in my opening speech, the Territory-wide System Assessment (TSA) is an objective mechanism for assessment. The term used here, in English, is "assessment" rather than "examination", and that is an important point. Relevant data are conducive to the Government's formulation of related policies and can help schools improve teaching and learning to enhance students' learning for the benefit of students, parents, schools, the education system as well as society as a whole. Let me emphasize it once again. Insofar as Members' remark about the TSA being a benchmark for school closure is concerned, it has to be built on facts. This has never happened over the past few years. The TSA as a whole is aimed mainly at helping schools enhance the efficiency of their teaching and learning rather than evaluating their performance. I must stress this point in particular.

In fact, it is necessary for the community to have an objective mechanism for assessment, and the TSA is the only basic competency assessment available to the stage of primary education that can provide territory-wide, objective, comprehensive and quality data. As mentioned in Ms Starry LEE's amendment, there is a necessity to establish the TSA as an objective assessment tool, so it is inappropriate to abolish it lightly, particularly for Primary 3. Let me emphasize it once again, as a matter of fact, a lot of studies from around the world show that the gap from Primary 3 to 4 will grow increasingly big, so the opportunities of offering early support to students' learning progress in schools should not be missed.

We have stepped up efforts to listen to the views of stakeholders. In August this year, the Hong Kong Examinations and Assessment Authority (HKEAA) organized focus groups to consult primary school teachers who served as markers of their views on the enhancement measures for the TSA. The majority of them welcomed the enhancement measure of launching the interactive platform for online reporting and considered it of value in providing feedback to learning and teaching.

In addition, on 30 October this year, the Education Bureau organized a seminar, and let me share with Honourable Members what went on there. Around 380 principals, vice-principals, curriculum leaders, teachers and representatives of school sponsoring bodies attended the seminar to share experiences in the effective use of the data on students' performance, making use of the Interactive Online Item Analysis Report to facilitate curriculum planning,

designing and arranging tasks for assessments as well as making selection of quality textbooks and curriculum resources. From the views collected from the participants, there is the general view that the TSA reports could help them identify students' strengths and weaknesses, develop curriculum and make adjustments to learning and teaching. Other than sharing their positive views on the enhancement measures implemented in 2014, the participants went further to offer valuable opinions on the enhancement measures on the design of assessment papers (like the number of assessment items, length of texts, and so on), the coverage and the enhancement of professional support for teachers.

As I said earlier, apart from schools, we have also met with representatives from parent-teacher associations of the 18 districts as well as parents themselves to hear their views. We will continue to step up our effort in this direction.

Recently, I noted some points of misunderstanding and worries in the community concerning the operation of the TSA. As regards Members' queries and the opinions collected from the community, I would now outline some of the main points in brief.

On the culture of drilling, like members of the community, we are gravely concerned about excessive drilling. I wish to particularly stress that drilling on homework is not necessarily the same as TSA exercises. In 2014, we introduced enhancement measures in this connection, including not disclosing the basic competency attainment rates of individual primary schools and removing the TSA from the Key Performance Measures for primary schools, in order to prevent schools from making use of the percentage figures on students' basic competency attainment for ranking and comparisons among schools or changing their own teaching and assessment methods, thereby reducing the incentive for drilling students.

Let me make use of the opportunity today to emphasize again that the Education Bureau seeks to understand different aspects of a school through a holistic approach, and TSA data constitute only one of the many references in the process. They are by no means a benchmark for evaluating the effectiveness of school operation and school performance. Neither will they form a basis for imposing measures on schools or school sponsoring bodies for reform, not to mention anything related to school closure, and so on.

To deal with the situation in a focused manner, the Education Bureau has adopted a two-pronged approach. On 31 October, it issued circulars and guidelines asking schools to address the issues of drilling and homework load. We have to place the focus not just on the TSA, since this is the problem of homework and excessive drilling. At the same time, we also announced a review of the implementation details of the TSA.

As regards the initiatives under the Guidelines on Homework and Tests in Schools, I would illustrate several parts in brief. We effect collaboration in every part with a view to taking action in all directions, including:

- (1) To conduct focus group discussions with school leaders to review the implementation of the Guidelines and its effectiveness;
- (2) To conduct school development visits and other visits to urge schools to formulate appropriate yearly homework and assessment policies and offer professional advice, support and reports to ensure transparency;
- (3) To share among schools good practices on homework policies, which we consider of great reference value and highly popular; and
- (4) To promote the development of transparent home-school partnership and urge schools to discuss the updated Guidelines on Homework and Tests in Schools in their latest meetings with parent-teacher associations, such that parents can be involved in their children's learning and collaborate with schools to further improve the homework policies. Parents' opinions should also be taken into account in schools' selection of learning resources for students.

There are views that many of the TSA items are quite difficult. As regards the news reports on the difficult items, as a matter of fact, those cited in many reports from the community may be extracted from exercise books rather than TSA papers, and this I must emphasize; another situation is that items claimed to be dedicated to Primary 3 are actually for Primary 6. We have to understand that the assessment items of the TSA are developed in accordance with curriculum documents, including curriculum guidelines and Basic Competency documents. Therefore, there is really no need to introduce any additional learning content outside of the relevant stage of curriculum for the sake of coping with the TSA.

At the same time, a multi-level mechanism is in place to review the level of difficulty of TSA items. The HKEAA has set up a Moderation Committee for each stage of learning, and its membership comprises academics from the tertiary sector, curriculum experts, serving local teachers, and so on. They are directly involved in the process, so their experience is very important.

Our professional education team aims at teaching students effectively rather than attaining good TSA results. We will continue to enhance the professional training and support for schools, eradicate — that is the term I use — the excessive drilling initiatives in schools, and assist schools in making good use of various aspects of the assessment data, including TSA ones, with a view to generating better feedback that contributes to effective learning and teaching.

Deputy President, the Government is committed to assisting in students' holistic development and healthy growth. Once again, I thank those Members who have spoken. The Education Bureau will continue to extensively collect different stakeholders' views on the TSA and homework policies. I implore Members to vote against Mr Albert CHAN's motion and the amendments proposed by Mr Albert HO, Dr Kenneth CHAN and Mr IP Kin-yuen but vote for Ms Starry LEE's amendment, such that we can work on our review and planning on the basis of the existing system for the benefit of students. We are confident that given parent-school co-operation and professional discussions, students would definitely be able to learn happily, pursue diversified development and achieve the goals of learning. Let me stress once again that "happy" has to come along with "learning".

Deputy President, I have to add a couple of points. Members talked at length about a problem related to government schools, and there was some media coverage on it as well. We have had several exchanges with the 60 or so government schools in Hong Kong to state clearly what they need to clarify. Media reports had it that they had adopted TSA exercises, which might well be the quality six-year graded exercises available in the market. On some individual topics or areas, some of these exercises, like Chinese or English, are good, so the schools will adopt the relevant parts. They have adopted such exercises on the merit of quality rather than their sheer nature as TSA exercises. Government schools have particularly asked me to clarify this on their behalf.

Mr LEE Cheuk-yan mentioned earlier that it is tough for Primary 6 students to take two examinations a year. Let me offer a little update. Since the beginning of the refinement process last year, Primary 6 is no longer subject

to two examinations a year. Instead, they are now conducted biannually, one year for the attainment test for secondary school entrance and one for the TSA. That is exactly where improvement has been made.

Deputy President, I so submit. Thank you.

**DEPUTY PRESIDENT** (in Cantonese): As Mr Albert HO is not present, we will not deal with his amendment. I now call upon Dr Kenneth CHAN to move his amendment.

