

OFFICIAL RECORD OF PROCEEDINGS

Wednesday, 16 March 2016

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 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 FRANKIE YICK CHI-MING, J.P.

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 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.

THE HONOURABLE ALVIN YEUNG NGOK-KIU

MEMBERS ABSENT:

THE HONOURABLE JAMES TO KUN-SUN

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

THE HONOURABLE KENNETH LEUNG

PUBLIC OFFICERS ATTENDING:

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

PROF THE HONOURABLE ANTHONY CHEUNG BING-LEUNG, G.B.S.,
J.P.
SECRETARY FOR TRANSPORT AND HOUSING

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

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

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

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

THE HONOURABLE PAUL CHAN MO-PO, M.H., J.P.
SECRETARY FOR DEVELOPMENT

CLERKS IN ATTENDANCE:

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

MISS ODELIA LEUNG HING-YEE, DEPUTY SECRETARY GENERAL

MS ANITA SIT, ASSISTANT SECRETARY GENERAL

MISS FLORA TAI YIN-PING, ASSISTANT SECRETARY GENERAL

MS DORA WAI, ASSISTANT SECRETARY GENERAL

PRESENTATION OF PETITION

PRESIDENT (in Cantonese): Presentation of petition.

In accordance with Rule 20 of the Rules of Procedure, Mr Alvin YEUNG will present a petition co-signed by Mr Alvin YEUNG and Ms Cyd HO to this Council.

MR ALVIN YEUNG (in Cantonese): President, from the small hours on the eighth to early morning on the ninth of February 2016, serious clashes between the Police and members of the public broke out in Mong Kok, resulting in injuries to many people. On the morning following the incident, the Chief Executive immediately defined the clashes a "riot" without conducting any in-depth investigation. Some Members, deputies to the National People's Congress and members of the Chinese People's Political Consultative Conference also kept voicing comments along this line, allowing continuous fermentation of a yet to be verified conclusion in society. After the incident, the Government was concerned only about denouncing and arresting those involved, but refused to establish a commission of inquiry to study the causes of the clashes and the police deployment that night and put forward recommendations or measures to prevent the recurrence of clashes. Such an approach is regrettable.

The large number of members of the public taking part in the clashes with the Police has shown that the problem cannot be blamed on a small group of so-called "rioters". A more likely reason is people's strong dissatisfaction with the Government, which absolutely cannot be pacified by arresting a few dozen participants. I am afraid if the Government only adopts a high-handed approach without identifying the causes of the clashes, it will only further stimulate the use of more violent means of protest and result in more serious clashes, which will do no good but harm to society.

I implore all Members to support the establishment of a select committee under the Legislative Council to conduct an in-depth investigation into the sequence of events and causes of the aforesaid clashes, and put forward recommendations or measures to avoid the recurrence of clashes.

(See Annex I for content of the petition)

(Ms Cyd HO stood up)

MS CYD HO (in Cantonese): President, in accordance with Rule 20(6) of the Rules of Procedure, I request that the petition be referred to a select committee.

PRESIDENT (in Cantonese): I now call upon Members who support this request to rise in their places.

(Members supporting the request rose)

PRESIDENT (in Cantonese): Will Members please remain standing so that the Clerk can do a headcount.

(While the Clerk was doing a headcount, some Members spoke loudly)

PRESIDENT (in Cantonese): Will Members please be quiet.

(Some Members still spoke loudly)

PRESIDENT (in Cantonese): Will Members please keep quiet.

(After doing the headcount, the Clerk indicated to the President completion of recording)

PRESIDENT (in Cantonese): Will Members please be seated now.

(Members sat down)

PRESIDENT (in Cantonese): According to the headcount done by the Secretariat, Members who support this request are Mr WU Chi-wai, Mr Albert HO, Ms Cyd HO, Mr CHEUNG Kwok-che, Mr LEUNG Yiu-chung, Mr IP Kin-yuen, Dr Helena WONG, Ms Emily LAU, Mr LEE Cheuk-yan, Mr Charles

Peter MOK, Mr SIN Chung-kai, Mr Alvin YEUNG, Mr Dennis KWOK, Dr KWOK Ka-ki, Ms Claudia MO, Dr Kenneth CHAN, Mr Alan LEONG, Mr LEUNG Kwok-hung, Mr Gary FAN, Mr WONG Yuk-man, Mr CHAN Chi-chuen, Mr Albert CHAN, Mr Frederick FUNG and Prof Joseph LEE.

Does the list read out just now miss any names of Members who have risen just now?

(No Member made any indication)

PRESIDENT (in Cantonese): We have 24 Members in total supporting this request.

In accordance with Rule 20(6) of the Rules of Procedure, the petition stands referred to a select committee.

TABLING OF PAPERS

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

Subsidiary Legislation/Instrument	<i>L.N. No.</i>
Pharmacy and Poisons (Amendment) Regulation 2016	40/2016

Other Papers

- | | | |
|--------|---|---|
| No. 76 | — | The Lord Wilson Heritage Trust
Annual Report 2014-2015 |
| No. 77 | — | AIDS Trust Fund
2014-15 Annual Report (from 1 April 2014 to 31 March 2015) and Financial statements for the year ended 31 March 2015 |

No. 78 — Report of changes made to the approved Estimates of Expenditure during the third quarter of 2015-16
Public Finance Ordinance: Section 8

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

Report of the Bills Committee on Mandatory Provident Fund Schemes (Amendment) Bill 2015

Report of the Bills Committee on Interception of Communications and Surveillance (Amendment) Bill 2015

QUESTIONS UNDER RULE 24(4) OF THE RULES OF PROCEDURE

PRESIDENT (in Cantonese): Questions. Apart from six oral questions for this meeting, I have permitted Mr Albert CHAN, Mr WONG Yuk-man and Dr Helena WONG to respectively ask an urgent question under Rule 24(4) of the Rules of Procedure.

The three urgent questions are about student suicide incidents. I will first call upon the three Members to ask their urgent questions and the public officer to reply to the three questions respectively. I will then invite Mr Albert CHAN, Mr WONG Yuk-man, Dr Helena WONG and other Members to ask supplementary questions. I will appropriately adjust the time for Members to ask supplementary questions.

PRESIDENT (in Cantonese): Urgent question one.

Recent Spike of Incidents of Students Committing Suicide

1. **MR ALBERT CHAN** (in Cantonese): *President, I am grateful that the Secretary has chosen to stay and answer the questions concerned instead of going away to enjoy hanami (viewing of flowers). President, it has been reported that more than 20 incidents of students committing suicide have occurred in less than half a year since the commencement of the current school year in September last*

year. That figure has already surpassed the relevant figure for the whole year of 2014, in which there were 18 incidents of young persons aged between 10 and 19 committing suicide. Such suicide incidents have become increasingly frequent which has aroused public concern that students committing suicide has become a trend. In this connection, will the Government inform this Council:

- (1) *as the schoolmates of those primary and secondary school students who committed suicide may develop negative emotions under the influence of those suicide incidents, and may therefore harbour thoughts of taking their own lives, whether the Education Bureau has immediately reviewed and improved the emergency support services currently provided for the primary and secondary schools concerned, so as to prevent recurrence of students from those schools committing suicide;*
- (2) *whether it has analyzed the main causes and common characteristics of the recent incidents of students committing suicide, so as to formulate immediate measures to curb the trend of committing suicide from spreading; if it has, of the outcome of the analysis and the relevant measures; if not, the reasons for that; and*
- (3) *whether it will immediately allocate additional resources to tertiary institutions as well as secondary and primary schools to increase the manpower of guidance personnel (e.g. social workers and clinical psychologists) for early identification of students with suicidal tendency and provision of counselling services to them; if it will, of the details; if not, the reasons for that?*

SECRETARY FOR EDUCATION (in Cantonese): President, first of all, I wish to express my grief and sorrow over the recent student suicide incidents.

Suicide is complex behaviour with no single cause, but results from a complicated interaction of biological, psychological, cognitive and environmental factors. The background of each case varies, which may involve academic, health, family, relationship and friendship issues. As the causes are very complicated, no generalization can be made. Suicide of an individual usually happens with warning signs. To prevent suicide, we should aim at early detection and intervention with warning signs to be timely identified, risk factors mitigated and protective factors effectively enhanced.

Regarding the questions raised by Mr Albert CHAN, I set out my reply as follows:

- (1) At present, if a student suicide case occurs, the school would promptly activate its crisis management team, and report to the respective Regional Education Office of the Education Bureau to facilitate timely arrangement of professional staff and educational psychologists for on-site support, assessing the impact of that suicidal case, formulating a crisis management plan and taking appropriate measures in response to the incident so as to provide appropriate intervention and support services to teachers, students and parents affected, including special class period, student and teacher group/individual counselling, parent briefing, and so on.
- (2) Having regard to the recent student suicide incidents, the Education Bureau immediately held an urgent meeting with representatives of different educational and professional organizations on 10 March, and put forward five measures right away as follows:
 - (i) The Education Bureau will set up a committee as soon as possible to study and analyse the reasons for student suicide incidents comprehensively and make recommendations on appropriate preventive measures. The committee should include school and parent representatives, professionals and officials of different government bureaux and departments. It is estimated that the committee will submit a report and recommendations to the Secretary for Education in six months. If needed, the committee will submit an interim report in three months;
 - (ii) The Education Bureau will arrange educational psychologists and student guidance personnel to deliver five regional-based seminars with four for schools and one for parents in March and April in order to enhance the awareness and skills of the school personnel and parents on suicide prevention and intervention;

- (iii) The educational psychologists of the Education Bureau and school sponsoring bodies providing School-based Educational Psychology Service will arrange school-based talks for teachers in March and April to enhance their identification of students with suicidal warning signs as well as knowledge on help-seeking resources, with a view to early identifying and supporting students with suicidal risk;
- (iv) The Education Bureau will also form a special team with educational psychologists and student guidance personnel as members to, in co-ordination with the existing school-based educational psychology and counselling service, provide additional support to individual schools on a need basis; and
- (v) The Education Bureau will develop information kits for teachers, parents and students in order to facilitate their early identification of students with emotional difficulties and seeking of professional support.

We issued a letter to schools yesterday to encourage schools to enhance their life education through various existing school-based activities according to their own circumstances and needs, and to conduct sessions on life education highlighting stress and coping strategies as well as positive values and attitudes, and information on seeking assistance for Primary Five, Primary Six and secondary school students in the earliest possible opportunity. Related teaching materials were provided for schools for reference.

- (3) Regarding primary and secondary schools, the Education Bureau, through the measures and resources that I have just mentioned, has, in co-ordination with the existing school-based educational psychology and counselling service, provided schools with talks on crisis management and immediate support services.

As for post-secondary institutions, all institutions funded by the University Grants Committee have established dedicated units to conduct mental health screening for students, promote mental health and provide students with professional counselling and related services. Some institutions incorporate positive psychology

concepts in their teaching materials to strengthen resilience among students. Institutions also provide training for students to become mental health ambassadors and organize peer counselling activities.

The Suicide Crisis Intervention Centre of the Samaritan Befrienders Hong Kong, which is financed by the Social Welfare Department (SWD), provides different specialized services, such as outreaching service, emergency crisis intervention and in-depth counselling service. In addition, with the support of the SWD, the Hong Kong Federation of Youth Groups has set up a Youthline service for children and youths, providing them with a safety net by assisting them to handle personal challenges and difficulties. It also helps stabilize the emotion of high-risk children and youths, and provide them with appropriate counselling and referral services through contacts with them by phone.

The Education Bureau will continue to work in close collaboration and enhance co-operation with the government departments concerned, relevant organizations and schools, to provide more professional services of the SWD, the Hospital Authority and other professional organizations, to enhance schools' awareness of mental health of students with a view to identifying needy students for support and preventing the occurrence of suicide.

All in all, we need to mobilize the whole community and promote cross-sector collaboration with a view to devising effective measures to deal with the issue.

PRESIDENT (in Cantonese): Urgent question two.

Alleviating Study Pressure on Students

2. **MR WONG YUK-MAN** (in Cantonese): *President, more than 20 primary, secondary and university students committed suicide since the start of the current school year in September last year. It has been reported that some of these deceased students had revealed to others before their deaths that they were under a lot of pressure in their studies. Some members of the education*

sector have pointed out that one of the causes contributing to an increasing number of students committing suicide is that the education system in Hong Kong puts too much emphasis on competition, thus making parents and teachers focus only on the academic results of students which leaves no time for them to help students to cope with emotional distress and pressure. In this connection, will the Government inform this Council:

- (1) whether the Education Bureau will expeditiously identify the causes in the current education system which lead to students facing enormous study pressure, and find an appropriate solution to the problem; and*
- (2) whether the Education Bureau will immediately introduce new measures to alleviate the study pressure on students, with a view to minimizing the recurrence of student suicide incidents?*

SECRETARY FOR EDUCATION (in Cantonese): President, suicide is a complex behaviour with no single cause, but results from a complicated interaction of biological, psychological, cognitive and environmental factors. The background of each case varies, some of which may involve health, family, relationship and friendship issues. The cause is extremely complicated, and we cannot generalize the situation.

Regarding the questions raised by Mr WONG Yuk-man, I set out my reply as follows:

- (1) As I just pointed out when answering the questions raised by Mr Albert CHAN Wai-yip, the Education Bureau, put forward five measures immediately on 10 March, with regard to recent student suicide incidents. President, I will not state the measures again here as they have been mentioned earlier.

In fact, since the implementation of the New Academic Structure (NAS) in 2009 to provide a 12-year free education to all students in Hong Kong, instead of sitting for two public examinations, senior secondary students under the NAS only have to sit for one public examination, which means pressure has been reduced and less time is needed for preparing for examination. Other than the four core

subjects, senior secondary students can choose two to three elective subjects out of the 20 senior secondary elective subjects, Applied Learning courses and other languages. Students are no longer streamed prematurely at an early stage into Arts, Science and Business classes, but are able to choose elective subjects in accordance with their interests and abilities to develop their potentials. In line with the enhancement of vocational and professional education and training, more than 30 Applied Learning courses covering six areas of studies related to professional and vocational fields have been provided for students. The Education Bureau has also recently announced that it will provide full subsidy for students to take a maximum of two Applied Learning courses starting from the 2016-2017 school year to cater for students' diverse needs and interests.

The Education Bureau, the Curriculum Development Council and the Hong Kong Examinations and Assessment Authority jointly conducted the NAS Review from 2012 to 2015 to enhance the implementation of the senior secondary curriculum and assessment. After extensive consultation with different stakeholders including schools, parents, and the public, a range of recommendations on curriculum and assessment as well as support measures were implemented by stages from April 2013. These include increasing the flexibility of lesson time to enable schools and teachers to better deploy lesson time to suit the needs of their students and the school contexts; trimming, streamlining or updating curriculum contents to reduce student and teacher workload; clarifying the breadth and depth of subject curricula to help students and teachers better understand curriculum contents and requirements; streamlining School-based Assessment (SBA) in most subjects and not implementing the SBA in 10 subjects to reduce student and teacher workload and enable them to better manage the SBA; and maintaining the whole-school curriculum framework as well as public examination grading mechanism to provide a stable environment for teachers to focus on teaching and provide pastoral care for their students. These measures aimed to address the concern on student and teacher workload to improve learning and teaching including values education in order to release more space for students.

The Education Bureau issued the circular "Guidelines on Homework and Tests in Schools — No Drilling, Effective Learning" to all secondary and primary schools in October 2015, reiterating that effective homework can facilitate students to consolidate and extend their learning; and inappropriate amount of homework and drilling should be avoided. Home-school communication is also encouraged through means including collecting views from parents on homework arrangements in order to improve the school-based homework policy.

Multiple pathways are emphasized under the NAS, and senior secondary students can further their studies in local post-secondary programmes, including degree, sub-degree and other diploma programmes or to study outside Hong Kong, taking their interests and academic performance into consideration. Ample opportunities are provided for SS graduates to further their studies, for example, 77 950 school places were available in local institutions for about 74 000 candidates of the 2015 Hong Kong Diploma of Secondary Education Examination.

About 46% of our young people in the relevant cohort now have access to degree-level education. Including sub-degree education, about 70% of them have access to post-secondary education. In recent years, the Government has implemented a series of measures to further increase subsidized higher education opportunities, in a bid to provide school leavers with broader and more diversified articulation pathways. On full implementation of these measures, and given the declining student population, we envisage that there will be sufficient publicly-funded and self-financing first-degree places and other courses for all secondary school leavers meeting minimum entrance requirements for university admission by 2016-2017.

- (2) As mentioned above, the Education Bureau put forward five measures right away on 10 March. Apart from the measure on setting up a cross-disciplinary committee, other measures include arranging regional-based seminars. With these measures, we hope to meet schools' and parents' urgent needs.

It is very important that students are not surrounded by negativity all day. Therefore, we also issued a letter to schools yesterday to encourage schools to enhance their life education through various school-based activities according to their own circumstances and needs, and to conduct sessions on life education highlighting stress and coping strategies as well as positive values and attitudes, and information on seeking assistance for Primary Five and Primary Six, and secondary school students in the earliest possible opportunity. Related teaching materials were provided for schools for reference.

PRESIDENT (in Cantonese): Urgent question three.

Immediate Measures to Prevent Students from Committing Suicide

3. **DR HELENA WONG** (in Cantonese): *Over the past half year, more than 20 incidents of students committing suicide have occurred, arousing wide public concern that students committing suicide has become a trend. It has been reported that the causes that led to those students committing suicide might largely be related to emotional distress arising from study pressure. Regarding the immediate measures to prevent students from committing suicide, will the Government inform this Council:*

- (1) *given that the Education Bureau will hold district seminars and talks for teachers in this and next months, and will form a dedicated committee to comprehensively examine and analyse the causes that contribute to students committing suicide, as well as to make recommendations on appropriate measures to prevent students from committing suicide, but the committee will take six months to submit its report, whether the authorities have other immediate measures which are more direct to prevent recurrence of incidents of students committing suicide; if they do, of the details of the measures; if not, the reasons for that; and*
- (2) *whether the relevant bureaux will immediately hold urgent joint meetings to expeditiously formulate, from policy perspectives of education, psychological counselling, public mental health, etc., an*

integrated strategy to prevent students from committing suicide, so as to prevent the problem from worsening; if they will, of the details and the timetable for such work; if not, the reasons for that?

SECRETARY FOR EDUCATION (in Cantonese): President, regarding the questions raised by Dr WONG, I set out my reply as follows:

- (1) Having regard to recent student suicide incidents, the Education Bureau put forward five urgent measures on 10 March. Apart from setting up a cross-disciplinary committee, immediate support was provided to schools and parents by means of the other four measures which I will not repeat here. The Education Bureau also issued a letter to schools yesterday to encourage schools to enhance their life education according to their own circumstances and needs so as to provide a more positive environment and mentality for the students.

As a matter of fact, the Education Bureau has all along attached great importance to nurturing students' positive values and strengthening their ability to cope with adversity. In the curriculum reform implemented in 2001, moral and civic education has been accorded as one of the Four Key Tasks, stressing that schools should strive to cultivate students' positive values and attitudes. The content of life education, such as "understand life", "cherish life", "respect life" and "explore life", has already been incorporated into different learning themes under the comprehensive school curriculum in schools. In parallel with the curriculum, the Education Bureau has been promoting the adoption of a whole school approach to guidance and discipline work in primary and secondary schools, where all staff work collaboratively with professionals (including guidance personnel, school social workers, school-based educational psychologists, and so on) to provide remedial, preventive and developmental guidance services for the healthy development of all students. We will collect views from schools through school visits and other channels with an aim to improve guidance services, and progressively increase related resources as necessary.

- (2) Suicide of an individual usually happens with warning signs. To prevent suicide, we should aim at early detection and intervention with warning signs to be timely identified, risk factors mitigated and protective factors effectively enhanced. The Education Bureau has a mechanism in place to identify and support primary and secondary students with mental health needs, including students at risk of suicidal behaviour. We recommend that schools should adopt a Three-tier Support Model to provide different levels of identification and support by teachers, guidance personnel and professional staff respectively, with close communication with parents. If the problems of individual students persist and warrant professional assessment or consultation services, teachers may refer them to professionals, such as school-based educational psychologists, clinical psychologists, family social workers or psychiatrists for in-depth assessment, diagnosis, treatment and follow-up, including medical treatment, emotional counselling, individual support, and so on. The Education Bureau keeps close communication and liaison with related departments (such as the Hospital Authority, the Labour and Welfare Bureau and the Social Welfare Department) to minimize student suicide cases.

The committee as mentioned before will include school and parent representatives, professionals, and officials of different government bureaux and departments, and will study the reasons for student suicide incidents and make recommendations on appropriate preventive measures in a cross-sectoral and whole community manner.

Suicide is really complex behaviour with no single cause. We should not simplify its causes. The recent student suicide incidents appear to reflect some "contagious effect". We urgently appeal to society to treat the problem in a positive way. We should care people around us, be positive and encourage people with suspected emotional problems to seek professional help. We should not spread negative messages which may affect those who are emotionally vulnerable.

MR ALBERT CHAN (in Cantonese): *President, the current situation of youth suicide in Hong Kong has gradually turned this city into the "suicide capital of the world" with a high ranking worldwide, and such a situation is worrisome. It has been reported that the main cause of the recent spate of youth suicides is pressure from homework or school curriculum. However, the reply given by the Secretary is completely irrelevant to the question.*

President, if students can visit Japan with their families to enjoy hanami on their birthdays and travel every month, just like what the Secretary has done, I believe the suicide rates will definitely drop drastically.

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

MR ALBERT CHAN (in Cantonese): *The system is one of the reasons causing the stress related to academic qualification and study, and the Secretary is responsible for formulating many policies, including the Territory-wide System Assessment (TSA) and various examinations.*

I am holding a set of "blood-stained" TSA examination papers given to me by a parent. Many parents believe that the overall education system and examination pressure are the reasons that drove many students to commit suicide. Will the Secretary take the lead to stop shirking the responsibilities of implementing the recommendations and refrain from merely stating that the authorities will continue to conduct researches? Since a lot of parents have already suggested abolishing the TSA, will the Secretary take a step forward to show that he is actually more concerned about student suicide incidents than the flowers in Japan? Will the Secretary immediately announce the abolition of the TSA to indicate that he is really concerned about the importance and value of the lives of students?

SECRETARY FOR EDUCATION (in Cantonese): President, I thank Mr CHAN for his question. As Mr CHAN has mentioned the TSA, let me emphasize again that the TSA aims to provide relevant information at the school level to enhance the school-based curriculum and teaching practices.

Since Mr CHAN has just used the wording "TSA examination papers", I would like to emphasize once again that the TSA is not an examination. It is because in an examination, students are graded and ranked according to their scores but the TSA is simply a complementary tool for assessment of learning and teaching which provides schools with information for overall analyses instead of assessments of individual students or schools. I would like to particularly emphasize the difference between an examination and an assessment tool.

For the second part, we have been discussing this subject over the years and there has been continuous improvement to different aspects of the TSA. Recently, we have also examined and paid attention to the public concern about the topic, format and design of the TSA, especially the Primary 3 TSA. In view of this, the authorities established a committee at the end of last year, composed of experienced members from the education sector, particularly the school principals and teachers of primary schools as well as professionals. After conducting studies and discussions on various aspects, the committee has stated recognition of the value of the TSA and emphasized that there should not be unnecessary drilling. Besides, in response to public concern, such as the length of essays and questions which was considered too long with 1 600 words for some of them, the authorities will reduce the length as recommended by the committee. Numerous aspects of the arrangement of the TSA overall have been revised, which are implemented as a tryout study of the enhanced version of the TSA. This is one of the recommended measures.

We believe that the value of the assessment tool can be maintained only through continuous enhancement. The enhanced assessment tool is, insofar as students, parents, schools and teachers are concerned, worthwhile to be continued in its implementation. The authorities, however, also understand that the continued implementation of this assessment requires the participation of parents while schools should not arrange excessive drills for students either. Each homework policy should be transparent and formulated for the school as a whole. We believe this is the best solution which can reduce unnecessary pressure.

MR ALBERT CHAN (in Cantonese): *President, is the Secretary an idiot or does he not understand traditional characters? It is obvious that there are examination papers for the TSA but he said the TSA is not an examination. Does he not understand traditional characters or is he an idiot, President?*

PRESIDENT (in Cantonese): Mr CHAN, please sit down. As there are over 20 Members waiting to ask questions, I will not allow Members having asked a supplementary question to raise further ones. Besides, will Members please make their questions as concise as possible and avoid making long-winded remarks.

Mr WONG Yuk-man, please ask your supplementary question.

MR WONG YUK-MAN (in Cantonese): *President, tyranny and the education system kill people. Why is the Secretary responsible for answering all of the three urgent questions? It is because he, as the Secretary for Education, should bear the primary responsibility but he passed the buck. Everyone knows that suicides are triggered not by one single cause as complicated factors are involved instead. Yet, I am talking about study pressure.*

My main question is worded very clearly but he did not answer it. Part (1) of my question is: whether the Education Bureau will expeditiously identify the causes in the current education system which lead to students facing enormous study pressure? Did he answer it? No. Did he answer my question in his main reply? No.

Part (2) of my question is: whether the Education Bureau will immediately introduce new measures to alleviate the study pressure on students? He did not answer that either. He used the same piece of reply for multiple purposes as there is no difference between his reply to Mr Albert CHAN's question and that to my question, which concerns the prevention of suicide. Many people went to hell but why did he not do the same? It is obvious that although the questions raised by the three Members are all related to student suicide, the contents of their questions are different. I am asking about study pressure and whether the authorities will review the causes in the existing education system which lead to students committing suicide as a result of study pressure. These are his responsibilities.

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

MR WONG YUK-MAN (in Cantonese): *President, he did not answer parts (1) and (2) of my question. I would like him to answer them again as my question is very clear. Besides, he should go to hell expeditiously.*

SECRETARY FOR EDUCATION (in Cantonese): President, as I have repeatedly pointed out and regarding individual cases ...

MR WONG YUK-MAN (in Cantonese): *President, my question is very clear. I asked whether he would review the pressure of homework on students currently or review the causes in the existing education system which lead to students failing to bear such pressure and resort to committing suicide, unless he does not consider these factors as causes of suicide.*

PRESIDENT (in Cantonese): Mr WONG, please sit down and let the Secretary give a reply.

SECRETARY FOR EDUCATION (in Cantonese): President, I am deeply concerned about the whole incident as well. I have to stress again that there are many causes of suicide and the experts recommended that we must avoid suggesting one single cause in haste to address the situation ...

(Some Members spoke aloud in their seats)

PRESIDENT (in Cantonese): Will Members please keep quiet.

SECRETARY FOR EDUCATION (in Cantonese): ... it is an important point and we have, therefore, set up a committee to analyse the cases in an all out effort and even adopt measures right away to discuss with the education sector and parents. We all agree that these problems should be addressed. I would like to emphasize once again another point, President, regarding students and schools — which may also be known as study pressure — and issues in relation to various aspects of the education system, it is not true that we did not consider those issues until recently as we have been making continuous efforts over the years ...

MR WONG YUK-MAN (in Cantonese): *President, can you stop the Secretary from speaking any further as he is simply wasting our time ...*

PRESIDENT (in Cantonese): Mr WONG, please do not interrupt the Secretary's reply.

MR WONG YUK-MAN (in Cantonese): *He is wasting our time. While many Members are waiting for their turns to ask questions, he has just repeated the same points over and over again.*

PRESIDENT (in Cantonese): Mr WONG, please observe the Rules of Procedure.

SECRETARY FOR EDUCATION (in Cantonese): President, as I have explained in my reply just now, we have implemented numerous measures with regard to those aspects over a period of time in the past. Such measures include, for instance, allowing students to choose subjects according to their own interests; reducing the number of subjects which implement SBA and shortening the duration of lesson time; enhancing life education to foster positive values in students; promoting professional education so that students can enjoy more options, and so on, with a view to helping students to choose their own preferred paths or subjects and alleviating their stress through these measures.

DR HELENA WONG (in Cantonese): *President, in part (2) of the main reply the Secretary mentioned the Three-tier Support Model which comprises teachers, guidance personnel and professional staff. However, has the Secretary assessed the effectiveness of the Three-tier Support Model? If such a model is ineffective, it cannot help the students; and if it is actually effective, the 20 students would not have committed suicide. Secretary, given the workload of teachers who provide the first-tier support, can they actually spare the time and capacity to intervene and identify students' warning signs of suicide in a timely manner? Has the Secretary done a comprehensive assessment of the workload of teachers in secondary schools, primary schools and universities across the territory so as to determine whether teachers actually have the capacity to help students in need?*

SECRETARY FOR EDUCATION (in Cantonese): President, with regard to the workload of teachers, the Education Commission has commenced discussions during this period of time and examined the problems from various perspectives but our progress does not stop at the stage of examination. As I have mentioned just now, we have been communicating with the academic sector and education sector and implemented measures in various aspects, such as the system, mechanism, activities, curriculum, lesson time and teacher-student ratios. Let me cite a simple example. The teacher-student ratio of secondary schools has been enhanced from 14.5:1 to 11.9:1, and it is just one of the many examples reflecting that we have been making continuous enhancement and improvement. President, teachers are not alone in dealing with these problems during the whole process as guidance personnel are also available to provide assistance such that a concerted effort can be made to solve the problems. As I have pointed out earlier, solving the problems in a cross-sectoral and whole community manner will be the best approach.

DR HELENA WONG (in Cantonese): *President, I am not asking the Secretary what measures were implemented. My supplementary question is very clear. Has he conducted any comprehensive survey on the workload of teachers?*

PRESIDENT (in Cantonese): Dr WONG, as I said earlier, since over 20 Members are waiting to ask questions, I will not allow Members having asked a supplementary question to raise further ones. If there are Members who also consider that the Secretary failed to answer the supplementary questions, they will ask questions in that regard as well. I will ensure that all Members who are waiting for their turns to ask questions will have an opportunity to do so.

DR LEUNG KA-LAU (in Cantonese): *President, with regard to the subject of suicide, it is inevitable that both adults and children will encounter adversities in their lives. The condition of a small number of them will develop into an illness while those suffering from a severer condition will resort to committing suicide. A study pointed out that nearly 80% of the young people who had committed suicide were suffering from a pathological condition or else they would not have dared make the jump. They are definitely suffering from some form of psychiatric disorders. In his remarks just now, the Secretary was right about the importance of early identification. However, may I ask the Secretary what*

the necessary amount of psychiatric services to be provided by the authorities as support after making early identification so that the children can be saved? Why did I ask such a question? It is because when those children are identified, it may take several weeks for them to wait for an assessment by the Hospital Authority (HA). However, suicide cases are so urgent that they require attention and treatment on that very day as it may be too late to wait until the next day. May I ask the Secretary what amount of psychiatric services he will demand from the authorities as support?

SECRETARY FOR EDUCATION (in Cantonese): President, I thank Dr LEUNG for his supplementary question. It is an important subject and the arrangements of different educational institutions or schools vary at different stages. Under the early identification mechanism, cases will be categorized according to the degree of severity. The first part is the referral of cases by schools to the educational psychologists or professional counsellors of the authorities; the second part is the engagement of social workers; and the third part is provision of medical treatment by relevant professionals of the HA. We noticed that the HA and the relevant departments have been examining the size of professional manpower under training and the needs of society. As far as I understand it, there is an increase in the cases of mental illness in the overall population structure and, therefore, new arrangements should be made in this regard. For instance, the amount of triennium funding of the University Grants Committee has increased the number of places for medical and nursing students this year, and it is one of the examples. We will also refer the cases to some welfare agencies, non-profit-making organizations or private professional organizations when necessary.

DR LEUNG KA-LAU (in Cantonese): *President, my supplementary question is very simple. I asked the Secretary what is the amount required ...*

PRESIDENT (in Cantonese): Dr LEUNG, I made it clear earlier that I will not allow Members having asked questions to raise further ones, and I will not make an exception. Please sit down.

MR IP KIN-YUEN (in Cantonese): *The replies given by the Secretary today have completely evaded the questions. He has repeatedly mentioned that the causes of suicide are complicated and that the authorities have implemented numerous measures in respect of the education system, as if implying that the current suicide problem has nothing to do with the education system. If he adopts such an attitude and refuses to reflect on himself, how can we solve the acute problems confronting us right now?*

In the past few days, we heard that the Education Bureau had proposed various solutions to address the problems, which were also mentioned in the main reply given by the Secretary earlier. Many of those solutions involve strengthening the measures related to education, such as providing more counselling services and enhancing life education as mentioned yesterday. President, I have this supplementary question. A lot of teachers are currently facing a difficult situation with a heavy workload, and we have conducted a study which revealed that the types of duties carried out by teachers exceeded 100 and there are many additional duties in recent years, such as external school review, school self-evaluation, leading study tours, and so on ...

PRESIDENT (in Cantonese): Mr IP, please ask your supplementary question as quickly as possible.

MR IP KIN-YUEN (in Cantonese): *There are other problems, such as the TSA. How can we ease the pressure and workload of students and teachers when the workload of teachers and burden of students are increasing? Is it not the crux of the problem? We have to stop something now, that is, the problems can be solved only by reducing the amount of something.*

SECRETARY FOR EDUCATION (in Cantonese): First, I would like to respond directly that while we understand education is not the only factor, it is an important one — study pressure is one of the important factors — and the Education Bureau has therefore carried out a consultation and established a committee immediately to address this issue. We have also proposed five special measures for immediate implementation. This is one of the examples.

Second, I would like to emphasize that it is not true that we did not take into account the work pressure of teachers until recently, for we have been working on this aspect all along. Members may notice on other occasions that extra resources would be provided by the authorities for the organization of additional activities. With regard to life planning education, we have provided one additional teaching post in schools for its implementation and allocated resources to assist schools in making use of other relevant professional resources in the community. This is one of the important measures. We hope teachers and school principals will make positive suggestions on implementation whenever we propose various special arrangements.

I would like to emphasize another point. In the letter issued to schools by the authorities yesterday, as I have mentioned earlier, schools are encouraged to conduct sessions on life education. However, the implementation of life education is not a new policy as schools have been conducting sessions on life education all along. We simply hope that schools can particularly strengthen life education during this period and we will make immediate responses if the need for special assistance arises. President, I hope Members can understand that the authorities have been working on and enhancing various aspects as well as the whole system, and such measures are implemented not for a particular reason. However, as the issue is urgent, we have to launch emergency measures and establish a committee to comprehensively analyse other relevant factors in six months.

I would like to raise yet another point here. From my discussions with individual schools, universities and experts, I found that the mode of communication between young people and teachers, parents and professional guidance personnel has now changed. Therefore, early identification and approaching young people at different levels as soon as possible are very important. We should also encourage them to come forth to receive advice from the others. As there are hidden patients or hidden high-risk patients, we should adopt different methods and make a concerted effort in a cross-sectoral and whole community manner.

MR ALVIN YEUNG (in Cantonese): *Secretary, my supplementary question will not be long. I only wish to ask the Secretary whether or not he knows parents face tremendous pressure under the existing system. I came across this problem personally during my district visits. At that time, a parent came to me with his*

son who is studying in Primary Six and told me he was thankful that his son accepted him and was patient with him, for he was facing tremendous pressure under the existing system. Actually, the parent was overwhelmed by emotions and on the brink of breakdown. As such, may I ask the Secretary whether there are specific measures to help parents? I know that the focus today is to address problems faced by students, yet we understand the overall situation is that students, parents and teachers are facing pressure on the same level — my focus is certainly on students. Yet I would like to know whether the authorities have provided any form of support for parents, including some short-term measures, for I know the Secretary ...

PRESIDENT (in Cantonese): Members should make their questions as concise as possible.

MR ALVIN YEUNG (in Cantonese): *I know that there will be three to six months of time, but I hope the Secretary will answer directly whether or not there are short-term measures to help parents to cope with the pressure currently.*

SECRETARY FOR EDUCATION (in Cantonese): I thank the Honourable Member for his supplementary question. In respect of parents, as I mentioned earlier, first, representatives of parents will definitely be included in the committee. Second, one of the five regional-based seminars to be held is meant to engage parents. Third, parent-teacher associations of schools and the Federations of Parent-Teacher Associations (FPTAs) of the 18 districts have effected active participation and communication with us. When our professional personnel visit schools, more often than not, parents will participate. To help parents, we will provide more tips to facilitate them in spotting problems earlier and the opportunities to apply the relevant skills, and to enhance their crisis awareness. We have been told by parents the kind of information they need and so we have launched work in the relevant aspects immediately. Regarding the question raised by the Honourable Member, we have carried out the relevant work.

MR CHEUNG KWOK-CHE (in Cantonese): *President, I believe Members all know that the cause of suicide is not merely personal problems, for the system also carries significant weight, and there are significant problems with the existing system. In fact, problems like examination pressure, TSA drills and heavy pressure from homework have been discussed in society for a long time. Students face heavy pressure in striving for university admission, and even after graduation, they will face great pressure in youth employment and upward movement.*

Certainly, we understand that manpower shortage and lack of stability of counselling personnel have an important bearing on early identification and intervention. We also understand that social workers now serving in secondary schools are assigned, supervised and supported by community service organizations. As for primary schools, counselling services are provided under the service tender system, where decisions are made by principals and school management committees. Under the tendering system, contractors offering the lowest bid will get the contract, whereas counsellors and social workers may not know whether or not they will be working in the same primary school the next day ...

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

MR CHEUNG KWOK-CHE (in Cantonese): *May I ask the Secretary whether the tender system adopted in primary schools will be reviewed immediately, so that the system adopted in primary schools will be brought on par with the social worker systems adopted in secondary schools?*

SECRETARY FOR EDUCATION (in Cantonese): President, I thank the Honourable Member for his proposal. We will certainly pay heed to and consider different views. However, I would like to stress two points. In respect of social workers, I recall that Secretary Matthew CHEUNG has stated openly that he will strive for the required resources on various fronts when necessary. Again, I stress once again that throughout the course of co-operation, we noted that individual organizations, particularly professionals in the education sector who have retired, also hope to render assistance. Therefore, we would utilize such resources properly to take forward different tasks.

As for the problems faced by us now, representatives of school social workers are also included in the committee, and they can suitably convey their needs.

MS CYD HO (in Cantonese): *President, I would like to ask a question about the committee. I notice that the committee is composed of representatives from schools, parents and professionals and government officials from various Policy Bureaux. That means they all come from the existing system, yet many students committed suicide precisely because they could not cope with the pressure under the system. I understand that it is difficult to admit to one's fault. If this group of people who established the system are required to review the system themselves and admit to their faults, or if government officials are required to formulate measures after the review or after addressing their faults to change the existing system which is generating pressure, according to the earlier reply provided by the Secretary on the TSA, I think they cannot ...*

PRESIDENT (in Cantonese): Ms HO, please come to your supplementary question.

MS CYD HO (in Cantonese): *... Therefore, President, I hope the Secretary will answer whether the committee will include student representatives? Will he try sincerely to understand young people of different ages, including junior and senior secondary students as well as university students, with a humble heart and an open mind, by listening to their views and identifying the kinds of pressure they face? Why would ideations of suicide flash through their minds? Or how can they turn away from such ideations? The committee as a whole should listen to their views with an open mind. Is the Secretary prepared to include student representatives in the committee so that the latter can sincerely listen to the younger generation voicing the problems they face?*

SECRETARY FOR EDUCATION (in Cantonese): President, we are considering this and the manner of implementation. Their views and suggestions are very important, and we are now considering the best approach to collecting their views effectively.

MS CYD HO (in Cantonese): *President, one short follow-up only. Will the Secretary include student representatives in the committee instead of regarding them as samples for analyses?*

PRESIDENT (in Cantonese): Ms HO, the Secretary has already answered your supplementary question. As I said earlier, a number of Members are waiting for their turns to ask questions, I will not allow Members who have asked questions to ask further ones.

DR CHIANG LAI-WAN (in Cantonese): *President, in respect of the recent spate of student suicides, various sectors of society have pointed out that the cause of their suicides should be attributed to many problems and not merely academic problems, so Members do not have to siege the Secretary and attack him. For the time being, we should come together to discuss and solve the problems, so as to help the students. As the Assistant Dean of the Faculty of Medicine of The Chinese University of Hong Kong said, the genuine pressure comes from society. Is society overwhelmed by negative energy and negative publicity? How can we help these students? Today, I heard an expert say in a radio programme that ...*

PRESIDENT (in Cantonese): Dr CHIANG, please come to your supplementary question.

DR CHIANG LAI-WAN (in Cantonese): *... we should pay more attention to these "Three Noes" students, students who have "no use" and "no prospect" and whom "no one cares". Secretary, for students whom no one cares, we can urge more people to care about them, their families and friends can show more care for them and social workers may intervene. These are things we can do. Yet what can we do with students who have "no use" and "no prospect"? If students think that they have "no use" and "no prospect", can we help them through life planning? For it is hard to say at this moment whether ...*

PRESIDENT (in Cantonese): Dr CHIANG, please state your supplementary question immediately and let the Secretary reply.

DR CHIANG LAI-WAN (in Cantonese): *Will the Secretary enhance the promotion of and increase the subsidy for life planning, or even establish an office especially tasked with the promotion of life planning as some places do?*

(Some Members spoke loudly in their seats)

PRESIDENT (in Cantonese): Will Members please keep quiet.

SECRETARY FOR EDUCATION (in Cantonese): President, I thank the Honourable Member for her suggestion. This is a very important aspect. We are eager to reinforce life planning education, and the policy overall is geared in this direction. We will explore different and more channels in this aspect. At the same time, there are 135 business-school partnership groups working on this and each group may make significant contribution. For instance, the Hong Kong Institution of Engineers covers many different sectors in engineering and has a lot of direct contact and liaison. We have commenced the work in this aspect.

Life planning education has been implemented for around a year and a half. We hope to consolidate the experience as soon as possible and identify areas that require enhancement. We are making such consideration currently. As for university and tertiary education or vocational education, individual organizations, groups and schools have strengthened their arrangements for individual students. For instance, we have provided subsidy to over 9 000 students of the Vocational Training Council (VTC) to participate in internship programmes at different levels. We will continue to reinforce our work in this aspect, so that students can earn money while they work, which is another alternative. We will also enhance the counselling services for this group of young people to make them feel that someone is prepared to listen to them and contact them, so as to hear the voices from their hearts and make relevant arrangements for them.

MR LEUNG YIU-CHUNG (in Cantonese): *President, I heard Dr CHIANG Lai-wan say just now that students have no use. Her remark immediately caused an uproar among Members. We think that she should not use such a label with negative effect. If this kind of comments are made in society again ...*

(Dr CHIANG Lai-wan rose and spoke)

PRESIDENT (in Cantonese): Dr CHIANG Lai-wan, please sit down.

DR CHIANG LAI-WAN (in Cantonese): *President, in the radio programme today, we were talking about the "Three Noes", and if students think that they have no use ...*

PRESIDENT (in Cantonese): Please stop speaking. I have pointed out repeatedly that debate is not allowed in the oral question session. If Members take exception to the remarks made by other Members, they may express their views on other occasions.

Mr LEUNG Yiu-chung, please state your supplementary question.

MR LEUNG YIU-CHUNG (in Cantonese): *I was not expressing my views. I was just stating the fact. President, the Secretary said in his replies to Members that there were many causes for students to commit suicide, and we agree with this. Mr WONG Yuk-man said earlier that one of the reasons for students committing suicide was study pressure, or the inadequacies and failure of the education system. He then demanded the Secretary to improve the education system, yet the Secretary told him that a lot had been done in that aspect already. If the Secretary has already done a lot in that aspect, why would the number of suicide cases keep rising? Does it mean that the relevant work is ineffective or even a failure? If that is the case, what improvement measures will the Secretary introduce to arrest the suicide spiral?*

SECRETARY FOR EDUCATION (in Cantonese): President, it is precisely because of the problem mentioned by the Honourable Member just now that a committee was set up to conduct a comprehensive review and analyse the causes of these suicide cases, and then identify a solution to address the problem. This is something we must do. We cannot glibly say that this or that is the cause of suicides, what we need is scientific background information that can facilitate us in addressing the problem in a more holistic manner. This is exactly the work of the committee.

MR TOMMY CHEUNG (in Cantonese): *President, we are all concerned about this issue. May I ask the Secretary whether efforts have been made on how parents should treat their children? In schools which I have involvement, I notice that some parents may be unhappy even though their children come second in class, some parents whose children have secured a place in elite schools want their children to be the best among fellow schoolmates in academic results, and parents whose children fail to enrol at elite schools want them to get a place there. Under such circumstances, should the authorities not communicate with parents first? Nowadays, parents want their children to obtain certificates of qualifications. Regarding the VTC which the Secretary mentioned earlier, I notice that the number of courses offered in vocational training is decreasing or nearly close to zero. I do not know if it is because parents do not allow their children to take those courses or because the Bureau has not offered the courses. There is a chance to succeed in every trade. Will the Secretary consider providing more vocational training courses of this type for students, so that students who do not like academic studies may acquire the skills of particular trades and similarly make great contribution to society in future?*

SECRETARY FOR EDUCATION (in Cantonese): *President, parents do play an important role. As I mentioned earlier, apart from the FPTAs of the 18 districts, every school has its own parent-teacher association, and people attending different events in different capacities may also be parents. First, parent representatives are included in the committee. Second, seminars or forums will definitely be attended by parent representatives, and they will lead the work on this front. Third, the tips and information requested by parents have been provided immediately. These are efforts targeted at parents.*

As for vocational and professional education, since Members support our proposals in this aspect, we are implementing the proposals step by step. As for the part requiring enhancement and additional efforts, we will deal with the relevant issues altogether.

MR ALAN LEONG (in Cantonese): *President, I think the crisis awareness of the Secretary and the Education Bureau is absolutely low. The problem of students committing suicide has been discussed for a long time in the Panel on Education, yet it remains not addressed to date. Secretary, I think that it is most*

imperative to create more space for teachers, principals and parents, so that they can have more time to communicate with students and develop better understanding. May I ask the Secretary of the specific and practicable policies to create space for communication with students?

SECRETARY FOR EDUCATION (in Cantonese): President, recently, we have had many exchanges with principals, during which they have stated the importance of providing more space for students. One of the schools adopts the following approach. The school has shortened the 45-minute lessons by five to 10 minutes each, so that 45 minutes to an hour thus accumulated can be released on each school day and the school will arrange for students to chat with teachers or other people during the time. In this way, more space can be created for students to talk about topics they may not have a chance to discuss on normal school days, instead of just talking about their studies. We hope to share these arrangements and good experience with other schools. This is the first part about creation of space.

Second, we have introduced some new measures whereby parents will be invited to participate in all school-related training activities, experience sharing and the provision of new knowledge or tips, and so on, as significant members, so as to encourage direct participation of parents in many activities they seldom took part in the past. This is the second part of our work.

I have attended the territory-wide parent meeting a number of times. Many new items were introduced at such meetings to allow parents to have free exchanges, whereas professional views and information were provided afterwards. This is the third part of our work. Back at home, parents have to practise how to communicate with their children, and this is an interesting and popular topic. President, we are working on all these aspects. The approach adopted may vary from school to school. Even in universities, promotion on parent participation has now become an area of work. Hence, I think the awareness of the issue should have been heightened. Despite the different levels, situations and family background of students faced by different schools, and the possible variation in approaches adopted, it is necessary for schools to have more views and exchanges for reference, so that they can address the issue in a diversified manner.

MR LEE CHEUK-YAN (in Cantonese): *President, what a pity to Hong Kong. In the midst of the suicides of 20 students, we see a "monster Secretary", a government official who fails to make any humane remark. President, in his earlier replies, he kept ...*

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

MR LEE CHEUK-YAN (in Cantonese): *... shirking his responsibility. Everyone in the world is at fault, society as a whole is at fault, yet the Secretary for Education has done nothing wrong. Is this what he means? Just now, the Secretary for Education has been shifting the blame to "imitation effect". Is he saying that society should take the blame? He then cited the seminars for parents and teachers as an example ...*

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

MR LEE CHEUK-YAN (in Cantonese): *That means parents and teachers are to blame, and it is parents' fault for not referring to the tips ...*

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

MR LEE CHEUK-YAN (in Cantonese): *My supplementary question is straightforward. Will the Secretary, as a man, show us the words and deeds becoming of a man? Has he ever done any soul-searching about why the education system would have imposed tremendous pressure on teachers and students, turning them into "pressure cookers" and pushing some students to go down the path of suicide ultimately? May I ask the Secretary whether he has ever done any soul-searching: What is wrong with the education system? Stop shirking his responsibilities ...*

PRESIDENT (in Cantonese): Mr LEE, you have stated your supplementary question, please be seated.

MR LEE CHEUK-YAN (in Cantonese): *We look forward to hearing some humane remarks, but not a "monster Secretary" ...*

PRESIDENT (in Cantonese): Mr LEE, please stop giving comments and let the Secretary give his reply.

SECRETARY FOR EDUCATION (in Cantonese): President, as the person in charge of the Education Bureau, I have explained in detail in part (1) of my main reply earlier that we started working on this not only when this problem arose suddenly. In fact, we have all along been undertaking the relevant work and I hope Members will understand this.

Second, as I said earlier, the Education Bureau is duty-bound to address the problem, and we have thus proposed the setting up of a committee immediately and the five measures. It is evident that we understand the Education Bureau is obliged to address the issue, and we have started the relevant work. We understand that it is a complicated issue, so other departments have also participated and rendered support to cope with the relevant work. This is the second point I would like to stress.

Is the education system perfect? I believe that the education system in Hong Kong is not perfect. Many aspects of the system need to be changed and enhanced continuously to be kept abreast of the times, and we are precisely working on these aspects now. President, I hope Members have noted the relevant information and development on various fronts provided by me in the beginning of my replies to Members' questions, for I wish to tell Members that we are progressing in different directions. As for the creation of space for parents and students, I have already explained that just now. Hence, I hope Members will understand that this is not something that can be achieved overnight. It requires sustained efforts.

(Mr LEE Cheuk-yan rose and spoke)

PRESIDENT (in Cantonese): Mr LEE Cheuk-yan, please be seated.

MR ALBERT HO (in Cantonese): *President, I recall a case handled by me a few years ago. A student of a Catholic primary school committed suicide by jumping off the building in front of the congregation during the morning assembly of the school, using this as a protest against the school. The student had a mental disorder record of depression and had posted many strange remarks on the Internet. The Hospital Authority (HA) had received notification and brought the student who was attending class to a hospital, and the student had been hospitalized for one whole month. After that, the student returned to school. However, the school had not followed up his case. When the student performed some strange acts later, the school punished him by requiring him to admit to his fault openly and put him under class suspension. He was required to engage in reflection and forced to take his medication in school. Eventually, he committed suicide as an act of protest. At that time, the Coroner's Court suggested that the authorities should examine the measures of integrated education, so that students suffering from mental disorders might also benefit from the measures. As I mentioned earlier, many people have gradually developed mental disorders because of pressure ...*

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

MR ALBERT HO (in Cantonese): *I have this question for the Secretary. A few years have passed, have the authorities conducted any review and provided assistance to principals and teachers through measures of integrated education? For principals and teachers have no idea how to handle such cases. There is no handbook, no support and no training for them. Have the authorities learnt a lesson from the aforementioned case?*

SECRETARY FOR EDUCATION (in Cantonese): President, I thank the Honourable Member for his supplementary question. Regarding individual cases, as I mentioned earlier, I do not have detailed information at hand, yet I will give a general reply. It is exactly against this background that we require that inter-sectoral, cross-professional department and all-out effort, as well as the co-operation of society as a whole, be made in contribution towards handling the issue. Since a person will come into contact with students on different occasions, such as in schools, on the street or at home, we should all stay alert and address the problem with a caring heart. This is the premise.

Moreover, as I have said, we will cater for the needs of schools. One of the special measures introduced this time around is the setting up of a task force which will visit individual schools (particularly schools in need or encountering practical problems) to provide support and address the problem direct. Members of the task force include representatives from various professional disciplines. This is another aspect which we are working on.

MR CHAN CHI-CHUEN (in Cantonese): *President, the problem of students committing suicide has been brewing for quite some time, only that the Government has been slow in recognizing the problem and taking actions. However, the Secretary refuses to admit this. He said he knew the problem not only today and had been working on it all along. May I implore the Secretary to ask himself honestly whether he knew the number of mentally-ill patients under 18 in the past five years? He needs not answer it right away. The problem of suicide can be attributed to many factors, and it is a very complicated issue involving physical, psychological and cognitive factors. I agree that this is not purely a matter of counselling but also one of treatment. I would like to tell the Secretary that in 2011, the number of psychiatric patients under 18 was 15 400, and in 2015, the number of psychiatric patients was 26 500 ...*

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

MR CHAN CHI-CHUEN (in Cantonese): *President, my supplementary questions is: Has the Secretary noticed these figures? Has he contacted the HA to understand the situation and allocated additional resource for this purpose? Will he examine whether the Education Bureau and the schools concerned have taken care of students seeking consultation from psychiatric services and offered supporting arrangements, or are they still unaware of the problem and remain slow in recognizing the problem and taking actions?*

SECRETARY FOR EDUCATION (in Cantonese): President, according to my understanding, in 2014-2015, the 24 Integrated Community Centres for Mental Wellness across the territory handled 12 500 cases in total involving ex-mental

patients or persons suspected to have mental disorders. Regarding the other information mentioned by the Honourable Member, I will contact the HA later, or my colleague Secretary Dr KO Wing-man may provide more information about this.

PRESIDENT (in Cantonese): Secretary, I note that the Member is not purely seeking information of the relevant figures but of the measures the authorities have in place to care for students receiving psychiatric treatment.

SECRETARY FOR EDUCATION (in Cantonese): In this regard, as I have said, the schools concerned will handle cases at three levels and will promptly refer such cases to professionals when necessary. The schools concerned are obliged to handle cases at the school level. When a case is referred to professional clinical psychologists or psychiatrists, we will co-operate with the relevant organizations in respect of the case. Regarding the details, perhaps I may give a reply after gaining a detailed understanding of the situation with the HA or Secretary Dr KO Wing-man. (Appendix I)

(Mr CHAN Chi-chuen rose and spoke)

PRESIDENT (in Cantonese): Mr CHAN, please be seated.

DR FERNANDO CHEUNG (in Cantonese): *President, society as a whole is grieving over the series of suicides of students and youngsters. I do not intend to blame any party here, yet many discussions in the community have voiced the hope of creating more space for young people to have the time and opportunity for rest, to pause and think. At present, some school sponsoring bodies, schools and principals hope to organize some so-called rest and revitalization day to allow students to have some rest and revitalize their life. It does not mean there is no school on that day but that all classes will be suspended for one day, to give us space to listen to the feelings of students and understand the pressure faced by them now. This will give them an opportunity to express their views to adults, and we may also pause for a while. Will the Secretary for Education call on schools to adopt this practice? First, do not be negative. Many principals and school sponsoring bodies worry very much that they have to cope with the many*

requirements and rules prescribed in the current curriculum, so is it possible for them to adopt such a practice? Will the Secretary make it clear that in view of the need to create more space, school sponsoring bodies, principals, parents and students may pause for a while if they consider the arrangement is an opportunity to achieve that purpose?

