

立法會
Legislative Council

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**Paper for the House Committee meeting
of 16 March 2018**

**Questions scheduled for the
Legislative Council meeting of 21 March 2018**

Questions by:

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| (1) | Hon Jeffrey LAM | (Oral reply) |
| (2) | Hon WU Chi-wai | (Oral reply) |
| (3) | Hon Starry LEE | (Oral reply) |
| (4) | Hon Frankie YICK | (Oral reply) |
| (5) | Hon Dennis KWOK | (Oral reply) |
| (6) | Hon Jimmy NG | (Oral reply) |
| (7) | Hon CHAN Kin-por | (Written reply) |
| (8) | Hon Holden CHOW | (Written reply) |
| (9) | Hon James TO | (Written reply) |
| (10) | Hon SHIU Ka-fai | (Written reply) |
| (11) | Dr Hon Priscilla LEUNG | (Written reply) |
| (12) | Hon YIU Si-wing | (Written reply) |
| (13) | Hon LEUNG Che-cheung | (Written reply) |
| (14) | Hon MA Fung-kwok | (Written reply) |
| (15) | Hon Claudia MO | (Written reply) |
| (16) | Hon HO Kai-ming | (Written reply) |
| (17) | Hon LEUNG Yiu-chung | (Written reply) |
| (18) | Dr Hon CHIANG Lai-wan | (Written reply) |
| (19) | Hon Jeremy TAM | (Written reply) |
| (20) | Hon Kenneth LAU | (Written reply) |
| (21) | Dr Hon Fernando CHEUNG | (Written reply) |
| (22) | Hon Alice MAK | (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

Wild pigs causing nuisances to the public

(1) Hon Jeffrey LAM (Oral reply)

It has been reported that incidents in which wild pigs foraging food strayed near residential areas and caused nuisances to the public have occurred from time to time, and such incidents have spread from suburban areas to urban areas in recent years. In those incidents, some wild pigs tipped over rubbish bins, jeopardizing environmental hygiene; injured passers-by and cyclists by hitting or biting them, posing a threat to the personal safety of the public; and bolted out into the roads, endangering road safety. In this connection, will the Government inform this Council:

- (1) of the number of complaints about nuisances caused by wild pigs received by the Agriculture, Fisheries and Conservation Department (“AFCD”) in each of the past five years (with a tabulated breakdown by whether the locations at which wild pigs appeared were in the New Territories, Kowloon, Hong Kong Island or outlying islands); the number of those complaints in respect of which the Department informed the Civilian Hunting Teams to carry out hunting operations, and the way in which the remaining complaints were handled;
- (2) given that AFCD currently uses satellite tracking technology to monitor the activities of wild pigs and their migratory routes after they have been released back to the wild, and applies a contraceptive drug on wild pigs, whether it has assessed the effectiveness of such measures in containing the nuisances caused by wild pigs; and
- (3) whether it has formulated measures to reduce the appearance of wild pigs in the vicinity of residential areas, so as to enhance the protection of the personal safety of the public and maintain environmental hygiene; if so, of the details; if not, the reasons for that?

Dental services provided to the general public

(2) Hon WU Chi-wai (Oral reply)

The Chief Executive indicated in the Policy Address delivered in October last year that a steering committee on primary healthcare development (“the steering committee”) would be set up to comprehensively review the existing planning of primary healthcare services and to draw up a development blueprint. However, the Policy Address has not put forward any measures to improve the dental services provided to the general public to dovetail the development of primary healthcare services. On the other hand, the ratio of dentist to population in Hong Kong has remained at 0.3 dentist per 1 000 persons since 1996, a ratio far lower than those of quite a number of economies with levels of economic development comparable to Hong Kong. In this connection, will the Government inform this Council:

- (1) whether the steering committee will study the role of dental treatment and oral care services in primary healthcare services;
- (2) given that the emergency dental services currently provided to the general public by the dental clinics under the Department of Health only cover extraction and pain relief, whether the Government will consider expanding the public dental services to provide general dental treatment and oral care services to the general public; if so, of the details; if not, the reasons for that; and
- (3) whether it has considered raising the ratio of dentist to population in Hong Kong; if so, of the short-term and long-term target ratios; if not, the reasons for that?