**DR KENNETH CHAN** (in Cantonese): Deputy President, I move that Mr Albert CHAN's motion be amended.

**Dr Kenneth CHAN moved the following amendment: (Translation)**

"To add ", as the Territory-wide System Assessment ('TSA') exerts tremendous pressure on teachers, students and parents," after "That"; to delete "Territory-wide System Assessment ('TSA')," after "the Primary 3" and substitute with "TSA"; and to add ", and to invite organizations opposing TSA to join the relevant review committee; this Council strongly condemns that the Secretary for Education indicated at the Legislative Council meeting of 4 November 2015 that he could not attend the special meeting on TSA to be held by the Panel on Education of this Council" immediately before the full stop."

**DEPUTY PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Dr Kenneth CHAN to Mr Albert CHAN's motion, be passed.

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

(Members raised their hands)

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

(Members raised their hands)

Dr Kenneth CHAN rose to claim a division.

**DEPUTY PRESIDENT** (in Cantonese): Dr Kenneth CHAN has claimed a division. The division bell will ring for five minutes.

(While the division bell was ringing, THE PRESIDENT resumed the Chair)

(While the division bell was ringing, Mr LEUNG Kwok-hung talked loudly in his seat)

**PRESIDENT** (in Cantonese): Mr LEUNG Kwok-hung, please stop talking loudly.

**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 James TO, Mr Frederick FUNG, Prof Joseph LEE, Mr CHEUNG Kwok-che, Mr Charles Peter MOK, Mr Dennis KWOK and Mr IP Kin-yuen voted for the amendment.

Mr Tommy CHEUNG, Mr Jeffrey LAM, Ms Starry LEE, Mr CHAN Kin-por, Mr IP Kwok-him, Mr NG Leung-sing, Mr Steven HO, Mr MA Fung-kwok, Miss CHAN Yuen-han, Mr KWOK Wai-keung, Mr TANG Ka-piu, Ir Dr LO Wai-kwok and Mr CHUNG Kwok-pan voted against the amendment.

Dr LAM Tai-fai, Mr POON Siu-ping and Mr Tony TSE abstained.

Geographical Constituencies:

Mr LEE Cheuk-yan, Mr LEUNG Yiu-chung, Ms Emily LAU, Ms Cyd HO, Mr Alan LEONG, Mr LEUNG Kwok-hung, Mr Albert CHAN, Mr WONG Yuk-man, Ms Claudia MO, Mr WU Chi-wai, Mr Gary FAN, Mr CHAN Chi-chuen, Dr Kenneth CHAN, Dr KWOK Ka-ki, Dr Fernando CHEUNG, Mr SIN Chung-kai and Dr Helena WONG voted for the amendment.

Mr WONG Kwok-hing, Mr CHAN Hak-kan, Mr WONG Kwok-kin, Miss Alice MAK, Dr Elizabeth QUAT, Dr CHIANG Lai-wan and Mr Christopher CHUNG voted against the amendment.

Dr Priscilla LEUNG 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, eight were in favour of the amendment, 13 against it and three abstained; while among the Members returned by geographical constituencies through direct elections, 26 were present, 17 were in favour of the amendment, seven against it and one 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 MA FUNG-KWOK** (in Cantonese): President, I move that in the event of further divisions being claimed in respect of the motion on "Expeditiously abolishing the Primary 3 Territory-wide System Assessment" or any amendments thereto, the 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 MA Fung-kwok 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 "Expeditiously abolishing the Primary 3 Territory-wide System Assessment" 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): Mr IP Kin-yuen, please move your amendment.



**MR IP KIN-YUEN** (in Cantonese): President, I move that Mr Albert CHAN's motion be amended.

**Mr IP Kin-yuen moved the following amendment: (Translation)**

"To add "the Territory-wide System Assessment ('TSA') has created heavy pressure on teachers, students and parents since its implementation in 2004; not only does TSA seriously affect teachers' daily classroom teaching, but also takes up students' rest time, particularly that the drills on examination questions undergone by students to prepare for the Primary 3 TSA often start early from Primary 1, causing serious damage to the physical and mental health of students; for the well-being of students," after "That"; to delete "Territory-wide System Assessment ('TSA')" after "the Primary 3" and substitute with "TSA"; and to add "; in addition, the Government must: (1) immediately suspend the Primary 3 TSA in the current school year to instantly relieve the pressure on Primary 3 teachers and students; (2) invite people with different views, including representatives of parent groups, teachers' associations and organizations of school heads as well as academics, to join the review committee to enhance its recognition; and (3) completely abolish TSA in a decisive manner, if it is still impossible to eradicate the shortcomings after the review" immediately before the full stop."

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mr IP Kin-yuen to Mr Albert CHAN'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 Tommy CHEUNG rose to claim a division.

**PRESIDENT** (in Cantonese): Mr Tommy CHEUNG 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 James TO, Mr Frederick FUNG, Prof Joseph LEE, Mr CHEUNG Kwok-che, Mr Charles Peter MOK, Mr Dennis KWOK and Mr IP Kin-yuen voted for the amendment.

Mr Tommy CHEUNG, Mr Jeffrey LAM, Ms Starry LEE, Mr IP Kwok-him, Mr NG Leung-sing, Mr Steven HO, Mr MA Fung-kwok, Ir Dr LO Wai-ki and Mr CHUNG Kwok-pan voted against the amendment.

Dr LAM Tai-fai, Mr CHAN Kin-por, Miss CHAN Yuen-han, Mr KWOK Wai-keung, Mr POON Siu-ping, Mr TANG Ka-piu and Mr Tony TSE abstained.

Geographical Constituencies:

Mr LEE Cheuk-yan, Mr LEUNG Yiu-chung, Ms Emily LAU, Ms Cyd HO, Mr Alan LEONG, Mr LEUNG Kwok-hung, Mr Albert CHAN, Mr WONG Yuk-man, Ms Claudia MO, Mr WU Chi-wai, Mr Gary FAN, Mr CHAN Chi-chuen, Dr Kenneth CHAN, Dr KWOK Ka-ki, Dr Fernando CHEUNG, Mr SIN Chung-kai and Dr Helena WONG voted for the amendment.

Mr CHAN Hak-kan, Mr LEUNG Che-cheung, Dr Elizabeth QUAT, Dr CHIANG Lai-wan and Mr Christopher CHUNG voted against the amendment.

Mr WONG Kwok-hing, Dr Priscilla LEUNG, Mr WONG Kwok-kin and Miss Alice MAK 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, eight were in favour of the amendment, nine against it and seven abstained; while among the Members returned by geographical constituencies through direct elections, 27 were present, 17 were in favour of the amendment, five against it and four 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 negated.

**PRESIDENT** (in Cantonese): Dr LAM Tai-fai, you may move your amendment.

**DR LAM TAI-FAI** (in Cantonese): President, I move that Mr Albert CHAN's motion be amended.

**Dr LAM Tai-fai moved the following amendment: (Translation)**

"To add "the row over the Territory-wide System Assessment ('TSA') has intensified recently, arousing widespread concern in the territory; earlier on, tens of thousands of parents have expressed their demands on online groups to request the Education Bureau to abolish TSA, while some individual private schools have decided not to participate in TSA; given the incessant opposition to TSA in the community and the impact of the relevant policy on more than a thousand primary and secondary schools and hundreds of thousands of students," after "That"; to delete "requests the Government to expeditiously abolish the Primary 3 Territory-wide System Assessment ('TSA'), and" after "this Council" and substitute with "earnestly urges the Secretary for Education Eddie NG to treasure the

opportunities to attend the public hearings on TSA to be held by the Panel on Education of this Council, with a view to sincerely communicating in person and face to face with the education sector and parents through an open platform, listening to the views of different stakeholders and Members from various political parties and groupings, as well as understanding and responding to their concerns and demands, so as to dispel public misgivings; this Council also requests the Government to"; and to delete "the Primary 6 and Secondary 3" after "review of".

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Dr LAM Tai-fai to Mr Albert CHAN'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 LEUNG Kwok-hung rose to claim a division.