PRESIDENT (in Cantonese): Mr CHEUNG, you have stated your supplementary question very clearly, please let the Secretary give his reply.

SECRETARY FOR EDUCATION (in Cantonese): President, I thank the Honourable Member for the good suggestion. I will make proactive efforts to examine the arrangement with my colleagues and the committee after the meeting. Yet, I would like to respond to another point. As I mentioned in my earlier replies, we issued a letter to schools yesterday to encourage schools to enhance their life education activities according to their own circumstances. If school sponsoring bodies and schools express the need for other support, we will cope with them. One of the points to note is to provide space for students so that all students and teachers in a school can sit down and talk. This is one of the options but not the only option. Therefore, President, I think this is a good suggestion and I will discuss it with my colleagues when I am back in the office.

DR PRISCILLA LEUNG (in Cantonese): *President, I have come across incidents of students committing suicide in the university. I have been teaching in the university for 25 years. In October 2014, an outstanding and popular student with leadership abilities in our faculty plunged to his death suddenly. I attended his funeral and visited his secondary school to gain some understanding about his past, yet none of us could find a hint. We do not understand why he would jump from the 10th floor on that day after a meeting with his schoolmates and saying he would take a short break.*

I believe that the scar left by such incidents, the suicide of a schoolmate, will last for a long time. If such cases are handled by means of the system or a special committee, it may be too distant and too impersonal and the problem will not be solved. In my view, many issues require immediate attention, be the person affected a teacher, a student or a classmate ... We see that there are social workers in universities and secondary schools, yet under the system ...

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

DR PRISCILLA LEUNG (in Cantonese): *I am coming to it, President, please allow me to finish my question ...*

PRESIDENT (in Cantonese): I am asking you to state your supplementary question now.

DR PRISCILLA LEUNG (in Cantonese): *I am going to ask my supplementary question now. Young people do not like to consult psychiatrists, nor do they like to meet with social workers. Will the authorities consider providing an alternative channel by setting up a separate branch, say under the auspice of an emotion support centre, so that the young people will find it easier to receive such services? If they do not want to share their feelings with parents and teachers, they may seek assistance from such centre on their own. I think the authorities may allocate additional resources for this purpose, for the arrangement under the existing establishment, including social workers, may not handle the emotional problems encountered by young people nowadays. Secretary, I hope you will consider this proposal.*

SECRETARY FOR EDUCATION (in Cantonese): President, I thank the Member for her suggestion. In the past few days, I have met with individual schools and universities and noticed the situation mentioned by the Honourable Member just now. Young people do not want other people to learn about their problems but they do need assistance. For this reason, a certain institution set aside two rooms in the campus clinic close to either wings of the campus building for professionals to work there. As the institution notices that students in need consider it troublesome to book appointments by phone and are unwilling to do so, the institution adopts this special arrangement for special cases to allow students to approach the clinic for services on their own and pre-empt the so-called labelling effect. The arrangement is made on this premise. The institution has commenced the work and received responses. I think this is one of the approaches to handling the situation. If it is considered effective, I hope other institutions may consider following suit.

(Dr Priscilla LEUNG rose and spoke)

PRESIDENT (in Cantonese): Dr Priscilla LEUNG, please be seated.

MS STARRY LEE (in Cantonese): *President, as a parent, I am extremely disappointed with the replies of the Secretary when I saw that students had chosen to commit suicide as protest. The Secretary has failed to understand the sources of pressure now faced by parents and students. In fact, given the distorted values in society and under the education system of "Learning: It's all about scores", students are classified into different grades, those getting high scores are excellent and successful and those failing to make achievement in academics are bad kids and losers.*

President, parents do not want to be accomplices, nor do they want their children to fail. Therefore ...

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

MS STARRY LEE (in Cantonese): *... there are endless drills, and this is the cause of the drilling culture. Many parents vote with actions. Parents who have the means and conditions to make a choice may send their children to international schools or switch to the IB curriculum, for they cannot accept and are displeased with the uniformity of the education system of "Learning: It's all about scores" ...*

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

MS STARRY LEE (in Cantonese): *President, my supplementary question is very practical. Since many parents and people in society consider it necessary to address the pressure brought to bear on children and parents by the education system in Hong Kong, has the Education Bureau given thorough consideration to allowing schools under the subvention system to introduce overseas curriculum, including IB, so that grass-roots families may also have a choice, and they may choose to break away from this "pressure cooker" of the education system in Hong Kong?*

PRESIDENT (in Cantonese): Ms LEE, your supplementary question is not urgent. Secretary, do you have any response?

SECRETARY FOR EDUCATION (in Cantonese): President, it is a big topic which may involve a lot of discussions, and this is not the first time this topic is suggested. Individual schools and parents have asked me why additional resources cannot be provided to them for this purpose. Due to the divergent views, I cannot respond to the Honourable Member's question for the time being.

MR WU CHI-WAI (in Cantonese): *President, the Secretary has mentioned "early identification and intervention" frequently in his main reply, stating that this is an important procedure for addressing and identifying warnings of ideation of suicide. I note that all the mechanisms under the Education Bureau are focused on the so-called "Three-tier Support Model". Yet this support model does not seem to have any measure to target the social media, a channel which young people nowadays accord great importance or use most frequently. May I ask the Secretary whether he agrees that the provision of information on suicide alerts on the Internet is extremely important when he considers the "Three-tier Support Model", and whether he will allocate resources and manpower to the detection of warning signals on suicide on the Internet, so that "early identification and intervention" can be commenced as soon as possible?*

SECRETARY FOR EDUCATION (in Cantonese): President, the Education Bureau has set up a webpage for students concerned so that they can access the webpage when they are in need. Here I will particularly give a brief account to Members on the work carried out by the Social Welfare Department (SWD). People with suicidal ideation will leave a lot of hints on their blogs or groups on the Internet. The SWD has subsidized the Suicide Crisis Intervention Centre of the Samaritan Befrienders Hong Kong to introduce the Suicide Prevention on neT Service to step up patrols on the Internet ...

(Mr WU Chi-wai rose and spoke)

PRESIDENT (in Cantonese): Mr WU, please let the Secretary continue with his reply.

SECRETARY FOR EDUCATION (in Cantonese): ... to step up patrols on the Internet by searching websites and online media messages including terms like "suicide" or "ending life", providing emotional support for people with high risks of suicide.

In April 2010, the SWD started allocating additional resources to the Suicide Crisis Intervention Centre for the development of an Internet platform and introduction of online services for a three-year period through the Help4suicide pilot scheme. Under the scheme, an email box and a chat room were set up to make proactive efforts to contact Internet users with ideation, so that they could vent their emotions and receive emotional support. Case stories, video production and online resources had been uploaded to advocate positive outlooks on life and provide the relevant social service information for users.

In view of the needs of society and the satisfactory effect of the Internet platform services, the services were made regular by the SWD in April 2013 and are allocated additional funding of over \$1 million every year. In August 2011, the SWD commissioned a non-governmental organization to implement three three-year pilot cyber youth outreaching projects in a holistic manner, seeking to provide preventive, developmental and remedial services via the Internet, including emails, MSN, online chat rooms, online games, and so on, to reach out to high-risk young people and provide them with online consultation and counselling services.

President, all of these schemes, as well as other work carried out by the SWD, will reach out to young people in the cyber world. Individual schools have also provided similar activities and support via their school sponsoring bodies, and that is the reason for the Education Bureau to set up the relevant websites.

(Mr WU Chi-wai rose and spoke)

PRESIDENT (in Cantonese): Mr WU, the Secretary has answered your supplementary question. If Members are not satisfied with the reply of the Secretary, please follow up through other channels.

MR LEUNG KWOK-HUNG (in Cantonese): *Do not worry, Secretary. You cannot do any worse than LEUNG Chun-ying in terms of his popularity rating. Yours would never be the lowest ...*

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

MR LEUNG KWOK-HUNG (in Cantonese): *President, now that human lives are at stake and in imminent danger, and the Secretary has even aggravated the situation. People have died, and in the face of this pressing, life-and-death issue, his response is but slow. I will ask him a simple supplementary question. In ancient times there was ZHOU Chu who eliminated the three scourges. Now the education sector is also plagued by three scourges. Firstly, the TSA; secondly, a shortage of manpower including teachers (which results in big class teaching), and also social workers and guidance personnel. If he does not address these two problems, will he follow the example of ZHOU Chu by leaving the Government on his own initiative after these two problems are resolved?*

I would also like to put to the Secretary another supplementary question. He often goes to Japan for hanami, rather than attending meetings where people concerned about the TSA ...

PRESIDENT (in Cantonese): Mr LEUNG, you have asked your question. Please be seated.

MR LEUNG KWOK-HUNG (in Cantonese): *... wished to convey their views to him, and it would have been fine had he listened to their views. I am asking the Secretary this: Many people have been to Japan for hanami. Has he noticed the Japanese officials will eliminate scourges in two ways? One is by committing hara-kiri, and the other is to bow ...*

PRESIDENT (in Cantonese): Mr LEUNG, the question you have asked bears no direct relevance.

MR LEUNG KWOK-HUNG (in Cantonese): *President, I am seriously asking Secretary this: After viewing sakura, has he learnt from the Japanese spirit of accountability? Will he choose to commit hara-kiri or to bow?*

PRESIDENT (in Cantonese): Mr LEUNG, stop speaking now and sit down.

MR LEUNG KWOK-HUNG (in Cantonese): *When will he learn from ZHOU Chu and eliminate himself altogether?*

PRESIDENT (in Cantonese): Mr LEUNG, the question you have just asked is not directly related to the main question. Please sit down.

MR LEUNG KWOK-HUNG (in Cantonese): *I demand that he be held accountable. Will he commit hara-kiri or bow?*

PRESIDENT (in Cantonese): Mr LEUNG, stop speaking now and sit down. Secretary, you can choose whether to give a response or not.

SECRETARY FOR EDUCATION (in Cantonese): President, I will not give any response.

MR WONG KWOK-HING (in Cantonese): *President, just before I was going to ask my supplementary question I got a message from a netizen who asked me to call on colleagues during this Question Time here not to piggyback on the saddening incidents of a number of students committing suicide. In fact, it is already tragic that a number of students have committed suicide ...*

(Mr LEUNG Kwok-hung rose and spoke)

PRESIDENT (in Cantonese): Mr LEUNG Kwok-hung, please stop speaking.

I have reminded Members that when they ask their questions, they should not make any point that may lead to any response or debate by Members. Mr WONG Kwok-hing, please ask your supplementary question immediately.

MR WONG KWOK-HING (in Cantonese): *My question for the Secretary is this. Recently, 20 students have committed suicide, which is most saddening. In this connection, the Secretary's reply mainly gives a comprehensive account of the ...*

(Mr Albert CHAN spoke loudly)

PRESIDENT (in Cantonese): Mr Albert CHAN, please keep quiet.

MR WONG KWOK-HING (in Cantonese): *... follow-up measures at various levels, but falling short of conducting any in-depth investigations and studies targeting these 20 cases specifically. Therefore, Secretary, in the absence of investigation and study to find out the true causes, it would be very difficult to have a say. In this connection, may I ask the Secretary whether he will deploy manpower from the Education Bureau or put in place a structure to specifically follow up these 20 cases and identify the causes and then give an account to the public or the relevant panels as to how these cases will be followed up?*

SECRETARY FOR EDUCATION (in Cantonese): I thank the Member for his supplementary question. The answer is "yes". The committee has to go through a process in collecting information and does not simply take the reasons mentioned in newspapers as reasons. Our colleagues have visited the schools right away to work with the principals and the crisis management teams and so, we have got some information. This is why the committee is established with the primary objective of conducting in-depth and comprehensive analyses on these cases to identify their patterns and causes and then propose measures to tackle the problem.

MR CHARLES PETER MOK (in Cantonese): *President, in fact, we have to exercise great caution in asking questions on or discussing this issue here today, because as many experts have said, this may cause suicidal ideation among some young people or other people. The more it is talked about, the more likely an effect will be produced. So I think we have to be very careful.*

That said, from what we have heard, the Secretary's responses seem to be suggesting that there is no problem and that the Government has always been carrying out all such work. But there is clearly a problem now, and the Secretary seems to be completely short of new measures and initiatives to deal with the problem. President, my supplementary question particularly concerns the school systems, students, pressure on teachers, and so on. But let us not forget that apart from having to go to school or face the schools and teachers, students actually spend most of the time at home, and many people consider parents a major source or a major part of the pressure faced by students. In fact, in the Government's education policy, other than measures targeting students, what measures are in place to provide assistance and guidance for parents, so that they know that they should not exert excessive pressure on the students? And what measures are in place to guide and help them avoid exerting excessive pressure on students which would otherwise result in this problem? In this connection, can the Secretary tell us what new measures will be implemented? Do not repeat the work carried out before and tell us that all such work has produced desirable results because obviously there is a problem now.

SECRETARY FOR EDUCATION (in Cantonese): At the level of parents, different approaches are adopted at different stages of education. For example, tertiary institutions will take steps to enhance contact with parents, whereas in respect of primary and secondary schools, we have encouraged the setting up of a Parent-Teacher Association (PTA) in each school, and there are also the FPTAs of the 18 districts. We support them in carrying out exchanges and learning activities. I have twice taken part in their gatherings where discussion was held on the prospects of vocational education and the problems they encountered in parenting. On the question of whether homework constitutes a source of pressure, I have also attended two gatherings to discuss the pressure of homework as well as the attitude required of parents and some misconceptions. All of these initiatives serve to highlight the point that parents are a component of the education system.

At the level of kindergartens, in the 2017-2018 free quality kindergarten education policy, parent education is considered an important area and will be taken forward. If this area of work can be promoted early, parents can gain more comprehensive knowledge and this will provide greater support for teaching and learning while coping with the needs of students at different stages of learning.

DR KWOK KA-KI (in Cantonese): *President, I believe all the people of Hong Kong are immensely saddened by the incidents of more than 20 primary, secondary and university students committing suicide. As I listened to the Secretary who spoke at length just now, I found that he probably does not know that the biggest problem lies in the education system, that is, the Secretary himself. President, it is a waste of efforts to demand that the Secretary and his team be held accountable, for the Secretary definitely will not take any responsibility. So, I will not ask a question in this regard.*

My supplementary question is: The Secretary said that three-tier support will be provided but does he know that there is an acute shortage of social workers and educational psychologists in schools now, which actually makes it impossible to provide assistance for students? As for psychiatrists, the current situation in Hong Kong is so desperate that one cannot see a psychiatrist even when he dies.

I wish to ask what concrete measures the Education Bureau will take to increase the ratio of social workers in schools. How will it increase the number of educational psychologists, so that each school can have sufficient support from educational psychologists? Lastly, has the Secretary considered direct recruitment of child psychiatrists from the public and private sectors by the Education Bureau, in order to address these serious problems expeditiously?

SECRETARY FOR EDUCATION (in Cantonese): President, in respect of social workers, I remember that Secretary Matthew CHEUNG has talked about it recently and will make some arrangements. Regarding educational psychologists, as proposed in the Policy Address this year, the current ratio of an educational psychologist following up six to 10 schools will be increased gradually to 1:4 for schools which have admitted a large number of students with special education needs (SEN) focusing particularly on SEN students and those in need of special attention. These are some of the initiatives that we have

launched. As for the five special measures proposed in response to the recent incidents, we hope to mobilize more professionals in the relevant disciplines to at least provide timely training for schools, enhance their ability of identification and provide support for special cases.

In the foreseeable future, we consider it necessary to further study in depth the provision of support for schools in these several respects and enhance support in these areas where resources and manpower permit.

MR LEUNG CHE-CHEUNG (in Cantonese): *President, the reports on some 20 students committing suicide have indeed greatly shocked the community at large and are heart-rending to us. We may ask immediately whether it is due to the Education Bureau's complete failure on the education front that such serious consequences are caused. However, the Secretary explained earlier that there was no single cause for students committing suicide. I share this view. As shown in some overseas studies, reports on suicides in the media may result in "suicide contagion".*

In this connection, have the authorities encouraged the institutions concerned to conduct studies to ascertain how media reports and discussions on suicides are related to these incidents? Will the authorities appeal to the media to exercise caution in reporting suicide incidents?

SECRETARY FOR EDUCATION (in Cantonese): President, we have to enhance understanding and contacts in this regard. For example, Prof YIP of the Hong Kong Jockey Club Centre for Suicide Research and Prevention has particularly stressed the impact and the extremely great influence of the media and online information. I call on various sectors, especially members of the media, to be extra cautious and considerate of the feelings of students, especially students who face difficulties, in reporting such news. While I have seen some improvement in the relevant situation, I hope that individuals can truly care for the students and handle these issues with caution.

Given the huge impact of the Internet, in the Fourth Five-Year Strategy on Information Technology in Education implemented by the Government last year, one of the areas is precisely geared towards enhancing students' understanding of the application of modern technology, especially social media technology, at the

school level, in order that students can become wise users with knowledge of the risks brought about by technology. If they are aware of the associated risks, they can have more protection in using social media. This is very important.

MR YIU SI-WING (in Cantonese): *President, I agree that students committing suicide is a very complicated issue, but chiding the Secretary is no solution to the problem.*

President, other than teachers, many social workers also take part in student guidance or counselling in schools, and the families of some students may also be followed up by social workers. Therefore, the social workers who follow up the problem students should have more objective and comprehensive views. May I ask the Secretary whether the authorities will pool together social workers who have participated in counselling students with suicidal education and their families to listen to their views seriously in order to identify the reasons and patterns of students committing suicide, hence finding a solution to the problem?

SECRETARY FOR EDUCATION (in Cantonese): *President, I will get in touch with the representatives of various professional bodies, and I hope that representatives of school social workers can participate in the work of the committee.*

MR KWOK WAI-KEUNG (in Cantonese): *President, the Secretary said in his reply earlier that suicide incidents are caused by or attributed to many factors. But in reply to the supplementary questions asked by a number of Members earlier, the Secretary only said "yes, we have done it", "work has already been carried out" and "work is ongoing". I do not plan to ask the Secretary about the actual work that has been carried out. I only wish to ask this question. Since it is known that there are many causes of suicide, are the current measures taken by the Education Bureau or other government departments adequate? Is it due to the inadequacy in the mindset of the Bureau and departments or complacency on their part that work cannot be taken further forward? Can they do better? President, is their mindset capable of handling and tackling these suicide incidents?*

SECRETARY FOR EDUCATION (in Cantonese): President, I thank the Honourable Member for his reminder. We think that the existing mechanism and practices have their background and rationale. But in view of these impacts and this problem which is approaching as a menacing threat, various government departments have redoubled efforts to look into and implement more substantive, timely measures, and also study systematically how we can do better. So, our mindset is to look into how we can do better, and this is the guiding principle.

MR GARY FAN (in Cantonese): *President, in response to the problem of students committing suicide, Secretary Eddie NG only kept stressing positive mentality, the ability to face adversity and the need to embrace hopes for the future, and I think the Secretary has kept on shirking his responsibility. We certainly understand that student suicide is an education problem and also a social problem but as we ask questions from the angle of education, he is duty-bound to address this problem properly. But over the past few years, from the controversies over national education, the problem of cross-district schooling that students are forced to face, and the controversies caused by the TSA, the Secretary has never defended the rights and interests of students in Hong Kong other than neglecting them. What has he done? He pushed forward the use of Putonghua as the medium of teaching for the Chinese Language subject; he promoted the use of simplified Chinese characters for teaching; he forced students to join exchange programmes in the Mainland ...*

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

MR GARY FAN (in Cantonese): *I would like to ask the Secretary for Education, Mr Eddie NG, this question. Under the current situation where so many young students have committed suicide, can he do a good thing for students by undertaking to conduct a comprehensive review of the curriculum design, which includes formulating a timetable for small-class teaching to alleviate the pressure on students and teachers, so that teachers will have sufficient time, resources as well as the mental and physical strengths to take care of their students properly? Can the Secretary make this undertaking?*

SECRETARY FOR EDUCATION (in Cantonese): President, we are duty-bound to study how we can create for students, schools and teachers the most effective learning and teaching environment which can also suit the development of students best. We are working in this direction. With regard to the several major issues mentioned earlier, I would like to add that we have done a lot of enhancement and improvement work in various aspects over the past few years. I very much hope that Members can provide more input on other more effective options. We have all along adopted the mindset of finding ways to do better in our work.

DR LAM TAI-FAI (in Cantonese): *President, today I have heard a number of Honourable colleagues criticize the Secretary for attempting to shirk his responsibilities. In fact, I think the Secretary has no intention of shirking his responsibilities. He just does not understand or know how he can perform his duties as the Secretary.*

President, in response to the question asked by Dr Helena WONG today, the Secretary said in the last paragraph of his main reply that "the recent student suicide incidents appear to reflect some 'contagious effect'." Then he appealed to us not to "spread negative messages which may affect those who are emotionally vulnerable." President, as the Secretary should know, Hong Kong is a society where information flourishes to the extent of reaching a point of explosion, especially as the cyber world is like a boundless sea and sky where anyone can release positive energy, negative energy, good news or bad news. May I ask the Secretary how he can control the situation such that only positive energy but not negative energy is released on the Internet? Has he sought the views of experts in this regard? For instance, can he open his Facebook account to all youngsters in Hong Kong, with a view to disseminating positive energy to the youngsters direct?

SECRETARY FOR EDUCATION (in Cantonese): President, as the Honourable Member has mentioned, social media is a vast, boundless domain and so, the guiding principle is to carry out work in a cross-sectoral and whole community manner. Second, we must continue to encourage positive thinking and positive values and move forward in this direction at different levels, such as schools, life education and other activities. Our objective is to increase the exposure of students to positive mindset and the relevant experiences or activities, thereby strengthening their ability to deal with negative information and this is also important to the enhancement of their resilience in the face of adversity. As

I stressed in response to a Member's question earlier on, individual experts, such as professors of the University of Hong Kong (HKU) and The Chinese University of Hong Kong (CUHK), have put across this message at different levels, and Members have also helped disseminate the message against publishing excessive negative information, especially information relating to this issue, in order not to be misleading and avoid producing unnecessary negative effects. This we must do together. As for my Facebook account, as I have just started to use it, I will need some time to learn the ropes.

DR KENNETH CHAN (in Cantonese): *Secretary, more than 20 students have committed suicide to date and in view of this, Secretary, I do not think the problem can truly be addressed squarely by these slogan-like replies which are no more than excessive repetitions or mere undertakings of enhancing some ad hoc services. Secretary, where does the key lies? As a member of the teaching staff in university, I can tell you that the key lies in time. To achieve early identification, actions must be taken at the earliest opportunity; to ensure effective follow-up, there must be sufficient time for listening to students, and for putting down the work on hand to follow up these cases, and this is the key to solving the problem. Many students do not dare approach us because they think that we are very busy or appointments have to be made in advance, and this will let the opportunity slip by.*

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

DR KENNETH CHAN (in Cantonese): *Thank you, President, for your reminder. So, I have a very specific question and I hope the Secretary can openly give an undertaking to the public, teachers, schools and students in need of audience, telling them that in case they need to talk to teachers whom they trust, the Secretary will talk to the teachers and principals, so that the teachers can first put aside their work on hand and instead of giving priorities to conducting tutorial classes, marking students' homework or submitting reports to the Education Bureau, they will first take care of their students properly, and if they need assistance in their work, the Bureau will provide resources for them. Can the Secretary openly make this undertaking here?*

SECRETARY FOR EDUCATION (in Cantonese): President, I have been giving replies for the past hour or so and let me repeat what I have said at the request of the Honourable Member. I appeal to teachers in Hong Kong to exercise professionalism and to care for their students, and I am confident that they will do so and they will, therefore, do their utmost to care for and get in touch with the students while providing support to them.

Second, each school is currently provided with professional support, and we hope to enhance such support immediately, though not in every school because the circumstances of the schools vary from one to another. Therefore, we have been asking schools in need to approach us and we will provide them with extra support. This is what we need to do and are currently doing.

Third, as I said earlier on, in our policy, the ratio of educational psychologists to schools is originally 1:6 to 1:10, but in schools which have admitted a large number of SEN students, we will gradually increase the ratio to 1:4. This is one of the arrangements made to enhance the provision of additional resources for the schools, teachers and students in question.

MR ALBERT CHAN (in Cantonese): *This is a very solemn matter. I hope that you can do a headcount, so that more Members can return to the Chamber and pay attention to this problem relating to students.*

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)

PRESIDENT (in Cantonese): Dr Elizabeth QUAT, please ask your supplementary question.

DR ELIZABETH QUAT (in Cantonese): *President, in fact, such cases of students committing suicide, one is too few. All the people of Hong Kong feel very sad ... Excuse me, I actually mean one is too many. It is because I was terribly upset by the ringing of the summoning bell just now. President, I would like to start all over again.*

For cases of students committing suicide, one is too many. I had prepared many suggestions and was going to put them forward to the Secretary just now but the pan-democrat Members went so far as to filibuster even on this issue by requesting that the bell be rung for the quorum. I feel very bad about it.

Actually the alarm has long been sounded. President, as you may recall, over the past few years, we have also asked these questions on some past occasions of the Question Time in the Legislative Council. We have all along been aware of a continual increase in the rate of juvenile suicides but the Government has all along been repeating its answers. All along, it has not attached due importance to this problem, and it has not done good enough. The community of Hong Kong at large has not shown sufficient concern over this problem either.

Many surveys have shown that young people seldom talk to their teachers, family and social workers when they encounter problems. Some surveys have also shown that the negative energy in society is influencing the emotions of the young people. Therefore, Members may need to rethink whether scolding of people in a loud voice frequently in the Legislative Council will actually bring about some negative energy to society.

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

DR ELIZABETH QUAT (in Cantonese): *My question is: The Secretary said that a multi-disciplinary committee will be set up and although it is long overdue, it is better to have it than not having it. But before a conclusion is reached by the committee, many students may, in the interim, have emotional problems and hence commit such an act. Will the Government and the Secretary promote activities aiming to produce positive energy in schools and in society, so that more students can be energized in a positive light? For example, will consideration be given to requesting schools to arrange for a day's holiday for students to visit or get in touch with Mother Nature, because some studies show that getting in touch with Mother Nature can make students appreciate their lives more and feel happier. Alternatively, schools may consider encouraging parents to take part in activities or volunteer work in schools together with the students on certain holidays, so that the students can learn to be thankful when*

delivering such services. In fact, one needs a reason to live, and so long as one can think of a reason to live, their incentive to commit suicide may be reduced right at the juncture when they think of doing it ...

PRESIDENT (in Cantonese): Dr QUAT, please refrain from expressing your views and let the Secretary answer your supplementary question.

DR ELIZABETH QUAT (in Cantonese): *Therefore, will the Secretary consider adopting special approaches at this special juncture to promote some positive large-scale activities and school activities, in order to boost students' positive energy?*

SECRETARY FOR EDUCATION (in Cantonese): President, I thank the Honourable Member for her supplementary question. Yes, there is this need now. As I said in my reply earlier, if a youngster is surrounded by negative news from morning to night, it would be very difficult for him to have a positive mindset and so, we hope that various sectors of the community can help boost their positive energy. As I reported to this Council earlier, I issued a letter to schools in Hong Kong, asking them to enhance their life education according to their own circumstances and needs through various school-based activities. Schools are encouraged to expeditiously arrange "life education" lessons for Primary Five and Six students and also for secondary students to impart to students and consolidate skills in handling and coping with pressure to ensure that they maintain positive values and attitudes, and also to provide channels through which students can seek assistance.

President, last week I attended an event called "逆境當挑戰 繪出水平線" (Take adversity as challenge Draw beyond the horizon) where 1 600 primary students attended. This event aimed to enable students to learn from a girl who suffered injuries as to how she has struggled hard to achieve her goals. The atmosphere of the event was very good and many schools attended this event. This is one of the activities for direct participation by students, and students had the opportunity to listen to the girl's recount of her live experiences, such as how she learned to draw with her feet. We hope that more of this type of activities can be organized. Given that each school has different circumstances and the school operators have different thinking and considerations, we therefore encourage schools and school operators to particularly step up this area of work during this period of time. We are promoting work in this respect.

MRS REGINA IP (in Cantonese): *President, a fortnight ago when I asked an oral question, I also asked questions on the problem of students committing suicide. Regrettably, more cases of suicide have hitherto occurred, which is saddening. I wish to ask the Secretary this question. In recent years, there have been far more incidents of secondary students or university students committing suicide than in the past, so is this related to the implementation of the New Senior Secondary Academic Structure (NSSAS) by the Government? Because it constitutes a lot of unnecessary pressure on secondary students and parents in coping with, for instance, SBA, Independent Enquiry Study, and so on, and even after students have got into an university, they may not be up to standard in meeting the requirements of their disciplines. Will the Secretary undertake to immediately review the NSSAS to ascertain the negative impacts on students' psychology and their parents?*

SECRETARY FOR EDUCATION (in Cantonese): *President, I thank the Honourable Member for her supplementary question. Compared with the 18 unfortunate cases last year, there have been over 20 such cases this year. The number of cases has indeed increased considerably. Second, we have seen that the situation of university students is a bit different from that in the past. Third, I have also raised this question with the experts, school representatives, and so on, and there has not been any particular information showing that these cases are directly related to the NSSAS. As Mrs IP also asked in her question on that last occasion, is this the result of students being ostracized by others in university or problems in their adaptation? From my contact with the universities, my understanding is that the universities do not think that these problems constitute a particular factor or reason. The important point is this behaviour has many different causes and is formed by a combination of problems. Therefore, we have to look at it comprehensively, and we probably cannot and should not look at it from one single angle.*

MR CHAN HAN-PAN (in Cantonese): *President, the spate of young people committing suicides has rendered all members of the community heartbroken and in tears. Earlier on the Secretary appealed to society at large to show concern for young people and help them solve their problems. But in order to solve the problems raised by Members today, education is absolutely not the only area involved. But much to our regret, only one Director of Bureau is here.*

Secretary, we all wish to help in finding a solution to the problem but many parents have said that sometimes they do not know what their children are thinking; nor do they know whether or not they are happy. In this connection, does the Secretary have in place measures to help students and parents, so that parents can communicate with their children more effectively and in a more caring way?

SECRETARY FOR EDUCATION (in Cantonese): President, I thank the Honourable Member for his supplementary question. Earlier on we have had discussions about similar questions. Schools, principals, the PTAs and FPTAs are of the view that the most popular topic in seminars is communication with children. In this connection, efforts have been made to enhance discussion in this area and exchanges between parents. This is the best way to come up with different approaches. Psychologists and social workers have also tendered advices in this respect. Therefore, the participation of parents in schools and in the process of teaching and learning has played an increasingly important and greater role. We will continue to encourage this and the Education Bureau will support the relevant activities of individual PTAs or FPTAs. We will encourage and support them, and also make suggestions to them.

MISS CHAN YUEN-HAN (in Cantonese): *President, when we read news of students committing suicides in newspapers, we are worried about the continual occurrence of these cases. We certainly hope they will not happen, and these cases should not have happened in the first place. However, I heard the Secretary say just now that this issue warrants attention of the whole community. May I ask whether the Education Bureau has reviewed the education policy in recent years which has exerted tremendous pressure on many school teachers? I am a member of the School Management Committees of three schools. Very often, the Education Bureau assigns a lot of work to them, and the paper work alone already constitutes a substantial workload for teachers. For example, our schools are very concerned about the grass-roots students and so, when students have finished school, the teachers will often stay behind to talk to the students or provide tutorials for them and then the teachers will have to finish their outstanding work at home.*

I would like to ask the Education Bureau this question. Regarding the whole issue, has it reviewed the education policy implemented in recent years? Take the TSA as an example. Although a new measure is proposed and a decision is taken to suspend the examination, it has turned out that some schools

still take part in it and some others do not. But I think this is very confusing, and it is better for it to be suspended across the board. Why should the Bureau allow schools to continue with it?

I told the officials responsible for this measure that it might as well be suspended across the board pending further studies. These are only a few examples cited casually ...

PRESIDENT (in Cantonese): Miss CHAN, please state your supplementary question.

MISS CHAN YUEN-HAN (in Cantonese): *President, I am going to ask it. You said that parents should spend more time with their children. They certainly hope to, but has the Secretary talked to the Government about this? Where is there a family-friendly policy? The working hours are so long now, and it is difficult for parents to care for their children even if they want to. May I ask the Secretary whether a review has been conducted on the Bureau's policies and the current labour policies of the Government and whether the situation of wage earners who are parents has been reviewed?*

SECRETARY FOR EDUCATION (in Cantonese): President, I thank the Honourable Member for her supplementary question. We have made continued efforts in this respect. We have made reference to similar studies conducted in 2010 and 2011 as well as studies on the issue of suicide conducted by other research centres, such as the centres in the HKU and CUHK, which publish the relevant information on a regular basis. In the course of the education reform and even when revamping the academic structure into the NSSAS, we had particularly included and paid attention to considerations of the workload and pressure of examinations in our review. Let me tell Members this: Under the NSSAS, there were originally two open examinations but why is there only one public examination now? One of the reasons is that the question of pressure was taken into consideration.

Second, I think parents, as I have just said, are playing an increasingly important role in the process of learning and teaching. Moreover, their participation is necessary at different stages and even in university. Therefore, we hope that the process of and the policy on learning and teaching can see the involvement of parents.

Third, some parents have made some requests and let me talk about them in brief. They consider that meetings, teaching activities or seminars should not be held during office hours and we have already acceded to this request. There is probably more participation from mothers in activities held on weekdays, but for those held on Saturdays and Sundays, more fathers may be able to attend them. We will organize these activities at times that suit the parents' schedules and their other needs.

So, these are only one or two examples showing our appreciation of the special circumstances of parents and making appropriate arrangements. A major principle is to provide them with more latitude by all means, having regard to their special background or needs, and achieve the objective of parent-child activities and facilitate home-school co-operation through contact with schools, teachers and headmasters.

MR TANG KA-PIU (in Cantonese): *President, anyone who has studied sociology will know and have a judgment that successive incidents of suicide certainly points to a social phenomenon. We are all public figures and we must be very careful in making comments or finding out the causes because our speeches will not only be put on record but may even be magnified infinitely on the Internet, and some of the speeches may produce positive energy but some may carry negative energy and so, we have to be very careful. I hope that apart from identifying the causes, we should continue to suggest measures. I venture to make a suggestion, though it may not be within the ambit of the Secretary's Policy Bureau. I was stimulated by Dr Elizabeth QUAT's speech earlier and came up with this thought and after all, it is our wish that the students and all the people of Hong Kong can cherish life.*

Cherishing life should not be confined to classroom discussion. How it can be brought into play is very important, too. In this connection, can the Government discuss with society about doing one thing or introducing a policy which is truly shown to be cherishing life? For instance, under the present arrangement, when stray animals are reported, the animals will be euthanized after being captured for some time. There has been discussion in society for a long time about whether these animals have to be euthanized. From the angle of respecting life, can society as a whole make some changes as a genuine commitment to respecting life? I trust that this will be a good example to all the people of Hong Kong (including Mr HO), and I hope that the Secretary can help convey this view.

SECRETARY FOR EDUCATION (in Cantonese): President, I think this is a good idea. We will give it consideration.

MR STEVEN HO (in Cantonese): *President, over a period of time recently, some 20 students lost their lives and we are deeply grieved. Today, a number of Members of the Legislative Council have put forward their views to the Government, but we must find out clearly the thrust of the problem and ascertain where the responsibility lies. We Members of this Council, the excessive pressure that schools put on students, the unnecessary drilling of students as a result of the pressurizing of schools probably by the Government or the Education Bureau may all be the causes, and even the high expectations of parents for their children may constitute a source of pressure on students. In the final analysis, it is all because students are not living happily. Will the Government make adjustments to the education policy and stop saying all the time that the policy is proven or improvements will be made to learning and teaching to enhance students' competitiveness, and so on and so forth, but is this direction not worthy of thorough reconsideration by the Government? Can the Government accept the views put forward by Mr TANG Ka-piu or Dr Elizabeth QUAT and conduct a comprehensive review focused on respect for life and the purpose of living in the future?*

I understand that the many proposals mentioned by the Secretary are underway but after how many lives have chosen to leave this world in such a way will the Secretary complete the review report and make adjustments to the original direction?

SECRETARY FOR EDUCATION (in Cantonese): President, I thank the Honourable Member for his views. As I have kept repeating earlier, we are not waiting for the report, though the report will have a role to play. We have immediately introduced five measures.

Second, we have all along been implementing life education and it is still being implemented now but we have to enhance it because they are particularly in need of it at this time. I agree that different approaches should be adopted but as to what approach is most suitable or whether parents' participation is most suitable, we will leave it to the schools, and our colleagues in the districts will provide support by all means. So, these are what we have to do right away.

DR HELENA WONG (in Cantonese): *President, earlier on I asked a question that the Secretary may not have the opportunity to answer. I asked the Government whether it will take the initiative to conduct a territory-wide survey on the workload of primary and secondary teachers in order to find out how many working hours are allocated for teaching, how many hours are used for administrative duties and how many hours can be spent on talking to students to see if there is already the warning signal. Will the Secretary carry out this comprehensive survey?*

SECRETARY FOR EDUCATION (in Cantonese): President, I thank the Honourable Member for her suggestion. I can go back and discuss it with my colleagues.

PRESIDENT (in Cantonese): We have spent more than two hours on the three urgent questions. I will let Mr Paul TSE ask the last supplementary question.

MR PAUL TSE (in Cantonese): *President, recently I have been lucky enough to have some communications with Aung San Suu Kyi and I mentioned that many young people in Hong Kong face a lot of problems. Her reply was simple. She said that the best way to solve one's own problems is to pay more attention to other people's problems and do more to help other people solve their problems. In this connection, has the Education Bureau or other Policy Bureaux stepped up efforts to encourage young people to care for other people's problems, so that they can think out of the box and lend a helping hand to others?*

SECRETARY FOR EDUCATION (in Cantonese): President, we encourage students to care for the people around them, to care for their school, to care for themselves and to care for society at several levels. Volunteer work is one example; internship opportunities are another. Moreover, some schools have set up caring teams, and this measure is also adopted in universities with the objective of encouraging students to appreciate themselves, to cherish themselves, to cherish the people around them and to live the present moment to the fullest. Schools have also promoted activities under these themes.

ORAL ANSWERS TO QUESTIONS

PRESIDENT (in Cantonese): Questions. First question.

Measures to Increase Commercial Floor Space

1. **MR CHAN KAM-LAM** (in Cantonese): *President, some surveyor firms have pointed out that the vacancy rates of Grade A commercial buildings have all along been extremely low in recent years. With the economy of the United States improving gradually, quite a number of multinational companies and mainland-funded organizations have set up offices in Hong Kong one after another, aggravating the problem of shortage of commercial floor space in Hong Kong. It is estimated that there will be a shortfall of two million square feet of commercial floor space in 2020. On the other hand, the Chief Executive stated in his Policy Address delivered last month that the Government would gradually rezone suitable "Government, Institution or Community" (G/IC) sites in core business districts for commercial use, and would continue to promote the conversion of Kowloon East into the second core business district, including the progressive implementation of the reprovisioning of the existing government facilities in the "Kowloon Bay Action Area" and the commencement of a study on the "Kwun Tong Action Area", in order to release more land for commercial use. However, there are views that the various aforesaid measures can hardly solve the imminent problem of shortage of commercial floor space as the implementation of them will take as long as five to eight years. In this connection, will the Government inform this Council:*

(Some Members spoke aloud in their seats)

- (1) *whether the authorities have regularly conducted studies on the supply of and demand for commercial floor space across the territory; if they have, of the latest study outcome; if not, the reasons for that; the details of the supply of commercial floor space in various districts across the territory in the past two years; the details of the supply of commercial floor space and the relevant supply indicators in various districts across the territory in each of the next five years;*

- (2) *of the G/IC sites whose rezoning for commercial use has already been taken forward by the authorities, the total area of the commercial floor space that can be provided by those sites, the progress of amending the relevant statutory plans, and the anticipated time when the sites concerned can be put up for sale; the G/IC sites whose rezoning for commercial use is under study by the authorities, the progress of the relevant study, the total area of the commercial floor space that can be provided by those sites, and the anticipated time when the sites concerned can be put up for sale; and*
- (3) *given that the authorities indicated as early as in the 2008-2009 Budget the plan to relocate the three government office buildings situated in Wan Chai in order to release the sites concerned for developing Grade A commercial buildings, and yet it has been nearly eight years since the announcement of the plan, of the specific progress of the plan?*

SECRETARY FOR DEVELOPMENT (in Cantonese): President, to maintain Hong Kong's position as an international financial and commercial centre, the Government endeavours to provide commercial land and floor space to meet the needs of different economic activities and support the sustainable growth of Hong Kong's economy. The Government adopts a multi-pronged approach to ensure that land supply in the short, medium and long term not only satisfies the needs of housing, infrastructure and supporting community facilities, but also caters for economic developments.

As regards commercial sites and floor space, the Government will continue to take forward various measures for increasing supply, including, as Mr CHAN Kam-lam has just mentioned, converting suitable government properties and "Government, Institution or Community" (G/IC) sites in core business districts (CBDs) to commercial use; promoting the transformation of Kowloon East into the second CBD including land use rezoning and introducing revitalization measures to promote wholesale conversion and redevelopment of industrial buildings for optimizing the use of their floor space, and providing government land in a number of Action Areas for commercial developments; as well as reserving sites in the planning process of various medium and long-term land development projects for providing more space for commercial and other economic activities (for details please see Annex 1).

After consulting the Financial Services and the Treasury Bureau, Rating and Valuation Department (RVD) and Government Property Agency (GPA), my reply to the three-part question is as follows:

- (1) RVD compiles on a regular basis statistics on private offices, Grade A offices in core districts and retail premises, including figures on stock, completions, rental and price indices. The relevant information in the past five years is at Annex 2. The short-term demand and supply for commercial floor space is subject to various factors such as economic situation. The majority of market supply in the past five years comes from commercial floor space in private development projects, including those from redevelopment or conversion projects on private land. The Government does not have a specific supply target for new commercial sites, but will continue its efforts in increasing the supply of government land available for sale for commercial use.

From 2010-2011 to 2015-2016, the Government has been proactive in providing commercial and business sites to the market. A total of 21 commercial or business sites have been or will be sold, capable of providing approximately a total of 816 000 sq m of commercial floor area upon completion. Yau Tsim Mong District, Sham Shui Po District, Kowloon City District, Sai Kung District and Islands District each contribute one site; two sites each in Yuen Long District and Kwai Tsing District; five sites in Sha Tin District; and seven sites in Kwun Tong District. Moreover, eight commercial and business sites have been included in the 2016-2017 Land Sale Programme, one each in the Central and Western District, Southern District and Kwai Tsing District; two in Kowloon City District; and three in Sham Shui Po District. It is estimated that these eight sites can provide a total of approximately 536 000 sq m of commercial floor area.

As for the trend of long-term demand and supply, the Planning Department (PlanD) will formulate a long-term planning strategy for the market-driven economic land uses when studying the territorial development strategy. Currently, PlanD is carrying out an updating study on the territorial development strategy, known as "Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030" (Hong Kong 2030+). A consultancy has been engaged under the

framework of that study for updating the demand forecast of various economic land uses (including Grade A offices and business). The forecast is expected to be completed later this year and will serve as one of the essential components of "Hong Kong 2030+".

(2) and (3)

As mentioned above, the Government has been proactive in converting suitable government properties and G/IC sites for commercial use to increase the supply of commercial floor space. In this connection, the Government has successfully disposed of its properties at the Trade and Industry Department Tower in Mong Kok, releasing around 26 400 sq m of commercial floor area. The Government has also included in the 2016-2017 Land Sale Programme the Murray Road Multi-storey Carpark in Central, Tai Lin Pai Road Cooked Food Hawker Bazaar, Yu Chau West Street Cooked Food Hawker Bazaar, and the site at the junction of Lai Chi Kok Road and Cheung Shun Street in Cheung Sha Wan, which altogether are capable of providing an estimated commercial floor area of around 138 500 sq m. The site of Tai Lin Pai Road Cooked Food Hawker Bazaar is planned for sale in the second quarter of this year, while the statutory planning procedures for the other sites have also commenced and are expected to be completed within 2016-2017. In addition, the Government plans to redevelop the Queensway Plaza site, which can provide an estimated commercial floor area of around 93 300 sq m. We are also planning to convert other suitable sites for commercial use, for example the former Mong Kok Market site, the former headquarters of the Electrical and Mechanical Services Department and the surrounding sites on Caroline Hill Road, and the government sites at Sai Yee Street, which will jointly provide at least 300 000 sq m of commercial floor area. Subject to the progress of various infrastructure works at the new Central harbourfront, the Government will make reference to the recommendations of the Urban Design Study for the New Central Harbourfront and offer sites suitable for commercial development in a timely manner. It is estimated that about 200 000 sq m of commercial floor area can be provided in total.

Under the Energizing Kowloon East initiative, Kowloon East, as a new business district, has huge potential to supply about 5 million sq m additional commercial floor area. Since 2012-2013,

the Government has sold five commercial sites in Kowloon East, which can provide a total of approximately 270 000 sq m of commercial floor area upon completion. In addition, we are studying the relocation of existing government facilities in the two Action Areas of Kowloon East to make available vacant sites for comprehensive developments of commercial and other uses. It is expected that the released sites will be able to provide about 560 000 sq m of commercial floor area. The Kai Tak Development is also one of the important sources of future commercial land supply in Hong Kong with a total of 19 sites zoned "Commercial", "Comprehensive Development Area" and "Other Specified Uses". These sites, measuring jointly about 21 hectares, are reserved for commercial uses including office, shop and hotel. Depending on the progress of the planned infrastructure works, these sites can be released to the market in phases from 2016 onwards, and are estimated to provide a total of about 1 million sq m of commercial floor area.

According to the Financial Services and the Treasury Bureau, the relocation of the three government office buildings at the Wan Chai waterfront is a large-scale project involving 29 departments, 175 000 sq m of floor area and more than 10 000 staff. The project will be implemented in phases as the planning and preparation work takes time. The first replacement building project, namely the West Kowloon Government Offices, commenced construction in mid-2015 and is expected to be completed in 2019. About one fifth of its floor space will be used for reprovisioning some of the government offices in the three government office buildings at the Wan Chai waterfront. Another two projects, namely the Government Data Centre Complex and the Treasury Building in Cheung Sha Wan, have secured funding approval by the Finance Committee of the Legislative Council for consultancy services for the pre-construction works. Relevant bureaux and departments are now also actively pursuing other new replacement government office building projects in districts including Kai Tak, Tseung Kwan O and Chai Wan. Subject to the progress of the planning work, the Financial Services and the Treasury Bureau will be submitting funding applications for these projects to the Legislative Council in due course. With the successive completion of these new government office buildings from 2019 onwards, the GPA will arrange for the departments concerned to vacate the three

government office buildings at the Wan Chai waterfront in phases, and lease out the floor space vacated with a view to increasing the supply of Grade A office space in Wan Chai.

Annex 1

Commercial and Economic Land in the Medium to Long-Term Land Development Projects

	<i>Kwu Tung North New Development Area (NDA)</i>		<i>Fanling North NDA</i>		<i>Hung Shui Kiu NDA</i>		<i>Tung Chung New Town Extension⁽²⁾</i>		<i>Yuen Long South</i>		<i>North Commercial District on the Airport Island</i>		<i>Topside Development at Hong Kong Boundary Crossing Facilities Island of Hong Kong- Zhuhai-Macao Bridge</i>	
	<i>Total Site Area (ha)</i>	<i>Total Floor Area ('0 000 sq m)</i>	<i>Total Site Area (ha)</i>	<i>Total Floor Area ('0 000 sq m)</i>	<i>Total Site Area (ha)</i>	<i>Total Floor Area ('0 000 sq m)</i>	<i>Total Site Area (ha)</i>	<i>Total Floor Area ('0 000 sq m)</i>	<i>Total Site Area (ha)</i>	<i>Total Floor Area ('0 000 sq m)</i>	<i>Total Site Area (ha)</i>	<i>Total Floor Area ('0 000 sq m)</i>	<i>Total Site Area (ha)</i>	<i>Total Floor Area ('0 000 sq m)</i>
Commercial/ Retail/ Service ⁽¹⁾	-	24.2	-	14.1	24	207	9 ⁽³⁾	87.7 ⁽³⁾	0.5	19.3	10	20	150	30 to 50 (the developable land area and land uses are subject to the technical and financial feasibility assessments)
Industrial; Business; Special Industry; Science & Technology Park; and Research & Development	17.5	45.4	-	-	83	349	-	-	12	40	-	-		
Total	17.5	69.6	-	14.1	107	556	9	87.7	12.5	59.3	10	20		

Notes:

- (1) Excluding Commercial/Residential sites.
- (2) Based on the Recommended Outline Development Plan promulgated in December 2015.
- (3) Including some Research and Development site area/floor area.

Annex 2

**Statistics for Private Offices, Private Grade A Offices in
Core Districts and Private Retail Premises**

Year	Private Offices				Private Grade A Offices ⁽²⁾ in Core Districts ⁽¹⁾⁽³⁾			Private Retail Premises			
	Stock (sq m)	Completions (sq m)	Rental Indices	Price Indices	Stock (sq m)	Completions (sq m)	Price Indices	Stock (sq m)	Completions (sq m)	Rental Indices	Price Indices
2011	10 782 100	155 200	169.9	297.9	3 538 000	0	328.2	9 500 000	38 200	134.3	327.4
2012	10 891 100	135 700	188.3	334.7	3 566 100	31 700	340.0	9 621 000	87 900	151.3	420.5
2013	10 983 200	122 700	204.1	409.8	3 570 100	3 600	380.1	9 637 000	38 400	165.5	506.8
2014	11 060 700	103 600	213.7	423.0	3 550 900	0	365.2	9 679 000	57 100	173.1	521.2
2015	11 283 200*	164 500	226.7*	448.8*	3 555 200*	4 900	391.4*	9 791 000*	68 100	182.0*	559.1*

Notes:

- (1) Core districts refer to Sheung Wan/Central, Wan Chai/Causeway Bay and Tsim Sha Tsui.
- (2) Grade A offices refer to offices which are modern with high quality finishes; flexible layout; large floor plates; spacious area, well decorated lobbies and circulation areas; effective central air-conditioning; good lift services zoned for passengers and goods deliveries; professional management and parking facilities.
- (3) For Grade A offices in the core districts, the RVD only compiles rental indices for individual districts (that is, (i) Sheung Wan/Central; (ii) Wan Chai/Causeway Bay; and (iii) Tsim Sha Tsui) but not the composite rental indices.

* Provisional figures

Source: Rating and Valuation Department

MR CHAN KAM-LAM (in Cantonese): *President, despite the Government's efforts in the past few years to provide land for commercial use, the data in the Annexes to the Secretary's main reply reveal that the supply of private offices has increased by only 5%, but both the rental and the price indices have registered a substantial increase, indicating a significant shortfall in the supply of private offices. Will the Secretary review afresh the existing planning by, for example, relaxing the building height restrictions or plot ratios in certain areas so as to increase the supply of floor space?*

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

SECRETARY FOR DEVELOPMENT (in Cantonese): Deputy President, what Mr CHAN Kam-lam referred to is true. Currently, Hong Kong experiences a shortage of land and floor space not only for homes, but also, as a matter of fact, rather seriously for offices, which is why office rents remain quite high. Over

the past few years, we have been making efforts to increase supply, but as the planning and preparation work took time, the supply was in fact relatively low in 2015-2016. However, as indicated in the main reply, the supply will be increased when eight sites are put up for sale in 2016-2017, offering more than 500 000 sq m of floor area. Regarding the increase of development density, overall speaking, we will seek to increase the development density by no more than about 20% wherever possible, other than on both banks of the Victoria Harbour, where the development density is already quite high. Of course, a series of assessments in various aspects, including transport infrastructure, water supply and sewage disposal, is a prerequisite for the increase of density. In fact, we have carried out such work in phases for the Kai Tak Development project, and increased its density to provide extra floor area. As for other sites, we will do so wherever possible, but subject to the circumstances of each individual site.

MR TONY TSE (in Cantonese): *Deputy President, in his main reply, the Secretary mentioned the plan to relocate the three government office buildings situated in Wan Chai. In fact, the plan commenced in 2009 and is now expected to be completed in 2019 at the earliest, which is taking a long time. As far as relocation is concerned, theoretically, sites have been reserved in three locations as mentioned in the main reply, namely Kai Tak, Tseung Kwan O and Chai Wan, for the future construction of government office buildings to replace those three government office buildings in Wan Chai. The Secretary said just now that land was actually very scarce in Hong Kong. On the premise of efficient use of land resources, and given that it takes time to build the new government office buildings on these reserved sites, Deputy President, have the authorities put these sites to temporary uses before the official commencement of construction of the buildings? If they have, what are the current uses of the three sites in these three districts?*

SECRETARY FOR DEVELOPMENT (in Cantonese): Deputy President, there is no one-size-fits-all answer. Generally speaking, even if there are sites expected to be developed, if the development plan has not been finalized, we will, whenever possible, still put them to some short-term and better uses by way of short-term tenancy through the Lands Department. Among the projects mentioned by Mr TSE just now, some have secured funding from the Legislative Council for initial planning, which will be closely followed by the next step of work. Therefore, it is unlikely for them to be put to other short-term uses. As

for the Kai Tak area, the progress of transport infrastructure works within the area is the determining factor. It is unlikely for the sites in that area to be put to other short-term uses because there is a lack of transport access and other ancillary infrastructure.

MR TONY TSE (in Cantonese): *My question to the Secretary is: Had consideration ever been given to short-term uses in the past? If so, what were such uses? I am not asking about the current situation because the time gap between now and then might have made it necessary for some uses to be terminated. I am talking about past scenarios. Can the Secretary provide some information in this regard?*

DEPUTY PRESIDENT (in Cantonese): Mr TSE, please let the Secretary reply. Secretary, do you have anything to add?

SECRETARY FOR DEVELOPMENT (in Cantonese): Deputy President, I will provide a written reply after the meeting. (Appendix II) However, even the West Kowloon Cultural District, which we mentioned earlier, could not be previously put to other uses, because the ancillary facilities were not ready.