Nuisances caused to residents by the activities
of receiving inbound Mainland tour groups

(3) Hon Starry LEE (Oral reply)

During the Labour Day holiday of the Mainland (commonly known as “Labour Day Golden Week”) each year, the number of inbound Mainland tour groups (“IMTGs”) surges as compared with those in the ordinary days. Among such IMTGs, quite a number of them charge low fares and have arranged shopping. It is learnt that such type of tour groups usually arrange their tour group members to have meals and shopping at designated restaurants and shops located in the old districts. As a result, the traffic in such districts is seriously congested due to a large number of coaches parking and picking up/dropping off tourists there, and the daily life of the residents in such districts has therefore been greatly affected. On the other hand, the Travel Industry Council of Hong Kong (“TIC”) has set up various disciplinary committees, which are responsible for handling non-compliance cases concerning and complaints against its member travel agents and the “registered shops” (i.e. those shops registered with TIC which are dedicated to receiving tour group visitors). In this connection, will the Government inform this Council:

- (1) whether it knows the total number of complaints involving IMTGs received by the disciplinary committees under TIC in each of the past three years, a breakdown of such complaints by nature, the number of such complaints which were found substantiated, and the penalties imposed on the offenders concerned;
- (2) whether it knows if the disciplinary committees under TIC handled, in the past three years, complaints about the nuisances caused to residents by the activities of the registered shops and travel agents in receiving IMTGs; if the committees did, of the details; if not, whether the Government will urge TIC to handle this type of complaints; and
- (3) of the new measures to be put in place to alleviate the nuisances that may be caused by IMTGs to the residents in old districts during the upcoming Labour Day Golden Week; given that upon the passage of the Travel Industry Bill by this Council, the Government will establish a statutory regime for the licensing and regulation of travel agents, tourist guides and tour escorts, whether the Government will consider including the impacts brought to residents by the activities of receiving tour groups as one of the considerations for vetting and approval of applications for the relevant licenses; of the interim measures, before the relevant legislation comes into effect, to alleviate the nuisances caused to the residents in the aforesaid districts by the activities of receiving tour groups?

Cross-boundary land freight transport

(4) Hon Frankie YICK (Oral reply)

The Liantang/Heung Yuen Wai Boundary Control Point (“LT/HYW BCP”), now under construction, is expected to be commissioned by the end of this year. However, the Governments of Hong Kong and Shenzhen have not yet released information on the operation of the BCP, such as daily operating hours, clearance arrangements and the ancillary facilities to be provided therein. It has been reported that the Shenzhen Municipal Government will proceed with the reconstruction of the Huanggang Port, and the Port will not provide cargo clearance service upon re-opening. Some members of the logistics industry are worried that as there will no longer be any BCP providing round-the-clock cargo clearance service between Hong Kong and Shenzhen by then, cross-boundary land freight transport will be seriously affected. In this connection, will the Government inform this Council:

- (1) whether there will be other BCPs providing round-the-clock cargo clearance service after the Huanggang Port has ceased to provide such service;
- (2) whether it knows if the parking facilities at LT/HYW BCP will be sufficient to cope with the operational needs of the logistics industry; and
- (3) whether it knows the details of the ancillary facilities on the Shenzhen side of LT/HYW BCP; given that the utilization rate of the Shenzhen Bay Port was on the low side during its initial phase of commissioning due to the lack of ancillary facilities on the Shenzhen side, what measures the Governments of Hong Kong and Shenzhen have in place to prevent the occurrence of such problem in LT/HYW BCP?

Legislating against trafficking in persons and forced labour

(5) Hon Dennis KWOK (Oral reply)

Last year, Hong Kong was placed, for the second consecutive year, on the Tier 2 Watch List in the Trafficking in Persons Report published annually by the Department of State of the United States, indicating “a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons (“TIP”) from the previous year” on the part of Hong Kong. Moreover, the High Court pointed out in a judgment handed down in 2016 on a judicial review case that the Government had failed to fulfill its obligation to protect the right, under Article 4 in Part II (Hong Kong Bill of Rights) of the Hong Kong Bill of Rights Ordinance, of the applicant in that case of not being subjected to forced labour or TIP. In particular, the Court stated that the critical flaw in the Government’s fulfilment of its obligations under Article 4 of the Hong Kong Bill of Rights was the lack of a criminal offence and penalty that addressed the prohibited concept of forced or compulsory labour. Despite the Government’s repeated claim that TIP has been effectively dealt with by the various pieces of legislation, some human rights organizations have expressed concern that the current legislative framework fails to combat all forms of TIP as defined under Article 3(a) of the Palermo Protocol, nor can it effectively pursue syndicates or persons benefiting from the proceeds obtained from such activities. In this connection, will the Government inform this Council whether it will conduct a comprehensive review of the policies and measures in place in relation to TIP and forced labour, and introduce dedicated and comprehensive criminal legislation and penalties to prohibit such acts; if so, of the details (including timetable); if not, the reasons for that?