**PRESIDENT** (in Cantonese): Mr LEUNG Kwok-hung 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 Abraham SHEK, Mr Tommy CHEUNG, Ms Starry LEE, Dr LAM Tai-fai, Mr CHAN Kin-por, Mr IP Kwok-him, Mr Steven HO, Miss CHAN Yuen-han, Mr KWOK Wai-keung, Mr POON Siu-ping, Mr TANG Ka-piu, Mr CHUNG Kwok-pan and Mr Tony TSE voted for the amendment.

Mr Albert HO, Mr James TO, Mr Frederick FUNG, Prof Joseph LEE, Mr CHEUNG Kwok-che, Mr Charles Peter MOK, Mr Dennis KWOK and Mr IP Kin-yuen voted against the amendment.

Mr Jeffrey LAM, Mr NG Leung-sing, Mr MA Fung-kwok and Ir Dr LO Wai-kwok abstained.

Geographical Constituencies:

Mr WONG Kwok-hing, Mr CHAN Hak-kan, Dr Priscilla LEUNG, Mr WONG Kwok-kin, Mr LEUNG Che-cheung, Miss Alice MAK, Dr Elizabeth QUAT, Dr CHIANG Lai-wan and Mr Christopher CHUNG voted for the amendment.

Mr LEE Cheuk-yan, Mr LEUNG Yiu-chung, Ms Emily LAU, Ms Cyd HO, Mr Alan LEONG, Mr LEUNG Kwok-hung, Mr Albert CHAN, Ms Claudia MO, Mr WU Chi-wai, Mr Gary FAN, Mr CHAN Chi-chuen, Dr Kenneth CHAN, Dr KWOK Ka-ki, Dr Fernando CHEUNG, Mr SIN Chung-kai and Dr Helena WONG voted against the amendment.

Mr WONG Yuk-man abstained.

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

THE PRESIDENT announced that among the Members returned by functional constituencies, 25 were present, 13 were in favour of the amendment, eight against it and four abstained; while among the Members returned by geographical

constituencies through direct elections, 27 were present, nine were in favour of the amendment, 16 against it and one 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): Ms Starry LEE, you may move your amendment.

**MS STARRY LEE** (in Cantonese): President, I move that Mr Albert CHAN's motion be amended.

**Ms Starry LEE moved the following amendment: (Translation)**

"To add "a morbid change has occurred in the Territory-wide System Assessment ('TSA') over the past decade or so since its implementation, and in order to cope with TSA, some schools arrange excessive drills on examination questions for students, exerting tremendous unnecessary pressure on teachers, parents and students; TSA is a low-stakes assessment that does not assess and report performance of individual students, and the purpose of its introduction is to assess the overall basic competencies of students; schools can optimize the use of school level reports to draw up plans to make continuous improvement to the methods and effectiveness of teaching and learning, with a view to enhancing the overall academic standards of students; since TSA is an objective assessment tool established out of necessity, it is inappropriate to abolish it across the board before any alternative measure is available; yet, since the present phenomenon of excessive drills runs counter to the purpose of introducing TSA," after "That"; to delete "expeditiously abolish the Primary 3 Territory-wide System Assessment ('TSA'), and" after "Government to" and substitute with "extensively listen to the voices of various sectors,"; to add "Primary 3," after "review of the"; and to add ", and adopt the following measures: (1) to get to know immediately the situation of how schools in various districts prepare students for TSA, and to request at once those schools found to have arranged excessive drills on examination questions for students to stop such a practice; (2) not to announce the Primary 3 TSA results and the territory-wide attainment rates in the coming year, so as to reduce the incentive for schools to drill students for reason of comparing results and alleviate the pressure on

schools, parents and students; (3) to motivate sponsoring bodies, schools and parent teacher associations to sign joint charter to undertake not to arrange excessive drills on examination questions for students; (4) to extensively invite various stakeholders to join the Coordinating Committee on Basic Competency Assessment and Assessment Literacy to jointly review the operation of TSA, including the assessment method and the design of examination questions; and (5) to hold briefing sessions for parents in various districts, so as to establish effective communication platforms to explain to parents the purpose of introducing TSA and listen to their views, with a view to dispelling their misgivings and misunderstanding about TSA" immediately before the full stop."

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Ms Starry LEE to Mr Albert CHAN'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 LEUNG Kwok-hung rose to claim a division.

**PRESIDENT** (in Cantonese): Mr LEUNG Kwok-hung 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 Abraham SHEK, Mr Tommy CHEUNG, Mr Jeffrey LAM, Ms Starry LEE, Mr CHAN Kin-por, Mr IP Kwok-him, Mr NG Leung-sing, Mr Steven HO, Mr MA Fung-kwok, Miss CHAN Yuen-han, Mr KWOK Wai-keung, Mr POON Siu-ping, Mr TANG Ka-piu, Ir Dr LO Wai-kwok, Mr CHUNG Kwok-pan and Mr Tony TSE voted for the amendment.

Mr Albert HO, Mr James TO, Mr Frederick FUNG, Prof Joseph LEE, Mr CHEUNG Kwok-che, Mr Charles Peter MOK, Mr Dennis KWOK and Mr IP Kin-yuen voted against the amendment.

Dr LAM Tai-fai abstained.

Geographical Constituencies:

Mr WONG Kwok-hing, Mr CHAN Hak-kan, Dr Priscilla LEUNG, Mr WONG Kwok-kin, Mr LEUNG Che-cheung, Miss Alice MAK, Dr Elizabeth QUAT, Dr CHIANG Lai-wan and Mr Christopher CHUNG voted for the amendment.

Mr LEE Cheuk-yan, Mr LEUNG Yiu-chung, Ms Emily LAU, Ms Cyd HO, Mr Alan LEONG, Mr LEUNG Kwok-hung, Mr Albert CHAN, Mr WONG Yuk-man, Ms Claudia MO, Mr WU Chi-wai, Mr Gary FAN, Mr CHAN Chi-chuen, Dr Kenneth CHAN, 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, 25 were present, 16 were in favour of the amendment, eight against it and one abstained; while among the Members returned by geographical



constituencies through direct elections, 27 were present, nine 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): Dr Priscilla LEUNG, please move your amendment.

**DR PRISCILLA LEUNG** (in Cantonese): President, I move that Mr Albert CHAN's motion be amended.

**Dr Priscilla LEUNG moved the following amendment: (Translation)**

"To add "(the targets of consultation must include parents), with a view to eliminating the negative impacts of 'spoon-feeding' education and the examination-oriented education system on students, so that they can learn and grow up happily" immediately before the full stop."

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Dr Priscilla LEUNG to Mr Albert CHAN'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 IP Kwok-him rose to claim a division.

**PRESIDENT** (in Cantonese): Mr IP Kwok-him 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.

(Some Members spoke loudly in their seats)

**PRESIDENT** (in Cantonese): Will Members please keep quiet.

Functional Constituencies:

Mr Albert HO, Mr James TO, Mr Abraham SHEK, Mr Frederick FUNG, Prof Joseph LEE, Mr CHEUNG Kwok-che, Mr NG Leung-sing, Mr Charles Peter MOK, Mr Dennis KWOK, Mr IP Kin-yuen and Mr CHUNG Kwok-pan voted for the amendment.

Mr Tommy CHEUNG, Ms Starry LEE, Mr IP Kwok-him, Mr Steven HO and Mr TANG Ka-piu voted against the amendment.

Dr LAM Tai-fai, Mr CHAN Kin-por, Mr MA Fung-kwok, Miss CHAN Yuen-han, Mr KWOK Wai-keung, Mr POON Siu-ping, Ir Dr LO Wai-kwok and Mr Tony TSE abstained.