MR JAMES TIEN (in Cantonese): *Deputy President, first of all, I would like to declare my interests because I own a building in Kowloon Bay and this question is related to Kowloon East. In recent years, the rents in Kowloon Bay have remained at about \$30 per sq ft. There was not much increase in these two to three years. On the contrary, rents increased from \$12 or \$13 to \$30 several years ago, when the supply was short. I find the Government often tardy in getting hold of information. It identifies sites for development only after rents have risen, plus the construction works take six to eight years. The preparation is therefore inadequate. Despite the United States economy faring well, Moody's has recently changed its outlook on Hong Kong's rating to negative, but I do not think the Secretary can get his head around it, because he is saying it is necessary to assess how good the future economy will be, how many buildings are needed, and so on. Specifically, I wish to ask a relatively simple supplementary question instead. Like Deputy President, I run factories. There are many old industrial buildings in Kwun Tong and San Po Kong, Kowloon. Rather than*

searching everywhere for suitable sites, I think it will be more effective if the Government allows old industrial buildings to be demolished upon payment of premium and rebuilt into new offices. Very often, commercial buildings have to be built in Sha Tin or Tai Po, which is far away from the town centre areas, and by all accounts, this approach is less effective. Therefore, I would like to ask the Secretary: Is it commonplace that an entire old industrial building — not individual units — be demolished and then redeveloped upon payment of land premium? Will it make the problem easier to handle?

SECRETARY FOR DEVELOPMENT (in Cantonese): Deputy President, I thank Mr James TIEN for his supplementary question. Deputy President, the situation is this: PlanD has in fact conducted several rounds of planning reviews on industrial land. As a result of the northward relocation of industries, a considerable number of industrial areas can be rezoned for other uses, such as offices and commercial uses. There are even some cases of individual suitable sites being rezoned for residential use. However, as the Member pointed out, the absolute majority of these sites are privately owned; therefore, any redevelopment after rezoning is contingent on the owner's interest and the market situation.

We have seen the aforesaid situation happening in the past, but very often it is not easy for the Lands Department and the developer to reach consensus on the premium price. Therefore, the pace of redevelopment is not under the total control of the Government. As it is an issue of private redevelopment, the development pace is determined by how fast the private developers proceed with the redevelopment having regard to the market situation and the payment of premium. We should all remember that a policy was previously implemented to revitalize industrial buildings. When I answer the fourth question later, I will provide some statistical figures which indicate the fact that, following the implementation of such policy, some buildings are currently under wholesale conversion and redevelopment.

IR DR LO WAI-KWOK (in Cantonese): *Deputy President, in fact, many cities in the world deliberately develop large-scale transport interchanges into commercial areas wherever possible. For example, I remember that when the Japanese built the Kansai International Airport in Osaka, they invited a large number of overseas investors to visit those mega commercial areas adjacent to*

the airport and the seaport. In Hongqiao, Shanghai, where Members of the Legislative Council had visited during a duty visit, the large-scale transport interchange incorporating the airport, express rail and highways is used to form a large plot of commercial area. These are very good examples. However, looking back at Hong Kong, the third runway is about to be built at the international airport, and the Hong Kong-Zhuhai-Macao Bridge (HZMB) project is in full swing after securing additional funding, but the planning in this regard seems really too slow. Particularly, when it comes to bridgehead economy and utilization of the HZMB artificial island, these plans have always been empty talk, never ever launched. In this regard, how would the Secretary materialize such good business opportunities as soon as possible?

SECRETARY FOR DEVELOPMENT (in Cantonese): Deputy President, I thank Ir Dr LO Wai-kwok for his supplementary question. Deputy President, I fully agree with Ir Dr LO Wai-kwok's view on optimizing the use of some transport infrastructure, particularly the space for development within and around the area of an interchange. Since taking office, the current-term Government has been making great efforts to press forward in this direction, but it takes time.

In short, we encourage the Airport Authority to designate the site of an existing nine-hole golf course, situated to the north of the airport island, for commercial development, whether as hotels or offices. On the other hand, according to the last-term Government's original plan, the only facility on the HZMB artificial island is a boundary crossing facility. Now we have commenced a study on appropriate topside development. According to the preliminary assessment conducted by our in-house engineers, it is possible to develop as much as 300 000 to 500 000 sq m of commercial floor area for commercial, hotel, exhibition and convention, or other uses, which are up for discussion. In addition, studies will be conducted on pursuing residential development on the topside of the Siu Ho Wan Depot. We will continue to work hard and never slack off.

DEPUTY PRESIDENT (in Cantonese): Second question.

Giving Out Warm Clothing and Food Items to Elderly People in Need

2. **MR LEUNG KWOK-HUNG** (in Cantonese): *Deputy President, in late January this year, Hong Kong experienced the coldest spell in 59 years. On 24 January, the Secretary for Labour and Welfare told the media that, in the light of a drastic drop in temperature, the Social Welfare Department had already distributed sufficient warm clothing and food items (including scarves, hats, gloves, blankets, biscuits, milk powder, oatmeal, etc.) to 65 Integrated Family Service Centres, two Integrated Services Centres, as well as a total of 241 District Elderly Community Centres and Neighbourhood Elderly Centres (collectively referred to as "elderly services centres" below) for collection and use by elderly people in need. However, some social workers have complained to me that some of the elderly services centres did not receive any of such materials and their materials were all donated by charitable organizations. Furthermore, quite a number of elderly people have complained to me that as they were not given out any warm clothing nor food items by the elderly services centres, they could only seek assistance from certain charitable funds and other non-subvented institutions. On giving out warm clothing and food items to elderly people in need, will the Government inform this Council:*

- (1) of the quantity of each type of warm clothing and food items distributed to elderly services centres in each of the past three years, with a tabulated breakdown by the District Council district in which the elderly services centres are located;*
- (2) whether it has reviewed if the quantities of warm clothing and food items distributed to various elderly services centres in January were sufficient; if it has reviewed and the outcome is in the affirmative, why some elderly services centres have not received any such materials, causing some elderly people in need having to seek assistance from other institutions; if the review outcome is in the negative, whether the authorities will immediately allocate more resources and distribute sufficient warm clothing and food items to various elderly services centres for use by elderly people in need; and*

- (3) *whether it has stipulated the quantity of warm clothing that may be given out to each elderly person who seeks assistance (e.g. only one blanket or one windbreaker for each elderly person); if it has, how the authorities ensure that the relevant quantity of warm clothing is sufficient for the elderly people to cope with the cold spells?*

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): Deputy President, my consolidated reply to the questions raised by Mr LEUNG Kwok-hung is as follows:

Every year before the winter season, the Social Welfare Department (SWD) will prepare for the cold weather by taking precautionary measures, including provision of appropriate quantities of blankets for relevant service units through various District Social Welfare Offices (DSWOs), District Elderly Community Centres (DECCs), the Hotline and Outreaching Service Team and Integrated Services Teams for Street Sleepers so that blankets can be distributed to the needy in a timely manner. If the Neighbourhood Elderly Centres (NECs) find that there are elderly persons in need of blankets, they may contact DECCs or DSWOs. In 2013-2014, 2014-2015 and 2015-2016, the SWD distributed about 2 400 blankets each year to needy persons. People in need may take more than one blanket to keep warm. In addition to blankets, DECCs and NECs may use the subvention from the SWD to purchase other warm items (such as winter clothing and food) for the needy elderly in the districts. Service units will also distribute other warm items donated by individuals and organizations to provide support for the needy elderly in the districts during cold weather.

During cold spells (that is, when the Hong Kong Observatory issues a cold weather warning), the SWD will liaise with its social welfare service units (including elderly centres) and those under non-governmental organizations, and remind them to strengthen support for their service recipients. The elderly support teams under DECCs and the elderly service units in the districts will remind elderly persons to stay alert to weather changes and advise them on ways to keep warm. They will also proactively approach the single and needy elderly, assess their needs in the cold weather, help them take necessary precautions and provide them with suitable warm items according to their needs.

MR LEUNG KWOK-HUNG (in Cantonese): *Deputy President, the Secretary is actually evading his responsibility by providing a consolidated reply. Despite my request in part (1) of my question for the Government to provide "a tabulated breakdown by the District Council district in which the elderly services centres are located", the Secretary has merely informed this Council in his consolidated reply the quantity of blankets which have been distributed. As a result, there is no way for me to find out whether or not the blankets are evenly distributed among various districts.*

Furthermore, the Secretary has failed to answer the question raised by me in part (2) as to whether or not the authorities have reviewed the sufficiency of the items distributed. Instead, he has merely indicated in his reply that the Government had distributed blankets, while other clothing items were either purchased by the relevant organizations with their subventions or donated by other charitable organizations. In other words, the Government has merely provided blankets but is not sure about the sufficiency of clothing. Since the Secretary has not answered these two questions, I now request him to reply.

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

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): Deputy President, we are indeed unable to provide a breakdown of the figures requested in part (1) because there are a total of 11 DSWOs, 41 DECCs, 168 NECs and Outreaching Service Teams, and so on. Hence, it is difficult for the Government to provide an accurate breakdown, though the approximate figures are available.

Secondly, I would like to inform Members that the SWD has a sufficient stock of blankets. For instance, according to the latest figure, the SWD has more than 7 000 blankets available for use. We will definitely make our best endeavours to provide assistance to the elderly and people in need.

As regards the provision of food items, such as cup noodles, biscuits or oatmeal, in other services centres, we have provided these centres with flexibility in the use of funds, so that these organizations or centres may respond to actual needs. Furthermore, an additional \$160 million was allocated in 2014-2015. Additional resources have also been allocated to DECCs to give them more flexibility in the use of funds.

MR LEUNG KWOK-HUNG (in Cantonese): *Since he has failed to provide a breakdown in his reply, we cannot possibly know whether the items are sufficient and which food items are excessive or being wasted. It is very ...*

DEPUTY PRESIDENT (in Cantonese): Mr LEUNG, you may follow it up through other channels later on.

DR FERNANDO CHEUNG (in Cantonese): *Deputy President, cold spells and extreme weather conditions have already become common phenomena. We should of course care about the elderly living in the community, but those living in residential care homes also merit our attention who are mostly frail elderly, and some of them might even be suffering from dementia and incapable of taking care of themselves. For instance, they cannot protect themselves during cold spells. In addition, the chronically ill and people with disabilities are in need of care.*

The existing Residential Care Homes (Elderly Persons) Ordinance has not made it compulsory for heaters to be installed in residential care homes for the elderly (RCHEs). Instead, it has merely provided that heaters may be installed on a need basis. May I ask the Secretary, in the light of the frequent occurrence of cold spells in recent years, will the Government consider revising the Code of Practice for Residential Care Homes (Elderly Persons) (Code of Practice) to require all RCHEs to provide mobile heaters on a need basis to maintain a warm indoor temperature for the elderly?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): Deputy President, I would like to thank Dr CHEUNG for his concern and question. This issue is a great concern to us, too. Since Hong Kong was hit by the coldest spell in 50 years on 24 January, we have been paying particular attention to the conditions in RCHEs, which have also conveyed their views to us on various occasions. Currently, the Code of Practice is being reviewed to see if there is a need to require RCHEs to make preparations in the light of weather change. Meanwhile, I have personally visited some RCHEs after the cold spell. To my understanding, the air-conditioning systems of some RCHEs are equipped with heating function, but some RCHEs which do not have these systems are equipped

with heaters. I also agree that the provision of heaters is not a proper measure, and long-term arrangements should be made instead. Hence, we do not rule out the possibility that we may review this particular point in the Code of Practice.

DR FERNANDO CHEUNG (in Cantonese): *Deputy President, I have just heard that the Secretary is willing to introduce amendments. I hope the relevant amendments can be as transparent as possible ...*

DEPUTY PRESIDENT (in Cantonese): Dr CHEUNG, the Secretary has already answered your supplementary question. Please be seated.

MR JAMES TIEN (in Cantonese): *Deputy President, this is probably a mismatch issue. I have noted that Mr Joseph CHAN, a District Council member representing the Peak, is the organizer of an annual "Used Clothes Recycling" event, which is hugely popular among residents of the Peak. However, other events are not too popular. I could see that many items, such as scarves and hats as mentioned by "Long Hair" just now, were collected during the "Used Clothes Recycling" event.*

In my opinion, the SWD does not necessarily have to spend money on purchasing warm clothing as such items would often be delivered to the Red Cross in the past. Certainly, for hygienic reasons, donated clothing might need to be cleaned first. However, compared to the purchase of clothing, the amount of money spent on the cleaning of clothing might be less. May I ask whether or not the SWD or DECCs can find storage spaces in a few relatively affluent districts, such as Kowloon Tong? Can the Government clean the donated clothing in preparation for use by the elderly as winter approaches?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): I would like to thank Mr TIEN for expressing concern about this matter. We are indeed making efforts on this front. Many charitable organizations, such as the Integrated Services Team for Street Sleepers operated by the Salvation Army, welcome donations of clothing. This explains why I said earlier that not only do many organizations rely on government funding, but they also receive items, such as wool hats and scarves, from many individuals through other channels, such as

churches, which are welcome by us. After receiving the donated items, we will expeditiously distribute them to people in need in various districts. Hence, interested philanthropists are welcome to contact us as well as many district services providers.

MR WONG KWOK-HING (in Cantonese): *Deputy President, if Members who are filibustering can stop doing so, the Government might have more resources to give support to those elderly people who are hungry and cold.*

I will now raise my supplementary question. Can the Secretary adopt a "targeted" strategy to care for and support the elderly? In other words, can the call and care services provider make telephone calls to the elderly to enquire if they have any needs or encountered any problems, so that targeted and effective support can be provided in a timely manner to avoid the occurrence of accidents involving elderly people who are feeling unwell?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): I am very grateful to Mr WONG for his supplementary question, which is very good indeed. I have personally visited those service providers after the cold spell so as to get to know about the support provided by them to the elderly. I found that one support team is provided in each DECC, and one of the duties of the support teams is to visit the elderly, especially high-risk elderly persons such as elderly singletons and elderly patients. During the period from the beginning of the cold spells that hit Hong Kong in November and December last year to February this year, the support teams made 2 500 visits and contacted 90 000-odd elderly persons in total.

As for the call and care services provider mentioned by the Honourable Member just now, I was deeply impressed during my visit to it a month ago and I was very grateful for its effort. It will gather information from its computer records and analyse the dwelling places of the elderly — 80 000-odd elderly persons are its clients — especially those living in Northwest New Territories, Ta Kwu Ling and Fan Ling (these places will become especially cold when there is a drop in temperature), registered elderly patients, as well as elderly singletons living in squatter huts made of tin plates. First of all, the services provider will make telephone calls to these elderly persons from time to time (perhaps once every morning or twice a day). If the calls are not answered, it will immediately notify nearby social workers to visit the elderly or notify their family members.

I find this service very successful as it can really provide assistance to elderly persons through telephone calls. For instance, a social worker was immediately requested by the service provider to provide assistance to an elderly person who had complained of coldness. Hence, regarding the proposal put forward by Mr WONG just now, we will definitely further improve our work.

MR WONG KWOK-HING (in Cantonese): *Deputy President, I would like to follow up on a few points. Just now, the Secretary said he agreed that the call and care services could indeed assist the elderly. Such being the case, does the Bureau have any plan to encourage those elderly couples who have not installed Emergency Link devices to do so? Have the authorities come up with any method to encourage the elderly to install Emergency Link devices to enable them to seek relevant support in a timely manner?*

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): I would like to thank Mr WONG for his suggestion and supplementary question. The Senior Citizen Home Safety Association, which is the call and care services provider, has made a lot of publicity efforts. During our visits to the elderly, especially elderly singletons, we often encourage them to install Emergency Link devices and explain to them the merits of the call and care services. As for elderly Comprehensive Social Security Assistance recipients, the Government will bear the costs for monthly call and care services, so that they can enjoy the services without spending an extra \$100 to meet the service charges. We will strive to provide more support on this front so that the elderly will not hesitate about using the services. Thank you, Mr WONG.

DEPUTY PRESIDENT (in Cantonese): Third question.

Management of Retail Facilities in PRH

3. **DR FERNANDO CHEUNG** (in Cantonese): *Deputy President, it has been reported that the stall operators of Chung On Market under Link Asset Management Limited (the Link) were notified by the single operator in December last year that stall rentals would be raised by 20% to more than 30%, and they needed to share huge renovation expenses. Furthermore, as the stall operators*

of Cheung Fat Estate Market under the Link were worried that there would be a significant rise in stall rentals, they launched a seven-day strike last month to urge the Link to shelve the proposal of contracting out the operating right of the market. On the other hand, it has been reported that the Hong Kong Housing Authority (HA) has recently contracted out the operating right of the newly completed Hung Fuk Market. Some public rental housing (PRH) residents have pointed out that contracting out the operating rights of PRH markets and operating them under the commercial principle of accepting the highest bid will result in incessant rise in stall rentals, and the increase in costs will ultimately be shifted to PRH residents. Moreover, contracting out the operating rights of markets has caused inconvenience to the grassroots (especially people with impaired mobility), because they need to travel to other districts to buy daily necessities to cut expenses. In this connection, will the Government inform this Council:

- (1) among the markets under HA, of those which are currently operated by single operators, and whether the relevant operating rights were granted to bidders offering the highest bids; whether HA has monitored the level of rentals charged by the single operators;*
- (2) given that a number of public housing estates will be completed in the coming few years, whether HA will consider managing the markets of these estates on its own; if HA will, of the details; if not, the reasons for that; and*
- (3) given that the Link has divested and sold its shopping malls and markets in public housing estates one after another in recent years, whether the Government will reconsider buying back these facilities and managing them on its own, so as to ensure that PRH residents will be provided with affordable goods and services?*

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): Deputy President, commercial facilities under the Hong Kong Housing Authority (HA) are operated under prudent commercial principles, and the letting arrangements will be flexibly adjusted according to market needs. Communication with the commercial tenants and residents will be maintained in the process in order to improve the business environment in a timely manner.

My consolidated reply to the various parts of the question raised by Dr Fernando CHEUNG is as follows.

The HA has adopted a single-operator letting arrangement for its markets since 1988, that is, a single tenancy is awarded to an operator who will let parts of the leased area to individual stall operators, and will be responsible for the management of the whole market. Such practice allows the HA to leverage on the expertise and experience of the private sector with a view to providing better shopping choices, services and environment for residents. Since 1997, all HA's new markets have adopted the single-operator letting arrangement. For the effective implementation of the single-operator letting arrangement, following a comprehensive review in 2002, the HA has refined the arrangement and put in place a series of measures, including to regulate the trade types, enhance protection for stall operators, adopt a more comprehensive performance appraisal system and enhance the transparency, with the view to fostering a friendly and co-operative relationship between the single operator and the stall operators.

There are currently 21 markets under the HA, five of which are single-operator markets (SOMs), while the remaining 16 markets are directly leased to individual stall operators by the HA. Details are at Annex 1.

Persons who are interested in leasing SOMs shall apply for registration in the Client List for SOM (the Client List) and meet the eligibility criteria with regard to the experience and expertise in market management⁽¹⁾. The HA would normally invite those in the Client List to bid for the market in a new public housing estate six months before completion. All bidders must fulfil certain experience requirements. The Housing Department (HD) will allot separate scores on the basis of bidders' past performance in market management and the rentals proposed for the leasing proposals. These two aspects carry equal weight so that selection is not merely based on the highest rentals proposed.

As regards monitoring single operators, while rentals for individual stalls are determined through negotiations among the single operators and stall operators themselves, the HA will, by means of standard tenancy terms, restrict the single operators from charging stall operators fees apart from rent, air-conditioning charges, rates and management fees, and request the single

(1) There are a total of nine operators in the Client List at present.

operators to provide sufficient manpower for management and maintain 24-hour security services. The tenancy agreements also stipulate that single operators shall ensure that the premises are to be operated as a traditional market with the provision of a certain proportion of food and miscellaneous trades, and shall submit to the HA a monthly return, setting out all fees collected from stall operators. An extract of such requirements is at Annex 2.

Front-line staff of the HD will carry out regular inspections on markets to ensure that the single operators comply with the tenancy requirements, maintain quality management services and establish good relationship with various stakeholders including stall operators, and so on. The HD will assess the performance of single operators every two months, taking into account feedbacks from Estate Management Advisory Committees. Whether the daily operation of the market has been effectively and smoothly discharged by the single operator is the most important factor in the HA's consideration as to whether to award a renewal of tenancy. The HD will arrange meetings with those who fall short of expected standard, that is, failing to observe all the tenancy requirements, and issue warnings to them. If poor performance persists despite the warnings, the HA has the right to terminate their contracts before the expiry of tenancies and not to invite them to submit bids for other SOM contracts for a specified period of time.

The current mode of management and operation of SOMs under the HA has effectively run for years. Hence, the same mode will be adopted for newly completed markets in public housing estates. As for those markets which are still directly managed by the HA, given most of them are located in aged public housing estates with smaller scale and limited market potential, it would be difficult to find single operators to take up those markets.

With the objective of enabling the HA to focus on its core function as a provider of subsidized public housing and to improve its financial position, the HA divested part of its commercial and car parking facilities to the Link Real Estate Investment Trust (now known as "Link") in 2005. The Government has already explained at various meetings of the Legislative Council that buying back Link or its facilities would be incompatible with public interests and the principle of prudent financial management. The Government will not consider this move.

Currently, the HA manages the commercial and retail facilities in 46 public housing estates (including 33 shopping centres and 21 markets), and will provide retail premises and markets in new public housing projects, taking into consideration the actual circumstances. A total of 12 new HA markets are expected to be completed in the coming five years.

Pursuant to the assignment deed between the HA and Link in 2005, while Link is entitled to dispose of its facilities, its successors in title (that is, new owners) will still be bound by the restrictive covenants in the assignment deed between the HA and Link, including to continue letting designated commercial units at concessionary rent to non-profit-making organizations and education bodies nominated by government departments. In case of non-compliance, the HA will take corresponding actions.

Annex 1

Markets under the HA

<i>Single-Operator Markets</i>	<i>Markets with stalls directly leased to individual stall operators</i>
1. Lei Muk Shue Market	1. Choi Hung Estate
2. Kwai Chung Market	2. Ping Shek Estate
3. Tin Yan Market	3. Kwai Shing West Estate
4. Ching Long Market	4. Lai King Estate
5. Hung Fuk Market	5. Chak On Estate
	6. Nam Shan Estate
	7. Shek Kip Mei Estate
	8. Wah Fu (I) Estate
	9. Wah Fu (II) Estate
	10. Fu Shan Estate
	11. Cheung Shan Estate
	12. Cheung Ching Estate
	13. Pak Tin Estate
	14. Siu Hong Court
	15. Lai Yiu Estate
	16. Pok Hong Estate

Annex 2

Terms and Conditions of Tenancy Agreements between
the HA and Single Operators of Markets (Extracts)

- (a) The single operator shall ensure that the premises will be operated as a traditional market;
- (b) The single operator shall provide a certain proportion of food and miscellaneous trades;
- (c) The single operator shall not collect any fees other than rent, air-conditioning charges, rates and management fees from the stall operators;
- (d) For air-conditioning charges and rates, charges collected by the single operator must not exceed the total amount payable to the HA or the Rating and Valuation Department; if there is any rate concession from the Government, the single operator shall pass on the rates concession to the stall operators in full;
- (e) Only the amount of management fees as set out by the single operator in the leasing proposal may be collected and any increase in management fees shall be proportional to the Nominal Wage Index published by the Census and Statistics Department and that the management fees shall not be increased more than once a year;
- (f) Interest payable on licence fees may be collected from the stall operators at a rate not exceeding the interest payable to the HA under the tenancy agreement; and
- (g) The single operator shall submit to the HA a monthly return, setting out the breakdown of all fees collected.

DR FERNANDO CHEUNG (in Cantonese): *Deputy President, I am extremely disappointed with the Secretary's reply that the operating rights of the newly completed markets in public housing estates will continue to be contracted out, since we are afraid that such a practice will continue to push up stall rentals and*

the prices of goods. As pointed out by the Secretary in the last paragraph of the main reply, Link or the new owners are required to comply with the covenant on letting the commercial units to non-profit-making social welfare organizations and education bodies at concessionary rent, but recently, many problems have arisen in this regard. The Secretary has stated clearly in paragraph (e) in Annex 2 to the main reply that under the relevant arrangements for markets, the amount of management fees collected by the single operator shall not exceed the stipulated amount. In respect of paragraph (e) in Annex 2, may I ask the Secretary if there are similar requirements or terms which provide that Link and the subsequent new owners shall be bound by the same restriction in collecting rent and management fees from non-profit-making social welfare organizations and education bodies?

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): Deputy President, Dr CHEUNG has raised two supplementary questions. The first one is about the HA operating its markets through the single-operator letting arrangement. Actually this approach did not start in recent years. As I have pointed out in the main reply, it started in 1988, and since 1997, all the newly completed markets in public housing estates have adopted this letting arrangement. According to the observations of the HD's front-line staff, prices of the goods (including wet goods) sold by the stall operators are by no means higher than those of the goods sold in HA-managed markets. Sometimes their prices are even lower.

I would like to respond to the question about restrictive covenants in more details. Deputy President, pursuant to the assignment deed signed between the The Link Real Estate Investment Trust and the HA back then, both The Link Real Estate Investment Trust (now known as "Link") and its successors in title, that means the so-called new owners, shall be bound by the restrictive covenants in the assignment deed between them, and one of the restrictive covenants is about welfare facilities. In accordance with the underlying principle of the assignment deed, The Link Real Estate Investment Trust undertook to let certain designated units in public housing estates to non-profit-making organizations nominated by the HA and the relevant government departments. This has been the case in public housing estates. Moreover, the rent collected is concessionary rent. By the definition of concessionary rent, the relevant rent shall be consistent with the concessionary rent imposed on non-profit-making organizations by the HA at places under its direct management. Apart from the concessionary rent, the HA

will not charge any additional management fee. It is noted that last week, we were informed and became aware of some new situations. For this reason, the HD has sent letters to the new owners concerned, telling them that collection of any management fee or any other fees apart from the concessionary rent is against the covenant, and the HA will deal with the matter seriously.

DR FERNANDO CHEUNG (in Cantonese): *The Secretary has not answered my supplementary question. My supplementary question is very clear ...*

DEPUTY PRESIDENT (in Cantonese): Dr CHEUNG, the Secretary has already answered the two questions raised by you.

DR FERNANDO CHEUNG (in Cantonese): *The Secretary has not answered whether paragraph (e) in Annex 2 ...*

DEPUTY PRESIDENT (in Cantonese): You have raised your question, and the Secretary has given his reply. Please sit down. Mr Frederick FUNG, please raise your supplementary question.

MR FREDERICK FUNG (in Cantonese): *Deputy President, even though the bidding price will account for only half of the scores, the adoption of the bidding approach will automatically lead to higher bids on the whole, thus resulting in increase in prices.*

Deputy President, I would like to ask the Secretary about the problem of Link as mentioned in the last paragraph of the main reply. According to paragraph (a) in the terms and conditions of the tenancy agreements between the HA and single operators of markets in Annex 2, the single operator shall ensure that the premises will be operated as a traditional market. I wonder if similar terms were put in place when the HA sold the facilities to Link. As we all know, recently, Link has three serious problems. I hope the Secretary will look into and deal with such problems.

Firstly, Link has converted markets into shopping centres. If similar terms have been put in the assignment deed, such an act has obviously violated the requirement in paragraph (a). Secondly, the new owners have crazily increased the management fees for non-governmental organizations (NGOs), and the Secretary has just said that he will deal with the matter. Thirdly, certain contractors of Link can, to our surprise, operate its own stalls in the market, acting as the principal tenant while doing its own business. Is this against the terms of the HA?

I remember that when the Chief Executive was elected, he mentioned that should there be major problems with Link — of course, he did not agree to buy it back at that time — he proposed a feasible approach, which was identifying alternative locations nearby for constructing markets for public use. In view of the three existing problems about Link as mentioned just now, coupled with the above feasible approach put forward by the Chief Executive earlier, has the Secretary considered implementing it? If he has not, what is the reason?

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): Deputy President, when the HA sold part of the commercial and car parking facilities to The Link Real Estate Investment Trust — which became listed afterwards — it was stated that the handling of these assets could not contravene their specified purposes. In other words, if a place was originally a car park, it must continue to serve as a car park. If it was a commercial facility, be it a shopping centre or a market, it must continue to serve the original purpose of the premises. Certainly, with regard to the actual operation, such as the combination of different types of businesses and trades in a shopping centre, Link has its autonomy and flexibility. Moreover, the collection of rent is handled by Link on its own.

All markets, be they run by the HA itself or operated through the single-operator letting arrangement, are operated as traditional markets. Moreover, certain requirements have been put in place on the goods sold, such as wet goods, dry goods, other foods, vegetables, and so on. We have also specified that the single operators have to operate the markets with a certain proportion of different trades, but there is no requirement on the way of rent collection which is subject to discussion between the operators and individual stall operators.

We do not think an overall downward adjustment in rent will necessarily result in lower selling prices because none of the markets, be they government markets managed by the Food and Environmental Hygiene Department (FEHD),

markets directly managed by the HA or the other markets, can exercise control over the final prices of the goods or food products. This is definitely decided by the market.

As regards Mr FUNG's question of whether public markets or shopping centres, including facilities managed by the HA or the FEHD, can be provided somewhere near Link's shopping centres, actually such facilities are currently available in the vicinity of the relevant facilities of Link. We can provide Mr FUNG with written information later. (Appendix III)

MR CHEUNG KWOK-CHE (in Cantonese): *Deputy President, the rental problem of welfare organizations in Link's shopping centres was mentioned in both the reply made by the Secretary to Dr Fernando CHEUNG's supplementary question just now and the last paragraph of the main reply. I believe the NGOs or the bodies concerned will not be bullied in such a way if the Secretary can disclose the covenants as early as possible.*

However, the problem of management fees remains unsolved as at present. The Secretary mentioned just now that apart from rent, the single operator could not charge any other fees, but it was the HA's past practice. Can the Secretary guarantee that such a covenant is still applicable to welfare organizations? If the practice of collecting management fees continues, will the Secretary take legal action so that Link or the new owners of the commercial units will not charge any management fees?

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): Deputy President, if the information I have in hand is correct, Link did not collect any management fees other than concessionary rents from these non-profit-making organizations. The present problem involves some so-called new owners. Actually last week, after the relevant bodies relayed this situation to the HD — directly or through the relevant government departments such as the Social Welfare Department or the Education Bureau — the HD immediately wrote to the organizations concerned. The first letter was issued on 8 March. Our stand is the same as what was stated in my reply to Dr Fernando CHEUNG earlier. Back then, this arrangement was made because we needed non-profit-making organizations to provide social services, education services or other relevant

facilities in all public housing estates. All along, the HA has collected rent based on a concessionary rent policy. Although some commercial facilities originally run by the HA were handed over to The Link Real Estate Investment Trust, this practice has not changed. The Link Real Estate Investment Trust was bound by this restrictive covenant. Hence, the tenants were not chosen by it. Rather, they were nominated by the relevant government departments. The amount of fees charged was not decided by it either. Instead, it must be on par with the concessionary rents collected by the HA. The HA will not collect any additional management fees, and so on. Therefore, if these new owners charge any fees other than concessionary rents from the relevant organizations, such as management fees, the HA will regard it as non-compliance with the restrictive covenant. For this reason, we do not rule out the possibility of taking legal action.

MR TOMMY CHEUNG (in Cantonese): *Deputy President, I would like to declare that I am a member of the HA. I was also its member when the assets were sold to The Link Real Estate Investment Trust. At that time I voted against such a move.*

I would like to follow up on the reply made by the Secretary to two supplementary questions just now. Firstly, I have witnessed the conversion of some car parks into shopping centres. An Honourable colleague has asked the Secretary if markets have become shopping centres. What I have noted is that the number of parking spaces has reduced and the places have become shopping centres. The Secretary said it should not be the case. I do not know if they were able to change the use through the Town Planning Board after paying the land premium. Secondly, the Secretary's main reply seems to suggest that the rent collected from non-profit-making organizations is standardized. In other words, the value of rent collected by the HA or the HD in different housing estates should be the same as that collected by The Link Real Estate Investment Trust. I do not know if I have heard it wrong. If that is the case, are the fees in Tuen Mun and Wong Tai Sin calculated on a per-square-foot basis or what? Can the Secretary clarify it? If the answer is yes and there is non-compliance, will the Policy Bureau take the initiative to follow up on the issue, or will it take action only after a complaint has been lodged?

DEPUTY PRESIDENT (in Cantonese): Mr Tommy CHEUNG has raised two questions. Secretary, you may answer either one of them.

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): Deputy President, perhaps let me answer the last supplementary question. The HA will certainly set the concessionary rent in the light of the rental situation in different housing estates. In calculating the rent, it will draw reference from the rentals for other general commercial facilities in the same district and a concessionary factor should also kick in. The rents for school facilities will also be charged at a concessionary rate, but it may be a little different from those for non-profit-making social welfare organizations. Generally speaking, the rent imposed will be 50%. Nevertheless, apart from the concessionary rent, the HA will not collect any management fee or other fees. Certainly, the concessionary rent will be adjusted as time goes by. In the past, when The Link Real Estate Investment Trust or Link handled the rent for these non-profit-making organizations, the rent would be set on par with the concessionary rents collected by the HA. That means it would be based on the HA's concessionary rent. This approach has been adopted for more than a decade. In fact, all the social welfare organizations are aware of this approach, and collection of other fees has never happened before. Hence, when some so-called new owners intend to charge additional management fees recently, the relevant social welfare organizations and education bodies have already relayed this situation to the HD. For this reason, as I have mentioned earlier, the HD has already issued letters to these new owners.

DEPUTY PRESIDENT (in Cantonese): Fourth question.

Impact of Industrial Building Revitalization Measures on Cultural, Creative and Arts Workers

4. **MISS CHAN YUEN-HAN** (in Cantonese): *Since April 2010, the Development Bureau has implemented a series of measures to revitalize industrial buildings (revitalization measures). The revitalization measures are originally intended to encourage owners to revitalize old industrial buildings by way of redevelopment and wholesale conversion, so that more floor spaces can be provided to meet the changing social and economic needs of Hong Kong. Nevertheless, according to quite a number of press reports, the revitalization*

measures have caused the rentals of industrial building units to rise incessantly, thus compressing the room for survival of the original tenants of industrial building units. For example, a large number of cultural, creative and arts workers have been forced to move out as they cannot afford the escalating rentals, which in turn has smothered the opportunities for the thriving development of local cultural and creative industries. In this connection, will the Government inform this Council:

- (1) whether the authorities have compiled, since the implementation of the revitalization measures, tracking statistics on the situation of tenants of industrial building units; if they have, regarding industrial building units in various districts in each of the past six years, of the average per-square-metre rentals and their year-on-year percentage changes, the vacancy rates of industrial building units, as well as the numbers of tenants who carried out cultural, creative and arts activities and their year-on-year percentage changes;*
- (2) whether the authorities will expeditiously conduct a comprehensive review upon closure of applications in respect of the revitalization measures at the end of March this year, including the impact of such measures on the room for survival of cultural, creative and arts workers, as well as the effectiveness in and the adverse impact on promoting the re-use of local industrial buildings; and*
- (3) given that the 2014 Area Assessment of Industrial Land in the Territory published by the Planning Department last year has proposed that the restrictions on non-industrial uses in industrial buildings be further relaxed, whether the authorities have plans to introduce compensation policies to encourage owners to lease existing industrial building units to cultural, creative and arts workers at affordable rental levels; if they do, of the details and the implementation timetable?*

SECRETARY FOR DEVELOPMENT (in Cantonese): Deputy President, the Government announced in October 2009 a series of revitalization measures to facilitate redevelopment or wholesale conversion of old industrial buildings with a view to providing more floor space to meet Hong Kong's changing social and economic needs. The objective of the revitalization measures is to better utilize the precious land resources of Hong Kong through encouraging the

redevelopment and wholesale conversion of existing industrial buildings. These measures have been implemented since 1 April 2010 on a time-limited basis. Refinements have since then been made to the measures and the deadline extended. The final deadline for submitting applications is 31 March 2016. The measures take into account the needs of the economic development of Hong Kong as a whole, and whether to undergo conversion or redevelopment is a matter for the owners of industrial buildings and the market forces. The measures do not target at or tilt towards any particular sector.

Having consulted the Home Affairs Bureau and the Commerce and Economic Development Bureau, my reply to the three-part question is as follows:

- (1) According to the information provided by the Rating and Valuation Department, the overall vacancy rate of private flatted factories in Hong Kong dropped from about 6.7% to about 5%⁽¹⁾ over the past six years from 2010 to 2015. Changes in the average rents and prices for private flatted factories on Hong Kong Island, in Kowloon and in the New Territories are listed at Annex. As mentioned just now, the revitalization measures are devised to cater for the needs of the economic development as a whole, and do not target at or tilt towards any particular sector. Utilization of industrial buildings depends on the aspirations of the owners and users as well as market forces. Hence, we have not conducted any tracking survey on the tenants of industrial buildings, nor collate statistical information about the use of industrial buildings by cultural and creative industries.

(2) and (3)

As at end of February 2016, the Lands Department (LandsD) has received a total of 215 applications under the revitalization measures, of which 124 applications had been approved, providing a total of about 1.38 million sq m of floor area⁽²⁾. Among these 124 approved cases, 28 applications⁽³⁾ are for the wholesale conversion

- (1) Provisional figure.
- (2) Excluding the 34 applications that have either been withdrawn by the applicants after approval or terminated after execution.
- (3) Among the approved cases, six applications had subsequently been withdrawn after approval, 18 applications had the special waivers executed and the remaining four applications are pending execution of the special waivers.

of older industrial buildings and have proposed new uses including "Place of Recreation, Sports or Culture" which can provide floor area for cultural and creative industries. Another 16 approved applications⁽⁴⁾ are for redevelopment into "non-industrial" or "non-residential" uses, of which the relevant user clause can allow uses of cultural and creative industries in different operation modes such as place of recreation, sports and culture, or related workshop, training venue and educational institution, and so on. Whether these projects will eventually provide for uses by the cultural and creative industries as permitted under the relevant land documents will depend on the development plan of the property owners.

The Area Assessments of Industrial Land in the Territory conducted by the Planning Department (PlanD) in 2014 facilitates our understanding of the latest usage of the existing privately-owned industrial buildings. The study is also helpful to achieving more effective planning and optimal use of industrial land resources through examination of the usage of and overall demand for existing industrial land, and whether certain individual sites are suitable for converting into other uses. The study was completed in August last year and its findings show that the vacancy rates of industrial buildings in "Industrial" (I) and "Other Specified Uses" annotated "Business" (OU(B)) zones as compared with the figures in 2009 have decreased from 6.5% to 3.5% and from 8.4% to 6.0% respectively, while about half of the floor space was constantly used for industrial purposes. The usage patterns above indicate not only a continued market demand for industrial floor space, but also the fact that the policy of revitalizing industrial buildings through time-limited measures to optimize the use of old industrial buildings during the economic restructuring period has achieved the expected results. Therefore, the measures concerned will cease to be in force by the end of March this year as scheduled.

The above findings of the study also show that the percentages of gross floor area for "Other Uses" (including cultural, creative and arts studios) in "I" and "OU(B)" zones as compared with the figures in 2009 have increased from 2.4% to 3.8% and from 3.5% to 6.2%

(4) Six applications had subsequently been withdrawn after approval.

respectively. This indicates that there is a certain level of demand for floor space for "Other Uses" in existing industrial buildings. Therefore, we recommend further relaxation of the restrictions on non-industrial uses, especially those uses that will not affect building and fire safety or cause nuisances to other users in the same building, with a view to further optimizing the use of existing industrial buildings. In this connection, the outline zoning plans (OZPs) of Sha Tin, Ma Tau Kok, Tsing Yi, Aberdeen and Ap Lei Chau, Fanling/Sheung Shui and Kennedy Town and Mount Davis have been amended since 2015 to include "Art Studio (excluding those involving direct provision of services or goods)" as an always permitted use in industrial-office buildings in "I", "OU(B)" and "Residential (Group E)" zones. The PlanD will make similar amendments to other OZPs in future if suitable opportunities arise.

Apart from the measures for revitalizing industrial buildings, the Town Planning Board has expanded the scope of uses always permitted in the "I" zone since 2001 to allow for more flexibility in the use of industrial-office buildings, permitting activities relating to creativity and music to be carried out in such buildings such as audio-visual recording studios and design and media production offices. That said, in view of fire safety considerations, such uses should not involve any direct provision of customer services or goods.

If a certain use, which is permitted in industrial buildings under the planning system, is not in compliance with the lease conditions of the industrial lot concerned, the owner of the premises can apply to the LandsD for lease modification or short-term waiver to avoid breaching the lease conditions. If the application is approved, the owner will be required to pay land premium or waiver fee for the approval.

In addition to the above measures under the planning and land administration regimes, the Hong Kong Arts Development Council (HKADC) has, with the support of the Home Affairs Bureau, provided art space for rent by artists at concessionary rates in an industrial building in Wong Chuk Hang. Such space was put into

use in the fourth quarter of 2014 and has been fully let out. The HKADC is also working with the Tai Po District Council to retrofit a vacant school premise into an arts centre to provide space for performing artists and arts groups. In addition, the Government has reserved spaces in the future development of a land sale site at Aberdeen for providing arts space to support the development of arts in Hong Kong. In parallel, the Government also encourages the development of cultural facilities in support of artistic endeavours by community organizations. For example, the Jockey Club Creative Arts Centre in Shek Kip Mei, which has over 100 studios, operates on a non-profit making mode to provide space for artists. Besides, with the support of the relevant Policy Bureaux, we will continue to identify suitable sites to provide space for arts, cultural and creative industries. For example, the former Police Married Quarters on Hollywood Road has been revitalized into a creative industries landmark called "PMQ", which provides about 130 design studios, a resource centre, a multi-function area for creative activities, and an exhibition hall "i-Cube", and so on, to promote creative industries. In partnership with the Hong Kong Jockey Club, the Government is also taking forward the Central Police Station Compound revitalization project, which will provide a centre of heritage, contemporary art and leisure for the public to enjoy. Separately, the Energizing Kowloon East Office also endeavours to explore suitable opportunities in Kowloon East to provide space for uses of the arts, cultural and creative industries. We are also examining the feasibility of providing space in the development of the two action areas in Kowloon Bay and Kwun Tong for such uses. The planning studies of the two action areas are expected to be completed in 2016 and 2017 respectively. Moreover, according to the Commerce and Economic Development Bureau, it will continue to provide financial support to projects conducive to the development of creative industries, such as market promotion and talent development projects, through the CreateSmart Initiative, the Film Development Fund and other funding sources. The relevant Policy Bureaux will continue to explore various measures for promoting cultural, creative and arts development.

Annex

Private Flatted Factories — Average Rents and Prices (from 2010 to 2015)

Year	Rents (\$/sq m per month)			Prices (\$/sq m)		
	Hong Kong	Kowloon	New Territories	Hong Kong	Kowloon	New Territories
2010	106	114	75	31,296	31,995	16,121
2011	115	124	82	40,071	41,820	22,672
2012	128	135	90	51,695	55,419	30,539
2013	141	153	102	68,193	69,571	43,250
2014	155	164	113	71,931	70,363	42,071
2015*	169	179	124	80,632	75,808	47,570

Notes:

Changes in average rents and prices between different periods may be due to variations in the characteristics of the different properties being analysed, and should not be taken as indicating a general change in value over the period. To measure rental and price changes over the relevant periods, please refer to the rental and price indices.

* Provisional figures

MISS CHAN YUEN-HAN (in Cantonese): *Deputy President, the Secretary has mentioned a series of measures and plans, giving me the impression that the Government has done quite some important work to promote the arts, cultural and creative industries. We all know that if these industries are to be developed, land is a key factor. In fact when revitalizing industrial buildings, the Government has not given serious consideration to the fact that countless cultural and creative workers have started their trade in the premises. Most of the time when the Government carries out revitalization, the main concern is cost, often driving out those who have started their development there. It is one of the reasons for the young generation having dissatisfaction with the SAR Government.*

I have noticed that many countries, while pushing for development, do not only focus on real estate and the interests of some specific industries ...

DEPUTY PRESIDENT (in Cantonese): Miss CHAN, please ask your supplementary question.

MISS CHAN YUEN-HAN (in Cantonese): *Deputy President, I will ask my question very soon. But as the Secretary has given a very detailed reply I need to explain to him in detail as well.*

DEPUTY PRESIDENT (in Cantonese): Miss CHAN, please ask your question concisely because other Members are still waiting for their turns to ask questions.

(Mr CHAN Chi-chuen stood up)

DEPUTY PRESIDENT (in Cantonese): Mr CHAN Chi-chuen, what is your point?

MR CHAN CHI-CHUEN (in Cantonese): *I request 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): Miss CHAN Yuen-han, please continue with your question.

MISS CHAN YUEN-HAN (in Cantonese): *Deputy President, I am going to start again.*

DEPUTY PRESIDENT (in Cantonese): Miss CHAN, you do not need to ask your question from the beginning. You only need to continue asking your supplementary question.

MISS CHAN YUEN-HAN (in Cantonese): *Now there are more Members and they have no idea what question I wanted to ask just now.*

DEPUTY PRESIDENT (in Cantonese): Miss CHAN, you only need to continue with your question.

MISS CHAN YUEN-HAN (in Cantonese): *Deputy President, the Secretary has talked about a lot of things. My instant reaction was there are so many people who do not know much even on the surface. Mr CHUNG, when it comes to creative culture and fashion, I would like to point out that spaces for artistic creation have been provided in Shek Kip Mei, PMQ, Aberdeen, and so on. All that happened long time ago. As revitalization measures have been implemented for six years, has the Government conducted any evaluation? If there is, for example, a discussion on how to encourage cultural creation ...*

DEPUTY PRESIDENT (in Cantonese): Miss CHAN, if you still do not ask your question, I will have to ask you to stop speaking.

MISS CHAN YUEN-HAN (in Cantonese): *Deputy President, my supplementary question will come very soon. To develop the cultural, arts and creative industries, is it necessary to conduct an evaluation on the revitalization measures? The Government will terminate this policy at the end of this month. Is it necessary to consider some issues through the evaluation? For example, the Government can learn from Japan, Seoul in Korea and China to facilitate the development of cultural and creative workers through utilization of land. To this end, has the Government come up with some ways? In addition, I would like to ask the Secretary ...*

DEPUTY PRESIDENT (in Cantonese): Miss CHAN, you have already asked a supplementary question. You cannot ask another one. Secretary, please reply.

SECRETARY FOR DEVELOPMENT (in Cantonese): Deputy President, I would like to thank Miss CHAN Yuen-han for her supplementary question. The SAR Government considers promoting the development of creative and cultural industries a specific policy. I have enumerated in my main reply the statistics and our work already done and to be done. I did so to show that the Development Bureau will devote more efforts to this while collaborating with the Commerce and Economic Development Bureau and the Home Affairs Bureau in the future in terms of land uses.

DR LAM TAI-FAI (in Cantonese): *Deputy President, the six-year revitalization measures will come to an end at the end of this month. The Secretary pointed out in his main reply that as at end of February, a total of 215 applications of wholesale conversion and redevelopment of industrial buildings have been received and that the policy has achieved the intended results. But I have no idea what these results are, because I do not know the expected number of applications. When the policy was introduced, I had asked the authorities to provide performance indicators. Yet the then Secretary did not give me an answer. I would like to hear the Secretary's views on whether the entire scheme or policy is a success or failure. If it is a success, what made it one? Will it be further refined and introduced again? As it is a success, it should for sure be introduced again.*

SECRETARY FOR DEVELOPMENT (in Cantonese): Deputy President, I would like to thank Mr LAM Tai-fai for his question. Deputy President, it is true that regarding this policy, application will close at the end of the month. I have listed the number of applications approved in my main reply, some of which are not implemented after being approved. As we announced a few months ago that the measures will end at the end of March, in the past two to three months, we have noticed a large number of last-minute applications coming in within a short period of time which will indeed take us some time to process. I have mentioned in my main reply that the policy, when it was first introduced, sought to transform and change the uses of these industrial buildings and land to respond to social needs in the current economic cycle. We believe that this objective has generally been achieved. The Government conducted a review on industrial

land in the territory in 2014, and the results indicated that there is a need to reserve the remaining industrial land and floor space therein to cater for the various future demands for industrial warehousing and storage. Therefore, there will not be a strong impetus to promote changes of use of these lands. Moreover, there has been a call in society — as the Hong Kong economy is moving towards a high-value end, possibly giving rise to relevant industrial activities, we have consequently reserved some new pieces of industrial land in Kwai Chung to provide for the new uses.

MR ABRAHAM SHEK (in Cantonese): *Deputy President, I would like to ask the Secretary: Why is it that only 124 out of 215 applications have been approved?*

SECRETARY FOR DEVELOPMENT (in Cantonese): It was because we really need time to process these applications. We have also maintained close contact with the applicants. However, as a matter of fact, in the past two to three months, quite a large number of applications have been submitted and we need some time to process all the cases.

IR DR LO WAI-KWOK (in Cantonese): *Deputy President, the Secretary mentioned in his main reply that they "recommend further relaxation of the restrictions on non-industrial uses, especially those uses that will not affect building and fire safety or cause nuisances to other users in the same building, with a view to further optimizing the use of existing industrial buildings". This is a commendable approach. The Secretary used art studios as an example but added a note that they exclude "those involving direct provision of services or goods".*

Deputy President, current economic activities in Hong Kong are very diverse. Art studios, such as art galleries, drawing studios or music rooms, may indeed provide certain services or goods, for example on-the-spot painting for customers. Does it constitute direct provision of services? Therefore, should the authorities allow greater flexibility in this aspect? Moreover, to complement the policy, apart from modifying the OZPs of some areas, should the authorities strengthen promotion so that those parties which are possible users of these buildings can be informed of the new policy directions?

SECRETARY FOR DEVELOPMENT (in Cantonese): I would like to thank Ir Dr LO Wai-kwok for his supplementary question. Deputy President, the major concern of the authorities is fire and building safety, especially fire safety. For example, people would go to an artist's studio to appreciate or even purchase his works. On other occasions, some artists may run drawing classes for children in their studios, and dozens of kids may be enrolled for each such class. The risks involved in the two aforesaid scenarios are distinctly different. I believe the former will have a good chance of getting approval while the latter warrants certain concerns.

That said, the authorities do not deny across-the-board the possibility of relaxing non-industrial uses. I have all along been examining the possibility of further relaxation of other uses, provided that no other dangerous uses are in question, such as lower levels of industrial buildings being easier to evacuate in case of fire hazards. The Development Bureau is working on a cross-departmental study with the LandsD and Housing Department. Within reasonable limits, we do not want to put overly tight constraints but will try to permit other appropriate uses of space in particularly lower levels of these industrial buildings.

MR CHUNG KWOK-PAN (in Cantonese): *Deputy President, a side effect created by the revitalization measures is rising rentals, which is a difficult issue faced by many creative young people. Will the Secretary consider revitalizing spaces under flyovers and putting rentals under government control, so that young people working in creative industries can survive?*

SECRETARY FOR DEVELOPMENT (in Cantonese): Deputy President, I would like to thank Mr CHUNG Kwok-pan for his supplementary question. Deputy President, I think another major reason contributing to the rise of rentals is that in Hong Kong, besides residential buildings, in general, there is not sufficient floor space for various different uses, including offices or premises for other uses. This is a very important factor.

As to whether or not spaces under flyovers can be revitalized as Mr CHUNG has pointed out, we certainly will be happy to explore such an option. In fact, we can see such a use in some districts, for instance the areas in the vicinity of the Energizing Kowloon East Office. Even a while back, some District Council members looked for locations to set up their offices after being

elected but found it difficult as rentals were high. They therefore explored with the authorities the possibility of setting up their offices in containers at specific locations under flyovers. We will work with any appropriate suggestion with an open mind.

DEPUTY PRESIDENT (in Cantonese): Fifth Question.

Occupational Safety of as well as Accoutrements and Training for Frontline Police Officers

5. **MR WONG KWOK-KIN** (in Cantonese): *Deputy President, from the night on the eighth of last month (i.e. the recent Lunar New Year's Day) to the early hours of the following day, a serious riot broke out in Mong Kok, causing injuries to more than 90 police officers. The incident has aroused concerns about the occupational safety of frontline police officers and whether their accoutrements and training are adequate for handling riots. In this connection, will the Government inform this Council:*

- (1) *of the respective numbers of police officers who were injured and who died whilst on duty in each of the past five years; among the police officers who were injured, the respective numbers of those who were slightly injured, seriously injured and recovered, and permanently disabled, as well as the number of those who were injured or died during clashes arising from demonstrations;*
- (2) *whether the Police have provided regular training on occupational safety and health for frontline police officers; if they have, of the details, and whether they will step up such training in view of the aforesaid riot in order to reduce the likelihood of frontline police officers sustaining injuries whilst on duty; and*
- (3) *as there are comments that in future, some peaceful public meetings may suddenly turn into violent clashes, whether the Police will review their risk assessments for public events, strategies for immediate contingency response, as well as accoutrements for and manpower deployment of frontline police officers, and step up the anti-riot training for police officers; if they will, of the timetable for the work concerned?*

SECRETARY FOR SECURITY (in Cantonese): Deputy President, the Police attach great importance to the safety of police officers during their execution of duties, and have been taking proactive measures and from time to time examine and enhance the equipment and training of officers with a view to strengthening their personal safety.

My consolidated reply to Mr WONG Kwok-kin's question is as follows:

The Police are responsible for preserving law and order, safeguarding lives and property of the public as well as preventing and detecting crimes and offences, and so on. Given the unique nature of police duties and the possibility of encountering unpredictable situations in daily work, police officers may sustain injury during their execution of duties, especially when working in dangerous circumstances and facing persons who deliberately assault police officers as well as persons with propensity to violence or with weapons.

To ensure the occupational safety and health (OSH) of police officers and prevent injury during their execution of duties, the Police have in place a comprehensive safety management system which comprises various elements, including training, risk assessment and case review, and so on.

Regarding training, the Police provide regular and suitable OSH training to police officers having regard to the different safety risks faced by officers of various units. All new recruits must receive training on OSH and safety management awareness while being trained in the Police College. The Police also arrange various OSH courses covering general safety risk assessment, accident investigation and safety management, and so on, for serving police officers and civilian staff. In addition, in response to occupational safety needs of individual units, the Police will send officers to attend practical safety training provided by the Labour Department and the Occupational Safety and Health Council, such as training on fire safety and safe handling of chemicals, and so on. Members of police operational units such as the Police Tactical Unit (PTU) and the Emergency Unit, and so on, also undergo training on safety knowledge required for carrying out specific missions.

