

立法會
Legislative Council

LC Paper No. CB(4)407/16-17

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by the Administration)

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**Subcommittee on Port Control (Cargo Working Areas)
(Amendment) Regulation 2016**

**Minutes of the first meeting held on
Wednesday, 21 December 2016, at 10:45 am
in Conference Room 2A of the Legislative Council Complex**

Members present : Hon WONG Ting-kwong, SBS, JP (Chairman)
Hon Frankie YICK Chi-ming, JP
Hon CHAN Han-pan, JP
Hon POON Siu-ping, BBS, MH

**Public Officers
Attending** : Agenda item II

Transport and Housing Bureau

Miss Joey LAM, JP
Deputy Secretary for Transport and Housing
(Transport) 5

Mr Leo TZE
Assistant Secretary for Transport and Housing
(Transport) 11B

Marine Department

Mr CHEUK Fan-lun
Assistant Director/ Planning and Services

Department of Justice

Mr Alex LAI
Government Counsel

Clerk in attendance : Ms Shirley CHAN
Chief Council Secretary (4)5

Staff in attendance : Ms Vanessa CHENG
Assistant Legal Adviser 5

Ms Shirley TAM
Senior Council Secretary (4)5

Ms Lauren LI
Council Secretary (4)5

Ms Zoe TONG
Legislative Assistant (4)5

Action

I. Election of Chairman

Mr WONG Ting-kwong, the member of the highest precedence among those present at the meeting, presided over the election of the Chairman of the Subcommittee. He invited nominations for the chairmanship of the Subcommittee.

2. Mr POON Siu-ping nominated Mr WONG Ting-kwong and the nomination was seconded by Mr Frankie YICK. Mr WONG accepted the nomination. There being no other nominations, Mr WONG was declared Chairman of the Subcommittee.

3. Members agreed that there was no need to elect a Deputy Chairman.

II. Meeting with the Administration

(L.N. 180 of 2016 — Port Control (Cargo Working Areas) (Amendment) Regulation 2016

File Ref: THB PML CR 8/10/40/1 — Legislative Council Brief issued by the Transport and Housing Bureau and Marine Department

Action

- LC Paper No. LS17/16-17 — Legal Service Division Report on Subsidiary Legislation Gazetted on 2 December 2016
- LC Paper No. CB(4)331/16-17(01) — Marked-up copy of the Port Control (Cargo Working Areas) (Amendment) Regulation 2016 prepared by the Legal Service Division (Restricted to members))

Discussion

4. The Subcommittee deliberated (index of proceedings attached at **Annex**).

III. Any other business

Invitation of views

5. Members agreed that there was no need to invite the public to give views on the Port Control (Cargo Working Areas) (Amendment) Regulation 2016 ("the Amendment Regulation").

Legislative timetable

6. The Chairman concluded that the Subcommittee had completed the scrutiny of the Amendment Regulation and would not propose any amendment to the Amendment Regulation.
7. The Subcommittee noted that the scrutiny period of the Amendment Regulation had been extended to 8 February 2017, and that the deadline for giving notices of motions to amend the Amendment Regulation was 1 February 2017. The Chairman would report the deliberations of the Subcommittee to the House Committee on 20 January 2017.
8. There being no other business, the meeting ended at 11:02 am.

**Proceedings of the first meeting of
the Subcommittee on Port Control (Cargo Working Areas) (Amendment) Regulation 2016
on Wednesday, 21 December 2016, at 10:45 am
in Conference Room 2A of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action required
Agenda item I – Election of Chairman			
000103 – 000233	Mr WONG Ting-kwong Mr Frankie YICK Mr POON Siu-ping	Election of Chairman	
Agenda item II – Meeting with the Administration			
000234 – 000348	Chairman	Opening remarks	
000349 – 000559	Chairman Administration	Briefing by the Administration on the Port Control (Cargo Working Areas) (Amendment) Regulation 2016 ("the Amendment Regulation") which sought to introduce a concessionary rate of Vehicle Entry Ticket ("VET") fee at \$25 for goods vehicles staying in Public Cargo Working Areas ("PCWAs") for not more than 30 minutes	
000600 – 001206	Chairman Mr POON Siu-ping Administration	<p>Mr POON Siu-ping expressed support for the introduction of a concessionary fee for the first half-hour stay in PCWAs. He enquired–</p> <ul style="list-style-type: none"> (a) whether there was room for further reduction in the current hourly VET rate of \$33; (b) about the basis for the determination of the proposed half-hourly VET rate at \$25; (c) whether the Administration would pledge not to raise the hourly VET rate from \$33 to \$50 in future given that the Administration had proposed setting the half-hourly VET rate at \$25. <p>In response, the Administration advised that –</p> <ul style="list-style-type: none"> (a) there was an established mechanism for the Administration to determine the charging levels of various fees; (b) the current hourly VET rate was set in 1999 on a cost recovery basis which included land cost, costs for providing and maintaining the PCWA facilities etc.; and (c) it had no plan to increase the current hourly VET rate in view of the recent downward trend of cargo throughput and the expected difficult economic times ahead. 	

Time marker	Speaker	Subject(s)	Action required
001207 – 001606	Chairman Mr Frankie YICK Administration	<p>Mr Frankie YICK said that the trade had all along been calling for the provision of a concessionary half-hourly rate for VET. Such incentive would encourage truckers to improve their cargo handling efficiency, thus expediting turn-over and lessening congestion in the PCWAs. He understood that while a higher concessionary rate was requested by the trade, as a start, the trade was prepared to accept the concessionary rate of VET fee at the proposed level of \$25. He urged the Administration to review the effectiveness of the arrangement in one year's time and consider introducing a higher rate of concession, particularly when the proposed arrangement was proved to be effective in relieving traffic congestion at PCWAs.</p> <p>In order to assist PCWA operators to face the tough operating environment, Mr YICK called on the Administration to extend the tenure of the Berth Licence Agreements ("BLAs") from currently five to at least seven years to facilitate PCWA operators' planning for longer term development. He also considered it inappropriate that the berthing fees under BLAs were subject to the annual adjustment of the Government Consumption Expenditure Deflator which had taken into account increases in public expenditure not related to the operation and maintenance of PCWAs and was higher than the inflation rates. He would separately follow up the matters with the Administration.</p>	
001607 – 001711	Chairman Administration	<p><u>Examination of the provisions</u></p> <p>Members raised no queries on sections 1 to 3 of the Amendment Regulation.</p>	
Agenda item III –Any other business			
001712 – 001820	Chairman	<p>Invitation of public views</p> <p>Legislative timetable and extension of the scrutiny period</p> <p>Date of next meeting</p> <p>Closing remarks</p>	