Geographical Constituencies:

Mr LEE Cheuk-yan, Mr LEUNG Yiu-chung, Ms Emily LAU, Ms Cyd HO, Dr Priscilla LEUNG, Mr Alan LEONG, Mr LEUNG Kwok-hung, Mr Albert CHAN, Ms Claudia MO, Mr WU Chi-wai, Mr Gary FAN, Mr CHAN Chi-chuen, Dr Kenneth CHAN, Dr KWOK Ka-ki, Dr Fernando CHEUNG, Mr SIN Chung-kai and Dr Helena WONG voted for the amendment.

Mr CHAN Hak-kan, Mr WONG Yuk-man, Mr LEUNG Che-cheung, Dr Elizabeth QUAT, Dr CHIANG Lai-wan and Mr Christopher CHUNG voted against the amendment.

Mr WONG Kwok-hing, Mr WONG Kwok-kin and Miss Alice MAK 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, 11 were in favour of the amendment, five against it and eight abstained; while among the Members returned by geographical constituencies through direct elections, 27 were present, 17 were in favour of the amendment, six against it and three 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 Albert CHAN, you still have 57 seconds for your reply.

**MR ALBERT CHAN** (in Cantonese): President, the Secretary's speech is like rubbing salt into one's wound, enraging the parents even more. He kept mentioning "relaxed" and "happy", while he is paid \$3 million a year to go around the world for travel and meetings, and finds the time to read a book a day without having to take any examination afterwards. It must be relaxed and happy, right? Nevertheless, parents of Primary 3 and 6 students throughout Hong Kong are under immense pressure and woes, and they are always in deep water. They do not have a single night of good sleep, worried about their children. In the face of the cases of suicide committed by students or teachers, can the Secretary still say "relaxed"? Therefore, the Secretary's speech will only provoke public outrage and spur parents into taking to the streets (*The buzzer sounded*) ... in further confrontation ...

**PRESIDENT** (in Cantonese): Mr CHAN, the time for your reply is up.

**PRESIDENT** (in Cantonese): I now put the question to you and that is: That the motion moved by Mr Albert CHAN 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 Albert CHAN rose to claim a division.

**PRESIDENT** (in Cantonese): Mr Albert CHAN 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 James TO, Mr Frederick FUNG, Prof Joseph LEE, Mr CHEUNG Kwok-che, Mr Charles Peter MOK, Mr Dennis KWOK, Mr IP Kin-yuen and Mr CHUNG Kwok-pan voted for the motion.

Mr Tommy CHEUNG, Mr Jeffrey LAM, Ms Starry LEE, Mr IP Kwok-him, Mr NG Leung-sing, Mr Steven HO, Mr MA Fung-kwok and Ir Dr LO Wai-kwok voted against the motion.

Mr Abraham SHEK, Dr LAM Tai-fai, Mr CHAN Kin-por, Miss CHAN Yuen-han, Mr KWOK Wai-keung, Mr POON Siu-ping, Mr TANG Ka-piu and Mr Tony TSE abstained.

Geographical Constituencies:

Mr LEE Cheuk-yan, Mr LEUNG Yiu-chung, Ms Emily LAU, Ms Cyd HO, Dr Priscilla LEUNG, Mr Alan LEONG, Mr LEUNG Kwok-hung, Mr Albert CHAN, Mr WONG Yuk-man, Ms Claudia MO, Mr Gary FAN, Mr CHAN Chi-chuen, Dr Kenneth CHAN, Dr KWOK Ka-ki, Dr Fernando CHEUNG, Mr SIN Chung-kai and Dr Helena WONG voted for the motion.

Mr CHAN Hak-kan, Mr LEUNG Che-cheung, Dr Elizabeth QUAT, Dr CHIANG Lai-wan and Mr Christopher CHUNG voted against the motion.

Mr WONG Kwok-hing, Mr WONG Kwok-kin and Miss Alice MAK abstained.

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

THE PRESIDENT announced that among the Members returned by functional constituencies, 25 were present, nine were in favour of the motion, eight against it and eight abstained; while among the Members returned by geographical constituencies through direct elections, 26 were present, 17 were in favour of the motion, five against it and three 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): Debate on the second motion with no legislative effect.

The motion debate on "Developing the economy and improving people's livelihood".

Members who wish to speak in the motion debate will please press the "Request to speak" button.

I now call upon Mr CHAN Hak-kan to speak and move the motion.

## **DEVELOPING THE ECONOMY AND IMPROVING PEOPLE'S LIVELIHOOD**

**MR CHAN HAK-KAN** (in Cantonese): President, I move that the motion, as printed on the Agenda, be passed.

President, the economy of Hong Kong has been affected by many uncertain factors in the second half of this year, which include the uncertain pace of interest rates hikes of the United States, the yet-to-be-seen recovery of the Japanese and European economies, and the downside pressure on the economy of China, and so on. These factors also determine the global economic trend. In the second half of the year, Hong Kong has been facing challenges of volatilities in the financial markets, weak external trade and the slowdown of the tourism sector. The speed of economic growth has been slower than that in the first half of the year. In the longer term, there is a deep-rooted problem, that is, the three major engines pulling the economic growth of Hong Kong have slowed down concurrently over the past decade, and various pillar industries face the bottleneck problem in varied degrees.

In addition to the great challenges faced in economic development, there are a number of long-standing livelihood issues which have yet to be solved. These issues include the shortage of land supply, the difficulties in living endured by the grassroots, retirement protection, as well as the upward mobility of young people. In view of these, the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) held three round-table conferences on the subject of "Economic development, the improvement of people's livelihood, the opportunities and challenges" in a row some time ago. Experts from various sectors, academia and leaders of the business community were invited to hold extensive discussions on the sustainable development of the economy of Hong Kong, society and people's livelihood. After the conferences, we consolidated the views expressed by participants of the discussions into a proposal which covers four major areas, namely the economy, people's livelihood, upward

mobility of the youths and relieving the plight of the people. We have submitted the proposal to the SAR Government as our expectations for the forthcoming policy address.

President, today, I have proposed this motion on "Developing the economy and improving people's livelihood" to call on various sectors to put aside political disputes, so that the SAR Government can focus its attention on developing the economy and improving people's livelihood, so as to formulate comprehensive and long-term economic development strategies and measures to enhance its governance.

President, we note that uncertainties in the external market and the spread of the terrorism have cast a dark shadow over the global economy. Hong Kong as an open economy will inevitably be affected. These are the external factors which we can hardly sway. However, we are capable of monitoring, adjusting and improving the internal factors of Hong Kong. At present, Hong Kong has a pressing need to explore a new round of economic restructuring to promote the growth of the four pillar industries and develop other new industries. The high value-added and innovative services in Hong Kong must be further developed, so as to seize the significant opportunities arising from the National 13th Five-Year Plan and the Belt and Road Initiative.

As projected by the Financial Secretary some time ago, the Hong Kong economy will be entering an era of a fairly low level of growth, which is the era of "new normal" as the Financial Secretary dubbed it. If Hong Kong does not speed up its pace in innovation, which includes integrating various conventional industries into the Internet realm and seeking a breakthrough in the so-called "Internet Plus" development, Hong Kong may be marginalized in Asia in future.

In respect of economic development, Members from the DAB will speak in detail shortly. I will now focus on issues concerning people's livelihood and my personal views.

President, I will first talk about land supply. It is obvious to all that Hong Kong faces an acute land shortage at present. This land shortage has directly led to a rise in property prices and rent, which has in turn undermined the competitiveness of Hong Kong. Worse still, the quality of accommodation of many people has deteriorated and the chances of purchasing one's own home are scuppered. The problem of disparity between the rich and the poor in Hong

Kong has been deteriorating in the past decade or so, and opportunities of upward movement in society have obviously dwindled. Many families have to cram into a "sub-divided unit" of poor living conditions. These phenomena should not exist in an advanced city like Hong Kong.