Ensuring the safety of police officers is a prime consideration in police operations. The Police will conduct risk assessment before an operation and take preventive measures to reduce the risk of injury of officers. If an officer is injured in an operation, the unit concerned will review the injury case and adopt

improvement measures to prevent recurrence in future similar operations. The Police from time to time examine and enhance the safety management system and OSH training in order to strengthen OSH protection for officers.

From 2011 to 2015, a total of about 4 600 police officers were unfortunately injured while on duty and two police officers were confirmed to have died on duty. About 130 and about 100 police officers sustained injury during the illegal "Occupy Movement" in 2014 and the riot in Mong Kok in the early hours of 9 February this year respectively. Detailed figures of police officers injured on duty are at Annex. The Police do not maintain breakdowns by degree of injury. To the HKSAR Government, injury or death on duty of even one police officer is too many and has to be prevented by all means.

The duty of police officers is to serve the public. However, in recent years, there were participants of public assemblies, demonstrations and processions whose behaviour has become increasingly violent. Some protesters even deliberately charged at police officers. During the Mong Kok riot, some people went so far as digging out bricks on pavements and throwing these bricks as well as glass bottles at police officers on duty, resulting in a vast number of officers sustaining injury. This situation is worrying. The HKSAR Government strongly condemns violent and illegal acts. I thank Mr WONG for his question today, as it arouses everyone's concern over this issue. The HKSAR Government and the entire society have to join hands in stopping the spread of the trend of violence. Wounding other people not only breaks the law. If police officers are injured and as a result unable to perform their duties in preserving law and order as well as protecting the safety of lives and property of the public, the general public is to suffer.

After the Mong Kok riot, the Police have established a review committee, chaired by the Deputy Commissioner of Police (Management), to examine three areas, namely, "operations", "arms, equipment and training" and "support", so as to enhance the safety and professional competency of police officers in their execution of duties. Members of the review committee include representatives of four police staff associations.

Besides setting up the review committee, the Police have also implemented immediate measures to enhance the safety of police officers during their execution of duties. Such measures include an immediate review of the personal

protective gear of front-line police officers so that suitable equipment could be added within a short time. In addition, the Police are procuring more Body Worn Video Cameras to enhance the capability in gathering evidence on scene.

On the other hand, currently one PTU company is deployed to each of the five land Regions of the Police to tackle major incidents and unforeseen riots. All PTU members have undergone stringent training on such aspects as riot handling, crowd management and control as well as anti-crime patrol, and so on. If necessary, the PTU company of a certain Region will be deployed to support the operations of other Regions. Within this year, the Police will establish two additional PTU companies approved in the 2015-2016 financial year, with 340 officers in total. This will enhance the Police's flexibility in manpower deployment and overall response capacity. Also, the Police will strengthen internal security and crowd management training for front-line officers, and taking into account the risk assessment and operational needs, provide them with additional thematic training.

For the medium term, the Police are now procuring three "specialized crowd management vehicles" with water spray devices in order to handle riots or illegal acts that may occur during large-scale and prolonged public assemblies more effectively. "Specialized crowd management vehicles" can effectively disperse persons who stage violent charging acts, create a safe distance between these persons and police officers, reduce the chance of injury to them and police officers, and provide the Police with an additional operational option. The Police have earmarked \$27 million for procuring these vehicles and commenced the tendering and vetting procedures.

In the long run, the Police will enhance the manpower and equipment of police officers as well as such areas as operational deployment and support, and so on, in accordance with the recommendations of the review committee. While meeting the media on 14 February, the Chief Executive said, "I will strongly support any request for equipment and manpower as there are indeed persons, though relatively small in proportion, in our society who express some extreme political demands by means of escalated violence. The Police must therefore have sufficient manpower and equipment to tackle such new challenges."

Deputy President, the HKSAR Government fully supports the Police in maintaining law and order. I pay solemn tribute to police officers who were unfortunately injured or even died when they, risking their personal safety, stood

fast to their posts in the face of danger while executing their duties and serving our community. I also convey my heartfelt sympathy to them and their families. They certainly deserve our respect for their professional and fearless spirit and selfless contribution.

Annex

Figures of police officers unfortunately injured on duty from 2011 to 2015

	2011	2012	2013	2014	2015
Number of police officers unfortunately injured on duty due to incidents in that year	1 025	1 027	939	847	797

MR WONG KWOK-KIN (in Cantonese): *Deputy President, I agree with the Secretary's remark that police officers responsible for law enforcement should be saluted. But nowadays, there are quite a lot of remarks in the community that condone, tolerate or even promote violent confrontation, and the people who make such remarks very often attempt to constrain the enforcement power of the Police by making casual accusations against the alleged excessive use of violence by the Police. Therefore, I would like to ask the Secretary: Will the senior management of the Police, out of fear of such accusations, not dare use the equipment available when tackling riots, thus exposing the front-line police officers to unnecessary risks?*

SECRETARY FOR SECURITY (in Cantonese): Deputy President, be it the senior or middle management or rank and file of the Police, they share the same vision and objective, namely maintaining law and order in the community. As for any acts against the law, including violent charging, the Police are utterly resolute in dealing with them expeditiously. The commander-in-charge will, having regard to the actual situation, consider the use of appropriate means and adopt appropriate skills and strategies in dealing with it. Anyone who breaks the law and commits violent acts will be brought to justice by the Police through all possible means. Large though its meshes may be, the net of justice lets no criminal through.

MR CHAN KAM-LAM (in Cantonese): *Deputy President, I share the Secretary's view that the equipment and manpower for front-line officers should be beefed up to deal with public assemblies, demonstrations or processions. Nevertheless, the funding applications submitted by the Police to this Council for the purchase of equipment are subject to obstruction or procrastination, so it cannot be purchased in time.*

Therefore, I would like to ask the Secretary a question in this regard. As violent acts are getting fiercer recently, apart from violence on the streets, violence that takes place on the Internet is also very common. For example, recently, some people attack me on the Internet and even go so far as to organize others to gather around my home for the purpose of taking adverse actions against me, or even threatening my family. This is very serious, and I believe that the community will by no means tolerate such a situation. However, in this respect, what can the Police do to prevent crimes?

SECRETARY FOR SECURITY (in Cantonese): Deputy President, online behaviour is subject to regulation by law as is behaviour in the real world. We always call the Internet a virtual world, yet it must be noted that the acts done on the Internet are not free from regulation by law. I recall that Members had raised a number of questions in this Council as to why section 161 of the Crimes Ordinance was invoked to pursue investigation and prosecution. Members may recall that the Police did take a number of law enforcement actions against online calls that incited and promoted illegal actions when the unlawful Occupy Central movement was underway.

Given the increasing number of Internet users and the popularity of the Internet nowadays, the Police have strengthened their investigative capability against crimes that may occur on the Internet. In any event, we will not turn a blind eye to the unlawful remarks going viral on the Internet. We will spare no effort in arresting all the criminals and bringing them to justice.

MS EMILY LAU (in Cantonese): *Deputy President, for a community seriously torn apart, an increasing number of people, including younger ones, are getting impatient and annoyed over the governance of the authorities and their indifference to people's views. This may have led to the occurrence of fierce or even violent acts. Is it true that the authorities have tried to solve the problem by better equipping the Police so that the Police are torn between the public and*

the Government? Have the authorities considered having dialogues with different parties so as to address social conflicts? Is it true that the Government only resorts to applying for more funds from this Council for purchasing equipment for the Police to harm more people? Is it the only option for the authorities?

SECRETARY FOR SECURITY (in Cantonese): Deputy President, I cannot agree with the doubts raised by Ms LAU, which I think is rather biased. If we are to live and work in contentment in any given community, we have to obey the law. The Police are duty-bound to maintain law and order in the community in accordance with the law. Everyone is aware of the problems in the Hong Kong community. In the speech made by the Chief Secretary for Administration during the Motion of Thanks debate on the Policy Address in this Council on 19 February this year, it was unequivocally pointed out that "no governance is perfect, whereas taking heed of the wide range of public views and making continued improvement is the cornerstone for good governance. Though the governance of the Government may be less than desirable, it does not mean that the heartrending violent incident that occurred before our eyes can be packaged as 'a rebel of people oppressed by the Government' or 'an act to resist tyranny by force', or a clash between the Police and the people resulted from the tyranny of the Government".

I am here today to answer the supplementary questions raised by Members on whether our Police are sufficiently equipped for the protection of our front-line officers. As the Police need to enforce the law, maintain law and order in the community, arrest criminals and curb the use of violence, they have to be appropriately equipped. Such equipment is needed not only by the Hong Kong Police. When we look around the world, is there any place, country or government where police officers are not equipped to deal with such incidents? No one, including the Police themselves, would like to tackle violence in this way. But when such incidents occur, we are duty-bound to tackle violent incidents, and our police officers have to be appropriately protected in the course of tackling such incidents. The number of police officers injured in executing their duties over the past five years has been provided in the main reply I made earlier. I believe no one would like to see such incidents happen. When problems arise in the community, it is certainly necessary to sit down and figure out a way to deal with it, but resorting to violence is absolutely intolerable.

MS EMILY LAU (in Cantonese): *My question is, when the Government itself admits its governance is less than desirable, what civilized solutions have the authorities identified to address our social conflicts, other than making the Police torn between the two sides?*

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

SECRETARY FOR SECURITY (in Cantonese): Deputy President, police officers are called in to execute their duties only when an incident has happened. It is absolutely not the function of the Police to stand against the public when nothing has happened. The Police have, all along, been upholding neutrality.

MR TONY TSE (in Cantonese): *Deputy President, undeniably, the pressure on police officers is getting increasingly intense in recent years, whereas some members of the public are resorting to increasingly fierce ways in airing their views. Apart from the Secretary's earlier remarks on enhancing equipment, are there any other initiatives that would relieve the work pressure faced by front-line police officers? Do they include psychological counselling or other professional services? If yes, how many cases were handled over the past two years, and how effective are such services?*

SECRETARY FOR SECURITY (in Cantonese): I thank Mr TSE for raising the supplementary question. There are clinical psychologists in the Police Force to specifically provide professional counselling to front-line officers. In case of unfortunate incidents, the clinical psychologists of the Police Force will join hands with Force Welfare Officers to provide counselling to affected officers and their families, and the counselling work takes care of the feeling and the emotion of clients. Even though the officers concerned may have recovered for some time, we will follow up on their cases whenever they are in need of such service, such as making special work arrangements for them.

In addition, the Carelinks Helpline operated by the Psychological Services Group under the Police offers a channel of communication with assistance seekers. A volunteer service team named "Carelinks Cadre" has also been set up. When an incident happens, they demonstrate team spirit through mutual

support and care. I do not have the figures requested by the Member in hand, but our whole team is in place to provide support for front-line colleagues whenever necessary. We will not hesitate to deploy additional manpower for this purpose if it is considered necessary.

DEPUTY PRESIDENT (in Cantonese): Last question seeking an oral reply.

Regulation of Non-local Higher and Professional Education Courses

6. **MR IP KIN-YUEN** (in Cantonese): *Deputy President, the Non-local Higher and Professional Education (Regulation) Ordinance (the Ordinance) aims to prevent the offering of non-local higher and professional education courses (NLCs) which do not meet the specified standards in Hong Kong, in order to protect the interests and benefits of consumers, and to demonstrate that Hong Kong values authentic, reliable and internationally recognized academic and professional standards. However, in recent months, some media have uncovered one after another that the Lifelong College allegedly collaborated with local and non-local institutions to assist students in obtaining "fast-track degrees" relevant to NLCs through different shortcuts and, among those students, quite a number of them came from the political and business sectors, or worked in academic, professional and public organizations as well as government departments. Regarding the regulation of NLCs, will the Government inform this Council:*

- (1) *how the authorities ensure that all NLCs (including those exempted from registration under the Ordinance) are up to the academic and professional standards specified in the Ordinance; how the authorities check the annual returns provided by NLC operators, including whether they have verified the truthfulness of the admission figures and durations of study, and whether the institutions awarding the relevant qualifications are the non-local institutions specified in the registration certificates of the courses; of the number of times for which the authorities checked the annual returns in the past five years, and whether any case of non-compliance was found; if non-compliant cases were found, of the number of such cases;*

- (2) *whether the authorities have put in place a mechanism to verify the truthfulness of the non-local qualifications furnished by civil servants and to determine if such qualifications are equivalent to the standards of the relevant local qualifications or recognized professional qualifications; if so, of the details of the mechanism; if not, the reasons for that; of the number of cases handled by the authorities in the past five years involving civil servants who had allegedly furnished fake academic documents or used fake documents in obtaining academic qualifications and, among such cases, the number of those which involved obtaining money fraudulently by claiming reimbursement of course fees from the Government, the total amount of money involved, the government departments and ranks to which the civil servants concerned belong, as well as the punishments imposed on them; and*
- (3) *whether local intermediaries' recruiting students, charging commission and issuing graduation certificates for NLCs are subject to regulation of existing legislation; if so, of the contents of the legislation; if not, the reasons for that; among the NLCs offered in Hong Kong (including those exempted from registration under the Ordinance) in the past five years, of the number of those for which graduation certificates were issued by local intermediaries?*

(Mr LEUNG Kwok-hung stood up)

DEPUTY PRESIDENT (in Cantonese): Mr LEUNG, what is your point?

MR LEUNG KWOK-HUNG (in Cantonese): *Deputy President, point of order, I do not think a quorum is present in the Chamber.*

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): Secretary for Education, please give your main reply.

SECRETARY FOR EDUCATION (in Cantonese): Deputy President, under the Non-local Higher and Professional Education (Regulation) Ordinance (the Ordinance), all courses conducted in Hong Kong leading to the award of non-local higher academic qualifications or non-local professional qualifications (non-local courses) must be registered properly or exempted from registration. The Non-local Courses Registry (the Registry) under the Education Bureau processes such applications according to the criteria stipulated in the Ordinance. In the case of courses leading to the award of non-local higher academic qualifications, the course operator should demonstrate that effective measures are already in place to ensure that the standard of the course offered in Hong Kong is maintained at a level comparable to a course leading to the same qualification conducted by the awarding institution in its home country. This comparability in standard must be recognized by the awarding institution, the academic community or the relevant accreditation authority of the home country. In addition, under the Non-local Higher and Professional Education (Regulation) Rules, the enrolment advertisements of a registered or exempted course must contain a statement to remind the public that it is a matter of discretion for individual employers to recognize any qualification to which the course may lead.

(THE PRESIDENT resumed the Chair)

Regarding recent media reports that a non-local course operator has fast-tracked the award of degrees to students by illegal means, the Education Bureau is now investigating the case. Any suspected non-compliant cases, if found, will be handled in accordance with the established procedures. If necessary, such cases will be referred to the law enforcement agencies for follow-up action. The Education Bureau is very concerned about the quality of non-local courses and the way of running the courses by operators. A review of the existing monitoring measures is being conducted with a view to enhancing the whole monitoring system and thus providing better protection for students.

Our reply to Mr IP's questions is as follows:

- (1) Through the registration system as stipulated in the Ordinance as well as regular monitoring, the Registry ensures the compliance of all non-local courses with the requirements on academic and professional standards set out in the Ordinance. In processing registration applications, the Registry will examine in detail the application form and relevant materials submitted by the operator, such as the latest programme accreditation documents, curriculum, co-operation agreement between the operator and the institution, quality assurance processes, and arrangements for payment and refund of the fee charged. The Registry or the Hong Kong Council for Accreditation of Academic and Vocational Qualifications (HKCAAVQ) can also request the operator to provide a sample of the certificate, if necessary, to ascertain that it is awarded by an overseas institution. As a pre-requisite for approving the registration, all courses are subject to assessment by the HKCAAVQ to make sure that they meet the registration criteria specified in the Ordinance. In this connection, the HKCAAVQ may contact the non-local institution direct to verify the information submitted by the local operator and ascertain that all the arrangements of the course offered locally is comparable to the one conducted overseas. In addition, the HKCAAVQ may request details about the qualifications of teachers, entry requirements, teaching hours, and so on, from the operator. If necessary, the HKCAAVQ will contact the overseas accreditation authority to confirm whether the award is recognized in its country or not.

Operators of registered non-local courses are required to include such information as student intake and duration of studies in their annual returns submitted to the Registry in accordance with the Ordinance. They are also required to provide documents to prove that the courses continuously meet the requirements of the Ordinance. Following an initial check by the Registry, the annual returns will be forwarded to the HKCAAVQ, which will assess whether the courses continuously meet the requirements of the Ordinance. The processes and procedures of assessment, though more or less the same as those for new applications, include due consideration of quality assurance activities conducted during the reporting period, such as curriculum review and course inspection in Hong Kong conducted by staff from the overseas institution.

As at 29 February 2016, a total of 473 non-local courses are registered under the Ordinance. Operators of these courses are required to submit annual returns to the Registry, and the Registry will examine all of them in accordance with the above-mentioned mechanism. For the past five years, the Registry has not found any cases of contravention of the requirements of the Ordinance amongst the annual reports examined.

- (2) As far as civil service appointments are concerned, according to the information provided by the Civil Service Bureau, academic qualification entry requirements of civil service posts are set with reference to qualifications obtainable under the local education system or from local institutions. If applicants holding degrees awarded by non-local institutions are considered for appointment to civil service posts at degree level, their qualifications will be subject to individual assessment to ascertain whether such qualifications in totality meet the academic qualification entry requirements of the posts being applied for. In the process, the Civil Service Bureau will consult the HKCAAVQ on individual cases where necessary. Recruiting bureaux/departments will offer appointment to applicants concerned subject to their passing the aforesaid individual assessment. In the past five years, that is, from 2011 to 2015, none of the disciplinary cases handled by the Secretariat on Civil Service Discipline involved the use of fake academic qualifications, the use of fake documents for obtaining academic qualifications or improper claims of course subsidies.
- (3) As stipulated in the Ordinance, a non-local course operator means the person, institution or body which (i) is in charge of the conducting of the course in Hong Kong; or (ii) enters into a contract with students under which the course is offered to them. Any intermediary which falls into either one of the above definitions of course operator as set out in the Ordinance is subject to the regulation of the Ordinance, including regulations concerning programme quality and arrangements for payment and refund of the fee charged.

As regards the issuance of graduation certificates, as mentioned in part (1) of the reply, the Registry or the HKCAAVQ may require the operator to provide a sample for verification. Over the past five

years, the Registry has not found any graduation certificates of non-local courses not issued by the overseas institutions that provide the courses.

MR IP KIN-YUEN (in Cantonese): *President, the Secretary pointed out in his main reply that over the past five years, the Registry has not found any problem, nor has it found any problem with the issue of certificates. In other words, be it part (1) or (3) of the reply, he indicated that no problem had been found. I also know this because it was the media which found the problems, and the problems so found were serious. Hence, the public have strong reasons to question whether the Education Bureau can identify problems under the existing mechanism and practice. The Secretary told us in his reply that a lot of materials were provided by the applicants to the authorities, which would then carry out examination based on such materials. In that case, have they taken the initiative to conduct random checks? Is there any measure to detect false information or problems with the intermediaries and the relevant universities? In the absence of proactive measures, how can problems be identified? I noticed that recently, the target of "preventing ... which do not meet the specified standards" has also been deleted from the website of the Education Bureau. In fact, is there no way for the authorities to proactively identify problems? If so, he may as well tell Members; if not, can he tell us how many times they have proactively conducted random checks? I have already asked in my question how many times they have proactively conducted random checks, and whether they can identify where our problems actually lie.*

SECRETARY FOR EDUCATION (in Cantonese): President, I thank the Member for his supplementary question. Earlier on, I explained in detail how the Ordinance, as a whole, regulates matters in this area. And in respect of the initial application process and the documents submitted every subsequent year, we also have procedures in place to handle them. I also mentioned earlier that no special incident took place in those five years. Let me share one or two previous cases with Members here, in which the applicants offered some courses of their own accord without approval. Such scenarios have indeed happened once or twice. We think that at present, there is a wide variety of courses and students also have high expectations. For this reason, I mentioned earlier that we had commenced a review of the monitoring process. We hope to expeditiously conduct a review of the situation and then study how to enhance the existing monitoring process.

MR IP KIN-YUEN (in Cantonese): *In fact, the most crucial part of my question is whether they have taken the initiative to conduct random checks. Can he respond to this?*

SECRETARY FOR EDUCATION (in Cantonese): President, I have earlier stressed that both the conduct of random checks in a proactive manner and the way in which random checks are conducted fall within the scope of our review.

MR CHARLES PETER MOK (in Cantonese): *President, I am also very concerned about this issue because a number of people in my industry are holding a doctoral degree awarded in the Philippines. They may think that they will get more honour in this way, yet they wish to reap without sowing. Nevertheless, President, for other matters, they may reap without sowing. But academic qualifications should be treated seriously and solemnly. Hearing the Secretary for Education's replies to these questions, I think it will be awful if he has to sit an examination because he has just directly quoted from the Manual, stating what he could actually do, and considered it as a reply. If we have to give him a mark, he will definitely score zero. Why is that? He has listed a number of practicable means, yet the outcome is frustrating. But he has offered no explanation at all, while having no shame in saying that those are effective measures.*

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

MR CHARLES PETER MOK (in Cantonese): *Hence, obviously, they are actually ineffective. Mr IP Kin-yuen asked him earlier whether they had taken the initiative to conduct random checks. He replied that a review would be commenced or was being conducted to examine whether it was necessary to conduct random checks. Does this reply imply that they had never taken the initiative to conduct random checks previously? President, let me repeat Mr IP Kin-yuen's question. Instead of talking about reviews, could the Secretary please tell us clearly whether they have taken the initiative to conduct random checks previously?*

SECRETARY FOR EDUCATION (in Cantonese): President, under certain circumstances, if problems are found when examining the annual returns, we will immediately forward them to the HKCAAVQ, which will then start to verify the authenticity of the documents, the academic or accreditation authority of the issuing country, and so on. These procedures are conducted by the HKCAAVQ. Such things do happen.

MR CHARLES PETER MOK (in Cantonese): *Obviously, the Secretary has not answered my supplementary question. Has the HKCAAVQ taken the initiative to conduct random checks? Has it done so or not?*

PRESIDENT (in Cantonese): Secretary, as to whether it has taken the initiative to conduct random checks, do you have anything to add?

SECRETARY FOR EDUCATION (in Cantonese): Documentary review is the primary means. In respect of random checks, if problems are found, we will immediately refer them to the HKCAAVQ for follow-up action. President, in one or two cases handled by us recently, we have gone through other special procedures when we realize that there are problems. If we find that there are problems, we will immediately invite law enforcement agencies to take follow-up action. We are a part of the monitoring process, which is supported by other procedures.

DR KENNETH CHAN (in Cantonese): *President, this scandal has been going on for almost half a year. In giving such a reply to us today, Secretary Eddie NG is basically telling us that this system has been ineffective. And he, as an accountability official, does not know what is going on. Whenever problems arise, they will be referred to the Police for investigation. In fact, he has become an accomplice of such people. Does he admit that he has become an accomplice? In that case, he may as well repeal the legislation and openly welcome people to trade fake academic qualifications in Hong Kong, which will simplify the whole thing. He has talked much, but what good does it do? He is just unable to do anything. Why does he not simply admit his responsibility? He may as well frankly tell us that he has overlooked the situation previously and that he is unable to do anything, and then consider how he should tighten the existing system. Otherwise he may repeal it and ask people to come to trade academic qualifications, okay?*

SECRETARY FOR EDUCATION (in Cantonese): I mentioned earlier that we had taken action for individual cases, which would then be investigated by the Police. Before the results of police investigation are available, we must not jump to any conclusion. We are now awaiting final information and data of police investigation before we can proceed further.

DR KENNETH CHAN (in Cantonese): *President, I have the following supplementary question for the Secretary: Can the Secretary, as the accountability official responsible for enforcing this legislation, tell the public and the whole world whether or not he actually welcomes, tolerates, condones and harbours those unscrupulous merchants who trade fake academic qualifications during his term of office?*

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

SECRETARY FOR EDUCATION (in Cantonese): President, I have stated clearly in my main reply that we attach great importance to the relevant qualifications and standards. This is our guiding principle. For this reason, we had taken immediate action under the stipulated procedures when problems were found. Individual cases have been referred to the Police. Hence, when the Police have drawn a conclusion and obtained information, we will proceed to another stage.

DR HELENA WONG (in Cantonese): *President, according to the Secretary, they were now conducting a review of the existing monitoring measures with a view to enhancing the whole monitoring system. I really cannot accept the word "enhance" used by him because it implies that the existing situation is quite good already, just that we are now making it better. But the current situation is extremely bad. This is a scandal. Secretary, we find it hard to believe that in Hong Kong, degrees can be traded and the entry dates can be tampered with or deferred by several years. Even if documents were furnished, the authorities knew nothing. And they did not know someone had tampered with the dates either. What kind of monitoring is that? We have imposed a ban even on the*

Mainland's low-price tours. But for these "short-piling" doctoral degrees acquired at lightning speed, the Secretary just cannot care less. This is a dereliction of duty on the part of the Secretary for Education ...

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

DR HELENA WONG (in Cantonese): *President, I would like to ask the Secretary for Education: What are his roles and policies in eradicating the trading of degrees and cracking down on fake academic qualifications? Will he set up a database for public inspection, so that members of the public will know whether such colleges as the Lifelong College or others are reliable? Second, will the Secretary enhance cross-border information exchange, and what measures are adopted to ensure that Hong Kong will not be degraded to a processing or distribution centre of overseas diploma factories?*

PRESIDENT (in Cantonese): Secretary, the Member asked whether the authorities have any concrete measures.

SECRETARY FOR EDUCATION (in Cantonese): President, I thank the Member for her recommendations. When we commence a review of the existing procedures, we will also consider the views put forward by Members earlier.

DR HELENA WONG (in Cantonese): *The Secretary has not answered the several specific supplementary questions asked by me earlier. Did you hear his answer to me?*

PRESIDENT (in Cantonese): Dr WONG, you asked the Secretary whether the authorities had relevant measures in place. The Secretary indicated that such issues would be considered during a review. Hence, the Secretary has answered your question.

Oral questions end here.

WRITTEN ANSWERS TO QUESTIONS**Issuance of Hotel Service Endorsements for Non-franchised Public Buses**

7. **MR POON SIU-PING** (in Chinese): *President, under the law, all operators providing non-franchised public bus services (operators) must hold valid passenger service licences (PSLs) and, in respect of the buses used for the provision of such services, must hold valid passenger service licence certificates and be issued with the relevant service endorsements (e.g. "hotel service" endorsements for providing carriage service for hotel guests) by the Transport Department (TD). However, some operators have relayed to me that since only after a hotel has officially opened for business does TD accept the relevant application for hotel service endorsement, newly opened hotels cannot immediately provide carriage service for their guests. The PSLs of some operators have been suspended because these operators used non-franchised public buses not issued with hotel service endorsements to provide guest carriage service for newly opened hotels. Regarding the issuance of hotel service endorsements for non-franchised public buses, will the Government inform this Council:*

- (1) of the number of cases in which the authorities conducted inquiries, in each of the past five years, into operators' using non-franchised public buses not issued with hotel service endorsements to provide guest carriage service for hotels, with a breakdown of such numbers by the punishments imposed on the operators concerned;*
- (2) whether the authorities will review the policy on issuance of hotel service endorsements, such as permitting operators to lodge advance applications before the hotels open for business; if they will, of the details; if not, the reasons for that; and*
- (3) given that operators, once their PSLs have been suspended, are not permitted to provide other carriage services (such as student service and residents' service) during the suspension period, whether the authorities have assessed the impacts of such punishments on the operators and users of the services concerned; if they have, of the outcome, including whether the authorities will review the practice of imposing such punishments on offending operators; if not, the reasons for that?*

SECRETARY FOR TRANSPORT AND HOUSING (in Chinese): President, my consolidated reply to the various parts of Mr POON Siu-ping's question is as follows.

Under the Road Traffic Ordinance (Cap. 374) (the Ordinance) and its subsidiary legislation, all operators of non-franchised bus (NFB) services must hold a Passenger Service Licence (PSL). Subject to the scale of operation, one or more NFBs may be registered under a single PSL. Each NFB must have a PSL Certificate and the relevant service endorsement(s)⁽¹⁾ for the service that it provides. For example, an NFB providing hotel service has to have a "hotel service" endorsement. While one or more service endorsements may be in force in respect of a single NFB, the total number of endorsements granted to each vehicle normally does not exceed four. In other words, an NFB may provide one or more types of service to enhance the operational efficiency of the fleet. As at end February 2016, there were a total of around 7 000 NFBs in the market. More than 1 700 of them have a hotel service endorsement.

According to the Ordinance, the holder of a PSL shall comply with the licensing conditions for an NFB and PSL conditions. If an NFB operates without authorization (such as providing services not permitted by the service endorsement(s)), or fail to comply with any of its licensing conditions or PSL conditions, the Commissioner for Transport (Commissioner) may, under the Ordinance, suspend or permanently cancel the PSL or the PSL Certificate of the concerned vehicle or amend the terms of the PSL (such as amending the permitted uses). The above-mentioned power of the Commissioner is applicable to all vehicles issued with PSLs (including public light buses and school private buses) and not just to NFBs. In considering the penalty, the severity of penalty should suitably reflect the seriousness of a case. For example, the suspension period of a PSL should commensurate with the seriousness of the case. In general, for relatively minor irregularities (such as picking up or dropping off passengers at certain non-designated points), the penalty will generally be milder (such as suspension of the PSL Certificate of the concerned vehicle for several days). As for the more serious cases (such as providing services not permitted by the endorsement(s), *viz.* providing unlawful bus services), the penalty will be heavier (such as longer suspension period of the PSL Certificate of the concerned vehicle). For very serious irregularities (such as providing unlawful bus services

(1) NFB service endorsements include tour service, hotel service, student service, employees' service, international passenger service, residents' service and contract hire service endorsements.

repeatedly by the PSL holder), the PSL of the whole fleet of the operator may be suspended. The existing penalty system has been working well and producing deterrent effects in imposing varying penalty depending on the actual circumstances and severity of each case. The Transport Department (TD) will continue to communicate with the NFB trade to facilitate its normal and healthy development through lawful operation.

There are two types of hotel service provided by NFBs. The first type is regular services with fixed routes, fixed destinations and timetables. The other type is services without fixed destinations and routes. For fixed services, operators are required to apply to the TD in respect of the routes, boarding and alighting points, operating hours and days, as well as details of vehicles providing the service. The applicant shall also submit to the TD the relevant documents, for example, hotel licence or documents showing that the hotel is applying for a hotel licence from the Office of the Licensing Authority under the Home Affairs Department, valid contract signed with the hotel, and so on. Under the existing arrangement, an application can be made to the TD before the opening of the hotel. As long as the necessary documents are in order and the application is accepted, the TD can approve the application before the opening of the hotel. If an operator would like to provide non-fixed services, he may do so by deploying NFBs issued with hotel service endorsement and does not need to apply to the TD beforehand. In the past three years, the TD did not receive complaints on the above requirements from the NFB trade. If the trade encounters difficulties concerning individual cases, it may bring the matter to the TD's attention. The TD would render assistance as far as possible.

In the past five years (2011-2015), the TD conducted three cases of inquiry concerning NFBs providing hotel service. Three NFBs operated by different operators were involved. The operators concerned were convicted in 2012, 2014 and 2015 respectively for providing unlawful hotel service by deploying NFBs without a hotel service endorsement. Among them, the PSL Certificates of two vehicles were suspended for 14 days and three months respectively. For the remaining case, the operator concerned subsequently cancelled the PSL of his own volition and ceased operation. According to information available, all operators concerned had not applied to the TD for providing hotel service beforehand.

Closure of East Wing Forecourt of Central Government Offices

8. **MR CHAN CHI-CHUEN** (in Chinese): *President, in July 2014, on grounds of augmenting the overall defence capability of the Central Government Offices (CGO) at Tamar and enhancing the security facilities at the East Wing, the Government closed off CGO's East Wing Forecourt, which is commonly known as "the civic square" (the square). The Government re-opened the square on 10 September upon completion of the works to erect a perimeter fence around the square. However, from 22 September onwards, it implemented access control measures under which only Legislative Council (LegCo) Members and personnel holding valid staff identity cards/media permits issued by CGO or LegCo were allowed to have access to the square. Since 26 September, the Government has once again closed off the square and denied all visitors' entry into the square. This measure of denying entry into the square has been in force for nearly one and a half years. In reply to a question raised by a Member of this Council in October 2014, the Chief Secretary for Administration stated that the aforesaid access control measure was only temporary, and the Administration Wing (AW) would take into account the actual circumstances and continue to conduct risk assessment to consider when the square might be re-opened. In this connection, will the Government inform this Council:*

- (1) *given that prior to the closure of the square, members of the public might apply to AW for holding public meetings or demonstrations at the square on specified days and at specified hours, of the respective numbers of applications received, approved and rejected by AW since the commissioning of the square, as well as AW's criteria for vetting and approving such applications and reasons for rejecting some of the applications;*
- (2) *of the details of the security arrangements implemented by the Government since last year in respect of the management of the square, and set out in a table (i) the daily average number of security personnel stationing at the square and (ii) the related monthly payroll expenses, since the closure of the square on 26 September 2014; the justifications for arranging security personnel to station at the square for a prolonged period of time;*

- (3) *of the criteria adopted by AW (i) for conducting the security risk assessment in respect of the square and (ii) for deciding whether or not to continue implementing the measure of denying entry into the square; the number of such assessments conducted by AW since the closure of the square;*
- (4) *of the current justifications for the continued implementation of the measure of denying entry to the square; whether it has drawn up a timetable for the re-opening of the square; if it has, of the details; if not, the reasons for that; and*
- (5) *whether it has assessed (i) the impacts on and the inconvenience caused to members of the public by, and (ii) if the public have been deprived of their freedom of holding meetings and demonstrations at the square due to, the prolonged implementation of the measure of denying entry into the square?*

CHIEF SECRETARY FOR ADMINISTRATION (in Chinese): President, the Central Government Offices (CGO), including the East Wing Forecourt (the Forecourt), is government property held by the Administration Wing. The Forecourt is primarily used as a vehicular access for the CGO and a pick up/drop off point for passengers, as well as a passageway for visitors and staff members of the CGO and the Legislative Council Complex. The Forecourt is neither a public place nor a designated public open space. It is incorrect to describe the Forecourt as "the civic square" in the question. The Director of Administration, being the land allocatee and lawful occupier, has the legal right and responsibility to exercise appropriate control and restriction on the use of the Forecourt, having regard to the security and actual needs.

In end September 2014, some protestors forced their way into the Forecourt, and thereafter a large-scale Occupy movement persisted in the vicinity of the CGO. For security reasons, the Government has to close the Forecourt temporarily.

My reply to the various parts of the question is as follows:

- (1) Since the commissioning of the new CGO at Tamar, as far as the venue permits, the Government has made available the Forecourt to the public for holding public meetings/processions during specified hours on Sundays and public holidays, subject to the prior approval of the Director of Administration. Upon receipt of applications for such public order events, the Administration Wing will process them on a first-come-first-served basis and consult the Police on the potential threat of these activities to public order and safety.

Since the Forecourt was made available for public use on application in October 2011, as at 1 March this year, the Administration Wing has received a total of 238 applications, of which 144 were approved (including 12 approved applications which were subsequently revoked as the Forecourt was not available for public use due to security reasons). There were 83 unsuccessful applications, and the reasons for rejection were primarily venue-related. For instance, some applicants had requested to hold public meetings during working days when the Forecourt was not open for public order events; the time slot under application had been allocated to another successful applicant; and the venue was closed temporarily, and so on. The remaining 11 applications required no further action as they were withdrawn by the applicants.

- (2) The security service for the CGO and Chief Executive's Office is currently outsourced to a service contractor, who deploys security guards to man various security posts according to the requirements specified in the contract. Should the security risk on the periphery of the CGO become heightened, the Government will deploy additional security personnel as needed to strengthen the security of office buildings and the surrounding facilities, including the Forecourt. While the Forecourt is temporarily closed, security guards are still required to perform such duties as general patrol, manning entrance/exit and handling emergencies, and so on. Nevertheless, the number of security guards stationed at the Forecourt has been reduced. As the expenditure on security service for the CGO and Chief Executive's Office is consolidated in accordance with the contract, there is no breakdown of relevant

expenditure on individual security posts. At the moment, the overall security service expenditure of the CGO and Chief Executive's Office is about \$3.5 million per month, representing a drop of about 13% as compared to the corresponding period last year.

(3) and (4)

As the CGO and Chief Executive's Office are critical government facilities, the Government has to take appropriate security measures to ensure normal operation of the office buildings and the surrounding facilities. From time to time, the Government has kept under review these security measures including the use of the Forecourt, security arrangement for the entrances/exits of the CGO, and the overall manpower requirement of security guards and their deployment.

After the end of the Occupy movement in end 2014, a number of protestors put up tents and other articles in the vicinity of Tim Mei Avenue occupying the area for a prolonged period. Despite the Government's law-enforcement action to clear the tents and articles last June, a series of incidents took place thereafter including the explosion of a rubbish bin in the demonstration area of the Legislative Council, and the arrest of a person suspected of possessing smoke-producing material fit for unlawful purposes around Admiralty. Up to now, there are people who still sleep and demonstrate continuously outside the CGO, setting up tents from time to time. In view of the relatively high security risk persistently faced by the CGO, the Forecourt still needs to be closed temporarily. The Government will continue to monitor the situation and keep under review the arrangements for the Forecourt in due course.

(5) In view of the temporary closure of the Forecourt, the Administration Wing has introduced appropriate measures to make available the staff entrance on the second floor of the CGO for use by visitors. So far the operational arrangements have been running smoothly. For visitors to the Legislative Council, they may gain

access to the Legislative Council Complex via the pedestrian pavement along Tim Mei Avenue or through Tamar Park. Furthermore, the extension of the CITIC Tower footbridge to the Legislative Council Complex has been completed and the extended footbridge has been opened for public use since this late February, providing a direct, separate and covered access route from Admiralty to the Legislative Council Complex.

The Government respects the public's freedom of assembly, procession and demonstration. While the Forecourt is still closed temporarily, a section of the pedestrian pavement on Tim Mei Avenue outside the Forecourt has all along been designated as a public activities area. Members of the public may hold public meetings or submit petition letters to the Government in that area without the need for seeking prior approval of the Administration Wing, though such activities are subject to the relevant provisions under the Public Order Ordinance governing the holding of public meetings/processions. If the congregation is excessively large, the Police will, taking into account the actual situation, implement corresponding crowd management measures and consider, among other things, temporarily opening the traffic lanes on Tim Mei Avenue for public meeting purposes. Moreover, members of the public may also apply to relevant departments for holding public activities at the amphitheatre in Tamar Park or the Central and Western District Promenade (Central Section) adjacent to the CGO.

Work Visa Requirements for Visitors Participating in Local Cultural, Arts or Sports Events

9. **MR MA FUNG-KWOK** (in Chinese): *President, it has been reported that a Japanese karate master who came to Hong Kong on invitation of the Karatedo Federation of Hong Kong to engage in a sport exchange event was recently arrested by the Immigration Department (ImmD) on suspicion of taking up employment in Hong Kong, and thus violating the Immigration Ordinance (Cap. 115). In this connection, will the Government inform this Council:*

- (1) *of the circumstances under which visitors who came to Hong Kong to participate in cultural, arts or sports events will be deemed to have taken up employment; the criteria adopted by ImmD for determining if individual visitors have taken up employment, and whether such criteria have been made publicly available for reference by the public and visitors;*
- (2) *last year, of (i) the number of reports received by ImmD that visitors who had come to Hong Kong to participate in cultural, arts or sports events had allegedly taken up employment, as well as (ii) the number of such cases in which prosecutions were instituted by ImmD and the number of visitors involved;*
- (3) *whether ImmD has issued to local organizations which organize cultural, arts or sports events guidelines setting out the circumstances under which applications for work visas on behalf of foreigners coming to Hong Kong on invitation to participate in such events are required, and whether it has formulated measures to facilitate such visitors to file visa applications; if ImmD has, of the details; if not, whether ImmD will consider issuing such guidelines and formulating such measures;*
- (4) *whether it has reviewed if the existing Immigration Ordinance and relevant law enforcement criteria have impeded the exchange activities of local cultural, arts and sports organizations with their counterparts outside Hong Kong; if it has, of the details; if not, the reasons for that; and*
- (5) *given that visitors who participate on invitation in local cultural, arts or sports events in countries such as Singapore, Sweden and Canada have been exempted from obtaining work visas prior to entry, whether the authorities will consider following the practices of those countries to exempt the visitors concerned from obtaining work visas; if they will, of the details of and the implementation timetable for such an exemption; if not, the reasons for that?*

SECRETARY FOR SECURITY (in Chinese): President,

- (1) Whether visitors' participation in cultural, arts or sports events or competitions during their stay in Hong Kong constitutes employment depends on the actual circumstances of the individual event or competition, and cannot be generalized. Consideration factors include whether the event or competition is commercial in nature, or whether employment contracts, service contracts, remuneration, and so on, are involved;
- (2) The Immigration Department (ImmD) does not maintain the figures requested in the question;

My consolidated reply to parts (3) to (5) of the question is as follows:

Under the current legislation, in general, a person who intends to take up employment or undergo training in Hong Kong must first apply for a relevant visa/entry permit before coming to Hong Kong, unless he/she has the right of abode or right to land in the HKSAR. Any person given permission to enter Hong Kong as a visitor shall not take up any employment, whether paid or unpaid, or establish or join in any business during his/her stay in Hong Kong, unless he/she has obtained prior approval of the Director of Immigration. Information on the above and how to apply for various types of visas/entry permits is available at the ImmD website.

Non-Hong Kong residents who wish to take up employment in Hong Kong, whether paid or unpaid, must apply for a relevant employment visa from the ImmD. There are no restrictions on sectors or quotas for employment visas. In general, this type of visa is issued to professionals who possess special skills, knowledge or experience of value to and not readily available in Hong Kong and whose positions cannot be readily taken up by the local workforce.

The ImmD takes a pragmatic approach in processing visa/entry permit applications for participation in local cultural, arts or sports events or competitions in accordance with the law, while maintaining close communication and co-ordination with the organizers of the events or competitions. The ImmD shall, having

regard to the dates and circumstances of the events or competitions, provide appropriate facilitating measures, including streamlining the visa/entry permit application procedures (such as waiving the submission of supporting documents on academic qualifications) and according priority to urgent applications, in order to meet the actual needs of the participants and organizers.

The Administration reviews its visa/entry permit policy from time to time to ensure that it meets Hong Kong's actual circumstances and needs.

Provision and Management of Public Markets

10. **MR CHAN HAN-PAN** (in Chinese): *President, last month, the stall operators at Tsing Yi's Cheung Fat Estate Market under Link Asset Management Limited (the Link) launched a seven-day strike to urge the Link to shelve its plan to contract out the right to operate the market to a single operator. The strike caused inconvenience to the daily lives of residents nearby, but the stall operators felt helpless about it. Regarding the provision and management of public markets, will the Government inform this Council:*

- (1) of the respective numbers of public markets under the Food and Environmental Hygiene Department, the Link and other organizations at present;*
- (2) whether it will build public markets in new development areas or densely populated districts to provide venues for small operators to run business and to meet the shopping needs of the public; if so, of the details; if not, the reasons for that;*
- (3) given that the Link has contracted out the operating rights of its markets one after another to single operators and some of those operators have let their affiliated companies operate certain stalls in the markets they operate, thus arousing discontent among other stall operators, whether the Government will mediate such disputes; if it will, of the details; if not, the reasons for that; and*

- (4) *whether an inter-departmental task force will be set up to deal with issues relating to public markets, including the operating environment of stall operators, the shopping needs of the public, etc.; if so, of the details; if not, the reasons for that?*

SECRETARY FOR FOOD AND HEALTH (in Chinese): President, the Link Asset Management Limited (Link), as a private entity, is entitled to rights over its properties and governed by relevant laws, conditions of land leases and other contractual terms, just like other private property owners. The Government cannot and will not interfere in Link's day-to-day operation and commercial decisions (including outsourcing the management of its properties), as long as Link is in compliance with the requirements of the laws and land leases as well as the contractual terms it made with other companies, organizations or individuals.

Having consulted the Transport and Housing Bureau, I set out below my reply to the four parts of the question:

- (1) At present, the Food and Environmental Hygiene Department manages 101 public markets, including 76 public markets which mainly sell fresh provisions and other dry and wet goods, as well as 25 free-standing cooked food markets. There are 21 markets under the Hong Kong Housing Authority. As regards the wet markets operated by Link, it has been a private entity since its listing on 25 November 2005. The Government does not hold any units of Link. The business direction and day-to-day operation of Link are entirely independent of the Government. The Government does not keep information on the wet markets managed by Link. According to its website, there are 84 wet markets under Link.
- (2) Our focus is on facilitating convenient access on the part of the public to retail outlets in their neighbourhood for meeting their daily needs on food and other necessities. Currently, there exists a variety of channels for the public to purchase fresh food. Apart from public markets, many members of the public when purchasing fresh food may choose to patronize markets, supermarkets and various types of retail outlets operated by other public and private entities. Customer preference for different shopping venues in purchasing fresh food may evolve in tandem with changes in

socio-economic circumstances, lifestyles, purchasing power and various other factors. Therefore, taking the population of an area as the sole yardstick in the planning of new public markets may not be appropriate.

The prevailing Hong Kong Planning Standards and Guidelines with respect to the planning of public markets stipulate the relevant factors that are to be taken into consideration, including the population of the area (including the demographic mix), community needs, the presence of public and private market facilities nearby, the number of fresh provision retail outlets available in the vicinity and the public sentiment towards the preservation of hawker areas. This approach is based on a more holistic consideration of all relevant factors, rather than just the size of the population, in the planning of public markets. When preparing or reviewing town plans, the Planning Department will consult the relevant Policy Bureaux and departments, so as to ascertain whether there is a need to reserve land for public markets. We will, in the light of social developments and the actual situation on the ground, assess the need to review the planning guidelines for public markets as and when appropriate.

Providing a new public market requires the use of Government land and entails public financial commitment. Therefore, in considering whether a public market should be built, we have to duly assess the need for the market and cost effectiveness in order to ensure that public resources are put to proper use. In fact, in the face of fierce competition and changing circumstances in individual communities, some public markets are facing relatively high vacancy rates and low customer flows. Also, the Audit Commission had in previous reports pointed out that, given the high cost of constructing a new public market, the relevant principles should be strictly adhered to.

In considering whether new public markets should be provided in individual districts, we would take into account all relevant factors, including the above-mentioned planning standards and guidelines, the actual situation of individual districts and the views of stakeholders, to ensure that public resources are put to proper use.

- (3) As previously pointed out by the Government at different Legislative Council meetings (including the recent meeting of the Panel on Housing on 7 December 2015), Link, as a private entity, is entitled to rights over its properties and governed by relevant laws, conditions of land leases and other contractual terms, just like other private property owners. The Government cannot and will not interfere in Link's day-to-day operation and commercial decisions (including outsourcing the management of its properties), as long as Link is in compliance with the requirements of the laws and land leases as well as the contractual terms it entered into with other companies, organizations or individuals. The Government will not intervene in the business operation of Link's outsourced contractors regarding its market stalls.
- (4) The relevant bureaux and departments are responsible for matters related to public markets. The responsible authority will liaise and discuss with other relevant bureaux and departments when necessary.

Home End-of-Life Care Programme

11. **PROF JOSEPH LEE** (in Chinese): *President, the Hospital Authority (HA) launched, in collaboration with some organizations, in 2009 the Home End-of-Life Care Programme (the Programme) to enable elderly patients suffering from designated chronic or long-term diseases (e.g. organ failures and cancers) to choose, after being assessed by a doctor, to stay in a suitable home living environment or residential care homes for the elderly (RCHEs) and enjoy a peaceful time in the last days of their lives. When those patients are in the very last moments of their life, their family members or the RCHEs concerned may, according to the documents signed and issued by doctors in advance, arrange to send them to the designated accident and emergency departments, but the hospitals will not administer first aid to or perform operations on them and will let them pass away naturally. The doctors will then go through the death certification procedures and issue death certificates. In this connection, will the Government inform this Council if it knows:*

- (1) *the number of participants of the Programme since its launch in 2009, with a breakdown by the diseases from which they suffered;*

- (2) *the public hospitals in which the Programme is currently implemented, and the manpower and resources involved; and*
- (3) *whether HA has considered extending the Programme to all public hospitals and has assessed the additional manpower and resources so required as well as the number of additional persons who may benefit from the Programme; if HA has, of the details; if not, the reasons for that?*

SECRETARY FOR FOOD AND HEALTH (in Chinese): President, the Hospital Authority (HA) has all along offered appropriate palliative care services to terminally-ill patients and their families according to the principle of "providing holistic care for patients". Such services are delivered in an integrated mode through palliative care teams comprising doctors, nurses, medical social workers, clinical psychologists, physiotherapists and occupational therapists. In respect of the question raised by Prof Joseph LEE on services provided for terminally-ill patients, my reply is as follows:

(1) and (2)

The Palliative Virtual Ward Programme is a palliative care project offered by the United Christian Hospital (UCH) of the Kowloon East Cluster (KEC). It aims at providing multi-disciplinary support for terminally-ill patients who wish to spend the last days of their life at home. At present, all seven clusters of the HA provide comprehensive palliative care services including in-patient service, out-patient service, day care service, home care service and bereavement counselling for terminally-ill patients. While the names of these services may not have the same name as the one used by UCH of KEC (namely the Palliative Virtual Ward Programme), they all provide palliative care services for patients.

The HA does not maintain the statistics of palliative care services under individual programmes by clusters. The following table sets out the overall statistics on palliative care services of the HA:

<i>Palliative Care Services</i>	<i>Attendances in 2014-2015[#]</i>
In-patient service (Number of in-patient/day patient discharge episodes and number of deaths)	8 254
Specialist out-patient service	9 449
Home care service	33 199
Day care service	12 275
Bereavement service	3 034

Note:

The above figures include only the capacity of hospice service.

Palliative care services of the HA are mainly provided by healthcare personnel of the Palliative Care Units (PCUs) and oncology centres. The oncology centres are subsumed under the overall establishment of the oncology departments, and the HA does not maintain the statistics on the manpower specifically providing palliative care services. As at 31 December 2015, there were around 200 full-time equivalent nurses serving in the PCUs. And as at 31 December 2015, there were around 400 full-time equivalent nurses serving in the oncology centres.

- (3) The HA has all along been committed to enhancing palliative care services. Over the years, the HA has continued to improve its mode of service and strengthen the provision of multi-disciplinary service so as to alleviate the physical and emotional distress of patients, and improve their quality of life at the end-of-life stage. Since 2010-2011, the HA has extended the main targets of its palliative care services from mainly cancer patients to patients with end-stage organ failure. The additional resources involved are about \$34 million per year. In 2012-2013, the HA has enhanced the services by clinical psychologists and medical social workers to provide psychosocial service for terminally-ill patients and their family members, and to identify high-risk patients and their family members for early intervention. The additional resources involved are about \$12 million per year.

In 2015-2016, the HA also strengthened the service of the Community Geriatric Assessment Teams to, through the collaboration between multi-disciplinary service teams of the hospitals and the residential care homes for the elderly (RCHEs), better support terminally-ill patients in RCHEs in phases and provide training for staff of RCHEs to improve the quality of care. The additional resources involved are about \$7 million per year.

The HA will continue to monitor the demand for various healthcare services, and plan and enhance palliative care services having regard to factors like the demographic growth and changes, advances in medical technology and healthcare manpower.

Revenue Collected Due to Special Stamp Duty, Buyer's Stamp Duty and Doubled Ad Valorem Stamp Duty

12. **MR ABRAHAM SHEK:** *President, in the past few years, the Government adopted several demand-side management measures for the property market, namely introduction of the Special Stamp Duty (SSD) in November 2010, enhancement of SSD in October 2012, introduction of Buyer's Stamp Duty (BSD) in October 2012, as well as introduction of the Doubled Ad Valorem Stamp Duty (DSD) in February 2013. In this connection, will the Government inform this Council of the respective numbers of property transactions which were subject to the aforesaid measures and the respective amounts of revenue it collected due to such measures in each month from their implementation to February 2016 (set out in the table below)?*

Month and year	SSD		BSD		DSD	
	Number of transactions	Revenue collected	Number of transactions	Revenue collected	Number of transactions	Revenue collected
November 2010			-	-	-	-
December 2010			-	-	-	-
...			-	-	-	-
...			-	-	-	-
October 2012					-	-
November 2012					-	-
...					-	-
...					-	-

<i>Month and year</i>	<i>SSD</i>		<i>BSD</i>		<i>DSD</i>	
	<i>Number of transactions</i>	<i>Revenue collected</i>	<i>Number of transactions</i>	<i>Revenue collected</i>	<i>Number of transactions</i>	<i>Revenue collected</i>
<i>February 2013</i>						
<i>...</i>						
<i>...</i>						
<i>February 2016</i>						

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY:

President, over the past few years, the Government has introduced several rounds of demand-side management measures, including Special Stamp Duty (SSD) (November 2010 and October 2012), Buyer's Stamp Duty (BSD) (October 2012) and Doubled Ad Valorem Stamp Duty (DSD) (February 2013). These measures aim to combat speculative activities, ensure healthy and stable development of the property market, and accord priority to the home ownership needs of Hong Kong permanent residents in the midst of the present tight housing supply.

