

立法會
Legislative Council

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**Paper for the House Committee meeting
of 11 March 2016**

**Questions scheduled for the
Legislative Council meeting of 16 March 2016**

Questions by:

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|------|------------------------|-----------------|
| (1) | Hon CHAN Kam-lam | (Oral reply) |
| (2) | Hon LEUNG Kwok-hung | (Oral reply) |
| (3) | Dr Hon Fernando CHEUNG | (Oral reply) |
| (4) | Hon CHAN Yuen-han | (Oral reply) |
| (5) | Hon WONG Kwok-kin | (Oral reply) |
| (6) | Hon IP Kin-yuen | (Oral reply) |
| (7) | Hon POON Siu-ping | (Written reply) |
| (8) | Hon CHAN Chi-chuen | (Written reply) |
| (9) | Hon MA Fung-kwok | (Written reply) |
| (10) | Hon CHAN Han-pan | (Written reply) |
| (11) | Prof Hon Joseph LEE | (Written reply) |
| (12) | Hon Abraham SHEK | (Written reply) |
| (13) | Hon James TO | (Written reply) |
| (14) | Hon Alice MAK | (Written reply) |
| (15) | Hon Christopher CHUNG | (Written reply) |
| (16) | Hon IP Kwok-him | (Written reply) |
| (17) | Hon Paul TSE | (Written reply) |
| (18) | Dr Hon Priscilla LEUNG | (Written reply) |
| (19) | Hon CHEUNG Kwok-che | (Written reply) |
| (20) | Dr Hon Kenneth CHAN | (Written reply) |
| (21) | Hon Kenneth LEUNG | (Written reply) |
| (22) | Hon Frederick FUNG | (Written reply) |

註 :

NOTE :

議員將採用這種語言提出質詢

Member will ask the question in this language

Measures to increase commercial floor space

(1) Hon CHAN Kam-lam (Oral reply)

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:

- (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?

Giving out warm clothing and food items to elderly people in need

(2) Hon LEUNG Kwok-hung (Oral reply)

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-subsidized 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?

Management of retail facilities in public housing estates

(3) Dr Hon Fernando CHEUNG (Oral reply)

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?

Impact of industrial building revitalization measures on
cultural, creative and arts workers

(4) Hon CHAN Yuen-han (Oral reply)

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?

Occupational safety of as well as accoutrements and
training for frontline police officers

(5) Hon WONG Kwok-kin (Oral reply)

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?

Regulation of non-local higher and professional education courses

(6) Hon IP Kin-yuen (Oral reply)

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?

Issuance of hotel service endorsements for non-franchised public buses

(7) Hon POON Siu-ping (Written reply)

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?

Closure of East Wing Forecourt of the Central Government Offices

(8) Hon CHAN Chi-chuen (Written reply)

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?

Work visa requirements for visitors
participating in local cultural, arts or sports events

(9) Hon MA Fung-kwok (Written reply)

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?

Provision and management of public markets

(10) Hon CHAN Han-pan (Written reply)

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?

Home End-of-Life Care Programme

(11) Prof Hon Joseph LEE (Written reply)

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?

Revenue collected due to Special Stamp Duty, Buyer's Stamp Duty
and Doubled Ad Valorem Stamp Duty

(12) Hon Abraham SHEK (Written reply)

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					-	-
...					-	-
...					-	-
February 2013						
...						
...						
February 2016						

Stenches emitted from the New Yau Ma Tei Typhoon Shelter

(13) Hon James TO (Written reply)

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 stenches 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 stenches 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?

Planning of public markets

(14) Hon Alice MAK (Written reply)

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?

Safety of the glass panes of the doors of public buses

(15) Hon Christopher CHUNG (Written reply)

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?

Provision of medical services for the public during long holidays

(16) Hon IP Kwok-him (Written reply)

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?

Declarations and surveys relating to household
income of public rental housing tenants

(17) Hon Paul TSE (Written reply)

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 HA (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 HA’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?

Replacement and rehabilitation of aged water mains

(18) Dr Hon Priscilla LEUNG (Written reply)

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?

Clashes arising from hawker and review of the hawker policy

(19) Hon CHEUNG Kwok-che (Written reply)

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?

Signature Project Scheme

(20) Dr Hon Kenneth CHAN (Written reply)

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);

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

- (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?

Electoral arrangements

(21) Hon Kenneth LEUNG (Written reply)

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 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?

Opening of the military dock site to the public

(22) Hon Frederick FUNG (Written reply)

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?