In respect of the difficulties faced by Hong Kong in land supply, we have proposed to the Government that it should speed up changes in land use, so that brownfield sites and green areas with low ecological value can be developed effectively. We also propose setting up a platform, including green groups, for various sectors to identify ways and reach a consensus on the development of new land resource.

The prevailing housing problem in Hong Kong is deep-rooted. It is not only an accommodation concern, but also a matter of asset possession and opportunity to move up in society. Some time ago, a think tank put forth the target of enabling 80% of the households in Hong Kong to purchase their own homes, and it proposed that the Government might implement a home purchase allowance scheme. We consider it worthwhile for the Government to make an effort to study and draw reference from the proposal.

An expert-cum-scholar has told us that increasing the supply of housing is the first step to help grassroots to rise out of poverty, which will at the same time bring about the effect of increasing opportunities of upward movement in society and alleviating the problem of inter-generational poverty in particular. Why? The expert pointed out that when people have assets, they will naturally have the chance and ability to secure loans and financing. When they have money, they can start a business or make other investments. As for young people, they may even get married, and it will be much easier for them to set up a family by then than in the present environment. If they do not have any assets, the aforementioned cycle can hardly be kick-started. Besides, these assets can be passed onto the next generation, and the next generation will have a relatively easier start. This is one of the approaches for resolving the problem of inter-generational poverty.

President, we note that the problem of disparity between the rich and the poor in Hong Kong is worsening. Let us look at the Global Wealth Report announced by the Credit Suisse Corporation in 2014. It is pointed out in the Report that 77.5% of the wealth of Hong Kong was owned by one tenth of the population, and the wealth inequality level of Hong Kong is defined as very high.



Moreover, according to the data of the Government, the number of poor population was 960 000 in 2014, which means one out of seven people in Hong Kong is poor.

Perhaps many people may query whether it is effective to alleviate poverty by means of policies and resources, and some may even worry that the practice will lead to a continual increase in public expenditure. However, from another perspective, the elimination of poverty will do all good but no harm, for welfare resources are mainly spent on daily expenditures, so there will be no worry of misuse. I came across an interview of a low-income family in a news report some time ago. The mother who is working part-time and receiving the Low-income Working Family Allowance (LIFA) said that she could spend more time on taking care of her daughter after receiving the LIFA. I think this is a good policy, for when the mother has more time to take care of her daughter, she can nurture her daughter well to achieve success, and then the whole family can rise out of poverty. If she has to continue to work part-time, she will have no time to take care of her daughter, and it may then be difficult for her daughter to achieve success. Moreover, we have to facilitate individuals in bringing their potentials into full play. And to enable individuals to bring their potentials into full play, it is essential that their basic daily needs are met. Hence, poverty alleviation is a channel through which manpower can be released, enabling more people to bring their strengths into full play and make contribution to society. For this reason, welfare policies should be regarded as social investment but not social expenditure.

If the problem of disparity between the rich and the poor cannot be solved, the stability of society will be affected. I think many will agree that young people in Hong Kong lack opportunities of moving up the social ladder. The best approach to deal with the problem of inadequate upward mobility for young people is to enhance the strengths of young people in moving up the social ladder. Many of the young people I know are prepared to seek self-enhancement. They are willing to pursue continuing education and equip themselves with various skills, for they believe by acquiring certain skills, it will not be a problem for them to rise out of poverty. Hence, I think the Government should offer more assistance to these young people who are willing to pay the price and make the effort.

By promoting the upward mobility of young people, we can nurture more talents for society. We have put forth a series of proposal for supporting young people in employment and starting up businesses. We propose to start with

school education. The Government should reinforce the functions of vocational education in local education and encourage students who are not suitable for conventional education to receive vocational education. It should promote the contribution of vocational education to the Hong Kong economy and instil in parents the concept that vocational education is not inferior education. These arrangements can pre-empt a temporary shortage of manpower for the conventional industries in Hong Kong and enable young people with different interests and varied aptitude to bring their strengths into full play and find the career that fits them.

At the same time, the authorities should enhance the policy on life planning in Hong Kong. The Government should collaborate with small and medium enterprises and various enterprises in the community in developing a platform that offers internship opportunities to students. The Government should encourage employers and community organizations to provide trial work placement quota for young people, so that students in secondary schools and tertiary institutions may experience and understand the actual situation of workplace through different types of internship opportunities, thus being facilitated in deciding the suitable career they should pursue.

In respect of employment, we propose that a manpower demand projection be conducted, so that society as a whole will know which skills and talents are in demand at present. This will also enable tertiary institutions to better make matching arrangements in designing their courses with a view to raising the employability of young people. As for business start-up, we observe that the experience of the Qianhai Shenzhen-Hong Kong Youth Innovation and Entrepreneur Hub is satisfactory. We thus propose setting up similar youth entrepreneur hubs at the two free trade zones in Nansha and Hengqin to capitalize on the different development positioning and geographical locations of the two free trade zones and to pool the talents from the three places, Guangdong, Hong Kong and Macao, and their concepts in venture business.

President, it is evident in the experience of other places that when a place focuses all of its effort on political disputes, people's livelihood will naturally be neglected and economic development hindered. In fact, capital and talents are extremely sensitive to the stability of a society. If Hong Kong fails to provide a stable environment, capital and talents may not be willing to stay for development. Hong Kong society and the general public will eventually suffer.

Hence, I have proposed the motion today in the hope that the Legislative Council will support all strata of society to put aside political disputes, focus on people's livelihood and restore the mutual trust in society, so that we may work together on future planning and the tackling of various economic and social crises. As I said at the very beginning, the development of Hong Kong has reached a bottleneck. Should we continue to remain entangled in these political disputes, or should we be pragmatic for the time being and focus on issues beneficial to people's livelihood? The SAR Government should step up its appropriately proactive approach and enhance its co-operation with the community and forces in the market, so as to foster a consensus and develop together a vision for the development of society, thereby solving those long-standing livelihood issues effectively and enabling the public to fully enjoy the fruits of social development.

President, I so submit.

**Mr CHAN Hak-kan moved the following motion: (Translation)**

"That Hong Kong's economic development is facing great challenges, and quite a number of long-standing livelihood issues have yet to be properly resolved; in this connection, this Council calls on various sectors to put aside political disputes, and urges the SAR Government to promote focused discussion in the community on the deep-rooted issues of developing the economy and improving people's livelihood, so as to formulate comprehensive and long-term economic development strategies to cope with the changes in the global economic situation and improve people's quality of life."

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the motion moved by Mr CHAN Hak-kan be passed.

Five Members will move amendments to this motion. This Council will now proceed to a joint debate on the motion and the five amendments.

I will call upon Members who move the amendments to speak in the following order: Mr TANG Ka-piu, Mr Jeffrey LAM, Mr SIN Chung-kai, Mr LEE Cheuk-yan and Mr Alan LEONG; but they may not move the amendments at this stage.

**MR TANG KA-PIU** (in Cantonese): President, the Hong Kong Federation of Trade Unions (FTU) and I certainly support the motion on "Developing the economy and improving people's livelihood" sponsored by Mr CHAN Hak-kan today. I have especially proposed an amendment to highlight a question: Does economic development mean automatic improvement in people's livelihood? We certainly know that a sound economy is fundamental to improving people's livelihood, but a more important factor is the Government's willingness to tread one more step and do more by taking the lead with the determination to improve people's quality of life and protect the rights and interests to which they are entitled. Only then will the expression "improving people's livelihood" be truly fulfilled.

For this reason, I have especially raised three issues in my amendment, namely, labour, social mobility and retirement life. Hong Kong people have been distressed by these issues, but we did not see any solution coming from the Government now. Housing is certainly another problem, but we have noted that the current-term Government has made a lot of efforts in dealing with the housing supply or formulating measures. As regards the issues of labour, social mobility and retirement life mentioned by me just now, it seems achievement has yet to be made. If the Government merely makes empty talk about developing the economy without solving these problems, members of the public will still feel unhappy and insecure. Subsequently, their sense of insecurity will give rise to discontent and confrontation. Eventually, the problems will grow bigger and bigger like a rolling snowball, leading to social instability and affecting the economy. What worries us most is that Hong Kong may become, as Mr CHAN Hak-kan said, marginalized and abandoned because of such risks and factors of instability, and thus we will be unable to move forward.