Breakdown of SSD, BSD and DSD cases by month is tabulated below:

<i>Month</i>	<i>SSD⁽¹⁾</i>		<i>BSD⁽²⁾</i>		<i>DSD⁽³⁾</i>	
	<i>Number of Transactions</i>	<i>Total Amount (\$ million)</i>	<i>Number of Transactions</i>	<i>Total Amount (\$ million)</i>	<i>Number of Transactions</i>	<i>Total Amount (\$ million)</i>
July 2011	12	2.8	-	-	-	-
August 2011	17	5.5	-	-	-	-
September 2011	7	2.5	-	-	-	-
October 2011	19	6.4	-	-	-	-
November 2011	15	2.7	-	-	-	-
December 2011	11	2.8	-	-	-	-
January 2012	17	6.9	-	-	-	-
February 2012	19	3.4	-	-	-	-
March 2012	108	18.5	-	-	-	-
April 2012	93	15.3	-	-	-	-
May 2012	123	17.7	-	-	-	-
June 2012	139	25.0	-	-	-	-
July 2012	112	15.9	-	-	-	-
August 2012	211	37.1	-	-	-	-
September 2012	237	37.0	-	-	-	-
October 2012	292	49.3	-	-	-	-

<i>Month</i>	<i>SSD⁽¹⁾</i>		<i>BSD⁽²⁾</i>		<i>DSD⁽³⁾</i>	
	<i>Number of Transactions</i>	<i>Total Amount (\$ million)</i>	<i>Number of Transactions</i>	<i>Total Amount (\$ million)</i>	<i>Number of Transactions</i>	<i>Total Amount (\$ million)</i>
November 2012	254	49.1	-	-	-	-
December 2012	150	30.9	-	-	-	-
January 2013	187	37.7	-	-	-	-
February 2013	160	32.6	-	-	-	-
March 2013	157	35.7	-	-	-	-
April 2013	117	23.5	-	-	-	-
May 2013	131	21.6	-	-	-	-
June 2013	140	26.9	-	-	-	-
July 2013	119	21.9	-	-	-	-
August 2013	111	25.1	-	-	-	-
September 2013	95	17.8	-	-	-	-
October 2013	100	18.4	-	-	-	-
November 2013	70	11.5	-	-	-	-
December 2013	91	17.2	-	-	-	-
January 2014	70	16.5	-	-	-	-
February 2014	43	7.3	-	-	-	-
March 2014	46	11.9	1 827	3,310.5	-	-
April 2014	65	16.8	2 139	2,575.8	-	-
May 2014	64	16.8	293	569.1	-	-
June 2014	42	10.0	205	341.9	-	-
July 2014	36	7.2	370	904.3	21	6.5
August 2014	38	12.4	266	568.3	2 213	964.5
September 2014	55	15.9	340	665.7	4 943	2,145.7
October 2014	38	10.1	266	790.3	4 369	2,386.9
November 2014	27	8.4	177	364.5	3 673	1,543.3
December 2014	47	19.1	194	403.2	4 061	1,699.5
January 2015	58	30.6	276	1,446.5	4 586	2,102.3
February 2015	56	21.2	195	392.1	4 473	1,423.8
March 2015	63	34.3	245	605.6	3 706	1,599.6
April 2015	49	17.5	223	499.5	3 962	1,751.0
May 2015	51	16.3	147	393.8	3 664	1,530.1
June 2015	54	21.4	204	473.3	4 544	2,154.3
July 2015	84	33.9	260	606.9	4 145	2,157.8
August 2015	68	31.1	139	400.4	3 074	1,322.9
September 2015	45	18.8	179	287.7	2 952	1,191.2
October 2015	36	15.1	245	424.0	2 870	922.2

Month	SSD ⁽¹⁾		BSD ⁽²⁾		DSD ⁽³⁾	
	Number of Transactions	Total Amount (\$ million)	Number of Transactions	Total Amount (\$ million)	Number of Transactions	Total Amount (\$ million)
November 2015	41	17.8	240	497.5	3 518	1,966.3
December 2015	43	15.6	247	447.2	3 233	1,321.7
January 2016	30	10.6	98	205.1	1 763	704.7
February 2016	22	8.4	62	316.3	1 577	728.8

Notes:

- (1) SSD has been effective since 20 November 2010. The relevant Amendment Ordinance was gazetted on 30 June 2011 and the Stamp Office has started collecting SSD since July 2011 in respect of the residential property transactions chargeable to the duty, including the relevant transactions between 20 November 2010 and the gazettal of the Amendment Ordinance concerned.

Subsequently, on 26 October 2012, the Government announced that from 27 October 2012 onwards, the SSD rates would be raised and the holding period within which residential property transactions are chargeable to SSD would be extended. The relevant Amendment Ordinance was gazetted on 28 February 2014 and the Stamp Office has started collecting the enhanced SSD since March 2014 in respect of the residential property transactions chargeable to the enhanced duty, including the relevant transactions between 27 October 2012 and the gazettal of the Amendment Ordinance concerned.

- (2) BSD has been effective since 27 October 2012. The relevant Amendment Ordinance was gazetted on 28 February 2014 and the Stamp Office has started collecting BSD since March 2014 in respect of the residential property transactions chargeable to the duty, including the relevant transactions between 27 October 2012 and the gazettal of the Amendment Ordinance concerned (the figures for March and April 2014 have covered the cases processed which arose from the above period concerned).
- (3) The Scale 1 rates of the Ad Valorem Stamp Duty (AVD) have been effective since 23 February 2013. The relevant Amendment Ordinance was gazetted on 25 July 2014 and the Stamp Office has started collecting AVD at Scale 1 rates since the gazettal date in respect of the residential and non-residential property transactions chargeable to the duty at Scale 1 rates. The figures in the above table feature the number of cases and the amount of stamp duty receipts in respect of the property transaction instruments executed on or after 25 July 2014 that are chargeable to AVD at Scale 1 rates. As regards the property transaction instruments executed between 23 February 2013 and 24 July 2014 (the transitional period) and presented for stamping, they were originally subject to the previous rates as stipulated in the legislation at that time, and it was only after the gazettal of the Amendment Ordinance that the Stamp Office collected the additional stamp duty for all instruments executed during the transitional period that are chargeable to AVD at Scale 1 rates.

The above table has not featured the number of property transaction instruments executed during the transitional period and presented for stamping, that are chargeable to DSD. There were about 49 000 such cases, involving a total of \$11.8 billion arising from DSD. Given that the relevant amount was collected after the gazettal date and that the payment date did not correspond with the transaction date, the Stamp Office has not kept monthly statistics based on transaction date for these cases.

Stenches Emitted from New Yau Ma Tei Typhoon Shelter

13. **MR JAMES TO** (in Chinese): *President, residents in the vicinity of the New Yau Ma Tei Typhoon Shelter (NYMTTS) have been incessantly complaining to me in recent years that the water quality at NYMTTS is poor and the stenches*

emitted from NYMTTS have caused great nuisance to them. They have also pointed out that as the measures (e.g. regular clearing of marine mud) taken by the Government to improve water quality have been ineffective, and the works for improving the sewerage in West Kowloon and Tsuen Wan (the planning work of which started in 2010) have not yet commenced, the aforesaid problem has remained unresolved. In this connection, will the Government inform this Council:

- (1) of the number of complaints received by the Government in the past three years from members of the public that the stench emitted from NYMTTS had caused nuisance to them;*
- (2) of the average levels of Escherichia Coli in the marine water samples taken at NYMTTS by the Environmental Protection Department each month in the past three years, and how such data compare with the relevant water quality standards;*
- (3) of the latest progress of the aforesaid improvement works; the interim measures to be taken by the Government to further improve the water quality in NYMTTS prior to the completion of the improvement works;*
- (4) whether it has studied why the odour problem in NYMTTS has not been resolved so far, and whether the sewage discharged by ocean carriers berthed at waters west of Kowloon is one of the sources of the stench emitted from NYMTTS; and*
- (5) whether it has studied the relocation of the public cargo working area adjacent to NYMTTS in order to alleviate the odour problem in NYMTTS; if it has, of the plans; if not, the reasons for that?*

SECRETARY FOR THE ENVIRONMENT (in Chinese): President, the Government is committed to improving the water quality of the Victoria Harbour. Over the past two decades, we have progressively implemented the Harbour Area Treatment Scheme (HATS) to collect and treat sewage generated in areas around the Victoria Harbour, including Kowloon, Tsuen Wan and most parts of Hong Kong Island. Upon full commissioning of HATS Stage 2A in December 2015, all sewage generated in areas around the harbour has been intercepted and

diverted to the Stonecutters Island Sewage Treatment Works for centralized treatment. However, there are still residual polluting discharges entering certain coastal waters of the Victoria Harbour, even causing odour problems.

The Environmental Protection Department (EPD), in collaboration with other relevant departments, has been taking various actions including law enforcement, publicity and education, as well as engineering measures to reduce residual polluting discharges entering the Victoria Harbour. However, many of these residual polluting discharges originate from various activities in old districts and the causes would differ among different areas. While efforts among the departments have mitigated the problem caused by residual polluting discharges, it is not adequate to keep the problem totally under control. The EPD hence commissioned a consultancy study in January 2016 to identify the specific causes of nearshore pollution through evidence-based reviews and various analyses, based on which targeted solutions and measures through prevention at source and pollution control would be identified.

Regarding the questions raised by Mr James TO:

- (1) In the past three years, the Government received three complaints from members of the public about the odour problem of the New Yau Ma Tei Typhoon Shelter (NYMTTS).
- (2) The main function of typhoon shelters is to ensure that there is sufficient suitable space within Hong Kong waters for local vessels and small visiting vessels to take refuge during passage of typhoons or inclement weather. There is no corresponding water quality objective on the E. coli level for typhoon shelters. Nevertheless, the EPD takes marine water samples from typhoon shelters on a bi-monthly basis for monitoring purpose. The E. coli counts would fluctuate with the weather and other factors. On the whole, the annual geometric mean E. coli level of the NYMTTS has progressively dropped from 11 000 counts per 100 ml in 2001 to about 3 000 to 6 769 counts per 100 ml in recent years. The E. coli counts in marine water samples taken at the NYMTTS by the EPD in the past three years are set out in the Annex.

- (3) We are planning a series of sewerage upgrading works, including the installation of a dry weather flow interceptor (DWFI) at the Cherry Street Box Culvert to intercept polluted flow from entering the NYMTTS, the improvement and upgrading of 43 existing DWFIs in West Kowloon, and the installation of four new DWFIs each in Tsuen Wan and West Kowloon at critical locations. These engineering measures will help reduce residual polluting discharges entering the Victoria Harbour and improve the water quality and odour problem of the NYMTTS.

The detailed design work for the DWFI at the Cherry Street Box Culvert has been completed while that for the improvement and upgrading of existing DWFIs in West Kowloon and the installation of new DWFIs at critical locations in Tsuen Wan and West Kowloon will be completed in the second quarter this year. The Government will prepare the cost estimate and implementation programme for the projects and will seek funding approval from the Finance Committee of the Legislative Council in accordance with the procedures for Public Works Programmes.

The government departments concerned will also continue with the ongoing pollution control measures as follows:

- (i) The EPD, the Buildings Department (BD) and the Drainage Services Department (DSD) will jointly follow up and rectify foul water pipe misconnection cases. Misconnected foul water pipes within buildings are unauthorized building works. The BD will take enforcement action in accordance with the Buildings Ordinance and the prevailing enforcement policy;
- (ii) The EPD will watch out for illegal discharge during routine inspections and take enforcement action against non-compliance with the Water Pollution Control Ordinance;
- (iii) The Food and Environmental Hygiene Department (FEHD) will seek to tackle illegal discharge of wastewater into storm water drains in order to reduce the amount of pollutants entering storm water drains;

- (iv) The DSD will carry out inspection, repair and clearing of sediments of public sewer and storm drainage systems on a regular basis;
- (v) The FEHD and the Highways Department will provide routine rubbish cleansing services for public places and streets, as well as regular clearing of sediments in gully traps to reduce the amount of pollutants entering the storm drainage system;
- (vi) The Marine Department cleans up floating refuse and provides free refuse collection service for vessels berthing in typhoon shelters on a daily basis to prevent potential odour generated by marine refuse.

The aforementioned study on nearshore pollution covers the waters of West Kowloon. The Government will take immediate measures to deal with any pollution sources identified in the study, without waiting for completion of the full study.

- (4) The NYMTTS is a semi-enclosed water body that has limited self-cleaning ability and low tidal flushing capacity. In addition, the densely-populated coastal areas have been developed for many years. Misconnections of foul water pipes from buildings and public sewers to the storm drainage system, as well as street-side pollutants that enter the storm drainage system could cause pollution problem. The EPD's study on nearshore pollution will identify the specific causes of and solutions to nearshore pollution through in-situ monitoring, investigations and analyses.

Only those ocean-going vessels equipped with a sewage treatment plant that complies with international requirements and has a valid International Sewage Pollution Prevention Certificate may discharge properly treated domestic sewage into Hong Kong waters. The Marine Department will also arrange for government surveyor to conduct spot check on ocean-going vessels visiting Hong Kong so as to ensure that the sewage treatment plant on board is operating properly. Therefore the discharge of sewage by ocean-going vessels should not cause odour problem.

- (5) The Government has just completed a comprehensive review on the six Public Cargo Working Areas (PCWAs) in Hong Kong. The findings of the review indicate that the PCWAs have been playing an important economic role, thus it is necessary to maintain their operation. The industry has a strong demand for the operation of the New Yau Ma Tei PCWA and its occupancy rate has all along stood at 100%. At present, due to the lack of suitable sea frontage at an alternative site, the Government has no plan to relocate the New Yau Ma Tei PCWA at this stage.

Annex

E. coli level in water samples from the New Yau Ma Tei Typhoon Shelter during the past three years (2013 to 2015)

<i>Sampling date (day/month/year)</i>	<i>E. coli level (counts/100 ml)</i>	
	<i>Depth Averaged Geometric Mean</i>	<i>Annual Geometric Mean</i>
3/1/2013	926	2 901
14/3/2013	1 480	
27/5/2013	10 288	
10/7/2013	3 324	
2/9/2013	38 236	
1/11/2013	332	
11/1/2014	597	2 620
7/3/2014	1 616	
8/5/2014	1 428	
2/7/2014	13 565	
15/9/2014	1 847	
3/11/2014	9 381	
15/1/2015	2 828	6 769
4/3/2015	2 956	
18/5/2015	10 954	
22/7/2015	76 681	
19/9/2015	3 425	
6/11/2015	4 000	

Planning of Public Markets

14. **MISS ALICE MAK** (in Chinese): *President, the Planning Department (PlanD) revised the Hong Kong Planning Standards and Guidelines (HKPSG) in April 2009 by deleting the population-based planning standard for public markets (i.e. one public market stall should be provided for every 55 to 65 households or approximately 40 to 45 stalls per 10 000 persons) and adding a basket of considerations, i.e. "... provision of new public markets should be considered on a case-by-case basis to ensure the efficient use of public resources. Apart from the population of the area, other relevant factors that should also be considered include the demographic mix, community needs, provision of both public and private market facilities nearby, number of fresh provision retail outlets in the vicinity, and public sentiment towards preservation of the hawker areas in the particular locality". On the other hand, as mentioned in this year's Policy Address, the Government "will also formulate plans to improve, alter the use of or vacate individual public markets and cooked food centres". In this connection, will the Government inform this Council:*

- (1) *whether PlanD had conducted any public consultation on the aforesaid revisions to HKPSG; if so, of the details (including the number of public hearings held, the number of submissions received and, among the submissions, the number of those which objected to such revisions); if not, the reasons for that;*
- (2) *as public markets are currently classified as "retail facilities" in HKPSG, whether the authorities will re-classify public markets as "community facilities" and stipulate that a public market must be provided in each community; if they will, of the details; if not, the reasons for that;*
- (3) *of the reasons why the Government has not built any new public market since 2009; whether the authorities will review the current standard for the provision of public markets in HKPSG; if they will, of the details; if not, the reasons for that;*
- (4) *whether it received any proposals of building new public markets put forward by District Councils in the past five years; if it did, of the District Councils concerned and the locations of the proposed public markets, as well as the reasons why such proposals have not been adopted so far; and*

- (5) *of the criteria adopted by the Government for formulating plans to alter the use of or vacate individual public markets; the public markets the uses of which will be altered or which will be closed down in the coming three years, and the number of such public markets, as well as the anticipated number of stalls which will be affected; whether it will build new public markets while implementing such plans to avoid a decrease in the number of public market stalls; if it will, of the details; if not, the reasons for that?*

SECRETARY FOR FOOD AND HEALTH (in Chinese): President, the Hong Kong Planning Standards and Guidelines (HKPSG) stipulates general guidelines for determining the scale, location and site requirements of various land uses, community facilities and infrastructures according to the population and other factors. The relevant guidelines aim to serve as general reference to ensure that, during the land use planning and development processes, the Government will reserve adequate land for different planned uses and facilities in new towns, new development areas and other land development projects. The compilation of the HKPSG is co-ordinated by the Planning Department (PlanD). The relevant bureaux and departments will formulate, review and update the relevant planning standards in a timely manner, having regard to the policies under their purview and development needs.

There are 101 public markets under the management of the Food and Environmental Hygiene Department (FEHD), including 76 markets (with cooked food centres in 39 of them) and 25 stand-alone cooked food markets.

Having consulted the Development Bureau and the PlanD, I set out below my reply to the five parts of the question:

(1) to (3)

The Food and Health Bureau conducted a policy review on public markets in 2007-2008 which concluded that the future provision of new public markets should be considered on a case-by-case basis to ensure efficient use of public resources. Apart from the population of the area in question, other relevant factors that should be considered include the demographic mix, community needs, the presence of markets facilities nearby, the number of fresh provision retail outlets available in the vicinity, and public sentiment towards

the preservation of hawker areas in the particular locality. The Government consulted the Panel on Food Safety and Environmental Hygiene of the Legislative Council and all District Councils on the review findings in 2008. As a result of the policy review, those parts concerning public markets in Chapter 6 of the HKPSG (which deals with retail facilities) were amended in April 2009 and have remained in force since then. The revised HKPSG is based on a more holistic consideration of all relevant factors, rather than just the size of the population, in the planning of public markets. When preparing or reviewing town plans, the PlanD will consult the relevant Policy Bureaux and departments, so as to ascertain whether there is a need to reserve land for public markets. We will, in the light of social developments and the actual situation on the ground, assess the need to review the planning guidelines for public markets as and when appropriate.

Our focus is on facilitating convenient access on the part of the public to retail outlets in their neighbourhood for meeting their daily needs on food and other necessities. Currently, there exists a variety of channels for the public to purchase fresh food. Apart from public markets, many members of the public when purchasing fresh food may choose to patronize markets, supermarkets and various types of retail outlets operated by other public and private entities. Customer preference for different shopping venues in purchasing fresh food may evolve in tandem with changes in socio-economic circumstances, lifestyles, purchasing power and various other factors.

Providing a new public market requires the use of Government land and entails public financial commitment. Therefore, in considering whether a public market should be built, we have to duly assess the need for the market and cost-effectiveness in order to ensure that public resources are put to proper use. In fact, in the face of fierce competition and changing circumstances in individual communities, some public markets are facing relatively high vacancy rates and low customer flows. Also, the Audit Commission has in previous reports pointed out that, given the high cost of constructing a new public market, the relevant principles should be strictly adhered to.

In considering whether new public markets should be provided in individual districts, we would continue to take into account the above-mentioned planning standards and guidelines, the actual situation of individual districts and the views of stakeholders, to ensure that public resources are put to proper use.

Among the views requesting the provision of new public markets, we notice that many of them assume that the goods sold in public markets managed by the FEHD are cheaper than those sold in markets managed by other organizations and supermarkets. However, this assumption has not been supported by facts. Insofar as the prices of the goods sold in public markets are concerned, tenants of public markets are free to determine and adjust the prices of their goods having regard to market forces (for example, operating costs, supply and demand, prices of similar goods sold nearby). The Government does not control the prices of the goods sold in public markets. Nor is the Government in a position to guarantee that the goods sold in public markets would be cheaper than those in other shops.

- (4) In recent years, the District Councils of Islands District, Sai Kung, North District and Yuen Long have proposed providing public markets in Tung Chung, Tseung Kwan O, Fanling and Tin Shui Wai respectively. It is noted that in most of the cases, markets facilities and other fresh provision retail shops already exist in the vicinity of those areas at which new public markets are proposed to be provided. Taking into consideration the above-mentioned planning standards and guidelines and the actual situation of individual districts, we currently have no plan to provide new public markets in the above districts.
- (5) To enhance the patronage of existing public markets, as an ongoing initiative, the FEHD conducts various promotional activities. These include thematic exhibitions and workshops, festive celebration activities, display of multi-language recipes. In addition, the FEHD will appropriately let out long-standing vacant stalls at reduced upset auction prices and bring in a greater variety of service trade stalls to enhance the occupancy rate of public markets. Furthermore, in addition to regular maintenance and daily

management of markets, the FEHD carries out improvement works in relevant markets to enhance their operating environment. Depending on the circumstances, these works may include improvement to the drainage, ventilation, lighting, fire services and signage, replacement of floor tiles, refurbishment of toilets and the provision of barrier free access.

Nonetheless, as a result of demographic changes, new development/redevelopment projects and competition from other fresh provision outlets, the appeal of some public markets has diminished, leading to reduced patronage and high vacancy rates.

When assessing the viability of these markets and considering whether they are to be closed, the FEHD will look into a host of factors, including vacancy rate, prospects for improvement, availability of alternative sources of fresh provision outlets in the vicinity, the likely cost-effectiveness of upgrading works and the views of the relevant District Councils, and so on. In the absence of feasible enhancement measures that may render the continued operation of the market viable in business terms, the FEHD will consult the relevant District Councils and affected market tenants on the closure of markets with low patronage. Before closing a public market, the FEHD will formulate exit plans for the relevant tenants according to the established policy and past practice.

The Government is actively following up improvement works in several public markets to enhance their competitiveness. At the same time, the Government will also formulate plans to improve, alter the use of or vacate individual public markets and cooked food centres, in order to ensure that land resources are put to proper use.

Safety of Glass Panes of Doors of Public Buses

15. **MR CHRISTOPHER CHUNG** (in Chinese): *President, in February this year, two incidents occurred one after another in which a glass pane of an exit door of a bus in motion shattered, allegedly after being hit by a passenger who had lost balance while getting ready to get off. One of the passengers even fell out of the bus through an opening which emerged after the glass pane had shattered, and suffered serious injuries as his head had hit the ground. Some*

members of the public have relayed to me that as they frequently take the bus, the two aforesaid incidents have made them worry about the safety of taking buses. In this connection, will the Government inform this Council:

- (1) whether it knows the respective models, manufacturers and the origins of manufacture of the buses involved in the two aforesaid incidents; whether the relevant glass panes of the doors were assembled by the original manufacturers or were replacements; if the latter is the case, of the suppliers and the origins of manufacture of the relevant glass panes;*
- (2) regarding the existing bus fleets under various franchised bus companies in Hong Kong, whether it knows (i) the models and (ii) the origins of manufacture of the buses, as well as (iii) the origins of manufacture of the glass panes of bus doors;*
- (3) whether the Transport Department (TD), in conducting type approvals for new buses at present, tests the quality and impact resistance of the glass panes of bus doors; whether franchised bus companies are required to obtain prior approval from TD for replacing the glass panes produced by the original manufacturers with those which were not;*
- (4) given that TD, the franchised bus company and the bus manufacturers involved in the two aforesaid incidents have set up a working group to look into the safety of bus doors and to put forward improvement proposals, of the progress of the relevant work; whether the glass panes of the doors and the window panes of the buses involved in the two aforesaid incidents were respectively produced by the same manufacturer(s); if so, whether TD will request the various franchised bus companies to inspect the window panes of buses as well during their inspection of the glass panes of bus doors; and*
- (5) whether TD will make it mandatory for the various franchised bus companies to retrofit guard rails on their bus doors, so as to avoid the recurrence of the incident of passenger falling out of a bus through the opening which emerges after the shattering of a glass pane of a bus door?*

SECRETARY FOR TRANSPORT AND HOUSING (in Chinese): President, the Government has all along been attaching great importance to the operational safety of franchised buses. My consolidated reply to the various parts of Mr Christopher CHUNG's question is as follows.

Under the Road Traffic Ordinance (Cap. 374) (the Ordinance), every new model of buses, like any other vehicles, has to be type approved by the Transport Department (TD). Also, each bus has to undergo the TD's pre-registration examination before it can run on the road. The Specification of Safety Glass Notice (Cap. 374H), a subsidiary legislation made under the Ordinance, stipulates that the glass used in a motor vehicle, including a bus, shall be glass that meet the relevant requirements of Economic Commission of Europe Regulation (ECE 43) (ECE standards). Specifically, the glass that conforms to ECE standards has to pass a ball-impact test (that is, the glass can sustain the impact of a hard object with a mass of 0.227 kg from a drop height of 2.5 m and should not be brittle and cracked) and a fragmentation test (that is, the glass will be broken into small pieces and the ends of the fragments will not be knife-edged). Every glass pane that conforms to ECE standards is imprinted with a permanent marking to facilitate clear identification and inspection.

The five franchised bus companies in Hong Kong have a total of about 5 800 buses of around 50 models. Major bus manufacturers include Alexander Dennis, Volvo, Neoplan, MAN, Scania, and Youngman. The most common place of manufacturing is Europe. Franchised bus companies have to provide the TD with information on model and place of manufacturing for a new bus to be registered. Meanwhile, information on the place of manufacturing of the individual parts, including glass panes of doors, does not have to be provided to the TD. This notwithstanding, the glass panes of doors are mostly manufactured in Europe according to information provided by franchised bus companies. Replacement of glass panes used on a bus by franchised bus companies is part of the routine maintenance work and the TD's approval is not necessary. Nevertheless, as mentioned above, the glass used on a bus must meet the ECE standards as required by law. This applies to a glass pane being an original part or a replacement, and is regardless of its place of manufacturing. The TD will check the glass panes used on a bus for marking of compliance with ECE standards during the annual and routine random inspections.

Regarding the two incidents occurred in this February involving shattered glass panes of the doors of buses of the Kowloon Motor Bus Company (1933) Limited (KMB), the two buses involved served routes 5X and 219X respectively.

Investigation of the two incidents is underway. The bus which served route 5X was a six-year-old 10.6-meter Scania Caetano single-decked bus. The bus which served route 219X was a 15-year-old 12-meter Alexander Dennis Trident double-decked bus. Both buses were manufactured in Europe. The former was assembled in the manufacturer's plant in Portugal while the latter was assembled in the manufacturer's plant in Hong Kong. The doors (including the glass panes) of the two buses were made in the United Kingdom by the same manufacturer. The glass panes of the doors are original parts, and they are of the same age as that of the respective buses.

In view of the two incidents, the TD and franchised bus companies have implemented the following four measures to further safeguard the safety of passengers:

- (i) After the incidents, the TD has immediately inspected the doors of all buses plying routes 5X and 219X to see if the doors are functioning properly and ascertain if there are signs of structural damage and cracks on the glass panes. In response to the TD's request, KMB has also conducted inspection of all of its 228 buses which are of the same models as the two buses concerned. The two inspection exercises have been completed with no abnormalities identified. Regarding the glass of the windows, bus manufacturers have indicated that the glass panes of doors and those of windows are in general not supplied by the same company. Same as the glass of doors, the law has required that the glass of windows must meet the ECE standards. Although there is a marking of compliance with ECE standards on the glass panes of the doors of the buses involved in the incidents, the TD is studying the possibility of engaging an expert(s) to carry out tests in Hong Kong on the quality of the glass of the doors concerned to further look into the causes of the incidents.
- (ii) The TD has set up a working group with representatives from franchised bus companies and bus manufacturers to review the safety of bus doors and follow up on measures to enhance safety. The working group held its first meeting in mid-February. Noting that bus doors opening inwards have already been fitted with handles, the working group is of the view that franchised bus companies and bus manufacturers should actively explore the addition of horizontal bars

on doors opening outwards to give added protection to passengers. Pending the confirmation of technical feasibility by bus manufacturers and bus door manufacturers, franchised bus companies will work out the timetable for the retrofit works.

- (iii) Franchised bus companies have enhanced the training for their bus captains. Among other things, bus captains are reminded to control bus speed properly having regard to road conditions, avoid sudden braking and abrupt turning of the steering wheel, reduce bus speed well ahead of turning and select the proper carriage lane, as well as not to move forward until they are certain that the road ahead is safe and clear. Bus captains are also reminded to make use of the rear view mirror and video recording device on board more often to keep in view the situation in the bus compartment, and not to start the bus until all passengers have finished embarking and alighting the bus, held the handrail or sat down properly so as to avoid accidents.
- (iv) The Government and franchised bus companies will continue to remind passengers to hold the handrail by announcements of public interests on television as well as on-bus video and sound clips in order to enhance the public's awareness of safety when taking the bus.

The TD will continue to proactively follow up on the investigation of the two incidents. It will also work with franchised bus companies through the working group on the various improvement measures with a view to safeguarding passenger safety.

Provision of Medical Services for Public During Long Holidays

16. **MR IP KWOK-HIM** (in Chinese): *President, during long holidays, as most private clinics do not offer consultation, many patients can only seek consultation at the accident and emergency (A&E) departments of public and private hospitals, making the utilization of A&E services soar during such periods, and such a situation may render patients whose medical conditions are more critical unable to receive timely treatment. It has been reported that during this year's Lunar New Year holiday, patients triaged as non-urgent waited for about nine hours at the A&E departments of both the United Christian Hospital and the North District Hospital, and patients seeking consultation at the*

A&E departments of private hospitals also waited for about five hours before they were treated by doctors. Regarding the provision of medical services for the public during long holidays, will the Government inform this Council:

- (1) whether it knows the respective average waiting times of non-urgent patients at the A&E departments of various public hospitals during this year's Lunar New Year holiday and the five hospitals that recorded the longest waiting times;*
- (2) given that the Budget delivered last month has proposed to allocate a recurrent funding of \$51.6 billion to the Hospital Authority (HA) in 2016-2017, which is a downward adjustment of \$12 million when compared with last year's revised estimate, whether the authorities know how HA, under the situation where its resources are reduced, can maintain and even increase the medical services provided at various A&E departments during long holidays;*
- (3) given that the Hong Kong Medical Association regularly makes public "MediLink Find a Doctor during Long Holidays" on its web site to enable members of the public to find out the contact information of those private doctors who offer consultation during long holidays, but not every District Council district has private doctors offering consultation during such periods, whether the authorities will recommend to HA that public hospital doctors (except those on duty at A&E departments) be encouraged to offer consultation at private clinics during their vacation leave, with a view to reducing the number of patients seeking consultation at the A&E departments of public hospitals during such periods; if not, of the reasons for that; and*
- (4) whether it knows if HA has formulated special measures to cope with the situation where a large number of patients may seek consultation at the A&E departments of public hospitals during the Easter holiday this month?*

SECRETARY FOR FOOD AND HEALTH (in Chinese): President, in respect of the question raised by Mr IP Kwok-him on the provision of healthcare services for the public during long holidays, my reply is as follows:

- (1) The table below shows the waiting time of patients classified as Category IV (semi-urgent) and Category V (non-urgent) in the accident and emergency (A&E) departments of the Hospital Authority (HA) during the past Chinese New Year:

<i>Cluster</i>	<i>Hospital</i>	<i>Average waiting time (minutes)</i>	
		<i>Category IV (semi-urgent)</i>	<i>Category V (non-urgent)</i>
HKE	Pamela Youde Nethersole Eastern Hospital	145	183
	Ruttonjee Hospital	86	119
	St. John Hospital	36	35
HKW	Queen Mary Hospital	127	175
KC	Queen Elizabeth Hospital*	184	198
KE	Tseung Kwan O Hospital	118	101
	United Christian Hospital*	224	295
KW	Caritas Medical Centre	116	112
	Kwong Wah Hospital*	391	547
	North Lantau Hospital	46	68
	Princess Margaret Hospital	136	193
	Yan Chai Hospital	98	142
NTE	Alice Ho Miu Ling Nethersole Hospital	34	41
	North District Hospital	85	95
	Prince of Wales Hospital*	584	1 248
NTW	Pok Oi Hospital	160	164
	Tuen Mun Hospital*	229	240
HA overall		152	171

Note:

* denotes the five hospitals with the longest waiting time.

- (2) Similar to previous years, it is expected that the recurrent funding provided by the Government in 2016-2017 will cater for around 90% of the HA's operating expenditure. The resources provided by the Government to the HA are made having regard to the overall operating expenditure of the HA in the coming year and the need for the newly added and improved services. The HA will also mobilize

its revenue reserve and redeploy its internal resources to implement various measures in order to meet the rising demand for hospital services and improve the quality of patient care.

To cope with the ageing population and the increasing demand for healthcare services, the HA will continue to enhance its services for the public. In 2016-2017, the estimated total operating expenditure of the HA is approximately \$58 billion, representing an increase of around 4% as compared to 2015-2016. The HA's services have not been affected in any way by the change in the amount of government funding in 2016-2017.

- (3) The HA attaches great importance to strengthening healthcare manpower to cope with the hospital workload. The HA will implement a series of response measures during long holidays. Such measures include the Special Honorarium Scheme which encourages staff to return to work in public hospitals. Moreover, the HA will deploy manpower as appropriate to meet the service needs. Facing manpower shortage in recent years, the HA will not encourage its staff to offer consultations at private clinics.
- (4) Since additional service demand is expected during the long Easter holiday, the HA will strengthen the holiday general out-patient service. During the Easter holiday from 25 to 28 March, services of the 13 holiday general out-patient clinics will be enhanced with a view to augmenting the service capacity by about 30%.

The A&E departments of public hospitals will post information on holiday general out-patient and private clinics in the district. Members of the public may also call the following numbers or browse the following websites for the relevant information:

- (i) The HA Infoline: 2882 4866;
- (ii) Hong Kong Medical Association Medilink: 90000-222-322;
- (iii) Website of the Hong Kong Medical Association: <www.hkma.org>; and

- (iv) Primary Care Directory of the Department of Health: <www.pcdirectory.gov.hk>, or download the Primary Care Directory mobile app.

The A&E departments will issue special honorariums to enhance manpower during the Easter holiday. The waiting time is expected to be longer for semi-urgent and non-urgent patients, especially on the last two days of Easter holiday and on the first working day afterwards. The HA appeals to the public for their understanding and co-operation. The HA also appeals to non-urgent patients to consider seeking consultations at general out-patient clinics or private clinics.

Declarations and Surveys Relating to Household Income of PRH Tenants

17. **MR PAUL TSE** (in Chinese): *President, under a prevailing policy of the Hong Kong Housing Authority (HA), tenants who have been living in public rental housing (PRH) flats for 10 years or more are required to declare household income biennially (income declaration). Furthermore, for the purpose of conducting a rent review for PRH every two years, HA randomly selects 2 000 PRH tenants each month for an income survey (income survey). Over the past few years, I have been receiving complaints from PRH tenants that the nuisance caused to the same tenant who is required to deal with income declaration and income survey one after another within a short period of time is unbearable. Such tenants are required to declare the relevant information (including the income of each of the working family member) in detail, and the cumbersome declaration and time-consuming survey have often caused conflicts among the family members. In this connection, will the Government inform this Council:*

- (1) *given that there are a number of major public housing estates (e.g. Tsz Ching Estate and Sau Mau Ping Estate with populations of over 22 000 and over 35 000 respectively) in Kowloon East, of the number of staff members deployed by the Housing Department (HD) (including the Estate Management Division under it) to handle the work on the income declarations and income surveys involving public housing estates in Kowloon East in each of the past three years, and whether any delays in estate management work were caused as a result of such manpower deployment;*

- (2) *whether it has reviewed if the biennial income declaration by PRH tenants is too frequent and if the requirement has caused nuisance to the tenants; if it has, of the outcome; if not, whether it will conduct such a review immediately; and*
- (3) *whether it studied in the past three years changing the income declaration cycle to three years or more to reduce the degree of nuisance caused to the tenants concerned, alleviate HD's workload, as well as release more manpower and resources to help enhance the quality of estate management work; if it did, of the outcome; if not, whether it can conduct such a study immediately?*

SECRETARY FOR TRANSPORT AND HOUSING (in Chinese): President, the Government's housing policy is to provide public rental housing (PRH) units to those who cannot afford private rental accommodation.

To ensure the rational allocation of limited public housing resources, under the Hong Kong Housing Authority (HA)'s Housing Subsidy Policy (HSP) and the Policy on Safeguarding Rational Allocation of Public Housing Resources (commonly referred to as the "Well-off Tenants Policies"), households that have lived in PRH for 10 years are required to declare their household income, and thereafter biennially. Those with a household income exceeding the prescribed income limits have to pay 1.5 times or double net rent plus rates, depending on the amount by which the relevant limits are exceeded. Households with total household income and net assets value both exceeding the prescribed income and asset limits are required to vacate their PRH units.

At the same time, under the existing statutory PRH rent adjustment mechanism, the HA shall conduct a rent review every two years and vary the PRH rent according to the change in the income index between the first and second periods covered by the review. To collect the income data and to ensure the representativeness of such data, 2 000 PRH tenants are randomly selected each month by the Housing Department (HD), according to the actual household size distribution in a particular month, to participate in the "Survey on Household Income of Public Rental Housing Tenants" (the Income Survey).

Income declaration required under the HSP and the Income Survey under the statutory PRH rent adjustment mechanism are two procedures with different purposes. However, as the sampled tenants for the Income Survey are selected randomly, some of them may be required to declare their household income under the HSP and the Income Survey one after another within a certain period of time.

My reply to questions raised by Mr Paul TSE is as follows:

(1) and (3)

For implementing the HSP and conducting the Income Survey, the HD issues a notification letter to the tenants concerned with an income declaration form enclosed for their completion.

Regarding income declaration under the HSP, when processing income declaration forms returned by tenants, the HD selects cases randomly for detailed checking and may also invite tenants and individual household members for interview in order to gather more information or documents. Tenants will be notified in writing of the results of checking individually. As for tenants who are required to pay additional rent, the HD will issue notifications on the relevant details at least two months before the effective date of the new rent.

As regards the Income Survey, to safeguard the quality of the data collected, the HD conducts quality check on 5% of the cases randomly selected from the 2 000 samples each month. The HD will send notification letters to the selected tenants for documentary proof of income for verification of their declared information. Tenants concerned and individual household members may also be invited to attend an interview to provide more information or documents. To mitigate the burden caused to the selected tenants, no PRH tenant will be selected for Income Survey for more than once within a period of 12 months.

Processing returned income declaration forms is only part of the duties of estate offices and the number of income declaration forms to be processed varies amongst different estate offices. Relevant estate offices will make suitable manpower arrangements

accordingly. Hence, the HD does not maintain any breakdown on the manpower required for carrying out the relevant duties, and the aforementioned duties have not caused any delay to estate management work.

- (2) When formulating the HSP, the HA has taken into account the fact that tenants' income may change substantially over a period of two years, and therefore considered that the declaration should be made biennially. The current declaration arrangement strikes a balance between the rational use of public housing resources and minimization of inconvenience to tenants.

On the other hand, the Long Term Housing Strategy Steering Committee and the Audit Commission recommended in 2013 that the HA should review the "Well-off Tenants' Policies", in order to further ensure the rational allocation of limited public housing resources. To follow up on the recommendations, the HA's Subsidized Housing Committee discussed the existing "Well-off Tenants Policies" in October 2014. Members have considered various preliminary options to refine the "Well-off Tenants Policies". Since every option has its own merits and downsides, no decision was made.

The HA will review its policies as and when appropriate to ensure the rational use of public housing resources, taking into account any impact on tenants.

Replacement and Rehabilitation of Aged Water Mains

18. **DR PRISCILLA LEUNG** (in Chinese): *President, the Water Supplies Department commenced the Water Mains Replacement and Rehabilitation Programme (the Programme) in 2000 to comprehensively replace and rehabilitate about 3 000 kilometres of aged water mains in phases. In reply to my written question on 14 October last year, the authorities indicated that the Programme would be substantially completed by the end of last year, and thereafter the condition of the water supply network would be significantly improved. However, a number of water main burst incidents occurred in Hong Kong within the past six months (e.g. three such incidents occurred in the vicinity of the Ma Tau Chung Fire Station in Kowloon City within three months), causing*

traffic congestion and serious nuisance to the daily lives of residents in the districts concerned. As such, some members of the public have queried the effectiveness of the Programme. In this connection, will the Government inform this Council:

- (1) whether there are works under the Programme which have yet to be completed; if there are, set out the respective total lengths of the water mains concerned and the implementation schedules for the relevant works by District Council (DC) district;*
- (2) of the details of each of the fresh water main burst incidents which occurred in September 2014 or after, including (i) the location of the burst water main, (ii) the duration for which the fresh water supply was suspended as a result, and (iii) the number of years for which the water main had been used before the burst, and set out such details by DC district; among such incidents, the respective numbers of those involving (i) water mains which had been used for less than 30 years and (ii) water mains which had been replaced and rehabilitated under the Programme;*
- (3) whether it has assessed the effectiveness of the Programme; if it has, of the details; if not, the reasons for that; and*
- (4) given that the authorities have indicated that "apart from the age of water mains, we will continue to consider other relevant factors, e.g. the pipe material, burst and leakage records, current conditions of the water mains, etc., to determine the probability of occurrence of burst failure of water mains and at the same time assess the seriousness of consequences arising from main bursts (e.g. the number of users affected, interruption to traffic, etc.) in identifying water mains with a relatively high risk of failure for replacement and rehabilitation", whether the authorities have drawn up a priority list for replacement and rehabilitation of water mains with a relatively high risk of failure; if they have, of the locations of such water mains and the relevant implementation schedules, and whether the several sections of water mains located in the vicinity of the Ma Tau Chung Fire Station which burst in the recent months were on the list; if they have not drawn up such a list, when the authorities will finish drawing up and publish the list?*

SECRETARY FOR DEVELOPMENT (in Chinese): President, the Replacement and Rehabilitation Programme of Water Mains (the Programme) involves the replacement and rehabilitation of some 3 000 km of aged water mains in stages. With the replacement and rehabilitation of some 2 939 km (98%) of aged water mains as at the end of December 2015, the whole Programme was substantially completed. My reply to the four parts of the question is as follows:

- (1) Up to January 2016, the respective total length of water mains of which relevant works are still in progress within each district of the District Council (DC) under the Programme are shown in the table below. It is expected that the remaining works will be completed by the end of 2016.

<i>District</i>	<i>Length of water mains already completed (as at the end of January 2016) (km)</i>	<i>Length of water mains of which relevant works are still in progress (km)^{Note}</i>
Central & Western	168	2
Eastern	120	2
Islands	109	1
Kowloon City	212	4
Kwai Tsing	133	2
Kwun Tong	149	1
North	228	3
Sai Kung	146	4
Sha Tin	185	8
Sham Shui Po	146	2
Southern	106	3
Tai Po	144	2
Tsuen Wan	89	1
Tuen Mun	190	4
Wan Chai	100	1
Wong Tai Sin	101	1

<i>District</i>	<i>Length of water mains already completed (as at the end of January 2016) (km)</i>	<i>Length of water mains of which relevant works are still in progress (km)^{Note}</i>
Yau Tsim Mong	198	1
Yuen Long	426	8
Total	2 950 (98.3%)	50 (1.7%)

Note:

The lengths of water mains of which relevant works are still in progress are estimates only and subject to minor adjustments by the Water Supplies Department in the light of the mains conditions and their order of priority.

- (2) (i) The table below shows a breakdown of fresh water main burst incidents between September 2014 and January 2016 in the respective districts of the DC:

<i>District</i>	<i>Number of Water Main Burst Incidents (between September 2014 and January 2016)</i>
Central & Western	5
Eastern	2
Islands	9
Kowloon City	13
Kwai Tsing	9
Kwun Tong	5
North	8
Sai Kung	4
Sha Tin	9
Sham Shui Po	2
Southern	2
Tai Po	5
Tsuen Wan	3
Tuen Mun	3
Wan Chai	1
Wong Tai Sin	2

<i>District</i>	<i>Number of Water Main Burst Incidents (between September 2014 and January 2016)</i>
Yau Tsim Mong	7
Yuen Long	9
Total	98

- (ii) Of the 98 fresh water main burst incidents shown above, 64 cases (about 65%) caused disruption to fresh water supply. Among these disruption cases, 45 cases (about 70%) entailed suspension of water supply for eight hours or less and about 5.6 hours on average. For the remaining 19 cases, the duration of interruption averaged about 13.9 hours. Their repair works took longer time mainly because (a) the roads could only be closed on a limited scale in order to minimize the impact on road traffic; (b) only light weight equipment could be deployed for the repair works to avoid damaging the congested underground utilities; and (c) considerable time was needed to open up concrete structures.
- (iii) Of the 98 water main burst incidents mentioned above, 15 incidents (about 15.3%) involved water mains that have been in service for less than 30 years. Among them, nine cases were damaged or affected by road excavation works in the vicinity while the remaining six cases were caused by ground movement or subsidence, external loading or vibration. Of these 15 incidents, only one involved a water main that has been replaced and rehabilitated under the Programme. The incident was caused by road excavation works in the vicinity.
- (3) Since its commencement in 2000, the Programme was substantially completed as at end December 2015. Its efficacy in reducing water mains burst incidents and leakage rates are demonstrated in:
- (i) the significant drop in the number of water main bursts from around 2 500 cases in 2000 to 145 cases in 2015 (including both fresh and salt water mains); and

- (ii) the reduction in leakage rates from over 25% in 2000 to 15% in 2015.
- (4) Following the substantial completion of the Programme at end December 2015, the condition of the water supply network has improved significantly. Looking ahead, we will adopt a multi-pronged strategy to maintain the health conditions of the water supply network. With reference to the overseas advanced technology and experience, we plan to progressively establish the Water Intelligent Network (WIN)⁽¹⁾. Upon its full implementation, we can use the WIN to analyse conditions of the water supply network and draw up the most cost-effective network management measures to optimize its health condition.

During the transitional period prior to the full implementation of the WIN, we will reprovise those aged water mains that are susceptible to failure. The first phase covers about 20 km of aged water mains that are mainly located in Kowloon City, Kwun Tong, Kwai Tsing and Tsuen Wan. We have commissioned a consultant to undertake the relevant investigations and design work. Upon completion of these works, we will proceed with the reprovisioning of these water mains as soon as possible. To further identify the remaining water mains that need to be reprovisioned, we will review the probability of occurrence of burst failure of water mains in the light of the relevant factors, such as pipe materials, burst and leakage records, current conditions of the water mains, and so on, and assess the seriousness of consequences arising from main bursts (for example, the number of consumers affected and interruption to traffic, and so on). We will then plan for reprovisioning of these water mains.

The recent incidents of water main burst in the vicinity of Ma Tau Chung Fire Station in Kowloon City involved a salt water main of 900 mm in diameter, a fresh water distribution main of 250 mm in diameter and a salt water distribution main of 150 mm in diameter.

(1) Under the WIN, the whole water supply network will be divided into some 2 000 District Metering Areas for which monitoring and sensing equipment will be installed to collect relevant data for analysis by an intelligent network management system. The objective is to continuously monitor the conditions of the water supply network.

All the distribution mains around the Ma Tau Chung Road, Shing Tak Street and Fu Ning Street were replaced at the end of December of 2015 as part of the Programme and with the support and co-operation of the Kowloon City DC. Upon completion of the fresh water connection works for the remaining few consumers in the first quarter of this year, all these old distribution mains (including the distribution mains involved in the incidents) would be rendered obsolete. As regards the salt water main of 900 mm in diameter, rehabilitation work for this particular section of water main, measuring 400 m in length, has been arranged and scheduled for completion by the middle of this year.

Clashes Arising from Hawker and Review of Hawker Policy

19. **MR CHEUNG KWOK-CHE** (in Chinese): *President, it has been reported that a spate of clashes broke out on several nights early last month at an open space off Leung King Estate in Tuen Mun, which were sparked by attempts to drive away hawkers. On the night of 9 February, a number of persons wearing windbreakers bearing Chinese characters which meant "management personnel" (the suspected management personnel) obstructed the hawkers from operating business there. There were also fights between the suspected management personnel and the supporters for the hawkers, resulting in many persons being injured and hospitalized for treatment. Some Tuen Mun District Council members queried the perfunctory law enforcement by the Police, pointing out that while a large number of police officers had been deployed to station at the area near Leung King Light Rail Stop that evening, they retreated to an open space near Leung King Estate Community Centre upon the suspected management personnel showing up at the scene at 10:00 pm. When the fight began at around 11:00 pm, those police officers only concentrated their manpower in preventing members of the public from entering the site, instead of pursuing the suspected management personnel who had attacked others. On the other hand, the Secretary for Food and Health said in response to the aforesaid clashes that an inter-departmental group would be established to review the hawker policy. He also indicated that on the premise of not compromising food safety and environmental hygiene, the Food and Health Bureau (FHB) would consider the feasibility of setting up open-air bazaars on a district-led basis. In this connection, will the Government inform this Council:*

- (1) *in the aforesaid incidents, of (i) the total number of persons arrested, broken down by their occupation and the offences involved (including common assault, assault occasioning actual bodily harm, disorder in public place, and other offences), and (ii) the number of injured persons being hospitalized for treatment;*
- (2) *whether the authorities have so far instituted prosecutions against (i) any person who performed security work for reward without holding a valid Security Personnel Permit or (ii) any person who supplied the aforesaid persons to perform security work for another person; if such prosecutions have been instituted, of the respective numbers of such persons;*
- (3) *as some members of the public have pointed out that on the night of 9 February, the commander at the scene not only did not demand the suspected management personnel to show their Security Personnel Permits to verify if they were authorized to perform security work for reward, but even condoned them to drive away the hawkers and attack others in the name of performing security work, whether the authorities will investigate if there was any dereliction of duties on the part of police officers;*
- (4) *whether it has reviewed if the Police had faults in handling the incident on 9 February, and if the Police have to be held responsible for failing to curb the aforesaid violent incidents which lasted for several days and maintain public order; how the authorities will give an account of their handling of the incidents to the public; and*
- (5) *of the objectives, work details and latest progress of the review conducted by the aforesaid inter-departmental group; and the latest progress and details of the mechanism to be formulated by FHB for vetting and approving applications for setting up bazaars?*

SECRETARY FOR SECURITY (in Chinese): President,

(1) to (4)

In the evening of 2 February 2016, two hawkers hawking illegally outside Leung King Estate Market (the Market) had a conflict with the Market's management personnel, during which some persons

were suspected of having caused breach of social peace, resulting in the Police's arrest of three persons involved on account of "disorderly conduct in a public place". In the evening of 8 February, the Police received respective reports from a member of the Market management personnel and a reporter of an online medium, claiming that they have been beaten up while working outside the Market. The Police subsequently arrested three persons involved on account of "assault occasioning actual bodily harm".

At about 11 pm on 9 February, a few hawkers hawking illegally outside the Market had a conflict with the Market's management personnel, during which a person was suspected of having caused breach of social peace and was then arrested by the Police on account of "disorderly conduct in a public place". At about 11.30 pm of the same night, a few hawkers were hawking illegally again outside the Market. They left on their own voluntarily upon the Police's advice. During such, there were, however, approximately two to three hundred onlookers, and some of them heckled loudly and engaged in a war of words, making the situation chaotic. In view of this, the Police took crowd control measures and separated people of different opinions and maintained public order to prevent further scuffles. In the chaos, four onlookers (including a reporter of an online medium) reported that they have been beaten up. Subsequently, the Police arrested two persons involved on account of "assault occasioning actual bodily harm".

The Police have so far arrested nine persons in relation to the above cases which took place between 2 and 9 February. The cases are being pursued and investigated by the District Crime Squad of Tuen Mun. During the clashes, seven persons sustained injury and were sent to the Tuen Mun Hospital for treatment.

As regards whether the cases involve any person who does not possess a valid security personnel permit, the Police approached and asked, on the same night when the clashes took place, the management company of Leung King Plaza and the Market, and requested a check on the identities of the personnel performing management work near the Market. The Police are investigating the cases and seeking legal advice. If there is sufficient evidence of unlawful acts, the Police will prosecute the persons involved.

The Police are concerned about and keeping a close watch on the situation near the Market. Patrols have also been strengthened. In case of any disruption to social peace or behavior involving criminal elements in the community, the Police will take actions in accordance with the law.

- (5) It is mentioned in the question that the Secretary for Food and Health (the Secretary) indicated earlier in response to the aforesaid clashes that an inter-departmental group would be established to review the hawker policy. According to the Food and Health Bureau, the Secretary was actually referring to the discussion among the relevant bureaux and departments on the clash of the evening of 9 February near the Market. In fact, the Government conducts, from time to time, internal cross-bureau/departmental discussion on social issues involving different bureaux and departments.

On the development of open-air bazaars, the Government is open to any specific proposal, and considers the district-led approach desirable. As long as the proposals will not jeopardize food safety and environmental hygiene or obstruct public access, and provided that suitable sites can be identified by the organizations concerned and that support from local communities and respective District Councils (DCs) is obtained, the Government will offer its assistance. In November 2015, the Government received a number of suggestions on proposed open-air bazaars, including one for operating a bazaar in Tin Shui Wai. The Food and Health Bureau has written to the DC Chairmen concerned, anticipating that they will put forward the proposals to the DC for discussion and follow-up.

Signature Project Scheme

20. **DR KENNETH CHAN** (in Chinese): *President, the Chief Executive announced in his 2013 Policy Address that the Government would earmark a one-off provision of \$100 million for each District Council (DC) to implement projects under the Signature Project Scheme (projects). Various DCs may decide on their own to carry out projects which will address local needs or highlight the characteristics of the districts, and are responsible for conducting*

the relevant district consultation, formulating implementation plans, monitoring project progress and conducting effectiveness assessments, etc. Various DCs are required to follow the established procedures to consult the relevant committees of this Council on those projects and obtain funding approvals from the Finance Committee (FC) of this Council before implementing such projects. Besides, the Home Affairs Department has reserved a funding of \$300,000 for application by each DC on a need basis to conduct preliminary studies, publicity and public consultation as well as public engagement activities for its proposed projects prior to seeking funding approvals from FC. The 18 DCs in the territory have put forward a total of 27 projects. In this connection, will the Government inform this Council:

- (1) *of the details of the studies and consultation work carried out by the various DCs for their proposed projects, including (i) the names of the organizations commissioned to conduct the studies, (ii) the dates on which the studies were conducted, (iii) the contents of the studies, (iv) the study approaches, (v) the expenditure on the studies, (vi) the nature of public consultation activities, (vii) the approaches of public consultation, (viii) the dates of public consultation, (ix) the parties consulted, and (x) the number of submissions received (set out in the table below);*

<i>DC</i>	<i>Project</i>	<i>(i)</i>	<i>(ii)</i>	<i>(iii)</i>	<i>(iv)</i>	<i>(v)</i>	<i>(vi)</i>	<i>(vii)</i>	<i>(viii)</i>	<i>(ix)</i>	<i>(x)</i>

- (2) *how the authorities will deal with the situation in which a DC has shelved a certain project of its own accord or the funding proposal of a certain project is not approved by FC, including whether they will provide resources to the DC concerned once again for carrying out afresh the studies and consultation work for the project in question; if they will, of the details; if not, the reasons for that;*
- (3) *given that some members of the community have relayed to me that due to deficiencies in the studies and consultation work carried out by some DCs for their proposed projects, local residents were unable to grasp sufficient information about and the justifications for those projects, making it difficult for them to express their views on*

different proposed projects, whether the authorities will consider conducting reviews on the studies and consultation work for various projects and making public the outcome thereof; if they will, of the details of the reviews; if not, the reasons for that; and

- (4) *whether the Director of Audit will consider conducting value-for-money audits on all the projects (including the decision-making and consultation processes relating to the proposed projects and project implementation) for which funding approvals have been given by FC; if he will, of the details; if not, the reasons for that?*

SECRETARY FOR HOME AFFAIRS (in Chinese): President, to enhance district administration, the Chief Executive announced in his 2013 Policy Address the implementation of the Signature Project Scheme (SPS). For this purpose, a one-off allocation of \$100 million has been earmarked for each District Council (DC) to implement one to two local projects of a larger scale. Apart from advocating and deciding the SPS projects, the DCs are also responsible for spearheading their implementation, including conducting district consultation, preparing implementation plans, monitoring project progress and assessing project effectiveness.

Prior to seeking funding approval from the Finance Committee of the Legislative Council, pre-construction work have to be completed on each SPS project, including confirming by the DC concerned, after discussion, that the selected project could meet local needs and conducting public consultation. Should the projects involve works components, the DCs shall follow the established procedures to conduct related studies, including technical feasibility study, site investigation, topographical and tree surveys, underground utility mapping, drainage and traffic impact assessments, building services survey and heritage impact assessment (as appropriate). In addition, the DCs will obtain support from the Legislative Council Panel on Home Affairs (HA Panel) before seeking funding approval from the Finance Committee.

- (1) Details of the studies and consultation carried out by DCs for their proposed projects are at Annexes 1 and 2.

- (2) In the process of finalizing the SPS projects, the DCs may, due to reasons such as public opinions, financial viability and technical feasibility, decide not to adopt the original proposals and identify alternative projects. However, as mentioned above, any funding applications on the SPS projects submitted to the Finance Committee have successfully completed the relevant pre-construction work, including the DCs having agreed on the selected projects and obtained the support from the HA Panel. We hope that the FC will promptly examine the SPS projects supported by the DCs and the HA Panel, and approve the funding as soon as possible to enable prompt commencement of the related works for the earliest benefit of local residents. In the unfortunate event that the funding requests for these projects are not approved by the Finance Committee, the relevant DCs will consider the way forward having regard to district circumstances. We will, as always, complement and support the relevant work of the DCs as far as possible.
- (3) Before the SPS projects are submitted to the Legislative Council for scrutiny, the respective DCs have completed the studies required according to the nature of the projects, including completing the technical feasibility study and detailed design on the works component, and obtained from the relevant government departments their endorsement on compliance of the work concerned with the established procedures. For some projects, certain statutory procedures have also been completed in accordance with relevant legislation.

Taking into account district circumstances, the DCs have adopted suitable channels to consult local residents and organizations and conducted open discussion before selecting their SPS projects. During the subsequent project implementation, the DCs will continue to hold different forms of public engagement and publicity activities to collect the views of local communities and enhance residents' understanding of the projects. Consultation channels include public consultation sessions, briefing sessions, focus groups, questionnaire surveys, DC members' collection of views of residents in respective constituencies, as well as views collection and information dissemination through DC websites.

As mentioned above, the DCs are responsible for monitoring the progress and assessing the effectiveness of the SPS projects. We will do our best to support the DCs in their relevant work.

- (4) Given the large number of government departments and public bodies, audit work has all along been carried out selectively. In selecting subjects for conducting value for money audits, the Audit Commission takes into account a number of factors such as materiality, timeliness, amount of public money and risk involved, auditability, value added and whether the issues are systemic. Public concern on the subjects is also one of the factors. In accordance with established government practice, before an audit report is tabled in the Legislative Council, the issues under investigation are strictly confidential and shall not be divulged.

Annex 1

Studies Carried Out by the Various DCs (up to 15 March 2016)

<i>DC</i>	<i>Project</i>	<i>Organization commissioned to conduct the studies</i>	<i>Period</i>	<i>Major Contents</i>	<i>Study Approach</i>	<i>Expenditure (up to 29 February 2016) (\$'000)</i>
Central and Western	Harbourfront Enhancement and Revitalization at the Western Wholesale Food Market	The Architectural Services Department (ArchSD) and its consultants	July 2013 to May 2015	Technical Feasibility Statement, design, quantity surveying, topographical survey, site investigation, utilities mapping, way finding system consultancy services,	Desktop study and site survey	2,599

<i>DC</i>	<i>Project</i>	<i>Organization commissioned to conduct the studies</i>	<i>Period</i>	<i>Major Contents</i>	<i>Study Approach</i>	<i>Expenditure (up to 29 February 2016) (\$'000)</i>
				model making, computer graphic artist perspective, and so on		
Wan Chai	Construction of Moreton Terrace Activities Centre	The ArchSD and its consultants	September 2013 to January 2016	Technical Feasibility Statement, design, quantity surveying, topographical survey, site investigation, utilities mapping, planning application, tree survey, model making, computer graphic artist perspectives, and so on	ditto	1,180
Eastern	Eastern District Cultural Square	The ArchSD and its consultants	August 2014 to January 2016	Technical Feasibility Statement, design, quantity surveying, topographical survey, utilities mapping, tree survey, preliminary environmental review,	ditto	811

<i>DC</i>	<i>Project</i>	<i>Organization commissioned to conduct the studies</i>	<i>Period</i>	<i>Major Contents</i>	<i>Study Approach</i>	<i>Expenditure (up to 29 February 2016) (\$'000)</i>
				acoustic assessment, traffic review, Building Information Modelling consultancy services, model making, computer graphic artist perspectives, and so on		
Southern	Fishermen Cultural Centre	The ArchSD and its consultants	April 2014 starts, end date to be confirmed	Technical Feasibility Statement, design, quantity surveying, topographical survey, utilities mapping, planning application, tree survey, preliminary environmental review, traffic impact assessment, drainage impact assessment, model making, and so on	ditto	546

<i>DC</i>	<i>Project</i>	<i>Organization commissioned to conduct the studies</i>	<i>Period</i>	<i>Major Contents</i>	<i>Study Approach</i>	<i>Expenditure (up to 29 February 2016) (\$'000)</i>
		Southern District Office and its consultants	July 2014 to August 2014 and December 2015 to February 2016	Pedestrian flow and usage of the proposed site at different times; and assessment of the manpower requirement, marketing position and financial budget	Recording by visual inspection, desktop study and interviews with operators of food industry and related organizations	10
Kwun Tong	Construction of Music Fountains at Kwun Tong Promenade	The ArchSD and its consultants	March 2014 to May 2015	Technical Feasibility Statement, design, quantity surveying, topographical survey, tree survey, water feature consultant, computer rendering services, model making, computer graphic artist perspectives, and so on	Desktop study and site survey	925
	Construction of Lift Tower at Shung Yan Street in Kwun Tong		April 2014 to May 2015	Technical Feasibility Statement, design, quantity surveying,	ditto	928

<i>DC</i>	<i>Project</i>	<i>Organization commissioned to conduct the studies</i>	<i>Period</i>	<i>Major Contents</i>	<i>Study Approach</i>	<i>Expenditure (up to 29 February 2016) (\$'000)</i>
				topographical survey, ground investigation, utilities mapping, geotechnical assessment, tree survey, model making, computer graphic artist perspectives, and so on		
Wong Tai Sin	Expansion and Improvement of Wong Tai Sin Square	Wong Tai Sin District Office and its consultants	July 2013 to February 2015	Technical Feasibility Statement, design, quantity surveying, topographical survey, site investigation, utilities mapping, tree survey, preliminary environmental review, computer graphic artist perspectives, and so on	ditto	3,212

<i>DC</i>	<i>Project</i>	<i>Organization commissioned to conduct the studies</i>	<i>Period</i>	<i>Major Contents</i>	<i>Study Approach</i>	<i>Expenditure (up to 29 February 2016) (\$'000)</i>
	Enhancement of Leisure Facilities of Morse Park	The ArchSD and its consultants	January 2014 to May 2015	Technical Feasibility Statement, design, quantity surveying, topographical survey, utilities mapping, tree survey, model making, computer graphic artist perspectives, and so on	ditto	646
Kowloon City	Revitalization of the Rear Portion of the Cattle Depot	The ArchSD and its consultants	November 2013 to January 2016	Technical Feasibility Statement, design, quantity surveying, topographical survey, ground investigation, utilities mapping, tree survey, traffic impact assessment, geotechnical assessment, heritage impact assessment,	ditto	661

<i>DC</i>	<i>Project</i>	<i>Organization commissioned to conduct the studies</i>	<i>Period</i>	<i>Major Contents</i>	<i>Study Approach</i>	<i>Expenditure (up to 29 February 2016) (\$'000)</i>
				model making, computer graphic artist perspectives, and so on		
Sham Shui Po	Shek Kip Mei Community Services Centre	The Hong Kong Housing Authority and its consultants	April 2014 to February 2015	Technical Feasibility Statement, design, quantity surveying, site investigation, preliminary environmental review, computer graphic artist perspectives, and so on	ditto	1,126
	Mei Foo Neighbourhood Activity Centre	Sham Shui Po District Office and its consultants	April 2014 to May 2015	Technical Feasibility Statement, design, quantity surveying, topographical survey, site investigation, utilities mapping, planning application, computer graphic artist perspectives, and so on	ditto	2,437

<i>DC</i>	<i>Project</i>	<i>Organization commissioned to conduct the studies</i>	<i>Period</i>	<i>Major Contents</i>	<i>Study Approach</i>	<i>Expenditure (up to 29 February 2016) (\$'000)</i>
Yau Tsim Mong	Yau Tsim Mong Multicultural Activity Centre	Yau Tsim Mong District Office and its consultants	August 2013 to May 2015	Technical Feasibility Statement, design, quantity surveying, topographical survey, site investigation, utilities mapping, planning application, tree survey, computer graphic artist perspectives, and so on	ditto	3,393
Sha Tin	Revitalization of Shing Mun River Promenade near Sha Tin Town Centre	The Civil Engineering and Development Department (CEDD) and its consultants	November 2013 to May 2015	Technical Feasibility Statement, design, quantity surveying, topographical survey, site investigation, utilities mapping, tree survey, traffic impact assessment, drainage impact assessment, computer graphic artist perspectives, and so on	ditto	1,847

<i>DC</i>	<i>Project</i>	<i>Organization commissioned to conduct the studies</i>	<i>Period</i>	<i>Major Contents</i>	<i>Study Approach</i>	<i>Expenditure (up to 29 February 2016) (\$'000)</i>
	Decking of Tai Wai Nullah in Sha Tin			Technical Feasibility Statement, design, quantity surveying, topographical survey, site investigation, utilities mapping, tree survey, traffic impact assessment, drainage impact assessment, computer graphic artist perspectives, and so on	ditto	2,943
Tai Po	Improving the Tourist Facilities at Lam Tsuen Wishing Square	Tai Po District Office (TPDO) and its consultants	October 2013 to January 2016	Technical Feasibility Statement, design, quantity surveying, topographical survey, ground investigation, utilities mapping, planning application, tree survey,	ditto	2,995

<i>DC</i>	<i>Project</i>	<i>Organization commissioned to conduct the studies</i>	<i>Period</i>	<i>Major Contents</i>	<i>Study Approach</i>	<i>Expenditure (up to 29 February 2016) (\$'000)</i>
				traffic impact assessment, drainage impact assessment, computer graphic artist perspectives, and so on		
	Establishment of an Arts Centre by Retrofitting Tai Po Government Secondary School	TPDO and its consultants	January 2014 to January 2016	Design, quantity surveying, topographical survey, ground investigation, utilities mapping, tree survey, environmental assessment, sewage impact assessment, acoustic engineering, traffic impact assessment, asbestos survey, building services survey, computer graphic artist perspectives, and so on	ditto	1,500

<i>DC</i>	<i>Project</i>	<i>Organization commissioned to conduct the studies</i>	<i>Period</i>	<i>Major Contents</i>	<i>Study Approach</i>	<i>Expenditure (up to 29 February 2016) (\$'000)</i>
		TPDO and its consultants	August 2014 to August 2015	Financial Feasibility Study	Focus group, and survey with arts groups	1,350
North	Improvement of Trails and Provision of Ancillary Facilities at Wu Tip Shan and Wa Mei Shan in Fanling	North District Office and its consultants	June 2013 to May 2015	Technical Feasibility Statement, design, quantity surveying, topographical survey, site investigation, tree survey, geotechnical assessment, computer graphic artist perspectives, and so on	Desktop study and site survey	4,543
	Improvement of Trails and Provision of Facilities in Sha Tau Kok			Technical Feasibility Statement, design, quantity surveying, topographical survey, site investigation, tree survey, asbestos survey, computer graphic artist perspectives, and so on	ditto	5,506

<i>DC</i>	<i>Project</i>	<i>Organization commissioned to conduct the studies</i>	<i>Period</i>	<i>Major Contents</i>	<i>Study Approach</i>	<i>Expenditure (up to 29 February 2016) (\$'000)</i>
Sai Kung	Reconstruction of the Sharp Island Pier	The CEDD and its consultants	November 2013 starts, anticipated end date April 2016	Technical Feasibility Statement, design, quantity surveying, ground investigation, preliminary environmental review, computer graphic artist perspectives, and so on	ditto	1,537
	Construction of the Tseung Kwan O Heritage Hiking Trail and the Heritage Information Centre	Sai Kung District Office and its consultants	March 2014 starts, anticipated end date April 2016	Technical Feasibility Statement, design, quantity surveying, topographical survey, ground investigation, planning application, tree survey, traffic impact assessment, building structure assessment, asbestos survey, computer graphic artist perspectives, and so on	ditto	949

<i>DC</i>	<i>Project</i>	<i>Organization commissioned to conduct the studies</i>	<i>Period</i>	<i>Major Contents</i>	<i>Study Approach</i>	<i>Expenditure (up to 29 February 2016) (\$'000)</i>
Kwai Tsing	Enhancement of Community Healthcare	Kwai Tsing District Office (K&TDO)	July 2013 to February 2014	Technical Feasibility Statement, design and quantity surveying	ditto	K&TDO conducted the studies with their own in-house resources
Tsuen Wan	Redevelopment of Sai Lau Kok Garden	The ArchSD and its consultants	April 2014 to May 2015	Technical Feasibility Statement, design, quantity surveying, topographical survey, site investigation, utilities mapping, planning application, tree survey, model making, computer graphic artist perspectives, and so on	ditto	1,512
Tuen Mun	Revitalization of Tuen Mun River and Surrounding areas	Tuen Mun District Office and its consultants	March 2014 to May 2015	Technical Feasibility Statement, design, quantity surveying, topographical	ditto	1,341

<i>DC</i>	<i>Project</i>	<i>Organization commissioned to conduct the studies</i>	<i>Period</i>	<i>Major Contents</i>	<i>Study Approach</i>	<i>Expenditure (up to 29 February 2016) (\$'000)</i>
				survey, site investigation, utilities mapping, tree survey, computer graphic artist perspectives, and so on		
	Promotion of Youth Development in Tuen Mun	Yan Oi Tong	February 2015 to May 2015	Design, quantity surveying and computer graphic artist perspectives	ditto	23
Yuen Long	Construction of a Yuen Long District Community Services Building	Yuen Long District Office, Yuen Long Town Hall Management Committee and its consultants	April 2014 to May 2015	Technical Feasibility Statement, design, quantity surveying, topographical survey, ground investigation, model making, building structure assessment, computer graphic artist perspectives, and so on	ditto	3,330

<i>DC</i>	<i>Project</i>	<i>Organization commissioned to conduct the studies</i>	<i>Period</i>	<i>Major Contents</i>	<i>Study Approach</i>	<i>Expenditure (up to 29 February 2016) (\$'000)</i>
Islands	Improvement Works at Silvermine Bay Beach, Mui Wo, Lantau Island	Islands District Office and its consultants	November 2013 to May 2015	Technical Feasibility Statement, design, quantity surveying, topographical survey, site investigation, utilities mapping, tree survey, asbestos survey, computer graphic artist perspectives, and so on	ditto	3,790
	Yung Shue Wan Library cum Heritage and Cultural Showroom, Lamma Island			Technical Feasibility Statement, design, quantity surveying, topographical survey, site investigation, utilities mapping, tree survey, asbestos survey, computer graphic artist perspectives, and so on	ditto	2,778

Annex 2

Consultation Work Carried Out by the Various DCs
(up to 15 March 2016)

<i>DC</i>	<i>Project</i>	<i>Period</i> ^{Note}	<i>Nature/Approach and the number of submissions received</i>	<i>The parties consulted</i>
Central and Western	Harbourfront Enhancement and Revitalization at the Western Wholesale Food Market	February 2013 to January 2015	Consultation document (2 503 written replies received), questionnaire survey (702 completed questionnaires received) and Fence Design Competition (more than 250 design proposals received) Others*: Focus groups, residents' forum, meetings, exchanges and display of model and information panels of the project	DC members, area committees and other committees, relevant government committee, relevant traders, local residents and other members of the public
Wan Chai	Construction of Moreton Terrace Activities Centre	<i>Stage 1</i> January to March 2013 <i>Stage 2</i> July to August 2014	<i>Stage 1</i> Public forum (56 written comments and 14 oral comments received) <i>Stage 2</i> Others*: DC members' collection of views of residents in their respective constituencies, meetings and exchanges <i>Stage 2</i> Publicity leaflets and booklets (24 written comments received) and public forums (13 oral comments received) Others*: webpage, meetings and exchanges	<i>Stage 1</i> DC members, area committees, local residents and other members of the public <i>Stage 2</i> DC members, area committees, local residents and other members of the public

<i>DC</i>	<i>Project</i>	<i>Period</i> ^{Note}	<i>Nature/Approach and the number of submissions received</i>	<i>The parties consulted</i>
Eastern	Eastern District Cultural Square	February 2013 to September 2015	DC members' collection of views of residents in their respective constituencies, written consultation and exchanges (23 project proposals received) Others*: Briefing and meetings	DC members, area committees, relevant government committee, local organizations and residents
Southern	Fishermen Cultural Centre	January 2013 to December 2015	Public consultation forum (22 oral comments and 81 written comments received) and written consultation (154 written comments received) Others*: DC members' collection of views of residents in their respective constituencies, meetings and exchanges	DC members, area committees, local organizations, non-profit-making organizations, local residents and other members of the public
Kwun Tong	1. Construction of Music Fountains at Kwun Tong Promenade 2. Construction of Lift Tower at Shung Yan Street in Kwun Tong	March 2013 to July 2015	DC members' collection of views of residents in their respective constituencies (including questionnaire survey (806 completed questionnaires received) and Selection for the Favourite Construction Projects in Kwun Tong District (a total of 12 909 participants)) Others*: Site visits, meetings and exchanges	DC members, area committees, relevant government committee and local residents
Wong Tai Sin	1. Expansion and Improvement of Wong Tai Sin Square 2. Enhancement of Leisure Facilities of Morse Park	January 2013 to November 2014	Site visits, meetings and exchanges*	DC members and area committees

<i>DC</i>	<i>Project</i>	<i>Period</i> ^{Note}	<i>Nature/Approach and the number of submissions received</i>	<i>The parties consulted</i>
Kowloon City	Revitalization of the Rear Portion of the Cattle Depot	August to September 2013 and July to August 2015	Consultation documents (110 written comments received) Others*: Roving exhibition, meetings, exchanges and webpage	DC members, area committees, tenants of the Cattle Depot Artists Village, local organizations and local residents
Sham Shui Po	1. Shek Kip Mei Community Services Centre 2. Mei Foo Neighbourhood Activity Centre	February 2013 to August 2015	DC members' collection of views of residents in their respective constituencies, written consultation, workshops and briefings (70 proposals/comments received) and webpage (28 comments on the two projects received) Others*: Meetings and exchanges	DC members, area committees, local organizations, non-profit-making organizations, local residents and other members of the public
Yau Tsim Mong	Yau Tsim Mong Multicultural Activity Centre	June to November 2013	Public fora (a total of 24 participants provided oral comments) Others*: Meetings and exchanges	DC members, area committees, local organizations, ethnic minorities and local residents
Sha Tin	1. Revitalization of Shing Mun River Promenade near Sha Tin Town Centre 2. Decking of Tai Wai Nullah in Sha Tin	<i>Stage 1</i> November 2013 to March 2014 <i>Stage 2</i> October to December 2014	<i>Stage 1</i> * DC members' collection of views of residents in their respective constituencies, public forum, focus groups, meetings and exchanges <i>Stage 2</i> Questionnaire surveys (1 508 completed questionnaires received) Others*: Public consultation forum, focus groups, roving	<i>Stage 1</i> DC members, area committees, other committees, local organizations, relevant professional bodies, the Hong Kong Jockey Club Charities Trust, local residents and other members of the public

<i>DC</i>	<i>Project</i>	<i>Period^{Note}</i>	<i>Nature/Approach and the number of submissions received</i>	<i>The parties consulted</i>
			exhibitions, publicity materials and films, meetings and exchanges	<i>Stage 2</i> DC members, area committees, other committees, local organizations, relevant professional bodies, non-governmental organizations in the district, local residents and other members of the public
Tai Po	1. Establishment of an Arts Centre by Retrofitting Tai Po Government Secondary School 2. Improving the Tourist Facilities at Lam Tsuen Wishing Square	April 2013 to December 2015	Public forum, display of information panels and banners, focus groups, meetings and exchanges*	DC members, other committees, local organizations, arts groups, partner organization, village representatives and local residents
North	1. Improvement of Trails and Provision of Ancillary Facilities at Wu Tip Shan and Wa Mei Shan in Fanling 2. Improvement of Trails and Provision of Facilities in Sha Tau Kok	January 2013 to January 2016	Public forum, focus groups, site visits, meetings and exchanges*	DC members, rural committees, village representatives, local residents and other members of the public

<i>DC</i>	<i>Project</i>	<i>Period^{Note}</i>	<i>Nature/Approach and the number of submissions received</i>	<i>The parties consulted</i>
Sai Kung	1. Reconstruction of the Sharp Island Pier 2. Construction of the Tseung Kwan O Heritage Hiking Trail and the Heritage Information Centre	May 2013 to December 2015	Publicity leaflets (23 written comments received) and notices on Application for Temporary Land Allocation (130 written comments received) Others*: Public fora, site visits, meetings, exchanges and other occasions	DC members, area committees, relevant trades, fishermen, environmental protection organizations, green groups, ex-residents of Tiu Keng Ling, local residents and other members of the public
Kwai Tsing	Enhancement of Community Healthcare	February 2013 to January 2015	Webpage (seven written comments received) and Facebook (nearly 90 000 interactions, including messages) Other*: Open forum, meetings and exchanges	DC members, area committees, local organizations, local residents and other members of the public
Tsuen Wan	Redevelopment of Sai Lau Kok Garden	February 2013 to December 2015	DC members' collection of views of residents in their respective constituencies (including questionnaire surveys, more than 2 000 residents provided comments on project proposals) and resident's fora (a total of 15 participants provided oral comments) Others*: Meetings, exchanges and other occasions	DC members, area committees, local organizations, representatives of shop tenants, local residents and other members of the public
Tuen Mun	1. Revitalization of Tuen Mun River and Surrounding Areas 2. Promotion of Youth Development in Tuen Mun	May 2013 to July 2014	Questionnaire survey (123 completed questionnaires received) Others*: Roving exhibition, briefings, meetings and exchanges	DC members, area committees, local organizations, non-profit-making organizations and local residents

<i>DC</i>	<i>Project</i>	<i>Period</i> ^{Note}	<i>Nature/Approach and the number of submissions received</i>	<i>The parties consulted</i>
Yuen Long	Construction of a Yuen Long District Community Services Building	February 2013 to October 2015	Public fora (a total of 54 participants provided oral comments) Others*: Workshops, roving exhibition, meetings and exchanges	DC members, area committee, rural committees, local organizations and local residents
Islands	1. Improvement works at Silvermine Bay Beach, Mui Wo 2. Yung Shue Wan Library cum Heritage and Cultural Showroom	February 2013 to November 2014	Public forum (a total of 25 participants provided oral comments) and public briefing (a total of 13 participants provided oral comments) Others*: DC members' collection of views of residents in their respective constituencies, meetings and exchanges	DC members, rural committee, local residents and other members of the public

Notes:

Subsequent to the above-mentioned consultation periods, DCs continue to listen to the views of local organizations and communities on the SPS projects via different channels (such as meetings and exchanges with local organizations and residents), and to incorporate such views, if appropriate, in the projects. DCs also hold different forms of public engagement and publicity activities to enhance residents' understanding of the projects. Project information is also available at DC websites and views from the public are welcome.

* DCs have considered the public views received and incorporated them in the projects as appropriate. There is no statistics on the number of submissions received by various consultation efforts.

Electoral Arrangements

21. **MR KENNETH LEUNG** (in Chinese): *President, under the law, a candidate who is validly nominated for the Legislative Council election may send, free of postage, one letter addressed to each elector for the constituency concerned (relevant letter). It has been reported that in the 2016 Legislative Council By-election (New Territories East Geographical Constituency) just held, the authorities refused to deliver the relevant letters of a certain candidate on the ground that the letter specimen he submitted contained some wording that contravened the Basic Law and was suspected of inciting the use of violence to achieve goals. Moreover, when the vote counting was conducted at a counting*

station in Ma On Shan, a ballot box could not be opened because the key was found missing. After seeking legal advice from the Department of Justice (DoJ), the Presiding Officer (PRO) of that polling station arranged police officers to open the ballot box. The PRO then counted the votes after mixing the ballot papers in the ballot box in question together with the ballot papers in other ballot boxes from that counting station. Regarding the electoral arrangements, will the Government inform this Council:

- (1) of the details of the aforesaid incident in which delivery of the relevant letters for the candidate concerned was refused, including the specific wording in the relevant letters which contravened the related provisions, the content of the legal advice obtained from DoJ by the authorities before making such a decision and the legal basis for that decision;*
- (2) of the number of cases, since the establishment of the Hong Kong Special Administrative Region, in which the candidates in previous Chief Executive elections, Election Committee subsector elections, Legislative Council elections and District Council elections were refused by the authorities the delivery of the relevant letters free of postage for them, and the details of each of such cases (including the name and date of the election, the name of the candidate concerned and the specific reasons for refusing to deliver the relevant letters);*
- (3) whether it has put in place a mechanism for candidates to lodge appeals against the authorities' decisions of refusing to deliver the relevant letters for them; if so, of the details of the mechanism; if not, the reasons and the legal basis for that, and whether it will consider establishing such a mechanism to safeguard the rights of the candidates;*
- (4) whether the Post Office will, upon the candidates' payment of the postage due, deliver for them those letters the postage-free delivery for which has been refused by the authorities, and whether such postage must be included in the declaration of election expenses to be submitted by the candidates to the appropriate authority;*

- (5) *of the details of the legal advice obtained by the aforesaid PRO in respect of handling the ballot box whose key had been lost; and*
- (6) *whether it has investigated the causes for the loss of the ballot box key; if it has, of the outcome; whether it formulated, before this by-election, contingency measures and guidelines on handling such a situation; if it did, of the details; whether it has any plan to review the entire process of vote counting in this by-election, including if it was a reasonable practice of counting the votes after mixing the ballot papers in the ballot box in question together with other ballot papers; if it has such a plan, of the details and the timetable; if not, the reasons for that?*

SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS (in Chinese): President, according to sections 4 and 8 of the Electoral Affairs Commission Ordinance (EACO) (Cap. 541), the Electoral Affairs Commission (EAC) is responsible for the conduct and supervision of elections, and, within three months of the conclusion of an election, making a report to the Chief Executive on matters relating to that election in respect of which the EAC has any function under the EACO or any other Ordinance. The Registration and Electoral Office (REO) provides the EAC with the necessary support.

The Legislative Council New Territories East Geographical Constituency By-election was held on 28 February 2016, and was conducted and supervised by the EAC according to the relevant legal provisions. The questions raised by the Member involve the handling of individual cases by the EAC and the REO during the by-election, which are matters relating to the by-election to be reported by the EAC to the Chief Executive. Nevertheless, having consulted the REO and relevant departments, a consolidated reply is given as follows.

Pursuant to section 43 of the Legislative Council Ordinance (Cap. 542), a list of candidates for a geographical constituency/District Council (second) functional constituency or a candidate of traditional functional constituency (referred to as "candidate" hereinafter) who is validly nominated may send free of postage one letter addressed to each elector for the constituency concerned. The purpose of the free postage is to enable the candidates to mail election advertisements to promote or advertise themselves in relation to the election to electors in the constituency.

According to the current arrangement, validly nominated candidates wishing to make use of the free postage facility should submit the specimens of their election mails to the Post Office for written approval before they may send to electors their postings in bulk. The Post Office would inspect if the specimens comply with the postal requirements, and would, according to the established procedure, consult the REO on whether the contents of the specimens comply with the requirements of relevant laws. Where necessary, the REO would seek legal advice on the contents. If the contents of a specimen are found to be unacceptable having taken into account the overall circumstances of the case and the relevant legal advice, the candidates concerned would be so informed in writing by the Post Office. The candidate concerned may submit a revised specimen before the relevant deadline.

The REO has not compiled statistics or conducted analysis on cases of rejection of free postage in previous public elections, and is therefore not able to furnish such information as requested.

According to the current arrangement, if the content of the specimen of an election mail of a candidate is not approved, the candidate concerned would be informed of the reason of rejection in writing by the Post Office. The candidate concerned may submit a revised specimen or another specimen before the relevant deadline to the Post Office for approval.

The Post Office processes all mail items according to the Post Office Ordinance (Cap. 98) and the relevant laws, as well as the Post Office Guide. Postage paid by a candidate for mailing of election advertisements should be counted towards the candidate's election expenses in accordance with the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554).

Regarding the incident concerning the loss of key to one of the ballot boxes in a counting station in Ma On Shan, according to what the EAC told the press after the announcement of the result of the by-election, the REO's initial investigation revealed that the ballot box concerned had all along been placed in the said polling station; a police officer had stayed in the polling station concerned all the while; and there was no sign that the ballot box had been tampered with. For the sake of prudence, the Presiding Officer had sought legal advice before making the decision to break the padlock with a tool in order to take out the ballot papers for counting. The EAC will conduct a thorough review on the arrangements for the said by-election and submit a report to the Chief Executive within three months as required under the law.

Opening of Military Dock Site to Public

22. **MR FREDERICK FUNG** (in Chinese): *President, at present, a site within Site 7 in the new Central Harbourfront (i.e. the promenade), which has an area of 0.3 hectare and occupies a shoreline of about 190 metres, has been set aside for use as a military dock by the People's Liberation Army Hong Kong Garrison (the Garrison). I have recently received complaints from some members of the public and joggers that for a long time, the Garrison has not made use of the site, which is now overgrown with weeds. Although the Government has stated on several occasions that the Garrison has undertaken to open the military dock area as a part of the promenade for public use when it is not in military use, the Garrison has not honoured its undertaking so far. In this connection, will the Government inform this Council whether:*

- (1) it knows the latest progress of the construction of the military dock and the relevant facilities by the Garrison, including whether the relevant construction works have been completed, which party is responsible for the management of the relevant facilities, and why the military dock has all along been closed off; and*
- (2) it has sought explanations from the Garrison for its failure to honour its undertaking to open the military dock area to the public when it is not in military use; if it has, of the details; if not, the reasons for that; whether it will expeditiously follow up with the Garrison on the arrangements for opening the dock area?*

SECRETARY FOR DEVELOPMENT (in Chinese): President, the Central Military Dock is a military facility. The Government has explained to the Legislative Council and the public the background and procedures in relation to the Military Dock a number of times in the past. According to the original plan, the Government will hand over the Military Dock to the People's Liberation Army Hong Kong Garrison (the Garrison) after the completion of the construction works and all relevant procedures.

At present, the construction works of the Military Dock has been completed, but the relevant statutory planning procedures are subject to judicial review and thus have not been completed. Hence the Government has not yet taken forward the follow-up actions required for handing over the Military Dock

to the Garrison. The Lands Department is currently responsible for the daily management of the land where the dock is located and has fenced off the relevant area according to established practice. As the Military Dock is a military facility, it is not suitable to be opened for public use before handing over to the Garrison.

(Mr CHAN Chi-chuen stood up)

PRESIDENT (in Cantonese): Mr CHAN Chi-chuen, what is your point?

MR CHAN CHI-CHUEN (in Cantonese): President, I request a headcount.

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)

GOVERNMENT MOTION UNDER RULE 91 OF THE RULES OF PROCEDURE

PRESIDENT (in Cantonese): Government motion under Rule 91 of the Rules of Procedure.

MOTION UNDER RULE 91 OF THE RULES OF PROCEDURE

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President, pursuant to Rule 91 of the Rules of Procedure (RoP) of the Legislative Council, I move the motion, as printed on the Agenda, be passed such that Rule 18(1) on Order of Business at a Meeting be suspended at the Council meeting of 16 March 2016. The purpose of the proposed suspension is to allow the Legislative Council to consider the Government's motion on the Vote on Account Resolution for 2016-2017 before Government bills. To prepare for different scenarios, the motion to suspend the operation of Rule 18(1) of the RoP

is designed to apply to the Council meeting of 16 March 2016 as well as any subsequent meeting or meetings in which this Vote on Account motion is put on the Agenda of the Legislative Council meeting.

I have earlier given notice of the intention to move a motion on the Vote on Account Resolution at the Council meeting of 16 March 2016, which is the last scheduled meeting in the month of March 2016. Taking into account the requirement for the Government to complete a series of statutory and accounting procedures to ensure all necessary payments (including those for social security allowances) due on 1 April 2016 can be made without delay, there is an imminent and practical need for the Vote on Account Resolution to be voted on at the Council meeting of 16 March 2016.

According to the order of business as prescribed in Rule 18(1) of the RoP, a total of seven Government bills ready for resumption of Second Reading debate would have to be considered before the Vote on Account Resolution at the Council meeting of 16 March 2016. Given the urgency and overriding importance of the Vote on Account Resolution, it would be necessary for the order of Council business as prescribed in Rule 18(1) of the RoP to be changed for the Council meeting of 16 March 2016 so that the Council can consider the proposed Vote on Account Resolution, as a matter of priority over Government bills.

The Vote on Account Resolution seeks the Legislative Council's authorization of funds on account to enable the Government to fund and/or subvent a full range of public services between the start of the coming financial year on 1 April 2016 and the time when the Appropriation Ordinance 2016 comes into operation. The Vote on Account Resolution provides interim funding for education, social welfare, healthcare, security, economic development, environmental protection, financial services, innovation and technology, and so on, whether the services are delivered by the Government, the Judiciary or subvented bodies. According to the Budget timetable this year, resumption of the Second Reading of the Appropriation Bill 2016 will only start in late April. The interim funding to be made available through the Vote on Account Resolution is thus an all-embracing time-critical bridging device.

Specifically, we propose that Government business at the relevant Council meetings be transacted in the following order:

- (1) Motion on the Vote on Account Resolution,
- (2) Government bills,
- (3) Government motions referred to in Rule 18(1)(j) of the RoP, and
- (4) Other Government motions referred to in Rule 18(1)(ja) of the RoP.

I hope Members can lend their support to the order of business in the Council meeting proposed by the Government to enable the Legislative Council to deliberate first on the Vote on Account Resolution.

President, I beg to move.

The Secretary for Financial Services and the Treasury moved the following motion:

"That Rule 18(1) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region be suspended to the extent that the motion to be moved by the Secretary for Financial Services and the Treasury under section 7(1) of the Public Finance Ordinance (Cap. 2) at the Council meeting of 16 March 2016 —

- (a) is to be placed before any Government bill on the Agenda for the meeting; and
- (b) is to be so placed on the Agenda for any subsequent Council meeting at which the motion continues to be an item of business."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by the Secretary for Financial Services and the Treasury be passed.

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

MS EMILY LAU (in Cantonese): President, I rise to speak in support of the motion proposed by the Secretary. However, we need to ask the Government if it had known the situation would come to this, why did it push it so far in the first place? Right now so many bills and motions are awaiting consideration, which the authorities hope will be passed before the Legislative Council rises in mid-July. However, we have wasted a lot of time on examining the Copyright (Amendment) Bill 2014 (the Bill) in the past few weeks. Members have already made it clear that we support the passage of the Bill to keep the copyright regime of Hong Kong up-to-date. Yet the public does not approve of certain parts in the Bill, so we urged the authorities to endeavour to reconcile both parties in order to forge a consensus with a concerted effort and then swiftly propose new amendments to the Legislative Council. Or the Government should temporarily shelve the Bill to make way for other business; and after the Secretary manages to foster a consensus on differences in opinion he can resubmit the Bill to the Legislative Council. But the authorities refused to do so, leading to the current state of affairs.

President, I think the authorities have indeed made some very execrable moves. The Bill is their responsibility, not ours. Just now we have of course received some news and learnt that the Chief Executive has made a public speech while the Chief Secretary for Administration has also invited us to a meeting on Friday to discuss changes to the Agenda of Legislative Council meetings. What an eleventh-hour attempt! We believe many matters need to be handled and passed and people want the Legislative Council to do solid work. However, President, they do not want us to become a rubber stamp, rubber-stamping anything tabled before the Legislative Council. The Government has to give the Council ample time for discussions. More importantly, just as the Secretary for Security has admitted to his bad administration which has caused many arguments, the Government needs to communicate with all sectors to achieve a consensus on controversial matters, eventually preventing countless disputes from arising in the Council and enabling the smooth passage of motions. Otherwise the current situation will result: there is a huge backlog of items pending consideration both in meetings of the Council and the Finance Committee.

Every time I would ask government officials if they can settle various conflicts — President, I do not mean just settling them, but also listening to our views which would be incorporated into the final proposal for submission to the Council. If everyone can have a part to play, when the proposal reaches the Legislative Council, people will find their own views included in it and a consensus can thus be reached immediately, hence commanding common support

for the proposal. Yet instead of doing so, each time the Government would adamantly try to bulldoze the proposal through the Council, thinking what it only takes is sufficient votes. Many people, including President of the Legislative Council, have told the officials that they should not harbour the idea that it only takes sufficient votes. The Government has put itself in such a predicament today. Even with general support for passage of the motion so that the Legislative Council can first consider the Vote on Account Resolution, there still remain so many bills and motions to be scrutinized. All the officials came to us and said every single one of them must be passed, such as the bill on the renaming of the Hong Kong Institute of Education. Even the bill to amend the Medical Registration Ordinance is one that I really want to see passed. But there are some controversies so I told the Under Secretary that when we had a discussion with doctors from Médecins Inspirés I stressed the importance of the authorities listening to views from different sectors, failing which the relevant bill will never be passed because time is running short.

President, therefore, I hope the Secretary and his colleagues will solemnly make a promise to society that they will put their heart and soul into their work and keep their ears open to opinions from all sectors, instead of taking a hard line and putting the blame on some other people. Many people had strong reactions precisely because of their tough stance. Just now during the Oral Question session I also asked the Secretary for Security if it was because of fierce conflicts in society that they sought to endow the Police with equipment instead of resolving the conflicts, putting the Police between a rock and a hard place — now the Legislative Council is put between a rock and a hard place.

With so many issues pending resolution, the Government has now only moved a motion to change the order of business by invoking the Rules of Procedures. President, later on there will be even more motions to be dealt with, some of which may still be under consideration, and then the Government will again have to prioritize the scrutiny of certain bills, which are not in any way close to completion, and subsequently seek to make continual changes to the order of business by recourse to similar motions. We made rules for a reason and they are not subject to arbitrary changes, especially when the operation of the Government is so bad now, which has obstructed the smooth conduct of business of the Council and caused a deadline to be imposed on us, that is, no more meetings after 16 July. For these reasons, I honestly think that the authorities have done a very lousy job.

We will support this motion and certainly hope the following Vote on Account Resolution will be passed. But honestly, some people are petrified now, including the Financial Secretary, who cannot tell whether the motion will be passed. Why did the Government get itself into such a mess? I hope, as the President has said, the officials will do a proper job in the last few months left of this Legislative Session so that proposals to be submitted to the Legislative Council would have already been straightened out, sparing the Council of a myriad of disputes or conflicts. In this way before the Legislative Session ends in mid-July, we can finish handling a decent number of motions which the public considers necessary to meet the needs of Hong Kong.

With these remarks, I support the motion.

MR CHAN CHI-CHUEN (in Cantonese): President, today, Secretary Prof K C CHAN requested the suspension of Rule 18(1) of the Rules of Procedure (RoP) under Rule 91 of the RoP with the aim of enabling the passage of the Vote on Account motion. First of all, I hope all the people of Hong Kong will see from this motion debate today that the problem lies in the Government's unwillingness rather than its inability to do its part.

When the Copyright (Amendment) Bill 2014 (the Bill) was caught in a stalemate, the Government came forth to make alarmist remarks, claiming that the Vote on Account motion would not be passed, that the bill on the Eastern Harbour Crossing (EHC) would not be passed and hence, the EHC could not collect tunnel tolls and would have to be open for free, in which case the EHC would even have to shut down. Then it went further to claim that the bill on the retitling of the Hong Kong Institute of Education would not be passed, depriving some 3 000 students of the chance to graduate as graduates of The Education University of Hong Kong. The Government has described our examination of Bills as an unwelcomed hindrance, accusing us of stirring up troubles and creating obstacles to the Government's funding applications, to the tunnel operation, and to the graduation of university students.

Today, we have seen that the Government can cease pursuing the Bill, and it can make use of the RoP to rearrange the order of business, in order to deliberate on an issue which they consider most important and most pressing. Even though it is not a bill, the Government can request suspension of Rule 18(1) in order for this Resolution to be examined first. This is what the Government can do, and today the Government is precisely demonstrating to all the people of

Hong Kong that if the Government is willing to accord priority to the people's livelihood and accord priority to issues of importance, Members in the opposition camp will not stand in its way.

In fact, the remarks made by the Secretary in his speech today had been made by me before, and I wonder if the Secretary still recalls them. I stated this reason when Ms Cyd HO proposed a motion for adjournment of the debate during the Second Reading of the Bill, and when Ms Cyd HO proposed a motion for committal of the Bill to a select committee under Rule 55(1)(a), and also when Mr WONG Yuk-man proposed a motion for adjournment of further proceedings of the Committee during the Committee stage. I stated this reason to explain why the appropriation of funds on account should not be held up, but today, this reason is advanced by the Government instead. When I said that, I was regarded as stirring up troubles and messing things up, and the pro-government camp vowed to vote against the motion. But when they Secretary said it, they held that he was taking the overall situation into consideration and that they would throw weight behind him. Well, we will not play havoc with the proceedings. We will take the overall situation into consideration, and we will not stand in the way of the Government. This is the political reality.

In fact, Chief Secretary for Administration Carrie LAM wrote to the President, Jasper TSANG, on 1 March. In the letter she said that time was running out and she sought the President's approval for to deal with this Vote on Account Resolution first by initiating this procedure today to suspend Rule 18(1) under Rule 91, so that the Government can rearrange the order of the items on the Agenda as it likes, in order for this Resolution to be dealt with before the other items.

First of all, I have to thank the President, Jasper TSANG, for respecting Members' right to speak during the scrutiny of the Bill without "cutting off the filibuster", or "tailoring the filibuster" as I would put it, by taking out a chart to set time limits to the debate or restricting the time for each joint debate. I remember that the President made a good point in saying that as the first debate had yet come to a close, how could you possibly know how much time would be required by the second, third, fourth and fifth debates? It was precisely because President Jasper TSANG did not make an unreasonable ruling despite the pressure exerted by the Government or its alarmist tactics that the Bill would not be pursued — with regard to not pursuing the Bill, I will further explain what it means by not pursuing the Bill later — and the request made by Carrie LAM in her letter was then acceded to.

However, I wish to tell members of the public that on 1 March when Carrie LAM wrote this letter, there were only five bills on the Agenda, compared to seven bills on it today. In this two-and-a-half-day meeting, seven bills will have to be examined and this is obviously a tall task, let alone many Members will be speaking on the Interception of Communications and Surveillance (Amendment) Bill 2015. Therefore, the Government has no alternative but to invoke Rule 91 of the RoP. Secretary, please remember what I am going to say, so that back in the Government, you can tell all the officials in the LEUNG Chun-ying administration this: Had you known the consequences today, you should not have done what you did.

We already told the Government long ago that it would be impossible for the Bill to be passed within such a short time. This is why we proposed in good faith a motion for adjournment of the debate, a motion for committal of the Bill to a select committee and a motion for adjournment of further proceedings of the Committee. In fact, if we think about this at greater depth, had the motion for committal of the Bill to a select committee been passed the other day, the problem would probably have been solved, for that would enable meetings to be held truly in parallel as we could continue to deal with other bills on this side while the scrutiny of the Bill could continue on the other side. But the Government did not consider this as a way out. It even said that this would be a way leading to our doom, and that this would lead us to a dead end. Now you should be feeling like approaching your doom for you must feel pissed off for having to go this way.

On the day Carrie LAM wrote to the President there were only five bills, including the Bankruptcy (Amendment) Bill 2015, Deposit Protection Scheme (Amendment) Bill 2015, Promotion of Recycling and Proper Disposal (Electrical Equipment and Electronic Equipment) (Amendment) Bill 2015, Fixed Penalty (Public Cleanliness Offences) (Amendment) Bill 2015, and Property Management Services Bill. Had the Secretary taken the initiative to propose an adjournment motion on 3 March, instead of making a 51-minute speech to hurl abuses at the pan-democrat Members, we would have thrown weight behind him right away, in which case the two-and-a-half-day meeting could have been spent on examining the five bills that are not at all controversial. This is absolutely possible. Even though not all of these bills could have their examination completed, for instance, even if the Property Management Services Bill is left for examination at this meeting today, it would obviate the need for the Government to invoke Rule 91 today.

I remember that last year, the examination of Government bills preceded that of the Vote on Account Resolution. I remember that last year, it seemed to be the bill on the registration of veterinary surgeons which was under examination and I almost could not come in on time to speak on the Vote on Account motion. I wish to tell the Secretary that had he been able to thoroughly understand the overall situation and truly take the overall situation into consideration, rather than resorting to alarmist talk or intimidation in claiming that there would be various consequences if the other bills on the Agenda could not be examined, he would not have to take this step of invoking Rule 91 of the RoP to suspend Rule 18(1) today.

I wish to tell Members one thing. I do not know whether such a situation happened before but I think even if there was, it should not have happened many times; and after all, I have been in this Council for three-odd years only. But this year, this situation may happen more than once. In fact, some Members do not even understand what it means by deferring the Bill to the last position of the queue.

Under Rule 18(1) of the RoP, there is an order for items to be dealt with by the Legislative Council. Government bills are examined first, followed by Government motions and subsidiary legislation of the Government. Then it will be Members' motions on subsidiary legislation, and Members' motions with no binding effect are the last. Now, the Bill is still in a high position on the list. It is only the last of the first group of items (that is, Government bills), not the last on the Agenda as a whole. Some Members even think that it is the last on the Agenda and so, they do not have to worry about it; nor do they have to deal with it anymore. Given the current status of the Bill, I would call it a "vegetable", for it is not entirely "dead".

On the night of 3 March (Thursday), I proposed a motion for adjournment. Secretary Gregory SO blasted me for ultimately "chopping" the Bill to death, but the fact was that he was prepared to do the same on the morning of Friday. I repeatedly called on the Secretary to propose a motion for adjournment earlier but he said that I was going too far and wasting time. How could this be wasting time? If he could propose a motion for adjournment earlier and finish properly what he wanted to do, I think it would be best to start well and finish well. The Secretary said that he was going to propose it on Friday, but how could it be better to propose it on Friday than what I suggested him to do? If he would do it

only on the morning of Friday and spend 51 minutes chiding people before Members could proceed to the discussion, the debate would not end even today if not for this procedural motion.

In fact, he should have handled this Bill appropriately long ago. Since he was prepared not to pursue the Bill, he should have taken the initiative to propose the motion right from the outset at the last meeting on 2 March. I am not the only person who said this. Some pro-Government Members have been pouring out their grievances, especially Members who have to hop between Beijing and Hong Kong. They said that the Bill has been sentenced to death, so why should they be made to sit here with the "corpse" for two and a half days? This analogy is not bad indeed. But the Government wants to pick a fight. Some pieces of subsidiary legislation will be scrutinized in the future and I will take part in their deliberations. Subsidiary legislation also comes after bills on the order of business. If the Government wishes to table these pieces of subsidiary legislation, it would have to repeat this procedure today. I wonder which Director of Bureau would have to come to this Council by then, which may probably depend on the urgency of the subsidiary legislation. The Director of Bureau concerned would have to again propose a motion under Rule 91 of the RoP to suspend Rule 18(1) in order for the subsidiary legislation to be tabled at the Legislative Council.

Why is this situation undesirable? Where is there a complete lack of trust between Members and the Government, and as the adjournment debate on the Bill is still ongoing, which means that it has yet been completed and remains the last of the bills, some Members would think that the deliberations on other items on the Agenda should not be completed too quickly because if it comes to the Bill's turn for examination, what should we do? Although the Government said that it would not pursue the Bill and that it would not be further dealt with in the current-term Government, it is still necessary to be cautious. What if it comes to the Bill's turn then? Members said, "Do not worry. Let us work slowly, and let us examine the bills one by one slowly. This way, it should not come to the Bill's turn even in mid-July."

President, this is undesirable. In order to utilize time smoothly in this Council, we should examine the less controversial bills efficiently. Owing to this "vegetable" being stuck in the middle, some Members feel inhibited from examining the bills smoothly and obligated to slow down the deliberation work, which would in turn reduce the number of completed bills. This is a kind of

loss. Because as we all know, for bills scrutinized by Bills Committees but the Second Reading debate of which cannot resume this year, or even if the Second Reading debate can resume but if they cannot be read the Third time, these bills will go back to square one as if they have never be introduced before. They will have to be examined all over again in October after Members of the new term of the Legislative Council have assumed office. This is the outcome of the Government's belligerence.

So, I have heard other Policy Bureaux — I will not be so bad as to name them — say that this Bill should go to hell as soon as possible, and that it should go as far away as possible, for God's sake. But it is not dead yet; it is still in the middle of the Agenda, posing obstruction. Secretary Gregory SO even told the public to remember us one by one. Now it turns out to be various government departments, Policy Bureaux and Directors of Bureaux remembering Secretary Gregory SO, for it is because this very Bill proposed by him is "not thoroughly dead" that Secretary Prof K C CHAN has to move a motion under Rule 91 today. Whenever a motion is proposed under Rule 91, Members will speak on it, and there will be 10 or eight Members speaking anyway. Next time another Director of Bureau will have to again propose a motion under Rule 91 for the purpose a piece of subsidiary legislation or a government motion. How can this Council use its time effectively?

So, I will pass the buck to the Government and let it think about how the adjournment debate on the Bill should be handled. When I proposed this motion, the pro-Government camp said that they could not support it. Mr TAM Yiu-chung said on television that I was messing things up by proposing this motion, whereas the Secretary was taking the overall situation into consideration when he proposed it. Such being the case, today, taking the overall situation into consideration, I will not mess up the Secretary's job here. I will not get in the way of his motion for suspending Rule 18(1) of the RoP under Rule 91. Having said that, this problem remains unresolved, for only the imminent problem has been solved.

Of course, the Secretary has played safe. Even if this meeting today will be aborted, his motion will stand, for he said that it applies to all future meetings. Thank you, President.

DR KWOK KA-KI (in Cantonese): President, we actually regret that Rule 91 of the Rules of Procedure (RoP) has to be invoked. In fact, we could have avoided invoking Rule 91, but the problem was perpetrated by the Government, especially when it was bent on having its own way in dealing with the Copyright (Amendment) Bill 2014 (the Bill). We still remember how Secretary Gregory SO acted like a shrew cursing in public in the Legislative Council some time ago. I believe that seeing it with their very eyes, many members of the public formed a low opinion of the Government.

Certainly, today Secretary Prof K C CHAN can say it has nothing to do with him, since he is only responsible for managing the financial affairs and he has only come here to seek funding. However, we regard the Government as a team. As a matter of fact, Gregory SO is not the only person who uses verbal coercion to affect the operation of the Council. Just now a Member already stated that discussions about the Bill had affected not only Hong Kong's creative industry but also its economic development. The next one who resorted to verbal coercion was Anthony CHEUNG, who claimed that if the Legislative Council delayed any longer, the Eastern Harbour Crossing would be unable to collect tolls, and then the traffic in Hong Kong would be plunged into great chaos. Even his younger brother Stephen CHEUNG, the President of The Hong Kong Institute of Education (HKIEd), showed up and remarked in public that if the debate over the Bill continued in the Legislative Council, the HKIEd would be unable to become a degree-awarding institute this year, thus causing its students to be unable to obtain degrees from the institute as a university this year.

As we can see, the Government's approach is to exercise all of its power to the fullest. With power in its hand, the Government will use it to the fullest with a terrible attitude. I am not referring to Secretary Prof K C CHAN. He is not too controversial. He is responsible for financial affairs. The worst thing he did is merely resorting to sneaky and covert methods such as issuing bonds and ceasing to distribute dividends in dealing with the third runway, thus bypassing the Legislative Council. Such matters cannot be handled at this Council meeting.

Nevertheless, what matters most is how we view the present approach of invoking Rule 91. Should we support or oppose it? In fact, sometimes I cannot make up my mind because if the Government wishes to invoke Rule 91, it will say loudly with a tone of righteousness that the Government will run out of funds if it is not allowed to invoke Rule 91 to rearrange the order of items on the Agenda. On the contrary, if Members request to invoke Rule 91 to suspend

controversial items or bills, not only will the Government refuse flatly, it will also speak harshly and even adopt certain tactics to smear Members who have devoted conscientious efforts to the debates of the bills, especially the Bill. Such an attitude and approach will only push the relationship between the executive and the legislature to an even lower point. Of course, the relationship between the Legislative Council and the current-term Government has never been good. President, I remember you and the Chairman of our House Committee will hold a press conference at the end of each year and comment on the relationship between the executive and the legislature. I wonder what you can say in recent years. Seeing such a lousy situation, such unbearably awful relationship between the executive and the legislature or the Government's way of working, what can you say? What relationship can you talk about? What co-operation can you speak of?

Of course, the Vote on Account Resolution is like a knife which Members can hardly parry because the Government now needs \$90 billion funding, and if it cannot be passed by 1 April, it will be unable to pay wages and a lot of services will have to be suspended. We do not wish to see that. However, seeing the consequences today, does it regret what it did before? The Government had many opportunities, but it gave them up one after another. It had many opportunities to discuss the issues, including new amendments, with the stakeholders. As we can see, eventually, Members of the democratic camp were even willing to concede and bring up some half-baked options proposed by Secretary Gregory SO before, but it still did not work. Although he has proposed these options before, he says now he cannot discuss them with us any more.

If the Government continues to treat the Council with such an attitude, even if the motion under Rule 91 is passed today, it is still meaningless because every bill is open to argument. We and the Government will have different views on each bill, and it should not be discussed at a Council meeting in the first place. Prior discussions can be held in a number of ways. However, the Government always ignores us. As long as it can secure enough votes, it will do nothing more. As we all know, with the votes of the pro-Government camp and the pro-establishment camp in the Legislative Council, the Government will always be the winner. Yet this is meaningless. Can a bill be passed? Will the public be convinced? Fortunately, this Bill — I mean the Copyright (Amendment) Bill 2014 — has not passed yet. Otherwise, I believe, it will cause an even greater split and worse chaos, resulting in a complete loss of public

confidence in the Government. The Legislative Council has duly played its role, causing this Bill, commonly known as "Internet Article 23", to be temporarily shelved.