Actually today's motion, together with the amendments proposed by me and other Honourable colleagues, is not confined to Secretary Gregory SO's purview. It should also cover the purview of other Policy Bureaux, but it is really disappointing that only Secretary Gregory SO is seated here right now. I dare not assert whether Hong Kong is taking such a path, but if the Government's mindset of governance remains at what it was 20 years ago, focussing only on money and considering that the people of Hong Kong will not feel discontented or care about the other existing social phenomena as long as they are able to make money, it is wrong. Hence, I hope the SAR Government will pay particular attention to the question of whether people's livelihood will be automatically improved in tandem with economic development. Let me tell the Government,

the answer is "no". As mentioned by Mr CHAN Hak-kan earlier, 10% of the richest people in Hong Kong hold more than 70% of the wealth in the whole territory. This is very clear.

President, it was announced last month that the winner of the Nobel Prize in Economic Sciences was Prof Angus DEATON of Princeton University. Prof DEATON specializes in micro-economics, especially the consumption behaviour of the grassroots, with which he contemplates approaches for measuring poverty and policies for poverty alleviation. For example, in his view, the spending pattern of the poor brings greater economic impact or benefits than that of the rich. For this reason, when we develop the economy, we should not merely look at the Gross Domestic Product (GDP) on the surface. We should also pay attention to whether people at the lowest stratum in society have sufficient resources for leading a reasonable and decent life and even spare money which they can save up for the next generation to live a pretty good life. This, I think, is of the utmost importance.

President, as mentioned by many people, one of the functions of the Government is redistribution of wealth. Traditional wisdom also tells us that we should worry about inequality rather than deficiency in society. If the Government thinks that people's livelihood will automatically become better with economic development, such a mentality seems to be outdated. The reality in Hong Kong is that the wealth gap keeps widening. Eventually, no matter how well the economy develops, governance will remain difficult in society.

We often say that at present, we have abundant foreign exchange reserves amounting to some US\$300 billion. Our per capita GDP is ranked among the top 30 cities. We have so much money, but are we happy? According to the frequently quoted World Happiness Report of the United Nations, Hong Kong only ranks in the middle among 158 countries and regions. Another happiness index survey further reveals that only 39% of Hongkongers are happy with their life, ranking Hong Kong the fourth from the last in the world, just higher than such places as Greece and Iraq.

On the whole, Hong Kong society or the Government does not lack money. The question is whether the Government is prepared to make more efforts. It should not merely hand out cash. Rather, it should enable wage earners to live with dignity through introduction of legislation and policies at the structural level. Yesterday, I noted that when Secretary Matthew CHEUNG announced the details

of the Low-income Working Family Allowance, some academics made their responses. One of them was Prof Paul YIP of the University of Hong Kong. He said that in the long run, "cash handout" is not a proper method to alleviate poverty because a fundamental problem in Hong Kong is that the average employees — not those at the lowest stratum — make a low income. How much money can the Government hand out? If it hands out money until their income is slightly above the poverty line, what then? Will they live a good life? This is an issue we need to care about.

Housing is certainly another problem, but as I said just now, I approve of the determination and various strategies of the current-term Government in addressing the housing problem. However, regarding the issues of retirement protection, labour and social mobility mentioned just now, we have not seen any progress. Take labour as an example. The long working hours of Hong Kong wage earners rank the top in the world. They work thousands of hours a year, ranking high in the world, but this is not a desirable record. What is most outrageous is that wage earners have devoted their time to their work, but that does not mean they can receive commensurate rewards because working overtime without compensation is common in various industries. A neighbour told me the day before that his daughter who has just graduated from the university is engaged in accounting work with a monthly salary of \$9,500. She works 11 hours a day and has to work on Saturdays, too. If she is lucky, she will only need to work half day. Otherwise, she will have to work the full day. Is there compensation for overtime? Of course not, because this is a factor of consideration in her appraisal. I believe — these can be called professionals — the plight of these professionals is commonplace. Are they happy?

Even if we can reverse the norm of a low GDP growth rate of the whole city and the GDP growth can reach 5% to 6%, does that mean their life has improved? We did not see this happening. Of course, the Government can formulate more welfare measures, but welfare measures will only make people feel that they do not earn a decent life with their own hands. Therefore, the handling of labour rights and interests can actually help to maintain the harmony and stability of society as a whole.

For instance, the FTU has proposed a clear labour policy, including standard working hours and standardizing the number of public holidays and statutory holidays. The purpose is not to enable wage earners to win everything. Rather, it is to make the general public feel that their life is not only about making

money and feeding their families. They can have their own life, and they can have time to spend with their children. We often say that a lot of good enterprises in Europe and the United States have implemented family-friendly policies. Hong Kong has made so much effort in promotion, but which measures are really effective? We have not seen any. We have only seen many big enterprises such as banking groups making huge profits on their books. In those years when I graduated from the university, the salary for the post of MT, that means Management Trainee, in these enterprises was 13K, that means \$13,000. More than a decade has passed, but my younger alumni are still paid the same amount of salaries. They even have to undergo keen competition before getting such on opening.

Hence, the whole society faces this problem. Hong Kong's overall economy seems to be moving forward. No matter whether the growth rate is high or low, at least there is some growth. Yet why are members of the public not benefited? Why am I unable to improve my life despite working a good profession? The Government needs to address these problems. For all of these reasons, we hope the Government will not delay any longer or muddle through day by day in respect of issues related to labour or retirement life.

Another problem is the ageing population. The Government keeps saying that our population is ageing. There are numerous relevant documents, but no action has been taken. As regards strengthening upward mobility in society, there is not any concrete manifestation either. In the end, even though the Government has money, members of the public remain in great grievances. For this reason, I hope that apart from developing the economy, the Government will improve the people's livelihood at the same time. The way to improve the people's livelihood should not be confined to handing out money. Instead, the Government should earnestly make full efforts in labour relations, retirement protection for wage earners and studies on how to promote mobility among social strata. I believe that only then can Hong Kong become a society which is both affluent and harmonious.

President, a lot of recent studies in urbanology talk about places called "ghost towns". They are cities abandoned by people because of decline in development. Examples are places in the Western United States and Detroit, and there are such places even on the Mainland. These places originally had their own advantages, but eventually, they could not resist the great trend of development. As the residents moved out, they gradually went downhill and

became abandoned. My point is, if Hong Kong does not properly deal with the problems of wealth gap and social harmony, people with abilities will not stay in Hong Kong, leaving behind the people at the lowest stratum. In that case, the economy cannot develop while the poverty problem remains unsolved. Hence, I hope the Secretary and the whole Government will, apart from developing the economy, resolve the poverty and livelihood issues in society from the perspective of labour, retirement protection and mobility among social strata.

I so submit.

**MR JEFFREY LAM** (in Cantonese): President, Mr CHAN Hak-kan has sponsored a motion on developing the economy and improving people's livelihood today. The title of the motion precisely echoes the slogan of the Business and Professionals Alliance for Hong Kong (BPA). Since its establishment the BPA has always striven to drive forward the Hong Kong economy through commercial and industrial development and help improve people's livelihood through our professionalism and dedication. We hope that by giving play to our strengths in the business and commercial sector and in the professional sectors, we can promote economic development, so that Hong Kong can have more ample resources to take forward various initiatives relating to the people's livelihood, the living conditions of the public can thus be improved, and sustainable development achieved in the long term in Hong Kong society. This way, our next generation will have a broader vision, more room for development and better opportunities of upward movement.