Now the Government claims that it will not revisit the Bill again within the current term. Actually this is not a good attitude at all. Certainly, this issue is indeed intractable. In fact, we also wish to pass this Bill, but the Government must listen to the views on the relevant amendments. However, the Government did not only refrain from arranging for a joint discussion among the several stakeholders with different opinions, it even washed its hands of the matter. The copyright owners said they did not agree. What should be done? Just let them be. The Government held that if they were unwilling to have any discussion, there was no point in saying anything. As we all know, had the Government been willing to exert its best, the situation could have turned for the better, but the Government adopted a resigned attitude and did not bother to do anything at all. Consequently, the situation got out of hand, and the Bill which we had spent a lot of time discussing became stillborn.

Now there is no other option but to invoke Rule 91 because apart from this, the Government has no other tricks. Most importantly, however, if the Government considers that Rule 91 should not be invoked casually, why did it act as the initiator itself to ruin the smooth Agenda and conduct of proceedings and arbitrarily invoke Rule 91? If the Government is actually very willing to invoke Rule 91, then why did it oppose our setting up of a select committee earlier, reluctant to adopt many other possible methods to bring people with different views, views which can be described as being poles apart closer together?

If we regard the Government as a team, this team is really outrageous and disappointing because it is unlikely for Gregory SO not to know that now Secretary Prof K C CHAN needs to deal with the Vote on Account Resolution. If he works conscientiously, he should also know that the Government has a large number of outstanding bills, including the bills relating to the Eastern Harbour Crossing and the retitling of the HKIEd as a university. The other Directors of Bureaux should also advise him, "Gregory SO, working in such a way cannot solve the problem. You had better sit down together for a discussion." Now a wide gap has appeared between us. If we can sit down for a discussion and reach a consensus, actually the Government will emerge the winner gaining a full victory. Not only can it have the Bill passed in the Council, it will even steal all the limelight of the democratic camp. The Government could have done that.

Had the Secretary really worked wholeheartedly in the first place rather than exercising his power to the fullest, putting on bureaucratic airs time and again, and still rebuking Members like a shrew cursing in public at the last moment, there would have been no need to invoke Rule 91 today.

This Government really sucks. This team has crumbled completely with the poor performance of these so-called accountable Directors of Bureaux. The whole Government has broken faith with all members of the public. Yesterday, a group of undergraduates of the University of Hong Kong expressed their views in *Undergrad*, demanding independence. Some adults certainly kept lashing out at them. For instance, LAU Siu-kai and many members of the pro-Government parties and groupings have rebuked them. However, seeing the present political situation in Hong Kong, watching LEUNG Chun-ying and his team, noting all the Directors of Bureaux, such as Gregory SO, work in such a way, and noting how Eddie NG replied to us just now about the situation of students committing suicide, how will they have confidence? How will they not demand independence?

Being adults, we can absolutely scold these young people with a patriarchal manner, but from their angle, what they see is an ineffective Government which has broken faith with the people and an ineffective legislature dominated by Members of functional constituencies and the pro-establishment camp. Anything can be passed here. Apart from using every method allowed by the RoP to request the Government to change its mind, actually there is nothing we can do. Be it at the Finance Committee meetings or the Council meetings, anything can be passed. This constitutional system is ill-designed. Under such circumstances, the Government already possesses plenty of power, including executive power and financial power. Even on the legislative front, it can readily get sufficient votes simply by wooing that bunch of people. Despite this, the Government has not adopted a more reasonable and humble attitude in dealing with matters. It even tries to force its way, slam people and exercise its power to the fullest. In this way, it has forced society into a continual split.

Today, someone even said that we should commend the police officers. Actually this is not unjustifiable because some police officers have borne the consequences of LEUNG Chun-ying's deeds — to put it bluntly, the mess he left behind — and got injured during the confrontations. The Government should commend them, but why did the Government not look at the root cause of the incident carefully? As we have observed in the Council, whether it be the Bill, funding for the Express Rail Link or funding for the Hong Kong-Zhuhai-Macao

Bridge, the Government has exercised all its power to force it through with total disregard for other people, suppressing opponents and opposition views by all means and resorting to every dirty trick to bulldoze it through the approval. The Government has even conversely said that since funding is needed and problems have arisen now, it had better come back to this Council to request passage of the motion under Rule 91 for discussion of the funding. When the Government wants the Council to do it a favour, it can work in this way. Of course, this Vote on Account Resolution can be likened to a hostage because if we do not approve the funds on account, members of the public may suffer even more. We do not wish to see that. Yet the Government has degenerated to such a state that it will exploit every channel to the fullest in the end. It will not cry until it sees the coffin. On each occasion, it will play every trick and cross every line, then say "sorry" and ask us to provide room for the Government to invoke Rule 91 to insert an item into the Agenda.

I hope the Government will refrain from holding such an attitude. Even if the Government succeeds in getting the passage of the motion under Rule 91 this time, what then? What about the following bills? With such a poor relationship between the executive and the legislature, the confrontation and division between the Government and Members remain unchanged. As regards public confidence in the Government, we can look at the opinion surveys which have been conducted all along. The popularity ratings of LEUNG Chun-ying and those officials with bureaucratic airs, including Carrie LAM, have been falling. Certainly, the popularity rating of John TSANG, the Secretary's supervisor, is better. The rating of the Secretary may thus be better because they are in the same boat. However, it is still useless. It will not increase people's confidence in this Government. Neither will it enable the Government (*The buzzer sounded*) ... to use such methods to amend the RoP wilfully without restraint.

PRESIDENT (in Cantonese): Dr KWOK, your speaking time is up.

MR WONG YUK-MAN (in Cantonese): President, Secretary Prof K C CHAN needs not worry as only 10-odd Members now remain in the Chamber. President, had "689" not tried to forcibly bulldoze through the "Internet Article 23" about which a consensus had not been reached in the community, thereby resulting in the Legislative Council wasting three months that should otherwise be used for holding meetings, thus missing the golden opportunity of

examining other motions and bills involving people's livelihood, the Government would not have to worry today that the Vote on Account Resolution could not be passed in time, begging worries about the emergence of a so-called fiscal cliff when the new fiscal year commences on 1 April, thus necessitating the suspension of Rule 18(1) of the Rules of Procedure (RoP) to accord priority to dealing with the relevant Resolution.

In the past two years, for instance, two Vote on Account Resolutions were moved separately on 18 March 2013 and 19 March 2014, which were very close to today. In other words, there is still ample time before the deadline, so to speak. Nevertheless, the earlier introduction of the "Internet Article 23" resulted in a huge backlog of bills pending disposal, hence, the Secretary cannot but invoke Rule 91 of the RoP. Actually, the Government has only itself to blame for today's situation. Despite the requirements stipulated in Rule 91 of the RoP, the Administration has the power to reshuffle the Agenda, and the President will definitely proactively co-operate with it. Had the Government agreed to the adjournment motion proposed by Mr CHAN Chi-chuen at the last meeting, as well as the withdrawal of other bills, the Legislative Council could have completed the examination of the Vote on Account Resolution without wasting time on this debate on suspension of the relevant rule. In that case, two days spent on meetings could have been saved. In this connection, the opinionated "689" should take all the blame.

I do not know if the President has noted that the spreading of rumours during the sessions of by the National People's Congress and the National Committee of the Chinese People's Political Consultative Conference about the Chief Executive candidates for the next term appeared to have touched a nerve of "689". This explains why before an Executive Council meeting a few days ago, "689" made a U-turn and said to the media to this effect, "There is only 13 weeks to go before the end of the current-term Legislative Council. According to the progress of previous years, half of these 13 weeks will be devoted to examining the Budget, whereas the remaining seven weeks will be spent on dealing with 13 bills. Moreover, approximately 50 other items are pending scrutiny by the Finance Committee and the Public Works Subcommittee of the Legislative Council. Hence, the Government will bring forward key items related to people's livelihood for the sake of the public's well-being. It is also hoped that the Legislative Council can expeditiously examine these urgent items and proactively respond to the Government's suggestions." Do Members find the tone of these remarks made by "689" less blunt than before? Maybe he smelt a rat somewhere and knew that his days were numbered, right? In fact, the Hong

Kong communist regime used to adopt the negotiation strategy of according priority to dealing with livelihood-related items and suspending relatively controversial bills, with a view to seeking common grounds while preserving differences. This is also the long-standing stance of the pan-democrats.

Nevertheless, over the past four years or so, the combative "LEUNG Chun-ying the Bandit" has all along adopted an uncompromising stance, relying on the unjust functional constituency mechanism to impose hegemony in the Legislative Council. Meanwhile, since the pro-establishment camp holds many votes, he turns a blind eye to the opposition voiced in the community. Not only does he treat the public as his enemies, thereby intensifying the conflicts between the executive and the legislature, but he also blames Members' filibusters for the blunders in administration, criticizing filibustering as the Legislative Council's only means of struggle for delaying motions that are beneficial to the people's livelihood and affecting the administration of the Government, with a view to achieving his purpose of polarizing society — I believe Mr WONG Kwok-hing will make similar comments later on, too. As regards the \$19 billion funding supported by the pro-establishment camp, I would like to ask Mr WONG Kwok-hing to calculate how many cans of food or beds can be provided with this funding. I will not debate these issues with him because we are on a higher level, right?

With the approach of elections, some overcautious pan-democrat Members are reluctant to actively participate in filibusters protesting against the Government's draconian laws for fear of affecting the elections. This is very much like the situation we encountered while staging filibusters in 2012. Under such circumstances, even though the pan-democrats are supported by more than half of the electors, they are still led by the nose by the Government. Today, they will definitely allow the Vote on Account Resolution to be passed because they do not want to be named sinners, but still I will vote against it. Prof K C CHAN, it is not that the Vote on Account Resolution has never been vetoed before.

At that time, the Government had its own strategy in dealing with the filibusters staged in the Legislative Council. Perhaps "689" believed the pan-democrats would thus lose more and more support from the centre voters, thereby benefiting the pro-establishment camp. This is why the Government had never said anything like putting livelihood-related motions before others or reshuffling the Agenda items for the public's well being, as "689" said two days ago, because it had a well-conceived plan.

Nevertheless, as the Chinese saying goes, "Things revert back to their opposite when they reach the extreme". The peremptory and obstinate style of "689" has, on the contrary, torn society further apart. Moreover, this gives radical localists an opportunity to rise. Following the incident that occurred in Mong Kok on the first day of the Lunar New Year, the outcome of the Legislative Council By-election (New Territories East) has once again affirmed the irresistible force of localism. Despite being attacked by the pro-establishment camp and the pan-democrats on both sides, Edward LEUNG Tin-kei, who was arrested for riot, still managed to win 66 000 votes, or more than 15% of the total number of votes cast in the polls. I believe even Beijing was caught by surprise. Meanwhile, the emergence of three forces has gradually taken shape. If the Government, as it did in the past, does nothing but pins its hopes on the fluctuation of power of the traditional pan-democrats and the pro-establishment camp, and should more than five radical localists win in the election to be held in September, it can be envisaged that the pro-establishment camp will lose at least two seats in the upcoming geographical elections. In that case, the Legislative Council will definitely be turned upside down.

These were the three key points I raised in my manifesto when I stood for the election in 2008: First, to topple the parliamentary culture; second, to upgrade the standard of conducting business; and third, to strengthen the monitoring of the Government. Over the past eight years, I have more than accomplished my mission. Nevertheless, the old generation is being replaced by the new, which is even better and more radical. President, your good self are indeed fortunate to have decided not to stand in the election to be held in September this year. It can be predicted that the Legislative Council will definitely face more tremendous changes than when it was under your presidency.

Furthermore, Members are in a quandary due to the disorderly procedures of the Legislative Council meetings. Under Rule 91 of the RoP, "A motion which has the object or effect of suspending a Rule shall not be moved except after notice or with the consent of the President." Nevertheless, this rule has been invoked by the Administration this time around to suspend Rule 18(1) of the RoP which reads, "The business of each meeting other than a meeting under Rule 8 (Attendance of the Chief Executive) or Rule 13 (The Chief Executive's Policy Address), or the first meeting of a term or a meeting to elect the President shall be transacted in the following order". I would like to highlight the order of Rules 18(1)(i), (j) and (ja), including (i) Government bills; (j) Government

motions other than those specified in paragraph (ja); and (ja) Government motions on subsidiary legislation and other instruments made under an Ordinance.

Obviously, according to the literal interpretation of Rules 91 and 18(1) of the RoP, even if Rule 91 is invoked to suspend Rule 18, the Government can still, by virtue of Rule 18(1)(j), place Government motions before Government bills introduced in accordance with Rule 18(1)(i). However, can the Government rearrange the order of the motions on its own? I am doubtful about it, President.

Originally, the proposed resolution under the Road Traffic Ordinance, the two proposed resolutions under the Public Bus Services Ordinance and the two proposed resolutions under the Mutual Legal Assistance in Criminal Matters Ordinance were put before the Vote on Account Resolution. Although these five proposed resolutions were already put on the Agenda on 2 March, the Administration has merely placed the Vote on Account Resolution among the resolutions before the various bills without paying any more attention to these five resolutions. Does Rule 91 of the RoP really give the Government the power to do so?

Actually, the Vote on Account Resolution is not necessarily as important as what the Government described since a motion on the Vote on Account Resolution was once vetoed in 2011. If the pro-establishment Members considered the motion so important, they would not have failed to attend the meeting and cast their votes. Since the political climate back then was less polarized than it is today, the pan-democrat Members still had the courage to derail the motion and thus cast dissenting votes. Otherwise, how could the motion have been vetoed? Even the Secretary, who has been serving in the Government for many years, is aware that all Members would usually regard the debate on the Vote on Account Resolution as a routine ritual, and the number of speakers was relatively small. Although Members were given 15 minutes to speak, they would not have any views because they would wait until the Budget debate to express their views.

Early this month, the Government ceased pursuing the "Internet Article 23". Despite the limited scope provided under the RoP, so long as the pan-democrat Members dared pluck up the courage to make the best use of the RoP and spend time on speaking in a comprehensive manner and forthright resistance, the Government could hardly have its way in the Legislative Council. Hence, we have recently seen the pan-democrat Members make a law only to fall

foul of it themselves. As a result, they can now be ejected from the Chamber easily. I am disheartened to see them endorse amendments of the RoP. Nonetheless, they are now behaving like us by coming out in resistance. Although they have not gone so far as to climb onto the table, someone might do so in the future. What is more, scenes of fight might even occur. Nevertheless, such scenes should not occur in the coming months because the election is around the corner. Honestly, how could the Government have had its way had these Members behaved in this manner earlier?

Although the examination of the adjournment motion proposed by Mr CHAN Chi-chuen two weeks ago remains standing over, the Government jumped the queue this week by invoking Rule 91 of the RoP to place the Vote on Account Resolution at the top of the Agenda. In other words, after examining the Vote on Account Resolution, this Council will also examine other bills on the agenda, whereas the Bill has been arranged by the Government to be placed at the very end. Meanwhile, the Legislative Council Secretariat has also placed the adjournment motion, the examination of which has yet to be completed, as well as the Bill at the very end. I really find this approach incomprehensible. Even if the Government hopes to place the Bill at the very end, the examination of the adjournment motion should be completed before the position of the Bill can be reshuffled. How can we allow the motion, the examination of which has not yet completed, to disappear? Nevertheless, no one is talking about this now.

The Administration is now judging which motions are more important on the basis of its feelings and then reshuffling the Agenda of the Legislative Council under the RoP. Actually, Members also have the power to do the same, right? In my opinion, Members' motions are more important, including these motions which will not have a chance to be debated during this Session: According to the motion moved by me, "That this Council appoints a select committee to inquire into the clashes between the Police and members of the public in Mong Kok from the night of 8 February to the early morning of 9 February 2016 which caused injuries to many people, and other related matters." As this motion is considered by me to be the most important, can I jump the queue since the Government is allowed to do so? According to the motion moved by Mr Tommy CHEUNG, "That this Council requests the Government to actively study the establishment of a middle class commission." Although the middle class accounts for the largest share of Hong Kong's population, it has become the sandwich class in recent years. If it is dissatisfied

with the Government, the latter will encounter difficulties in administration. So, is this motion important? The answer is certainly in the affirmative. Is the motion moved by Mr YIU Si-wing on "reconstructing the image of Hong Kong's tourism industry" important, too? It is said that with the rapid decline in the number of Mainland visitors coming to Hong Kong this month, rents are likely to fall. In addition, the restructuring of the tourism industry has provided good opportunities to attract visitors from different countries. Hence, the Government and Members ought to debate properly ways to lure visitors from around the world. Such being the case, is this motion important? Likewise, the answer is extremely important. Is the motion moved by Ms Claudia MO "That this Council do now adjourn for the purpose of debating the following issue: the successive 'forced disappearance' of the shareholders and managers of Causeway Bay Books" important? The people of Hong Kong are concerned about the disappearance of "a high degree of autonomy" and "one country, two systems". They have also lost confidence in Hong Kong because of the occurrence of incidents involving disappearances and "forced disappearances" in Hong Kong.

In my opinion, the aforesaid four motions are not less important than the Vote on Account Resolution. So, should I learn from the Government and reshuffle the Agenda of the Legislative Council meetings in accordance with the RoP, so that the Members' motions considered to be more important by me can be discussed before others?

With these remarks, I oppose the motion.

MR LEE CHEUK-YAN (in Cantonese): President, the main motive for proposing this motion now is to give a higher priority to the funds on account in a way tantamount to queue-jumping or overtaking, because if the funds on account are not approved, no salaries will be paid and no money will be available for operation from 1 April onwards.

How exactly has the incident ended up in the current situation, where Rule 91 of the Rules of Procedure (RoP) is invoked to suspend Rule 18(1) so that the Vote on Account Resolution can "jump the queue" and the other seven Agenda items, including the Copyright (Amendment) Bill 2014 (the Bill), are postponed? Notably, many Members said earlier, "Knowing the situation today, one should not have started it in the first place". Many people say so. Indeed, to my understanding, the current mentality of "689" or the Government is that

even if they had foreseen today's situation, they would have done the same. Even so, they would have forcibly introduced "Internet Article 23" to carry on the fight against us, because the Administration of "689" now adopts a belligerent philosophy and indulges in instigating fights.

Their notion was nothing but a very simple one: they insisted on submitting the Bill in the first week of December to test our coping ability and carry on the fight against us. They accepted none of the amendments proposed by us pan-democrats, and then forcibly bulldozed "Internet Article 23" through the Council, anticipating that we could not soldier on for long, but in the event, we rode it out. Anyway, they have won, because they always proclaim themselves victorious.

Even though we have ridden it out, we have employed many methods to hopefully secure opportunities to force the Government into accepting the pan-democrats' amendments. Such methods include the abortion of meetings: we stayed outside the Chamber to, conversely, watch for how long the pro-establishment camp could soldier on; we asked quality questions about governance; we spoke as much as possible on whatever amendments; we exhausted all methods to secure more opportunities to solve the problems, in the hope that Gregory SO would accept our amendments; we even resorted to combining three amendments into one — Gregory SO himself had in fact proposed a similar amendment — hoping for a win-win situation, but eventually he rejected it. Frankly, from beginning to end, he has acted neither for the so-called Bill nor purportedly in the interest of copyright owners in Hong Kong. As we are acting in the interest of netizens, we wish to strike a balance. President, his ultimate goal is indeed nothing but to instigate fights.

He thought we could not soldier on for long, but in the event, we managed to for so long, so he came up with another idea instead: given that we had managed to soldier on for so long, he uttered the last sentence, "Remember them one by one", and then regarded each of us as the arch-enemy who killed ZHANG Wuji's father and asked members of the public to remember us. If this is not instigation of fights, what is it then? All along, they have been insincere. They just wanted to say that sentence: "Remember them one by one". Gregory SO has said it. Very delighted, isn't he? Having fulfilled his "assignment" for "689", he has got things done, but now he feels gloomy. Having fulfilled the "assignment" and told "689" he had said that sentence of asking members of the public to remember us, he has come back now. How can he resolve the stalemate now? With the Vote on Account Resolution coming up, he eventually hinted of giving up.

Honestly, giving up is very ugly. He insisted on moving the motion on Friday, not earlier. Had he moved the motion at the beginning of the meeting on Wednesday, the case would have been resolved, but at that time he did not want to move it until Friday. Mr CHAN Chi-chuen moved the motion before him, but then he was reluctant to give way to Mr CHAN Chi-chuen's motion — in fact it was exactly the same as their motion; Mr CHAN Chi-chuen also proposed an adjournment, exactly the same as theirs — but he insisted on not letting Mr CHAN Chi-chuen's be passed and that the motion must be moved my Gregory SO. Well, it has ended up in a mess now. Indeed, the debate on the Bill should have been resumed today. He could have actually done one thing all the same. I do not understand why he has not. Anyway, it is instigation of fights again.

In fact, had the debate been resumed today, we could have proceeded to the voting, because we were about to finish our speeches and had almost nothing more to say. If Mr CHAN Chi-chuen's motion was put to vote first, and then if it was clearly stated that the Bill would not be placed on the Agenda again in future, then the case would have been settled. Of course, he still has to invoke Rule 91 to bring forward the Vote on Account Resolution, but at least the Bill will not be included here. Why did you not do it this way, KC? Why is Gregory SO reluctant to let the Bill come to a clear-cut end, once and for all? It is now "dangling in the air", quoting a remark once made by Henry TANG here. The entire Copyright Bill is now "dangling in the air" right here.

Earlier on, Mr CHAN Chi-chuen mentioned "vegetative" yes, "vegetable", but the tube has yet to be removed and remains "dangling in the air" here. What will be the consequence? Following the current Vote on Account Resolution, there will be seven bills to deal with. When the seven bills are disposed of and it is the turn for the Bill at last, should he submit other bills and invoke Rule 91 again? How many times does he want to invoke Rule 91? There will be no end to this Rule 91 thing. Why do they not handle it in a neat and manner? From the perspective of time, it will not take much time to be neat and tidy, because when Mr CHAN Chi-chuen moved an adjournment motion last time, the speeches were almost finished, and there was only one round of debate before the motion could be put to the vote. As it could already be put to the vote, we could simply vote on it and support it to finish off the saga, but they did not do so. Instead, they have invoked Rule 91 now. After finishing other bills, they have to invoke Rule 91 again.

Of course, he may argue that what he has expressed here and now is that if the Vote on Account Resolution cannot be considered today, it will be considered again in future, and will also "apply to any subsequent meeting or meetings in which this motion on the Vote on Account Resolution is put on the Agenda of the Legislative Council meeting". In other words, even if it cannot be considered today, the Vote on Account Resolution will always be given top priority, but the question renames: even if the current Vote on Account Resolution succeeds in queue-jumping today, but other bills will follow in the same manner until it is the turn for the Bill again, and the order has to be reshuffled again, then why take all the trouble? Why do they not work out a clear-cut solution to the Bill? Therefore, it is once again, and as always, nothing but instigation of fights for a point of honour. They did not let the amendment moved by Mr CHAN Chi-chuen be passed but asked Members to pass the one moved by Gregory SO as soon as possible. It is just for this point of honour. Why take the trouble? Why take the trouble for a point of honour? After all, which is more important, a point of honour or the interest of the Hong Kong public? President, we are therefore very dissatisfied that the Bill remains "dangling in the air".

Secondly, I wish to point out that LEUNG Chun-ying seems to have made a sudden "U-turn" now. After the Executive Council meeting, he came out to say that livelihood issues should be given priority now and he would like to discuss with the Council which issues should be accorded priority. Giving priority to livelihood issues in the discussion is what we have been advocating since long ago. When funding approvals for the Hong Kong-Zhuhai-Macao Bridge (HZMB) and the Express Rail Link (XRL) were sought from the Finance Committee, we proposed at every meeting that the Government should give priority to livelihood-related issues. During the discussion of the Bill, we also proposed to preferably set up a select committee to deal with it, so that other bills can be discussed first.

In fact, we have repeatedly proposed to bring forward the Agenda items on livelihood issues. Now that he has heavily defeated us by forcibly bulldozed through the funding for the XRL and the HZMB, but the Bill cannot be forcibly bulldozed through this Council in the same manner, he claims to have decided to give priority to livelihood issues. Is he not too hypocritical and unctuous? In fact, on some very controversial issues, they have forcibly passed the motions, namely by Mr CHAN Kam-lam in his forcible manner. After forcibly passing

the motions, and forcibly having the things done, they now say that livelihood issues should be addressed first. Why did the Government not give priority to livelihood issues and address them properly instead of becoming a copycat now?

I remember clearly that every time when we requested an adjournment at a Finance Committee meeting, all of us requested the Government to give priority to livelihood issues. Now, having beaten us up, the Government has turned into a copycat, saying that priority should be given to livelihood issues. Is this not too unctuous? It is again an instigation of fights indeed. The fights are over. Members of the public have been ripped off for \$20 billion and \$5-odd billion to meet the cost overruns of the XRL and the HZMB respectively. After beating them up, the Government now says that it will not beat anybody anymore and we might as well work together for the betterment of livelihood. I think this approach is utterly outrageous. LEUNG Chun-ying is so hypocritical. I hope the Government is not so hypocritical and unctuous as to say that it wishes to focus on livelihood. We have always said that livelihood should be given priority over the Government's fights for a point of honour, but the Government has been reluctant to do so.

Let us come back to the current motion on invoking Rule 91 of the RoP to suspend the Rule 18(1). In fact, we can do some counting. How much time have we spent exactly to end up in the current situation? For the Bill, we have spent so many weeks, from the first week of December to March. If the Government had, right from the outset, postponed the controversial items to the end of the Agenda and given priority to livelihood issues, many bills would have been passed, but the Government did not do so, but instead insisted on instigating fights till the end. After realizing that there was no way to win, it vented its emotions by berating us and asking members of the public to remember us one by one. Then it came back here and we might as well work on the funds on account first. I think much of the Council's meeting time has been wasted this way. Certainly, the pro-establishment camp will say that the pan-democrats, instead of the Government, are wasting the meeting time, but let us think about this question: What are we doing here? We are not like Members of the pro-establishment camp, who act like hand-raising machines here. They raised hands in favour of the motion and then raised hands again when asked if they were against it. Even hand-raising machines were somewhat out of order. Unlike the pro-establishment camp or pro-Government camp, who act as hand-raising machines here, we strive to protect public freedoms here.

Therefore, given that "Internet Article 23" criminalizes conventional and electronic transmissions, making it easy for innocent members of the public to be caught by the law, we endeavour to perfect the amendments, with a view to protecting public freedoms. We must safeguard this position. We will exert our best, and in fact we have done so. This position is arguably secured for the time being. However, actually we hope to complete the amendment exercise and create a win-win situation, but the Government is unwilling to see that happen. Even in that case, we still safeguard it in preparation for the Government's next attempt, and hope that the next time the Government submits the Bill again, it will sincerely listen to the amendments requested by netizens and pan-democrats, thus creating a win-win situation. Unfortunately, this is obviously not the case today. Today, the Government is still instigating fights. It has resignedly invoked Rule 91 to reshuffle the Agenda stems. I hope that when Secretary K C CHAN reply later, he will also explain what exactly the Government wishes to do with the Bill, which is now "dangling in the air". Is it necessary to invoke Rule 91 endlessly? We do not wish to see Rule 91 being invoked endlessly. We hope that they can promptly shelve the Bill as they originally said, instead of invoking Rule 91 at every meeting. Thank you, President.

MR WONG KWOK-HING (in Cantonese): President, I support the Government which is compelled to invoke Rule 91 of the Rules of Procedure (RoP) to change the order of business on the Agenda for the interests of the Hong Kong general public in response to the full-scale filibusters staged by the opposition camp and the "pro-sponsor party" in the Legislative Council, which have caused incessant disruption to the order of the Council.

I wish to present these four phrases to Prof KC CHAN: "to size up the situation, bear the big picture in mind, swallow the humiliation for the heavy responsibility and change the order of business". I believe the Secretary and the Government are left with no choice but to make such a move today, because if the Government does not invoke Rule 91 of the RoP to reshuffle the order of items on the Agenda, public funds still available in the transitional period will be exhausted at the end of the month. After 1 April, civil servants will not be paid their salaries; the underprivileged benefitting from social security allowances, including recipients of the Old Age Allowance, Old Age Living Allowance, Disability Allowance and Comprehensive Social Security Allowance, will all not receive their monthly payments; and all government services, including healthcare, hygiene, education, and so on, will come to a complete halt.

At such a critical juncture of a fiscal cliff, the Government has no choice but to take such an inadvisable action. Facing the adversity of full-scale filibusters and anti-Government sentiments in the Legislative Council, the Secretary is doing this out of protecting people's interests and taking into account the big picture. Even though all the Members from the opposition camp put the blame of such a situation totally on the Government and LEUNG Chun-ying, the Government keeps discharging its duties despite insults. I think the Government has made a correct move which I support.

President, on this platform I must point out that the behaviour of the opposition Members can be likened to a thief crying "thief", one of simply shifting the blame to someone else. As an elected Member, I feel obliged to respond to such a nonsensical accusation and irresponsible notion of shirking responsibilities, otherwise I would fail my duty as an elected Member.

President, Dr KWOK Ka-ki said the Government has "exploited its powers to the fullest extent". Is it the case? Or have Members abused their own powers and abused powers conferred by the RoP of the Legislative Council? Are they the ones who are "exploiting their powers to the fullest extent"? I hope the public will give it some thought.

Mr CHAN Chi-chuen said Gregory SO was at fault for not pursuing the Copyright (Amendment) Bill 2014 (the Bill). The 10-year-old Bill has been scrutinized by the Legislative Council for 16 months. During the scrutiny by the Bills Committee, members did not have adverse opinions and so the Bills Committee reached a consensus to introduce the Bill into the Legislative Council. Who dubbed the Bill the "Internet Article 23" — the sword of Damocles — and proposed amendments and started the filibusters eventually?

Mr LEE Cheuk-yan stated just now that LEUNG "689" Chun-ying's philosophy of struggle is to pick lights with them. Honestly, I hope all the people of Hong Kong can think about who has been the one waging a struggle? At the beginning of this term of the Legislative Council in 2012, LEUNG Chun-ying was yet to assume office, they already demanded him to step down. During the several years of this term with this year being the last, they have proposed motions on nine occasions to topple LEUNG Chun-ying's Administration or demand him to step down, blocking the Government to make any move forward. It took three years to establish the Innovation and Technology Bureau. I hope all the people of Hong Kong would ask people around them to find out who is picking fights. Who is the instigator? Hence, I hope Mr LEE Cheuk-yan would stop framing other people, for we are not absent-minded.

As for Mr WONG Yuk-man's remarks, actually he just kept repeating himself, like a recorder replaying non-stop the Kuomintang's anti-communist party line. I will reserve some time to respond to him later. What he said was nothing new, just the same old anti-communist party line of the Kuomintang. That is all.

I have just heard Members of the opposition camp say that the changes made to the Agenda are a product of struggles instigated by Government, for the reason that the Bill proposed by Secretary Gregory SO has dragged on for such a long while, wasting a lot of time. Do they remember that the Bill has been discussed for 10 years and how many meetings were held just in this session? Do they remember Secretary SO has clearly pointed out right in front of them that more than 60 hours out of some 90 hours of meeting time were wasted? A lot of time was used by the opposition Members to abuse their power of quorum calls, discounting the time spent on motions for adjournment of debate or proceedings. In over 90 hours, the time actually allowed for discussion was only some 20 hours. These are concrete facts which cannot be rewritten, all clearly put down in meeting minutes and even electronically.

I wish to tell the opposition Members that if they are to oppose the Government they ought to have some reasons and grounds. Stop treating us like we are stupid, blind or dumb. They have completely forgotten how we have been "held hostage" in the past few months. Hence, I think while the opposition Members call themselves victims, they are actually the culprits. They put the blame on the Bill being the "Internet Article 23" and on Secretary Gregory SO's poor performances that he intentionally procrastinated and caused difficulties, not heeding Members' views and wasting the Council's time. I hope the general public will look at the reality fair and square and decide if it is really like what they claimed.

President, I am not going to talk about things that happened too far way back. Last Saturday, one day after the filibuster on the funding application for the Express Rail Link (XRL) was cut off at the Finance Committee, the meeting started at 9 am and was expected to end at 6 pm. Yet during eight hours of meeting, it was suspended eight times and the venue disrupted, rendering it completely impossible to continue. Items following the XRL application involve a provision of of \$12.8 billion for 7 000 ongoing projects and 1 000 new projects in the entire territory; and all of them affect people's livelihood. Do dangerous slopes need to be handled? Sewage, flooding, fresh water supply,

environment and hygiene, and roads and traffic — they all affect people living in the 18 districts in Hong Kong. These Members still would not stop filibustering, totally shutting down the meeting last Saturday which was scheduled to deal with the subsequent \$12.8 billion funding for 8 000 projects. It shows that the current situation is the result of the full-scale filibusters staged by the opposition Members, not because of Secretary Gregory SO and not because of the Bill being the so-called "Internet Article 23". Would they please not frame us.

It is true that Members do have different opinions, but they should vote for or against or abstain according to their own judgment, instead of making deliberations without making any decisions and wasting time. Such procrastination will create a serious "traffic jam" in the Council, making the Government unable to do what it is supposed to do and people suffer losses. Therefore, I hope Members of the opposition camp can cease such kinds of behaviour, as the general public is not stupid and will not be deceived by their attacks and smear of the Government. They have a pretty good idea.

They said we Members of the pro-establishment camp are pro-Government. Where is our master then? We serve the people, not any master. We are not voting machines but we exercise the rightful powers of Members in a rightful manner to do our job pragmatically. I consider them the "pro-sponsor party", who are loyal to their "dark money". They have proclaimed solemnly they are guardians of public interests, but I think they are selling out the interests of the people and workers.

Lastly, I have saved a few minutes to respond to Mr WONG Yuk-man's remarks on the anti-communist party line of Kuomintang. I must take this opportunity to give a response because he kept repeating the same old tunes. I feel I would have wronged myself should I not respond to him to set the record straight. He referred to the current political system, regime or the SAR Government as the "Hong Kong communist regime". It is a well-known fact that now the Communist Party of China (CPC) is the ruling party of the People's Republic of China ...

(Mr Albert CHAN stood up)

PRESIDENT (in Cantonese): Mr WONG, please pause for a while. Mr Albert CHAN, what is your point?

MR ALBERT CHAN (in Cantonese): President, when it comes to the "Hong Kong communist regime", we should invite more Members to come back and listen. I request a headcount.

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)

PRESIDENT (in Cantonese): Mr WONG Kwok-hing, please continue.

MR WONG KWOK-HING (in Cantonese): I thank Mr Albert CHAN for giving me a short break as I was the first Member in the Legislative Council who gave a direct response to Mr WONG Yuk-man's anti-communist stereotyped remarks. Mr WONG Yuk-man said it is a "Hong Kong communist regime" and also named LEUNG Chun-ying the Bandit. Do Members know that such name-calling indeed originates from the fact that the Kuomintang called leaders of the CPC communist bandits during the civil war?

I think Mr WONG Yuk-man is really out of the loop. There is no meaning in making this kind of remarks again. He is so out of the loop. He wanted to provoke anti-communist sentiments and spread anti-communist ideology with his remarks, yet in a dated manner. It is a well-known fact that today the CPC is the ruling party of the People's Republic of China and the Hong Kong Special Administrative Region upholds the Basic Law — the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China. This is beyond any doubt. If it is a "Hong Kong communist regime" as Mr WONG Yuk-man suggested, then he is part of the Legislative Council of the "Hong Kong communist regime". If he so disapproves of it, why did he try to win the election in every possible way to enter the Council? Therefore, he is applying double standards and tries to mislead people with some straw arguments.

President, nowadays the people of Hong Kong are not afraid of the communists. The entire population in China is not afraid of the communists. Instead the people of Hong Kong are most afraid of the "pro-sponsor party" in the Legislative Council because they have launched full-scale filibusters and squandered our hard-earned money, preventing us from getting any work done. We are most afraid of the "pro-sponsor party".

Mr WONG Yuk-man also mentioned "689". As a matter of fact, it was precisely the current LEUNG Chun-ying Administration which proposed the constitutional reform last year to achieve the goal of universal suffrage for election of the Chief Executive and then for the Legislative Council. However, given the opposition camp's opposition, the Chief Executive remains to be selected by the small-circle electoral system. Therefore, the opposition camp entirely applies double standards. Would they please take back such a name and stop saying "689", for they are themselves supporters of "689" (*The buzzer sounded*) ... I mean the electoral system.

PRESIDENT (in Cantonese): Mr WONG, your speaking time is up.

MS CYD HO (in Cantonese): President, one can hardly respond to those senseless remarks. Yet, I must clarify certain facts here. Just now, Mr WONG Kwok-hing said that the democratic camp had not expressed any strong views during the scrutiny of the Copyright (Amendment) Bill 2014 (the Bill) and that a consensus on the Bill had been reached. It is definitely untrue.

During the scrutiny of the Bill, the democratic camp had put forth and pursued three amendments all along. Yet Members from the pro-establishment camp had seldom attended the meetings and more often than not, Mr MA Fung-kwok had to fight his lone battle. Against this background, the three amendments on fair use, user-generated content and restricting contract override became the consensus of the Bills Committee at the time. Contradictorily, when the Bill was tabled at the meeting of the Legislative Council, those amendments, though proposed by Mr CHAN Kam-lam in his capacity as Chairman of the Bills Committee, could not secure support from the majority of Members.

Furthermore, there is another point concerning the rights of workers. Workers will use mobile phones, particularly when they are less versed in legal knowledge than the Chairman of the Hong Kong Bar Association, and they will

transmit some copyright infringement works from time to time. If the Bill is passed, they may be liable to civil liability or criminal prosecution because of such acts. It is incorrect to say that these workers may breach the law inadvertently, as they will definitely breach the law if the Bill is passed and it all depends on whether or not the copyright owners will pursue liability for their infringement acts. Hence, when we talk about protecting the rights of workers, it should include their rights to participate in cultural life. Only by doing so are we showing true concern for workers.

President, today's outcome is not the best ending. We have spent a lot of time in exchange for a chance to foster a consensus on the Bill. During the period, we have proposed motions on adjournment and a motion to commit the Bill to a select committee under Rule 55(1)(a) of the Rules of Procedure (RoP) in attempt to identify alternative channels for addressing the disputes concerning the Bill and release room for the Legislative Council to process other businesses. Unfortunately, we failed to win the support of Members from the pro-establishment camp and the Government in handling the disputes through these channels. Although the democratic camp has ultimately prevented the passage of a bill that fails to accord adequate protection to the public, it is not a desirable ending. For we hope that the Copyright Ordinance can be kept abreast of the times while the public can enjoy adequate protection.

In fact, this is the objective of not only the democratic camp, for Members of the pro-establishment camp have also made an effort to achieve this objective. For instance, Mr CHAN Kam-lam has done something which we can hardly achieve, that is, inviting government officials to attend the four-party meeting on the Bill. Regrettably, at the four-party meeting, despite the unanimous demand of Members from the leftist, moderate and rightist camps for Secretary Gregory SO to present the ultimate proposal, the Secretary refused to do so and a solution could not be reached. As for the amendment suggested by Secretary Gregory SO, which we were only allowed a minute or so to peruse roughly, Mr Dennis Kwok, Mr Charles Peter MOK and Mr Kenneth LEUNG had proposed amendments to that amendment, yet the Government still refused to accept those amendments. The present outcome is not the best, yet it is definitely not the worst.

Today, we support Secretary K C CHAN invoking Rule 91 of the RoP to suspend a rule concerning the order of business at a meeting to allow the Legislative Council to consider the Vote on Account Resolution before other items of business. Certainly, it is desirable that the motion can be passed. We

understand that for many expenses which have a significant bearing on many grassroots, such as the "fruit grant" or the Old Age Allowance, Comprehensive Social Security Allowance, expenses of the Hospital Authority, and so on, the Government can only decide whether or not to make continued payments in April depending on the passage of the Vote on Account Resolution. For this reason, we support the present course of action. However, we must say that the present procedure could have been avoided and a smoother approach could have been adopted in addressing the issue.

On 2 March, Secretary Gregory SO already said that if the Bill could not be passed at that sitting, the Government would stop pursuing the Bill. In that case, he should have invoked Rule 40(4) of the RoP to propose a motion to adjourn the Committee. Why did he not do so? In fact, any sensible person would have known that the Legislative Council could not have completed the debate on the Bill by 4 March when it was still discussing the amendments concerning restricting contract override on 2 March. Secretary Gregory SO had missed that opportunity. As for the reasons behind such a decision, we may come up with lots of surmise, yet we have no way to prove them. Since Secretary Gregory SO had not proposed that motion, Members could not but propose such a motion, and Mr CHAN Chi-chuen thus proposed a motion on adjournment. The outcome of the motion exactly proved this statement: Anything proposed by Members from the pan-democratic camp must be opposed. I think this is deliberate confrontation, and I do not wish to see this happening in the legislature. Certain approaches may provide a solution to a problem, yet because the approach is proposed by the pan-democratic camp, Members refuse to accept it and make a joint effort to achieve the target. Recently, certain government officials have suggested that representatives from various political parties and groupings can come together to discuss the order of Agenda items of meetings of the Legislative Council and the Finance Committee. We take exception to. We would rather discuss the issues separate from the pro-establishment camp, lest some reasonable proposals which Members hope to adopt at heart will be refused when the proposals are put forth by me or other Members from the pan-democratic camp at the meeting, thus ruining the whole incident. If that is the case, it is better to have separate discussions.

President, in fact, the present approach adopted by Secretary Gregory So or Secretary K C CHAN can only create an opportunity for the Vote on Account Resolution to be passed at this meeting, that is, on Wednesday, Thursday or Friday, yet it fails to address the mess that follows. Under the present approach

of the Government, the examination of the Bill by the Council is placed at the end of the list. Of course, the Government has stated openly that it will not resubmit the Bill and it will surely stop pursuing it, but is there mutual trust between us and the Government? No, there is no base of mutual trust. Some government officials have asked us if we really think that the Government is so untrustworthy, and our answer is "yes". Do government officials ever trust Members from the pan-democratic camp? They also say that Members from the pan-democratic camp cannot be trusted, for these Members will act another way when they turn away. Let me borrow a common saying in English, "The feeling is mutual", for mutual trust has been wrecked. There might be mutual trust in the past, but once it was wrecked, it would be extremely difficult to restore.

What is the mess to be left behind by the present approach? There are nine bills pending or in the process of resumption of Second Reading, yet the authorities have said that it will not resubmit the Bill and will stop pursuing it. I am afraid the private Member's Bill which is the last one on the list of the nine Bills will not be lucky enough to be submitted to the Legislative Council. Hence, the number of bills pending is only seven. On the other hand, 14 bills are now under the scrutiny of various Bills Committees. Together with the two bills to undergo First Reading at this meeting, the total number of Bills to be processed will be 23. Are there any bills on the list controversial? Yes. The Financial Institutions (Resolution) Bill is a case in point. The document concerning the Financial Institutions (Resolution) Bill is as thick almost two inches, and many technical details are involved, and we reckon that its scrutiny will not be completed within this term. As a matter of priority, the Government should shelve the Financial Institutions (Resolution) Bill to spare time for the legislature to scrutinize other Bills. This is a more desirable approach, and we can talk about it.

Apart from the 20-odd bills pending processing, the legislature still has to process some subsidiary legislation after the bills. Do we dare process these 20-odd bills speedily for the Government? Honestly, since there is no trust, we will not. Why? For when we finish the examination of the 20-odd bills, we will come back to the Bill again. Though the Government says now that it will not resubmit the Bill, the Bill is included in the Agenda as the last bill to be processed. The Government has only passed the problem to the Legislative Council. When the 20-odd bills are passed, we cannot stop pursuing the Bill, and it will surely come back. In fact, a metaphor used by some netizens can

vividly describe the situation of the Bill, for they say that the Bill is now placed in Avici Niraja, it cannot seek death, yet it has no access to reincarnation or rebirth. Why do we not handle the Bill with a neat and tidy approach? Since there is no trust between the Government and the legislature, if the Government does not act resolutely by withdrawing the Bill, it will only affect the series of subsidiary legislation placed after the bills, preventing the submission of such subsidiary legislation to the Legislative Council.

Certainly, a lot of subsidiary legislation is under the "negative vetting" category, which means the legislation will become effective whether or not the legislation is passed at meetings of the Legislative Council. Yet during the meetings of the Legislative Council, Members may speak on the subsidiary legislation concerned and their speeches will be put on record, preparing the foundation and basis for future follow-up with the Government. However, some subsidiary legislation is subject to the "positive vetting" procedure. Yesterday, we had a meeting discussing the entire set of legislation concerning the West Kowloon Cultural District Authority (WKCD), involving the conferral of powers on the WKCD in managing the West Kowloon Cultural District and enforcing the legislation. We hope that this bill can be passed as soon as possible. However, if the Bill is placed between other bills and subsidiary legislation requiring "positive vetting", the subsidiary legislation placed after the Bill will be sacrificed in the current term, for the legislation will not be submitted to the Legislative Council for examination and be passed. This will be a profound regret. Since Members wish the Bill withdrawn, I suggest that Secretary K C CHAN should convey this wish to senior government officials, so that the Government will act decisively by withdrawing the Bill, hence enabling smooth processing of items on the Agenda.

President, I have to reiterate that mutual trust is a foundation requiring many years to build, yet it can be ruined easily. When the authorities have been back on their words twice in three days, the mutual trust is wrecked. It will be extremely difficult to establish the trust anew. I hope that the Government's promise of stopping pursuing the Bill this time around will offer an opportunity for rebuilding of mutual trust. Certainly, a more desirable outcome is the Government narrowing our difference immediately, such as accepting the concessionary amendments proposed by the several Members from the pan-democratic camp, which allow fair use in restricted scope, to resolve the conflicts expeditiously. This is a better approach. If we cannot have the best,

we can only settle for the second best. We hope that these conflicts can be dealt with in a neat and tidy and effective manner and that mutual trust can be established anew. Thank you, President.

MR ALBERT CHAN (in Cantonese): President, the motion under discussion is "a motion which has the object or effect of suspending a Rule" proposed by the Government by invoking Rule 91 of the Rules of Procedure (RoP), such that the Secretary for Financial Services and the Treasury can make an arrangement for funds on account in accordance with section 7(1) of the Public Finance Ordinance (Cap. 2).

President, as Members recall, right after "689" was elected, specifically 20 to 21 June 2012, he attempted to invoke Rule 91 of the RoP to propose his resolution on five Secretaries of Departments and 14 Directors of Bureaux ahead of other items. Yet, some pro-Government Members were dissatisfied with how "689" got elected the Chief Executive through cheating at that time and so did not support that motion. Actually, he attempted to invoke Rule 91 of the RoP from the time he was elected the Chief Executive, and it was vetoed; and in the final year of the current term of this Council, he wishes to use the same approach. Nevertheless, I believe the outcome will be different. President, the motion on five Secretaries of Departments and 14 Directors of Bureaux was so loathsome that no one would like to support it, yet the current motion proposed by Secretary Prof K C CHAN involves people's livelihood. Fearless we may be in toppling "689", yet for the sake of the elderly and the continuous effective basic operation of the Government, we will not resort to filibustering to cause collapse of the current request for funds on account.

President, we are given the opportunity to discuss the current motion proposed by invoking Rule 91 of the RoP today, and Mr CHAN Chi-chuen also thanked the President earlier, because many members of the public are unfamiliar with the RoP and do not have much idea about the interpretation of the RoP as well as the implications of the appropriate exercise of powers of the President on this Council, people's livelihood, policies, funding, and so on. In fact, as I have interpreted and suggested time and again in this Council, the parliamentary tradition of Hong Kong has its roots in the democratic tradition of Westminster, the United Kingdom. Of course, a lot of changes have taken place since its development to date, 18 years after the reunification.

Over the past two or three weeks, Members could see the undesirable consequences resulting from Chairman of the Finance Committee abusing his power in a violent, barbarous and unreasonable manner. Unfortunately, the judgment handed down the Court of Final Appeal (CFA) is actually not about how Chairman of the Finance Committee has the power and abuses it. Instead, the CFA does not deal with the controversy, such that the Chairman may turn a blind eye to law and discipline and do whatever he likes. Why do we need to thank the President, Mr Jasper TSANG, as in the way Mr CHAN Chi-chuen expressed his gratitude earlier? Because I believe that if Mr Andrew LEUNG were the President, he would have acted in pretty much the same way as Mr CHAN Kam-lam and Mr CHAN Kin-por by abusing his power in a violent and unlawful manner, or at least against the spirit of law. Of course, the Court will not rule on that eventually, but those well versed in the RoP should clearly know the operation of the Finance Committee was run dictated in total disregard of Council procedures and the RoP over the past three weeks. I will not go into the relevant details.

However, the President of this Council had to endure extremely huge political pressure in handling Council procedures over the past two to three months, especially that from the Government, the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region as well as some pro-Government Members. An assistant of mine was once in the same lift with Mr Andrew LEUNG, who spoke arrogantly to a group of pro-Government Members there that, "If I were the President, I would have 'cut' it right away." Regrettably, it was neither taped nor recorded. Therefore, one may look at those pro-establishment people — calling them "people" is actually a little unnatural — the way they turn a blind eye to the tradition as well as the original intent of the RoP is evident to the utmost.

Over the past two weeks, many members of the public could see on the television how Mr CHAN Kam-lam chaired meetings. When a proposal was put to the vote, the same group of Members could raise their hands both in favour of and against it. Of course, the interpretation of the President is right. Any chairman of a committee or even the President himself has to decide the outcomes of voting in a meeting by feeling. But President, one also drives a car by feeling. If the feeling is wrong, the driver will be prosecuted for dangerous driving or speeding, but an objective benchmark for that is currently absent.

That is exactly what members of the public are aware, but the Court will not deal with it. One is obviously involved in speeding and dangerous driving, but he claims that he is not at fault because he is not charged by the Police, so he can do whatever he likes.

President, I believe that given the political wisdom of your goodself, you should know clearly that a Council with a popular mandate has to deal with problems in a civilized way, such that no revolution, slaughtering within the public or violent confrontation among groups in the community may occur. Why is war or violence not needed? Because there is a kind of culture, tradition or rule.

PRESIDENT (in Cantonese): Mr CHAN, your speech has strayed away from the motion under debate. Please speak on the motion and do not stray from the question.

MR ALBERT CHAN (in Cantonese): President, I understand that. Therefore, we support this motion today because this is in a way a token of respect to the President's impartiality in chairing meetings over the past three months.

President, there is actually some aftermath to this discussion today. As the "Internet Article 23" cannot be passed, a lot of Agenda items have been held up until now, so the Government has to move this motion by invoking Rule 91 of the RoP. However, we can see the way SHIU Sin-por, "the chief leftist", chided our 40 or so pro-Government Members ... Up to this point, President, we are not sure if Mr CHAN Kin-por, our Chairman of the Finance Committee, is preoccupied counting money for Munich Re Group instead of joining the meeting. Hence, I hope that you can do a headcount to call Mr CHAN Kin-por back. He should not be preoccupied with counting the money.

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

(While the summoning bell was ringing, THE PRESIDENT'S DEPUTY, MR ANDREW LEUNG, took the Chair)

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

DEPUTY PRESIDENT (in Cantonese): Mr Albert CHAN, please continue.

MR ALBERT CHAN (in Cantonese): Deputy President, I mentioned your name earlier. It is fortunate that you have yet to have the chance to take the place of President Jasper TSANG, otherwise it would be a disaster for the parliamentary assembly in Hong Kong.

Deputy President, on the subject of invoking Rule 91 of the RoP, given that the motion for adjournment of the Committee proposed by Mr CHAN Chi-chuen during the examination of the "Internet Article 23" was not properly dealt with, every time the Government submits a motion to this Council between now and mid-July, there will be a need to invoke Rule 91 of the RoP again. First, the Government itself may feel distressed and has to project the number of motions to be passed by mid-July; the Government is worried as well because every time a request on invoking Rule 91 of the RoP is proposed, the discussion may well last for 10 hours or even a dozen to 20 hours if the time spent on headcounts is included. Amid the worries about filibustering, the Government has no idea as to how to plan the way forward. Therefore, everyone actually hope to deal with the adjournment motion proposed by Mr CHAN Chi-chuen as soon as possible.

The best approach is actually to resume, in the Council meeting right after the current conclusion of the motion on funds on account, the discussion on Mr CHAN Chi-chuen's motion and have it passed with no objection amid everyone's co-operation. The passage of the motion will mark a successful suspension of the "Internet Article 23" in this Council, signifying that it is officially slated for hibernation. On the one hand, many of the people and Members opposing the "Internet Article 23" would feel that this part of the job has been completed with a formal endnote and explanation. This is actually a win-win proposal, is it not? We believe Secretary Prof K C CHAN must be

listening attentively because it involves various aspects of issues directly related to his Policy Bureau as well as his other 11 counterparts. Though not being an ultimate ending or termination to the "Internet Article 23", it is at least a milestone towards an end that would give everyone some peace of mind.

Second, the Government will not need to invoke Rule 91 of the RoP afresh every time a motion is submitted. The time is running out, and the deliberations on the Budget would not be finished until mid-May. It would be difficult to handle 27 bills with only two months left between mid-May and mid-July. In addition, I personally hold that some bills are directly related to a lot of people in Hong Kong and represent enhanced protection for their rights and interests. It is not the intent of me or Members engaged in filibustering to cause their collapse wholesale.

Therefore, if the Government can change the belligerent, despotic and self-conceited approach of "689" and adopt one of consultation ... To my understanding, it appears that senior government officials are inviting such parties as pan-democrat and pro-Government Members for negotiation to see if a consensus can be reached on the handling of motions, bills and funding. This is actually what a democratic parliamentary assembly has to do. Deputy President, in all democratic parliaments, when the minority or opposition members have strong views on certain motions, legislation or financial arrangements and resort to filibustering, the ruling party or government would have to discuss with those opposition members in the form of negotiation or consultation with a view to seeking consensus, instead of acting in an arrogant and domineering manner as displayed by the Deputy President, who once said in the lift that, "If I were the President, I would have 'cut' it right away."

Therefore, it takes a little political wisdom to tackle this kind of contradiction and conflict rather than resorting to dominance built on one's might. If there is no way for this Council to tackle the contradiction among groups in the community, it will definitely spread to the community or society to create an overall impact that is exponentially larger, and may even give rise to riots and revolutions. Therefore, in this Council, one should never act like Mr CHAN Kin-por or Mr CHAN Kam-lam, who displays how one's power can be exploited to the fullest extent and claim that "I hold the power, what can you do? The Court will not deal with it now. I say so.". In the future, bricks may be hurled at them on the street. He should also not regard himself as being ferocious. His son-in-law operates an ice-cream store only, yet he is scared of the annoyance

caused by netizens. The anger of the masses will not be compromised or pacified by the fleeting moment of victory he earns through resort to violence or despotism in this Council. He has to repay for what he did, you know? Therefore, one should not magnify himself and do whatever he likes simply because he is puffed up in this Council by the bigwigs from the group to which he belongs. Let me make this warning once again One has to repay for what he did.

Hence, Deputy President, the People Power supports this motion today and hopes that the due benefits and rights of the elderly and the underprivileged will be temporarily addressed through the funds on account.

MR JEFFREY LAM (in Cantonese): Deputy President, those fallacies of Mr Albert CHAN confounding right and wrong and his arrogance and exaggeration in making speech ...

(Mr Albert CHAN stood up)

DEPUTY PRESIDENT (in Cantonese): Mr Albert CHAN, what is your point?

MR ALBERT CHAN (in Cantonese): Deputy President, I request 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): Mr Jeffrey LAM, please continue.

MR JEFFREY LAM (in Cantonese): Deputy President, those fallacies of Mr Albert CHAN confounding right and wrong and his arrogance in delivering his speech was really spectacular.

Deputy President, just now he mentioned some issues related to how the President and the Deputy President presided over the meeting. We support the decisions made by the President and the Deputy President, including the expulsion of Members who fail to act in violation of the Rules of Procedure (RoP) during meetings, or suspension of their speeches, to maintain the dignity and normal operation of the Council. We think this approach is appropriate. It is evident to all which Member or Members have abused their power to engage in protracted filibusters which hinder the operation of the Council and deny members of the public their due interests. Members of the public have discerning eyes, so there is no point in constantly talking nonsense here. He mentioned just now the remarks made by the Deputy President inside a lift. I think only you and he know whether it is true or not, in jest or in earnest, but very often we heard him talk in the Ante-Chamber, so Members can pass their own judgment.

Deputy President, I speak on behalf of the Business and Professional Alliance for Hong Kong in support of the motion moved under Rule 91 of the RoP, which seeks to suspend Rule 18(1) of the RoP in relation to the original order of business. Why is it necessary to make this change? I believe we all understand that the Legislative Council wasted a lot of time on the filibusters against the Copyright (Amendment) Bill 2014 (the Bill) in the past three months and consequently the Bill was caused a stillbirth and the Government had no alternative but to cease pursuing it. As these three months were spent on dealing with the Bill, there has arisen a backlog of many other bills submitted by the Government. In addition, prior to the scrutiny and passage of the Budget, the Government must seek funds on account from the Legislative Council to meet the expenditure on various public services and the Government's daily operation at the beginning of the new financial year. This is very important because the Government's operation and a number of services essential to the public on a daily basis are at stake. Therefore, it is inevitable that this resolution on funds on account must jump the queue.

Deputy President, why is it that such a previously routine procedure of application has turned into a full-on confrontation today, and even the Council's meeting time is spent on debating the adjustment of Agenda items? The reason is very simple indeed, and frequently leading to complaints from the public as well, namely that the pan-democrats have seized every opportunity in the Council to score political points, filibuster and oppose the Government in recent years. They are keen to steal the limelight by taking advantage of this platform of the Legislative Council. They would stand on other Members' seats and desks — for this reason Mr Abraham SHEK has spent a lot of time cleaning his desk with

a disinfectant, although he has not sat here for long today. Even if there is just a 1% chance to hype up an issue to attack the Government, they will make 200% of an effort to do it. The Bill is not at all related to politics, yet they made a pre-emptive move to package it as "Internet Article 23" and trump up against it a charge of infringement on cyber freedom of the public. Despite their constant talk about respect for intellectual property rights and encouragement of originality, the efforts made by Members, staff members of the Legislative Council and the civil servants concerned in relation to this Bill which has undergone discussion in two terms of Government, three consultation exercises and a total of 24 meetings held by the Bills Committee in 16 months, were rendered futile by the opposition camp's emotion-driven confrontations in the last few months.

Deputy President, this is the case with the Bill. So is it the case with the funding for infrastructure projects and the Budget. At this rate, the basic operation of the Government will be at risk, let alone the development of Hong Kong. The democrats keep saying every day that uncontroversial livelihood-related items can be submitted to the Legislative Council as soon as possible and the pan-democrats will not obstruct them. But which items are uncontroversial? Do the pan-democrats have the final say? After all, who leads the operation of our society, the executive authorities or the democrats? Is an item uncontroversial just because they say it is? Must anything be done just because they say it must, but other voices can be ignored? Is this genuine democracy? Deputy President, for purposes of political struggle and grandstanding, they do not hesitate to sacrifice the overall interests of Hong Kong. Members of the public should watch clearly what they do and condemn the filibusters and violent acts in the Council.

With these remarks, Deputy President, I support the motion.

MS CLAUDIA MO: I just checked my WhatsApp messages and somebody suggested that we should rebuke WONG Kwok-hing for his nonsense. But if he is nonsense, why bother? Why should we reply to a load of crap, indeed? And I am not going to stoop myself to his level.

"One country, two systems", "Hong Kong people ruling Hong Kong", what a grand promise? We are supposed to be living in this modern society and we should be practising separation of powers, with which the legislative, judicial and executive powers should be independent of each other and we should be doing

checks and balances against each other, or one another, rather. But this legislature is being overwhelmed, if not actually overtaken, by the executive branch. What nonsense! We are talking about the application of Rule 91. I mean people in the street would be completely baffled as to what we are debating about here. It is all because the C Y LEUNG Government thinks the executive branch is "the" ruling branch. Whatever we have to say here simply does not matter.

"Hong Kong people ruling Hong Kong" turns out, as of now, to be C Y LEUNG of the Government, the executive branch, ruling Hong Kong — a one-man rule in Hong Kong. How more absurd can things be? What does he think he is doing? This is some sort of autocracy, or he is practising dictatorship? Or he thinks he has only got one master and that is called Beijing?

A couple of years back, I personally heard C Y LEUNG say things like "I wish the legislature and you, the legislators, would just go along with government policies", meaning we should be "yes-men" to whatever this Government wants to do. And very soon, he found out that Members of the democracy camp here would refuse to be domesticated, to be reined in and to be tamed by his so-called "authority", and he started to try to push everything, anything, just through this legislature, and in the meantime, at the same time, picking fights. Of course, by now we all know that picking fights is his true colours. And indeed, if we just say, "Oh, you want this 'Internet Article 23' bill passed? Yes, Sir, let's have it passed by feelings", as that man CHAN Kam-lam would say, "By feelings, it can get passed", so it's passed, then, what is the legislature for? What is this legislature for? Might us want to skip the whole thing? Let us just completely scrap the legislative branch in Hong Kong, because it is of no consequences. The Government rules. C Y LEUNG rules. That is it. That is that.

Of course, we filibustered. We did, and we will. It is our political right. What happened last Friday, that was a complete fiasco of that passage of the funding application of that high-speed rail at the Finance Committee. It is such a blatant example of how this legislature works at the moment. It tells you or it simply reveals the amount, the actual amount, of brutality of this system, as somebody said just now, "Oh, as a legislator, if you disagree with the Government, you can always vote against it or you abstain". What is all that noise about? Nonsense, another load of crap. You knew, I knew, what is wrong with the Legislative Council, the so called "Chamber" which should be checking government expenditure, government policies and government whatnot.

The democrats simply do not have the majority, not that we were not popular with Hong Kong people, but because of the way the electioneering system is defined. We got more than half of the votes. We get less than half of the seats and that is what happened, and that is why we filibuster. It is our political right to go against vicious, unwelcome, unpopular laws in this city. All laws, all rules, are supposed to serve the people, not to harm the people, full stop!

And back to this Rule 91 nonsense, it is all about that "Internet Article 23" bill, more officially called the Copyright (Amendment) Bill 2014, right? As these government officials are sitting here, I am sure you did not have or you do not have much to do with it, but you are here for the technicality, the formality of this Chamber. Fine, I am not making you responsible for anything here. But then the Government did make it clear: Okay, if you did not want to see the passage as it was at the time of that bill, the Government will rest. The Government will give up on that bill, or the understanding is, for the rest of this legislative year and in this legislative term, right? No, it has not exactly gone away. It is just at the bottom of the list of things. As a Chinese saying goes, "It is rather like a cleaver, a meat cleaver, hanging over our heads". "Dangling about", they say. So you are playing games too, not you personally, again, again, right? So, what is this nonsense about? If you rest, you rest. No, you leave it there so that just in case there is a chance for it to come back, you just might consider coming back. This is really yucky. It is just so yucky of this Government.

And so, C Y LEUNG, after all those political controversies, would actually come out and say, "Oh, dear Hong Kong people, let us now go back and focus on livelihood issues." I thought the democrats have been talking about that, have been saying that all along, in the Finance Committee for weeks, for months on end. What cheeky regime you are? You are really shameful. And now you would say you would do the copycat and say, "Oh, yes, indeed, livelihood issues are so important." You did not realize it before, did you? And so this legislature is in turmoil. Some people would say, "Oh, if you feel that much injustice in this Chamber, just take it to court." For justice? It is very difficult, guys. I did talk about and we do talk about separation of powers. To ask the Judiciary to rule or judge on apparent internal matters of the legislature could be difficult, especially if that application, the judicial review application, is made by a legislator. That is really quite confusing theoretically because we are supposed to be equal, on the same par, and you are asking the Court to rule what is wrong with this legislative branch. Of course, many people are holding high

hopes about the judicial review following that high-speed rail funding passage fiasco last Friday. It just might not be that easy. Let us put that on the record. But despite all that, we will still try. We will see. But it is hurtful, the whole thing. It is so very hurtful.

And so this legislature is a private club. Look at all these Members. It is a private club, for the businessmen in particular. And members of the executive branch, government officials, could just loiter about within our premises. Political assistants, AOs — I don't know — the deputy ministers, could be having fun, tea, cake, whatever have you, in the Ante-Chamber, ha ha ha. Can we, as legislators, go to Government Headquarters next door to perform the same? No, we could not enter without some proper pass but they are there to, in the Ante-Chamber, just go and have a look, to have tea and a good chat with Members of this Chamber. And that is the Legislative Council Ante-Chamber, make it clear. And government officials would either sit there or would actually, with much abuse of power, go out and use, again, the legislative press microphones stand to counter, to refute and to insult Members of this Council of what they have got to say against the "Internet Article 23" bill. Who that? Gregory SO. He did that. He voluntarily went out there, faced all those press cameras and said ... he named names too, "So and so was not right; so and so had ulterior motives; so and so was so naive, blah blah". It went on and on. So, this Legislative Council has been almost, almost, taken over by the executive branch. What do you think of that, Hong Kong people, Hongkongers? And so this is not just a private club, maybe it is just a bit more, it is a private club of political easy riders — I hope you know what that means — of political pimps, behaving, acting, colluding on the part of Beijing.

After the Tiananmen massacre in 1989, a British diplomat reportedly was quoted as saying of the Chinese Government at the time, "They are thugs, have always been thugs, and will always be thugs". Let us hope, and I wish, this will not stay true of Hong Kong, this Hong Kong Government. And this cannot stay true of Hong Kong.

Thank you.

MR LEUNG KWOK-HUNG (in Cantonese): Deputy President, I think it is out of order because it seems a quorum is not present in the Chamber.

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

(While the summoning bell was ringing, THE PRESIDENT resumed the Chair)

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

PRESIDENT (in Cantonese): Mr LEUNG Kwok-hung, please speak.

MR LEUNG KWOK-HUNG (in Cantonese): President, now we are debating whether Rule 91 of the Rules of Procedure (RoP) should be invoked to allow the Government to jump the queue. This rule of the RoP reads as follows: "A motion which has the object or effect of suspending a Rule shall not be moved except after notice or with the consent of the President." After hearing it, one will have no idea what it says. I think it should be put in the following way: "Except after notice or with the consent of the President, a motion which has the object or effect of suspending a Rule shall not be moved." It will be quite clear then. Evidently, our legislature works in such a perfunctory manner that it cannot even reverse the word order. Actually it will be quite clear if we read it in the reverse order, but never mind.

As a matter of fact, Rules 91 and 92 are provisos. That is to say, whatever is said in Rule 1 to Rule 90, once Rules 91 and 92 are invoked, everything will be erased and become inapplicable. Regarding the present question of suspending a rule by virtue of Rule 91 of the RoP, I wrote to the President twice during the debate period of the Copyright (Amendment) Bill 2014 (the Bill) to enquire whether the rule could be suspended, but you rejected it, saying that it was not justified. So you did not approve my request. I was convinced. However, why is it justified now? What justifications does he have? I got it. Because he needs to relieve the masses from dire straits. Without money, the Government will be unable to operate. As such, the Government will be short of funds. I understand it. However, buddy, why did it take him so long to do so? Did he know the President of the Legislative Council would surely grant his request? The President could have disagreed in the way he treated me. What

he did is bringing pressure to bear on us, is it not? He said it would be terrible if we did not work in the way he has now proposed, so President Jasper TSANG must accede to his request. I, however, was not allowed to do the same thing. This shows the executive-led hegemony because he holds all the powers. His power can determine whether members of the public, regardless of whether they like him or not, will have food to eat or not. We are forced to consent to his request. The President is also forced to agree, allowing him to submit his request and jump the queue as he pleases.

This point alone is sufficient proof of his hegemony. Why did I say he is hegemonic? Buddy, how did he know there would not be a rainstorm today? How did he know the electricity here would not be cut today? How did he know the three Members who may chair the meeting would not fall sick at the same time today? President, the matter is so urgent, but if there was suddenly a rainstorm and the black rainstorm warning was issued today, we would be unable to hold a meeting, right? A government cannot work in such a way, right? He said, "President, if you do not let me invoke Rule 91 this time, then please use Rule 92." He once invoked Rule 92 to cut off the filibuster before. The more earnestly he speaks on Rule 91, the more evident it is that he is irresponsible, right? What if the electricity was cut or the black rainstorm warning was suddenly issued today? What would happen to those people waiting for the funding? I am not being nit-picking. President, frankly, if K C CHAN and John TSANG make a show of bumping their heads against the wall together, all the people of Hong Kong will applaud because their show can test which is harder. Their heads or concrete? It is an unproven scientific experiment. However, if their show will possibly give them power which will affect other people's well-being, they should exercise extra caution.

They have been saying that we have procrastinated and made the schedule very tight by filibustering, but did K C CHAN ask Gregory SO to give it some consideration in their meeting? Knowing very well that the Bill could not be passed, he still allowed it to drag on. Frankly, for what purpose? I cannot see what gain he could have made. He did so only because he could then resort to sophistry, lamenting that Members of the opposition camp had led to such a mess that they had to invoke Rule 91 and bother the President with reshuffling the Agenda items. There is no need to behave in such a retaliatory manner, is there? President, another point is, apart from this issue, Carrie LAM has also hinted that the progress of the Finance Committee has not been satisfactory and proposed getting together for a discussion of the agenda, but will such an act not bother the

Chairman of the Finance Committee? Although Mr CHAN Kin-por is a rubber stamp, he still needs to come out to do the rubber-stamping. Hence, the overall administration of the Government is not based on looking after the well-being of the people of Hong Kong. Instead, it is geared for political struggles. We often quote the story about the judgment of King Solomon as an example. The woman who cannot bear to see the baby torn into halves is the true mother. However, the Government is now doing exactly the same thing, is it not? It delayed the matter until the very last moment. Then some Members came out to say the pan-democrats were the initiators after all.

Just now I found an object called WONG Kwok-hing most ridiculous. I do not know where he got his information. He said the present ruling party in the People's Republic of China is the Communist Party of China (CPC), and Chinese people are not afraid of communists. If they are not afraid of them, there would not have been so many people leaving the country. Even the corrupt officials feel scared. Then he said the Special Administrative Region (SAR) Government is afraid of no one except the opposition camp. I think he was quite right at that, but I would like to add a point. The CPC has 80 million members. It is the ruling party, but it is not elected by the people to serve as the ruling party. Whether Chinese people are afraid of the communists can be shown by whether the people have left China. Moreover, I can make an assertion. Noting Mr WONG Kwok-hing's airs, as well as how he became more and more dressed up and spoke with an increasingly bad breath, I came to know that among the 80 million members of the CPC, one of its members in Hong Kong is called Mr WONG Kwok-hing. No mistake about it. He is a typical example.

President, I am just reasoning. He said we in the opposition camp stir up troubles at will. I wish to point out to him that Article 73 of the Basic Law reads as follows: "To enact, amend or repeal laws in accordance with the provisions of this Law and legal procedures". This exactly matches our situation. This is the case with the Bill. "To examine and approve budgets introduced by the government" is what we are doing now. "To approve taxation and public expenditure" is our future work. As for "to receive and debate the policy addresses of the Chief Executive", we have already done it, though without passing the Motion of Thanks. "To raise questions on the work of the government" is also what we are doing. The last item is the most general, which is "to debate any issue concerning public interests". We have six major powers and functions which are all exercised in this Chamber.

The Copyright (Amendment) Bill 2014 is a bill. That means it complies with Article 73(1) of the Basic Law. Is it our right to propose amendments under Article 73(1)? Yes, it is. It is appropriate for the President of the Legislative Council to arrange debates based on our amendments. It is appropriate for us to debate with the officials assigned by the Government to come to the Legislative Council to reply to Members. It complies with the provision on "to debate any issue concerning public interests". In handling the Bill, our approach completely satisfied the requirements of the Basic Law. After deliberation between the officials and the President of the Legislative Council, the Agenda was arranged and discussion was held, but Members were just like Mr WONG Kwok-hing. All of them had become mute. None of them took part in the discussion except when they spoke to sling mud at us. If they themselves did not have time, what does it have to do with me?

What is the lousiest trick exposed? Sometimes when a trick is exposed, it really cannot be helped. First of all, someone called CHAN Kam-lam said he would arrange for a four-party meeting, but in the end no consensus could be reached. This example clearly shows that even during the legislative process, they too felt the need to conduct a debate on those three major amendments which were based on public opinion, and the officials had got to reply. We have performed four of our functions under Article 73 of the Basic Law. What wrong did we do?

Furthermore, according to the requirements of the Basic Law, the quorum for the meeting of the Legislative Council shall be not less than half of all its Members. Did we do anything wrong? We suspected that the number of Members present in the Chamber was less than half. For this reason, we requested the President to do a headcount. After the headcount, it was found that the number of Members present was indeed less than half. As such, what was our fault? What is the crux of the matter? The crux is that when the officials submitted the bill to the Legislative Council, they had already been spoiled. They thought the bill submitted by the Government to the Council would definitely be passed, as they had counted they would get enough votes for the passage of the Bill. They threatened the pan-democrats that the latter would be despised by the public if they continued to filibuster. They created this mirage, yet they believe it is true. Secretary Prof K C CHAN, now the problem has surfaced in that the Secretary has to come to the Legislative Council to propose to the President invoking Rule 91 for getting a privilege.

President, may I ask whether the Government is doomed if the Bill cannot be passed? President, now that the Bill cannot be passed, is Hong Kong doomed? No. The officials often claim that the Budget is very important. May I consult them why they have delayed until the very last minute?

Back to the original question. The Secretary has come to the Legislative Council to seek funding today. I will certainly grant him the funding because it is reasonable. Nothing can work without money. However, I need to tell Secretary Prof K C CHAN that I request Carrie LAM to allocate funds to universal retirement protection. It has been four years already. At first she completely ignored this issue. Later, she proposed using the long forgotten \$50 billion "mandatory medical fund" to set up a fund. Then in recent years, which was about two years ago, she invited Prof Nelson CHOW to conduct a consultancy study. It was kind of taking shape, was it not? That said, it has been delayed since 2012. My term is about to end, but still she has failed to complete a comprehensive consultation exercise.

I can declare to her that even though the filibusters are taxing and may not be able to produce a great effect, I will continue. At the same time, I appeal to the pan-democrat Members, especially those who will retire from office shortly, to make a determined effort to do something for the elderly in Hong Kong. I also ask Secretary Prof K C CHAN to report to Carrie LAM after hearing our speeches today that someone will filibuster this year. Moreover, more and more people will filibuster. Even if President Jasper TSANG wishes to invoke the "imperial sword" of Rule 92 of the RoP, he may not be able to do so. Please do not say that I have not made this advance warning. Let me state it again. I do not want any poor person to suffer because of the Government's peremptory delay, refusal to listen to the views of the Legislative Council and the public and reluctance to carry out reform for universal retirement protection in real earnest. Nevertheless, let me tell Members that it will happen.

Here I appeal to the pan-democrat Members again. It has been four years already. A number of Members have decided not to stand for election again. Before they leave, they should do something which will bring joy to the elderly in Hong Kong. Today Secretary Prof K C CHAN has come to the Legislative Council for President Jasper TSANG, so as to invoke Rule 91 of the RoP, but he should not think about coming back here again to seek the President's for invoking Rule 92 for another time. It may not be feasible because he will cease to be a Member of the Legislative Council in the next term.

With these remarks, President, I condemn the SAR Government for acting wilfully and treating you as a rubber stamp. I declare war to the Government again. As long as there is no universal retirement protection, there will be filibustering.

MR LEUNG YIU-CHUNG (in Cantonese): President, now we are discussing the motion moved by the Secretary under Rule 91 of the Rules of Procedure to suspend Rule 18(1) relating to the order of business of the Legislative Council at today's meeting so that the Legislative Council can examine the 2016-2017 Vote on Account Resolution moved by the Government before handling the other bills of the Government.

President, I support and approve of this approach. The main reason is, as the Secretary said, if we do not approve this procedure, the Government may have to halt certain public services, including services closely related to people's livelihood such as education, social welfare, healthcare and security, due to the lack of resources when the new financial year commences on 1 April. For this reason, I support this motion. According to the Government, the most important reason why the motion must be passed at this meeting is that after the funding is approved, it is still necessary to undergo some administrative procedures, including the accounting procedure, which will take some time. The Government is afraid that if the funding is not approved in time, it will be unable to meet the expenses come 1 April. For this reason, we must lose no time in approving it now. We understand that time is pressing, and we do not hope that colleagues in the Civil Service will make any mistake because of handling the administrative work in such a hurry. We do not wish such a situation to arise, thus they should be given more time to deal with the work. I agree with this approach.

President, although the adjustment of the Agenda items today is proposed by the Secretary for Financial Services and the Treasury, I believe this may not be his own idea. Rather, it is Chief Executive LEUNG Chun-ying's idea. Why am I saying this? Let us take a look. Aside from the earlier news that the Agenda items would be reshuffled, as we may recall, during Chief Executive LEUNG Chun-ying's meeting with the media last Tuesday, he also indicated that actually there were some other Agenda and funding items which should be adjusted. In view of his attitude of administration in the past three to four years, we consider that the adjustment made on this occasion runs counter to his usual style.

As we can see, in the past, we kept expressing our wish for the Government to revise and rearrange the livelihood items which we think should be prioritized. However, as we know from past experience, he was never willing to heed our views. Yet recently, why is he willing to do so? Did he, like what Mr WONG Kwok-hing said, make the adjustment in a forbearing manner for his important duties? I do not think so. Rather, I think he seems to be reining in at the precipice, as he does not want to make any more mistakes. Yet why would he pull back to avoid making any more mistakes? I think it has something to do with paving his way for re-election in the future.

All along, his attitude has given us the impression that he would fight over any issue to the bitter end without compromise. As evident in the cases of the "five Secretaries of Departments and 14 Directors of Bureaux" proposal, the appointment of Arthur LI as well as the Territory-wide System Assessment mentioned by Honourable colleagues earlier, even though the general public did not want the situation to continue, he arbitrarily proceeded with their implementation regardless of the public sentiments and public opinion. I really cannot think of any other reason for his acting in this way this time if it is not for paving his way for re-election, since this is neither his character nor his style. Of course, some people have proved that in the recent meetings in Beijing, he did not receive the blessing of the state leaders for re-election. A state leader even stated in public that some problems had arisen in Hong Kong. It thus shows that he himself could feel the lack of recognition of his administration by the Central Authorities. For this reason, he had to make some changes in the hope that the Central Government or state leaders would change their views on him. No matter what, in my view, even if he did it with such mentality, the adjustment of the Agenda items is still good to the Legislative Council and even to the whole society.

In our opinion, President, leaving aside that it is something good, what matters most is the attitude ultimately adopted by the Government. Even if the Chief Executive is paving his way for re-election, we will not treat this matter with a narrow mind. Instead, we consider that it is most important for the Government to deal with the Council, especially the relationship between the executive and the legislature, with a positive attitude and do something that can bring benefits to the community.

The attitude adopted by the Secretary this time around is quite different from the one adopted by Secretary Gregory SO and Chief Secretary Carrie LAM which we have seen earlier, since he has pinpointed where the problem lies in a

straightforward manner in his speech. Unlike Secretary Gregory SO, he did not criticize us spitefully or ask the public to remember us and demand us to "repay debts of votes with votes", so on and so forth. Neither did he deliberately sow dissension, reprimand people, create conflicts or blindly shield LEUNG Chun-ying like Chief Secretary Carrie LAM did. Instead, he spelt out the present difficulties and hoped we could truly resolve the problems. I consider this the kind of attitude officials should adopt in handling their work. I think if things can go on this way, the future operation of the Council as well as the split, division and conflicts in society can gradually be smoothed over. Yet regrettably, the Secretary only stands for himself. Can this be the direction and attitude of the whole Special Administrative Region (SAR) Government, especially LEUNG Chun-ying, in the future? We have no clue, and we have no say either.

Hence, I can only take this opportunity to advise LEUNG Chun-ying and the SAR Government that they should deal with problems on the basis of facts, rather than deliberately sowing dissension, acting perversely out of spite or arbitrarily implementing measures against public sentiments or public opinion, because it is neither constructive nor helpful.

President, back on the question. Honourable colleagues in the pan-democratic camp have repeatedly emphasized that actually the new amendments in the Copyright (Amendment) Bill 2014 (the Bill) are not entirely undesirable, but the greatest problem lies in the introduction of a number of elements, including criminality. For this reason, the pan-democrat Members and netizens have repeatedly requested the inclusion of more provisions to provide protection especially with regard to fair use, with a view to allowing more netizens to use these products in the new era with fewer constraints and greater protection.

Yet regrettably, during the whole process, the Government has shown us a clear phenomenon, that is, it solely safeguards the pecuniary interest of copyright owners, disregarding protection for the basic rights to which netizens or consumers are entitled, thus leading to an impasse during the course of our discussion and examination.

No matter what, President, be it the Bill, the Express Rail Link or the Hong Kong-Zhuhai-Macao Bridge, actually we Members have been raising a lot of questions or expressing a lot of views to the officials in the Council. Yet regrettably, Members of the pro-establishment camp keep criticizing us for

filibustering. However, President, as I have pointed out time and again, the President will judge if a Member's question or speech is repetitive or strays from the question in the Council. If such a situation arises, the President will make a ruling to stop the Member's speech. This has been the President's role and duty. Hence, to say a Member is filibustering, what is meant by "filibuster"? If there is substance in the speech and the view expressed is indeed relevant to the question, how can it be described as "filibuster"? On the contrary, I think those Members who criticize others for filibustering have downgraded the Legislative Council to a rubber stamp or turned their duty of monitoring the Government into acting as a "hand-raising machine", rendering them in dereliction of duty insofar as the role of Members is concerned.

Actually, back in the British-Hong Kong era, the Legislative Council practised the appointment system. Very often, motions proposed by the Government would be passed by Members as a matter of routine. In the initial period when the Council did not carry so many democratic elements in elections, Members would often act in this way. They would simply pass motions proposed by the Government and seldom raise questions or speak. Today, however, the number of Members returned by democratic elections has increased in the Council. Members will raise a lot of questions and views. I consider this proper operation of the Council. Yet regrettably, such a practice is criticized as filibustering. I think it is really unfair to say so. Neither should it be put in this way because in my view, this is due Members duty of in the Council. Sometimes, however, the Government has problems when it has submitted too many motions or items or the time is pressing, leaving Members with insufficient time for discussion or examination. So it will request us not to raise too many questions and to pass them as soon as possible. If we do not pass them, it will be our fault. Such an attitude has completely downgraded the operation of the Council. It also shows no respect for Members' role. The SAR Government really needs to make a change because it often submits all the items together without giving us sufficient time for examination, raising questions and monitoring whether the items proposed by the Government are appropriate.

Simply put, many Honourable colleagues will raise a lot of questions and request the Government to answer them, but the latter is often unable to do so. When it is unable to answer our questions, the President will ask us not to force the officials because their failure to answer our questions does not mean they have not given any response. Is this proper operation of the Council? It is meaningless. If, every time we raise a question, they are unable to answer it,

then what function can Members serve? Can they tell us what function Members serve? Now there is not much we can do. The only thing we can do in the Council is to raise questions or express our views. However, if they even deprive us of such opportunities and only criticize our actions as wrong, I wonder for what we are sitting in the Council. Do we really get paid for doing nothing? I do not think we should, and that is not what I want.

Hence, President, I support and agree with today's motion on adjustment of the Agenda items. However, I hope the SAR Government will sincerely review whether the negative effects produced under LEUNG Chun-ying's governance over the past few years will persist in the future. If that is the case, it will definitely cause serious harm to the operation of the Council and the development of society as a whole. For the sake of the Council and society, I hope that today, the Government can draw a lesson from its bitter experience, conduct a review and make a change.

President, I so submit.

MR PAUL TSE (in Cantonese): President, I guess live broadcast viewers who are sitting in front of the television set might ask, "Why are Members of the Legislative Council suddenly acting so seriously in calling for a temporary suspension of the Rules of Procedure?" Had they known the Rules of Procedure (RoP) provides that a Member shall not interrupt another Member who is speaking or cross the floor of the Council unnecessarily, and Members shall enter or leave the Chamber with decorum, they might have asked this question: Should the Legislative Council not suspend the RoP a long time ago?

Strictly speaking, President, under normal circumstances, Members should certainly abide by the rules by all means. According to the existing rule, that is, Rule 18 of the RoP, there are stringent requirements on the order of business. We can see that the taking of oath by Mr Alvin YEUNG two weeks ago was placed at the top of the Agenda. Sometimes, we can also see the presentation of petitions, like the one presented by Members this morning, being listed as the fourth item of business. Certainly, Government bills should also be accorded higher priority. Since the order of business has to be rearranged now, the original order, which is set in a relatively clear manner, has to be suspended, naturally.

President, I would like to explore the questions raised by the two Honourable colleagues just now from the technical point of view. Certainly, the President should understand these questions better than I do. To start with, Mr WONG Yuk-man asked whether only government officials could propose reshuffling the order of business as stipulated in Rule 18 of the RoP and why Members were not allowed to do the same. I have read the relevant provisions in the RoP, and it seems to me that Members may do so as well. In other words, if Members think that the order of certain business items should be rearranged, they may propose relevant motions. Although the chances of their motions being passed might not be high, Members may actually make such requests.

President, many people have also asked, "Why does the Government still behave in such a stubborn manner by, as Ms Claudia MO described, placing a knife over the Legislative Council?" I have actually looked it up. I wonder if this has anything to do with Rules 51(7)(a) and 51(7)(b) of the RoP, which provide that a bill cannot be withdrawn if it has been read the Second time and passed and, more importantly, another bill which contains substantially the same provisions shall not be proposed in the same session. This is a relatively stringent restriction. Could this be the reason for the Government considering it better to retain such flexibility? I guess the Government is not, as described by certain colleagues, evil-minded, spiteful or trying to place a knife over the Legislative Council.

Anyhow, President, I support this motion because I once put forward an "examination theory", which is actually nothing new. All children and students who have sat examinations before should understand this, especially when the examination time and procedures are quite tight — if a candidate finds that he may not have enough time to answer all of the questions, he will always choose those which can score points more easily and save the relatively difficult ones for the end, for at least it will not be too regrettable if he has to give up these questions when he is really running out of time. This is just common sense. I think the Government should have sought suspension of the Rule a long time ago, or even more frequently, unless there are special reasons not to do so, such as having a hidden agenda. Otherwise, why did the Government not dare do so?

President, I consider this motion worthy of support because of the public speech delivered by Chief Executive LEUNG Chun-ying. He said that, from a positive angle, doing so can hopefully ease the tensions between the executive and the legislature. President, Hong Kong can no longer remain unchanged. In

my opinion, either the people or style must be changed. Certainly, I hope we need not face such a critical juncture of making a decision yet. Nevertheless, I think that a change of style is at least feasible and should be implemented without delay.

President, I think that Honourable colleagues should now consider giving a positive response because there is a positive reinforcement theory in psychology. The expression "tit for tat" is often used to describe an act of seeking revenge. However, I think this expression should all the more be used to describe interactions of goodwill, so that such positive energy can at least be reinforced continuously. This is a good thing to do. Since the executive, particularly the Chief Executive, considers it necessary to take measures of alleviation on this front, I think the Legislative Council should strive to make more conciliatory remarks and fewer harsh ones, with a view to improving the relationship between the executive and the legislature, as well as promoting harmony in society. Every Member of the Legislative Council is indeed obligated to do so, rather than causing members of the community to push one another to a more heated level in a negative manner.

President, besides the psychological jargon I just mentioned, another reason for me to support the motion is related to one of the debates today. With regard to the recent occurrences of so many unnecessary sacrifices or suicides of young people, particularly children, which have been a topic of our discussion, I guess the gap between Chinese and Western cultures is partly to blame. While singing praises is taken more seriously or even frequently regarded as a way of education in Western culture, the "shame culture" is commonly practised among Chinese people or in oriental cultures, whereby people are shamed or punished. Certainly, there is no absolute right or wrong. Different approaches may need to be adopted for different children. Generally speaking, however, people can be hurt deeply if our culture emphasizes trampling on others unduly or calling names. This is particularly so as Cantonese can be used to scold people in a critical manner and hurt them real bad. It is good for us to focus on issues in question rather than making remarks personal. In particular, people who are praiseworthy should be given more positive encouragement. Furthermore, we can indirectly demonstrate to young people that it is worthwhile to encourage parents to follow such examples. Otherwise, I am afraid only half of the desired results can be achieved no matter what studies are conducted in the hope of assisting children and young people in resolving problems arising from their

pessimistic attitude or leading them to think about life in a positive manner. I think it is worthwhile for the Legislative Council to set an example for encouraging this praise culture or approach.

President, please allow me to say a few more words. I am very much in favour of adopting a civilized approach of politics, or conciliatory politics, in a modern, democratic political system. A good democratic system hinges not only on the number of votes and constituencies, or the fairness of electoral laws, but most importantly on the presence of a nurtured culture of democracy. Without this crucial factor, no democratic system can operate smoothly even it has the best design. Members can see that many countries have, in recent years, overthrown their autocratic governments with the intention of practising democracy. However, due to the absence of a nurtured culture of democracy, they often encounter difficulties or even engage in perverse acts very quickly even though a democratic electoral system might have already been put in place.

In this regard, please allow me to make a comparison to demonstrate why the political and courtroom cultures are inextricably linked. Verbal conflicts are often seen in courtrooms probably due to arguments over whether something is right or wrong, or whether the plaintiff or the defendant should win the case. In order to focus the aggressiveness of the arguments on the subject, thereby minimizing the harm that may be caused, the courtroom system or the rule of law culture in the West, which has evolved over a century or so and is familiar to us, has basically developed a relatively clear set of guidelines on, among other things, the politeness of both parties in addressing one another, and even the speakers' attitude and choice of words. I believe Mr Alan LEONG, who is sitting on my right, understands what I mean. Not only will both parties strive to engage in relatively moderate debates, but they will also refrain from targeting anyone. What is more, unlike our colleagues, they will not use malicious language to condemn their political rivals or government officials unknowingly or when their emotions run high. Such an approach is actually a very big obstacle to the courtroom or parliamentary culture.

On the other hand, although counsels might engage in heated debates in court hearings, they may go for a drink or chit chat or do many other things together after the Court is adjourned. This is contrary to the frequently criticized scenes seen in the parliamentary assembly in Hong Kong, and the President may have already learnt about it — some colleagues will not greet other Members outside the Chamber after an argument inside the Chamber. They might even

refuse to share a lift. This is absolutely not ... Should we wish to practise democracy, such an attitude or culture is actually most damaging. No matter how the political reform is well-planned to, for instance, abolish functional constituencies, the democratization of Hong Kong can only move forward at a snail's pace, or even retrogress, without the nurturing of this culture slowly. I hope this gives the Legislative Council an opportunity to try to give "tit for tat" and build a positive relationship with the Government rather than seeking revenge.

Just now, Mr LEUNG Yiu-chung praised Secretary Prof K C CHAN for his way of expression in connection with this motion. I also agree with his approach, for it can enable Members to target questions in a more peaceful manner, rather than acting in an overly sensational manner for the sake of arousing public attention or attracting media attention. Certainly, it is just our ideal. We can all see the constant occurrence of mind-blowing comments, facial expressions and tactics during the elections staged by the western superpower which is more advanced than Hong Kong in terms of democratization. This demonstrates that we will slip back if we fail to move ahead. Even a nation with a very good tradition may take one major step backward if its people, media and players do not stay on alert. We can see that the United States is precisely a bad example of failing to remain vigilant. Should someone exploit the fears or hatred of other people and "play havoc with the situation" for the sake of his own political gains, a big fire can be triggered and run out of control.

President, I support this motion. Thank you.

MR ALAN LEONG (in Cantonese): The Honourable Paul TSE delivered an impassioned speech just now, thinking LEUNG Chun-ying has already awakened completely, and hence we should complement his efforts. Actually, soon after the commencement of the current-term Legislative Council, I was anxious to give more support to motions of this kind. Unfortunately, perhaps the President may also recall, LEUNG Chun-ying has not only failed to exercise his authority to reshuffle the agenda items, but also frequently exploited it as a tool to smear the democratic camp.

I recall I took up the Chairmanship of the Public Works Subcommittee during the third year of the fifth Legislative Council when the LEUNG Chun-ying Administration insisted on placing highly controversial items, including the

Liantang/Heung Yuen Wai crossing and the artificial islands in the central waters, before other agenda items related to a stadium, swimming pool, home for the aged, and so on. As Chairman of the Public Works Subcommittee at that time, I wrote a ruling of dozens of paragraphs because I thought I had to exercise my right to engage myself in this matter. No one could have imagined that LEUNG Chun-ying would not hesitate in exercising his powers to the fullest and lift all the items related to the swimming pool, stadium and community centre from the agenda 24 hours ahead of the scheduled time for announcement of my ruling. How could I make a cake without flour? My ruling was instantly rendered meaningless.

Likewise, LEUNG Chun-ying showed a similar attitude during our recent discussions about the supplementary provision of \$19.6 billion for the Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL) project. Actually, the Legislative Council was discussing a proposal for replacement of the computer system for the Hong Kong Police Force. Halfway into the discussion, LEUNG Chun-ying insisted on lifting this item from the agenda to make way for the XRL project. Moreover, discussions on livelihood-related items, such as the Elderly Health Care Vouchers, were seriously delayed. LEUNG Chun-ying is to blame for all this.

Has LEUNG Chun-ying really awakened completely, as the Honourable Paul TSE said? Although I very much wish to learn from Mr TSE's compassionate and generous spirit, I find it a bit difficult to do so. LEUNG Chun-ying is not a six-year-old child. Moreover, he has taken up the post of Chief Executive for more than three years. Why did he choose to withdraw the items now?

The President might have also noted the "hints" apparently dropped by messengers from Beijing, including Mr FENG Wei in an interview yesterday by the *South China Morning Post*, Prof LAU Siu-kai in an interview in Beijing the day before, and Mrs Rita FAN, former President of the Legislative Council, in an interview in Beijing. On the second day of the Lunar New Year, LEUNG Chun-ying not only angrily condemned the rioters in Mong Kok in an extremely ferocious manner, vowing to charge them with riot, but also expressed resentment in strong terms. Does the President agree that there is a great difference between his behaviour at that time and today? In the past, his attitude was so strong and firm that he seemed to be prepared to claim credit from Beijing as a heavenly king who succeeded in suppressing riots, thinking he would then

naturally receive blessings from Beijing for serving another term till 2022. No one could have imagined that Beijing was rumoured to describe the Mong Kok incident as a trivial incident. Apparently, even state leaders can see that the people of Hong Kong are greatly concerned about the challenge to "one country, two systems" because of the appointments of too many patriotic people by the Special Administrative Region (SAR) Government. While Prof LAU Siu-kai pointed out precisely that it hinged on who held the office of Chief Executive because it was a highly influential position, Mrs Rita FAN advised us to, besides criticizing others, demonstrate the ability to reflect on ourselves. Moreover, not only young people but also government officials with public powers had to do the same, too. She added that even though the Chief Executive was bullied by the democrats, he should have demonstrated his broadmindedness, but since he lacked it, we could only bear with him. I believe LEUNG Chun-ying had already got wind of all these comments long before we saw these people make comments on the television and in newspapers. As the saying goes, "The duck is the first to know when the water of the Spring River gets warm". He might already know in his mind what had actually happened a long time ago. I really think that some items could actually be dealt with first, or should have been dealt with a long time ago. But, the Government was reluctant to do so and continued to make items closely related to people's livelihood and the people of Hong Kong who would thus be benefited hostages in order to threaten the Legislative Council and demand Members to pass certain extremely controversial motions. Although there are still many questions which should have been answered or outstanding questions obviously awaiting answers, the Government still intends to force us to pass the motions.

For instance, will a "bogus cap" be imposed on the XRL project which we have just finished discussing? Will it become a bottomless pit? Will fewer people choose to take the express rail due to the five airports situated in the vicinity of the Pearl River Delta? Can the Government present a convincing economic model to assure the Financial Committee of the Legislative Council that this project will not become a black hole, meaning that fare revenue cannot meet the maintenance fees in future? However, the Government is unable to provide the relevant information.

We are also concerned that Mainland public security officers, inspection and quarantine personnel or Customs and Excise officers might be required to come to Hong Kong to enforce the relevant Mainland laws because such arrangements are apparently possible under Article 18 of the Basic Law.

Despite the request made by some pro-establishment Members for the Government to inform them of the direction and draw up an outline as they can see for themselves that concrete details are not available, the Government is still unable to deliver. The comments made by Mr RAO Geping in Beijing three days ago have even sparked outrage. He suggested that the Central Government and the SAR Government enter into an agreement to implement co-location of clearance in Hong Kong, subject to the consent of the Standing Committee of the National People's Congress. His comments were indeed shocking. Nevertheless, the Government still insists on forcing the placement of this extremely controversial item before those related to Health Care Vouchers, hospital expansions, and pay rises for civil servants and the Judiciary. Is the Government not holding the beneficiaries as hostages with a view to threatening Members of the Legislative Council?

President, according to my understanding of LEUNG Chun-ying over the past couple of years, I cannot believe he can really repent and learn from the bitter lesson, and will really respond to public sentiments and opinion in future by putting those extremely controversial items at the end of the agenda to prevent the beneficiaries from waiting too long and being held hostage.

I hope members of the public who are listening to this debate can understand the full story of the matter. In fact, Rule 18 of the RoP of the Legislative Council already clearly provides for the order of business at a meeting. The Vote on Account Resolution currently submitted by Secretary Prof K C CHAN is classified as a Government motion, which should be placed after Government bills. But, why is there such a huge backlog of bills? This is related to the bottleneck created as a result of the Copyright (Amendment) Bill 2014. Secretary Prof K C CHAN can indeed be compared to the slowest player in a mahjong game.

Earlier, many Honourable colleagues said that the Government had only itself to blame for putting itself in such an embarrassing position today. I have also heard most Members criticize the Government for failing to avert this situation despite full knowledge of the outcome from the outset. So, why did the Government change its usual style this time around? As I pointed out just now, I believe LEUNG Chun-ying might have got wind of something from, for instance, the interviews of LAU Siu-kai, Mrs Rita FAN and FENG Wei, and realized that his days might be numbered. As a result, he pretended to make peace in the hope of achieving a better result. Or perhaps he could not bear the

consequences of the Government's Vote on Account Resolution failing to be passed because he would then probably default on payment of salaries to more than 100 000 civil servants. Since he is now being opposed by the public and deserted by his followers, he certainly does not wish to bear this additional consequence. It seems to me that he is now treating himself as a hostage, and so his mindset has changed.

Although he is by no means a man of noble character, and this act of his might just be a lazy political gesture, we as people who are sincere in serving the public will definitely not get tough and prevent the Government from reshuffling the Agenda.

Although I cannot follow the example of Mr Paul TSE, my Honourable colleague, and forgive LEUNG Chun-ying, and under no circumstances will I forgive him, actually he has not pleaded for our forgiveness, either. For the well-being of the public at large, we are willing to accept the reshuffling of the order. Hence, I have spoken in support of the motion moved by Secretary Prof K C CHAN under Rule 91 of the RoP. I so submit.

SUSPENSION OF MEETING

PRESIDENT (in Cantonese): I now suspend the meeting until 9 am tomorrow.

Suspended accordingly at 8.03 pm.

Annex I

呈

香港特別行政區

立法會主席及全體議員

(只備中文本)
(in Chinese only)

呈請書

(根據議事規則第 20 條提交)

2016 年 2 月 8 日深夜至 9 日清晨，旺角發生嚴重警民衝突，事件導致多人受傷。在事後當日早上，行政長官沒有作出深入調查之下，即刻將是次衝突定性為「暴亂」，而部分議員、人大政協緊跟這個定調不斷發聲，讓一個未經證實的結論不斷在社會上發酵。政府事後只管譴責和拘捕涉事市民，卻拒絕設立調查委員會以研究衝突的成因、警察當晚的部署等，並提出建議或措施防止衝突重演，處理手法令人遺憾。

是次警民衝突，參與市民人數眾多，反映問題並不能諉過於一小撮所謂「暴徒」，更可能源於市民對政府的強烈不滿，絕非拘捕幾十名參與者便能平息。若不找出衝突的原因，只以高壓手段對付，恐怕只會進一步激發更暴力的抗爭方式，製造更嚴重的衝突，對社會有害無益。

我們懇請各位議員支持，在立法會轄下成立一個專責委員會，深入調查上述衝突的經過和成因，並就如何避免再次發生衝突提建議或措施。

呈請人：

楊岳橋 何秀蘭

2016 年 3 月 15 日

Appendix I**WRITTEN ANSWER****Written answer by the Secretary for Education to Mr CHAN Chi-chuen's supplementary question to Urgent Question**

As regards the psychiatric services provided by the Hospital Authority (HA) for needy children or adolescents, the multi-disciplinary professional teams of the HA comprising healthcare practitioners in various disciplines, involving doctors (including paediatricians and psychiatrists), clinical psychologists, nurses, speech therapists, occupational therapists and medical social workers, provide early identification, assessment and treatment services for needy children or adolescents. The professional teams of the HA provide appropriate treatment and training, including in-patient, out-patient, day rehabilitation training and community support services to needy children or adolescents according to the severity of their clinical conditions, with a view to enhancing their speech and communication, sociability, emotion management, problem solving, learning and life skills. Appropriate support and training are also provided to the parents and caregivers in order to enhance their understanding of the condition and treatment needs of these needy children and adolescents.

Since 2001, the HA has implemented the Early Assessment Service for Young People with Psychosis (EASY) Programme, which targets at young people aged between 15 and 25 with first episode psychosis. The specialized teams under the EASY programme offer one-stop, phase-specific and ongoing support for these target patients for the first two critical years of illness. The teams also support public education and promotion to enhance awareness of mental health in the community. In 2011-2012, the HA expanded the service target of the EASY programme to include patients aged between 15 and 64 and extended the duration of intensive care to the first three critical years of the illness.

In addition, the HA has been maintaining close liaison with the Education Bureau and other non-governmental organizations (NGOs) to review and discuss for strengthening of existing notification, referral and support mechanisms to ensure the multidisciplinary collaboration and communication. At present, the service centres of EASY programme in seven clusters of the HA and the Education Bureau

WRITTEN ANSWER — *Continued*

have reached a consensus that schools can directly contact the respective EASY service centre for seeking relevant professional advice and support, including assessment, seminars/workshops and extension of treatment services. To strengthen the communication and information flow between schools and Child & Adolescent (C&A) psychiatry of the HA to better support needy students, in addition to obtaining consent from parents to refer for assessment by schools or educational psychologists (EPs), the HA at the same time also obtain their consent to the submission of assessment report conducted by psychiatric doctors for schools' or EPs' follow-up, to ensure that students with mental health problems receive timely and appropriate treatment and support. Furthermore, to support the training needs of the Education Bureau, the HA has collaborated with the Education Bureau to provide training to teachers and healthcare professionals so as to enhance their competency in early detection of needy students. In 2014 and 2015, the Education Bureau and the HA had co-organized a training seminar on "Supporting Students with Depression in Secondary Schools" and "Supporting Students with Anxiety Disorders" respectively. The contents covered the cause, assessment, intervention and treatment of students with depression or anxiety disorders, and the speakers included psychiatrist, clinical psychologist, EP, school personnel and carers.

The table below sets out the number of C&A patients treated in psychiatric specialty of the HA in the past five years:

	<i>Number of C&A patients treated in psychiatric specialty of the HA</i>
2010-2011	15 400
2011-2012	18 900
2012-2013	21 900
2013-2014	24 100
2014-2015	26 500

Note:

Figures are rounded to the nearest hundred.

In view of an increasing demand for C&A psychiatric services, the HA has strengthened its C&A psychiatric teams in the Kowloon West Cluster and the New Territories East Cluster in 2014-2015 and in the Kowloon East Cluster in

WRITTEN ANSWER — *Continued*

2015-2016 respectively. A multidisciplinary team of healthcare professionals including doctor, psychiatric nurse, occupational therapist and clinical psychologist were recruited for each cluster to enhance the C&A psychiatric services. In 2016-2017, the HA will further expand its C&A psychiatric services in the Hong Kong West Cluster and the New Territories West Cluster.

The HA will continue to review and monitor its services to ensure that they are in keeping with the needs of patients.

Appendix II**WRITTEN ANSWER****Written answer by the Secretary for Development to Mr Tony TSE's supplementary question to Question 1**

Regarding whether the sites earmarked for the construction of new government office buildings for relocating the three government office buildings at the Wan Chai waterfront were put to any temporary uses before the commencement of works, in general, for sites long-term use of which is yet to be implemented, the Lands Department will, as far as practicable, put them to appropriate temporary use(s), such as temporary use by other government departments or by non-government organizations through short-term tenancy. Currently, the sites in Cheung Sha Wan, Kai Tak Development Area, Tseung Kwan O and Chai Wan earmarked for relocating the three government office buildings at the Wan Chai waterfront are all put to temporary uses, including temporary fee-paying public car parks, temporary works area or storage by works departments, and local greening, and so on.

Appendix III

WRITTEN ANSWER

Written answer by the Secretary for Transport and Housing to Mr Frederick FUNG's supplementary question to Question 3

Additional information on markets under the Food and Environmental Hygiene Department (FEHD) and the Hong Kong Housing Authority (HA) is at Annex.

Annex

Markets under the FEHD and the HA

<i>District</i>	<i>FEHD</i>		<i>HA</i>	
Islands	4	- Cheung Chau Market - Mui Wo Market - Peng Chau Market - Tai O (Lantau) Market	0	Nil
Kowloon City	4	- Hung Hom Market - Kowloon City Market - To Ka Wan Market - On Ching Road Flower Market	1	- Ching Long Market
Sai Kung	2	- Sai Kung Market - Tui Min Hoi Market	0	Nil
Yuen Long	5	- Hung Shui Kiu Temporary Market - Kam Tin Market - Lau Fau Shan Market - Tai Kiu Market - Tung Yick Market	2	- Tin Yan Estate - Hung Fuk Estate
Sham Shui Po	4	- Lai Wan Market - Pei Ho Street Market - Po On Road Market - Tung Chau Street Temporary Market	4	- Chak On Estate - Nam Shan Estate - Pak Tin Estate - Shek Kip Mei Estate

WRITTEN ANSWER — *Continued*

<i>District</i>	<i>FEHD</i>		<i>HA</i>	
Southern District	5	- Aberdeen Market - Ap Lei Chau Market - Tin Wan Market - Yue Kwong Road Market - Stanley Waterfront Mart	2	- Wah Fu (I) Estate - Wah Fu (II) Estate
Eastern District	10	- Aldrich Bay Market - Causeway Bay Market - Chai Wan Market - Electric Road Market - Java Road Market - North Point Market - Quarry Bay Market - Sai Wan Ho Market - Shau Kei Wan Market - Yue Wan Market	0	Nil
Kwai Tsing	3	- North Kwai Chung Market - Tsing Yi Market - Wing Fong Street Market	5	- Cheung Ching Estate - Kwai Chung Estate - Kwai Shing West Estate - Lai King Estate - Lai Yiu Estate
Tai Po	2	- Plover Cove Road Market - Tai Po Hui Market	0	Nil
Tuen Mun	3	- Lam Tei Market - San Hui Market - Yan Oi Market	1	- Siu Hong Court
North	4	- Kwu Tung Market Shopping Centre - Luen Wo Hui Market - Sha Tau Kok Market - Shek Wu Hui Market	0	Nil
Sha Tin	2	- Sha Tin Market - Tai Wai Market	1	- Pok Hong Estate

WRITTEN ANSWER — *Continued*

<i>District</i>	<i>FEHD</i>		<i>HA</i>	
Yau Tsim Mong	5	- Fa Yuen Street Market - Haiphong Road Temporary Market - Kwun Chung Market - Tai Kok Tsui Market - Yau Ma Tei Market	0	Nil
Kwun Tong	4	- Lei Yue Mun Market - Ngau Tau Kok Market - Shui Wo Street Market - Yee On Street Market	1	- Ping Shek Estate
Wong Tai Sin	4	- Choi Hung Road Market - Ngau Chi Wan Market - Sheung Fung Street Market - Tai Shing Street Market	2	- Choi Hung Estate - Fu Shan Estate
Tsuen Wan	5	- Heung Che Street Market - Sham Tseng Temporary Market - Tsuen King Circuit Market - Tsuen Wan Market - Yeung Uk Road Market	2	- Cheung Shan Estate - Lei Muk Shue Estate
Wan Chai	5	- Bowrington Road Market - Lockhart Road Market - Tang Lung Chau Market - Wan Chai Market - Wong Nai Chung Market	0	Nil
Central and Western	5	- Centre Street Market - Sai Ying Pun Market - Shek Tong Tsui Market - Sheung Wan Market - Smithfield Market	0	Nil