Hong Kong used to give an impression of being vibrant, pragmatic, ambitious and highly efficient. As a melting pot of the Eastern and Western cultures, we welcome all visitors to Hong Kong with the warmest hospitality, respect and tolerance. Leveraging on the Motherland and engaging ourselves globally, coupled with the unique "one country, two systems", Hong Kong has become the world's gateway to China and China's gateway to the world. This unique role of a bridge that Hong Kong has been blessed with can hardly be challenged by any other places or even any existing free trade zone set up by the State.

Hong Kong has always been the focus of exchanges between the East and the West. But as the Mainland becomes increasingly strong and the national policies further open up, a large number of talents from the Mainland have



swarmed abroad for studies and gained rich experience in external exchanges. Added to this is the importance attached by all countries in the world to the emergence of China, and in order to enhance exchange and co-operation with China, they have availed themselves of more channels to understand China and do not necessarily have to rely on Hong Kong. I would say that due to changes in global developments and the development of information technology, Hong Kong is no longer the only channel for getting in touch with China. The past advantages and economic model of Hong Kong have changed. But have Hong Kong people thought about whether our mindset can keep abreast of the changes of the time? Are we sailing against the current to find a new way out, or are we still indulging in the past success?

Regrettably, judging from such phenomena as the Occupy movement, filibustering in this Council and the emergence of localism, the social environment in recent years seems to have provided the answer. In the face of changes, difficulties and competition of the time and the aspirations of the new generation, we have not explored a way out, and we have not upgraded ourselves and made an effort to understand the world. All that we have done is to transform all kinds of discontent into anger under provocation by some people and put the blame on the SAR Government and the Central Government. Many people have shared with me their feelings about Hong Kong. They said that Hong Kong nowadays is very strange, very populist, and very saddening to them. It is saddening because we know only to complain and hurl abuses at others, rather than thinking about how our mindset should be adjusted, such that we can know our position more clearly and set off again.

President, Hong Kong is a small, externally-oriented economy which is extremely vulnerable to the impact of external economic developments. I would say that Hong Kong is currently caught in both external and internal problems. Externally, the environment is full of challenges; and internally, we would only be eliminated by major world trends if we failed to stand united and achieve steady growth. The external problem that we face is first epitomized by a decline in our competitiveness. In the Blue Book of Urban Competitiveness published by the Chinese Academy of Social Sciences in 2015, it is pointed out that Shenzhen has already surpassed Hong Kong and become the country's most competitive city. While Hong Kong has a sound economy, we have over-emphasized our past success and are short of innovation capacity. In respect of the industrial structure, there is no significant breakthrough in

industrial innovation, restructuring and upgrading. We have excessively relied on trade, shipping, finance, tourism and professional service and lacked new industries to provide support and light the way forward.

In the Global Competitiveness Report 2015-2016 released by the World Economic Forum, Hong Kong ranked the seventh, whereas Singapore ranked the second. In respect of the development of the financial service industry in which we have all along taken pride, Hong Kong lost its leading position as our ranking was down from the first to the third, and we are overtaken by Singapore. On the innovation front, the ranking of Hong Kong continued to drop to the 27th, whereas that of Singapore was among the top ten. It is pointed out in the report that Hong Kong's disadvantageous position in its competitiveness in innovation will impede Hong Kong's further development into a leading financial centre in the world.

President, given uncertain external developments and the looming shadow of terrorism, the economy of Hong Kong is affected by external factors and faces the risk of a downturn. Once the United States interest rate rises, which may cause major volatilities in the global financial markets, there will be more uncertainties in the future. Coupled with signs of the Mainland economy beginning to slow down, the extent of the impact of a "hard landing" on Hong Kong is inestimable now.

This aside, in the World Competitiveness Yearbook published by the Swiss-based International Institute for Management Development in 2015, it is mentioned that in the past year, there was marked regression in the performance of Hong Kong in areas including government decisions, the risk of political instability and social cohesion. We must admit that these three inadequacies are related to the deep-rooted conflicts in Hong Kong. As the Hong Kong economy restructures, the social ladder for upward mobility has been compressed. This, coupled with a shortage of land resources and the fact that the housing problem and the wealth gap have not seen any alleviation, has caused grievances among members of the public, especially young people.

These grievances born of discontent have come to the Legislative Council and even found their way into social networking media. They subsequently evolved into accusations, criticisms and voices obstructing policy implementation by the Government. The relationship between the executive and the legislature is plunged into a deadlock, causing great difficulties to the Government in its

administration. Certainly, when it comes to policy implementation, the failure of Policy Bureaux to make thorough consideration or conduct sufficient consultation is also one of the reasons but the problem is attributed more to different political views. The critics put up opposition for the sake of opposition, without considering whether the policies are in the interest of the development of Hong Kong in the long run. They only aim at dragging down the Government and gaining votes, but never have they proposed practicable measures that can serve Hong Kong well.

Therefore, in the face of such accusations, criticisms, obstruction and even nitpicking demands, the SAR Government all the more should endure humiliation in order to discharge its important duty and what is more, it should do everything it can to make thorough preparations, while taking on board constructive proposals in taking forward policies. No policy is perfect because there is indeed divergence in society, and people have many different views. That said, so long as we can have effective consultation and communication, and carry out work in the best interest of Hong Kong, I believe members of the public can gradually distinguish between opinions intended to truly monitor the Government and those seeking to kick up a row for no reason.

President, the District Council Election has just ended, and we have gained some insights from it. Young people are the future of society. We must attach importance to their aspirations and their wish for involvement. We should not put them in a position which is in direct confrontation with the Government. However, can we provide a better future and opportunities of upward movement for the young people simply through accusations and criticisms? Members must give some thoughts to this question.

The world is changing every day, and the Earth does not revolve around Hong Kong. I hope we can abandon the old thinking and address squarely the actual situation in Hong Kong. I also hope that all parties can put aside their prejudices and resolve the problems with a pragmatic attitude and extensive communication. Otherwise, Hong Kong will only continue to be trapped in a deadlock and this will do no good but harm to the future of Hong Kong and our next generation alike.

President, I so submit.

**MR SIN CHUNG-KAI** (in Cantonese): President, "developing the economy and improving people's livelihood" is the work goal of this Council. As long as there is a good political system in facilitation and the interests of each and every stratum of society are reasonably distributed, this goal can be achieved. The Democratic Party fully concurs with the allusion to political disputes as mentioned in the motion. All along, over 70% of the public are in favour of the early implementation of dual universal suffrage in Hong Kong. What the general public want is genuine universal suffrage but not universal suffrage with screening. Only if the Central Government, LEUNG Chun-ying and Members from the pro-establishment camp agree with the views of the public and get rid of the privilege albatross, political disputes will likely vanish into thin air and genuine universal suffrage be implemented. By then, it is all too natural for various strata in society to join forces and make concerted efforts to develop the economy and improve people's livelihood.

President, at the Fifth Plenary Session of the 18th Central Committee of the Communist Party of China (CPC) which had just passed, there was in the report this paragraph which referred to Hong Kong to this effect: "... deepen regional co-operation among the Chinese Mainland, Hong Kong and Macao as well as between the Mainland and Taiwan, enhance the position and role of Hong Kong and Macao in national economic development and opening up, support Hong Kong and Macao to develop the economy, improve people's livelihood, pursue democracy and promote harmony." My amendment focuses on the last several words: "Pursue democracy and promote harmony". In the original motion moved by Mr CHAN Hak-kan, I am not sure if he has overlooked the Central Committee of the CPC's expectations for Hong Kong — or they can be said to be commands given to Hong Kong — he has precisely omitted the words "Pursue democracy and promote harmony", and I therefore place them back in my amendment.

Insofar as the economy is concerned, Hong Kong boasts unique advantages. With the implementation of the Belt and Road Initiative by our country, Hong Kong should capitalize on its own strategic position so as to drive economic development, and our status as an international financial centre will also be further upgraded. Given the sound economic development of Hong Kong, the livelihood problem can surely be solved with the support of suitable policies. Policy implementation by the Government entails the support from various sectors of the community. The current difficulty in administration is attributable to the lack of a popular mandate of the Chief Executive, and hence the Government has experienced setbacks in administration. This is an

established law. Economy, people's livelihood and democracy are interrelated and none can be left out of the formula. Since the Central Committee of the CPC supports Hong Kong to "pursue democracy and promote harmony", why do our pro-establishment Members omit this point deliberately? Do they mean to contravene the decision of the Central Committee of the CPC on purpose? Against this background, I am proposing an amendment to add a few more points.

As a matter of fact, not only have the pro-establishment Members paid no heed to the decisions and expectations of the Central Committee of the CPC, Chief Executive LEUNG Chun-ying has also varied the decree at its own will. After the conclusion of the meeting between XI Jinping and LEUNG Chun-ying last week, the Xinhua News Agency published an article stating that XI Jinping hoped that the SAR Government will "forge a consensus on development and promote harmony". Yet, LEUNG Chun-ying has never mentioned the words "promote harmony" after the meeting. What he highlighted instead was that the Central Authorities had asked him to "keep up with the ongoing efforts", but the article in question actually made no mention of these words. The Democratic Party believes that should LEUNG Chun-ying continue to act as the Chief Executive, not only can we see not the slightest progress in our development, but the existing harmony will also evolve into struggles.

The core problems of Hong Kong are social unrest and ineffective administration. The Government has implemented a number of policies that go against public opinions (such as the implementation of brainwashing national education and development programmes which run counter to the wishes of the public, the promotion of the bogus universal suffrage proposal), and it even considers allowing housing development in country parks, which are the backyard of the people of Hong Kong. Without doubt, housing development requires land — the Democratic Party has proposed the development of "brownfield sites" — but some government policies have run counter to the wishes of the people and even led to social disputes, explosive confrontations and a state where people have diametrically opposed views and the mentality of "either black or white". The LEUNG Chun-ying Administration has single-handedly made our society divided, eventually victimizing the innocent and such victims are none but members of the public.

The Chief Executive is so fond of fights that he has stirred up disputes one after another and triggered social disputes, but Members of the pro-establishment camp have been blindly harbouring the Government, paying no regard to right and wrong. In order to cover up the wrongdoings of the Government, they even

voted down motions meant to fight for the interests of the people. For instance, not long ago, Dr Helena WONG moved a motion which sought to invoke the powers under the Legislative Council (Powers and Privileges) Ordinance to investigate the incident of lead in drinking water. Yet, it was voted down by the pro-establishment Members eventually. Given a Chief Executive fond of fights, and a group of Members who only blindly chime in with the Government, what will be the consequence for Hong Kong? Struggles will be intensified and the competitiveness of Hong Kong will also be undermined while livelihood issues be left unresolved. If the situation goes on like this, the development of Hong Kong will only be adversely affected.

In the World Competitiveness Yearbook 2015 published by the Swiss-based International Institute for Management Development in May, it is pointed out that Hong Kong ranked second after the United States in terms of competitiveness, which is two ranks higher than last year. However, it should be noted that Hong Kong has experienced regression in certain individual items: Hong Kong has dropped from the seventh place to the ninth in terms of economic performance; the ranking in respect of Gini Coefficient has dropped for two consecutive years to the 49th place, which is two ranks lower than last year. The Yearbook also states that items which have shown significant regression over the past year include the decision-making ability of the Government, the risk of political instability as well as social cohesion, all of which are closely related to the Government's failure in promoting harmony.

According to the Global Competitiveness Report 2015-2016 published by the World Economic Forum on 30 September, the overall competitiveness of Hong Kong ranked seventh for three years in a row. However, when we refer to individual items, Hong Kong has lost its leading position as a competitive financial market, overtaken by New Zealand and Singapore, with its ranking dropping to the third position, down from the first position last year. It is also pointed out in the Report that Hong Kong faces four major challenges in its business operation, namely, in descending order, low innovation capacity, inefficient government, insufficient educated talents, inflation, and so on. Other less important factors include instability of government and its policies.

The reports mentioned earlier reveal that the overall ranking of Hong Kong is quite encouraging, mostly among the top 10. Yet, the ranking of individual items is declining. Both reports have unanimously pointed out that Hong Kong faces the challenge of political instability. Although the overall ranking of Hong Kong remains intact for the time being, the ranking for individual items is on

gradual decline. There is a possibility that even the overall ranking will be compromised in future and we will sooner or later lose our position as an international financial centre. In the absence of a harmonious society with good governance, how can we maintain stable economic development? We must stress that a harmonious society is not dictatorial in nature where we can hardly see 100 people share one single view. Hong Kong is a pluralistic society where a hundred different views can be made by a hundred different people who would, apart from showing mutual respect, address the social problems and differences by way of a democratic system.

The stagnant development of Hong Kong economy is largely attributable to the excessive intervention of the Central Authorities in affairs Hong Kong. The people of Hong Kong in general adopt an attitude of distrust towards the Central Authorities. How can Chief Executive preordained by the Central Authorities and alleged to be a communist win the trust of the people of Hong Kong? "We want genuine universal suffrage". This is the common wish of people in Hong Kong. The Chief Executive election that Hongkongers are longing for is not one that only enables them to elect the candidates selected by the Central Authorities. Rather, their wish is to nominate candidates through a nominating procedure with a low threshold, so that politicians with different political beliefs can stand a fair and reasonable chance of securing popular support and becoming the Chief Executive.

After the election of the Chief Executive by universal suffrage, it will be the Legislative Council's turn for its Members to be fully returned by election of universal suffrage. The existence of functional constituencies has placed the interests of the minority above the livelihood issues of the general public. To change the weird *status quo*, we must expeditiously abolish the functional constituencies and achieve ultimate universal suffrage.

Social harmony and stability are the key to success of economic development and improvement of people's livelihood. Hong Kong enjoys the unique advantage of having connections with both the Mainland and the rest of the world. As Belt and Road Initiative becomes the growth engine of the national economy in the future, it will be a pity if Hong Kong misses the opportunities ahead because of political disputes. Only by pursuing democracy and implementing genuine universal suffrage will we be able to promote harmony and minimize unnecessary disputes.

I so submit.

**SUSPENSION OF MEETING**

**PRESIDENT** (in Cantonese): I now suspend the meeting until 9 am tomorrow.

*Suspended accordingly at 7.59 pm.*



**Appendix I****WRITTEN ANSWER****Written answer by the Home Affairs Bureau to Mr CHEUNG Kwok-che's supplementary question to Question 1**

The figures on the work of Liaison Officers are provided below:

Building management is the responsibilities of property owners. Nevertheless, the Government is committed to facilitating, encouraging and assisting owners to form suitable organizations, for instance, the owners' corporations (OCs), through multi-pronged measures, and provide necessary support to assist them in discharging their building management responsibilities.

Apart from setting up a dedicated Division in the Headquarters, the Home Affairs Department (HAD) has also set up the District Building Management Liaison Teams (DBMLTs) in 18 District Offices to provide dedicated support services to property owners/OCs. At present, there are about 120 Liaison Officers performing building management and related duties. The DBMLTs have also recruited Community Organisers to render assistance in conducting visits, organizing activities, and so on.

To maintain close liaison with owners' organizations and residents' organizations and to provide adequate advice and support on building management and maintenance matters, each year, the DBMLTs conduct an average of 41 000 visits to the OCs/Mutual Aid Committees/owners' committees/residents' organizations and 7 000 visits to buildings without any form of management. The HAD also organizes an average of 400 educational and publicity programmes under the theme of building management and maintenance annually.