Reviewing sections 39E and 16EC of the Inland Revenue Ordinance

(6) Hon Jimmy NG (Oral reply)

Over the years, the industrial sector has been proposing to the Government that sections 39E and 16EC of the Inland Revenue Ordinance (“IRO”) be amended to enable manufacturers to claim tax allowances in respect of the machinery, equipment and intellectual property rights used in their production procedures located outside Hong Kong. However, the Government has all along rejected the proposal on the ground that the proposal may be regarded as encouraging the manufacturers’ transfer of company profits via transfer pricing arrangement. Quite a number of members of the sector have relayed that the two provisions have hindered the pace of the upgrading and restructuring of Hong Kong enterprises in the Pearl River Delta Region, and are not conducive to their capitalizing on the opportunities brought about by the nation’s “Belt and Road” Initiative and the development of the Guangdong-Hong Kong-Macao Bay Area. In this connection, will the Government inform this Council:

- (1) whether it will consider amending IRO, as proposed by the sector, by deleting from the definition of “lease” the arrangement under which a Hong Kong taxpayer gives his machinery and equipment to another party without charging rents for production of products to be sold by the taxpayer, and amending section 16EC(4)(b) to the effect that the provision will cease to be applicable to the arrangement under which a Hong Kong taxpayer gives his intellectual property rights to another party for production of products to be sold by the taxpayer; if not, of the authorities’ measures to reduce the tax burden of Hong Kong taxpayers under these two provisions; and
- (2) as the authorities have introduced a bill to this Council to incorporate into IRO the principle concerning transfer pricing as released by the Organisation for Economic Co-operation and Development, whether the authorities will review the aforesaid two provisions immediately upon completion of the legislative exercise; if so, of the details (including the timetable for the review and the legislative amendment exercise), as well as the roles to be played by the Guangdong-Hong Kong-Macao Bay Area Development Office, the Belt and Road Office, the tax policy unit, and the Committee on Innovation, Technology and Re-industrialisation in the work concerned?

Measures to promote work-life harmony

(7) Hon CHAN Kin-por (Written reply)

In view of the heavy work pressure faced by working persons, the Singapore Government established in 2000 a Tripartite Committee on Work-Life Strategy, with members drawn from the government, the business sector and employees. The Committee is dedicated to the formulation of strategies and measures to promote work-life balance for employees. In addition, the Singapore Government provides a Work-Life Grant, capped at S\$160,000 per company, for local companies to implement flexible work arrangements, such as flexi-time, flexi-place and part-time work. There are comments that the implementation of such measures by the Singapore Government has not only helped relieve the work pressure of working persons, but has also facilitated the country in attracting international talents and enhancing its international competitiveness. In this connection, will the Government inform this Council whether:

- (1) it will examine extending the scope of the current family-friendly employment practices, which are family-oriented, to cover work-life balance measures needed for personal development, so as to take care of employees' needs in family and personal life; if not, of the reasons for that;
- (2) it will consider sending officers to visit Singapore to understand the implementation of work-life balance measures by local companies and the effectiveness of such measures; if so, of the details (including timetable); if not, the reasons for that; and
- (3) it will make reference to the practices of Singapore, and examine (i) the establishment of a strategy committee with members drawn from the Government, the business sector and employees, and (ii) the setting up of funds to subsidize local companies in implementing flexible work arrangements for employees, with a view to promoting work-life balance for employees; if so, of the details; if not, the reasons for that?

The Elderly Health Care Voucher Scheme

(8) Hon Holden CHOW (Written reply)

The Elderly Health Care Voucher Scheme (“ECV Scheme”) aims to supplement the existing public healthcare services by providing financial incentive to enable the elderly to choose private healthcare services, including preventive care, that best suit their needs. At present, each eligible elderly person is allotted ECVs of a total value of \$2,000 each year, with the cumulative total value of ECVs being capped at \$4,000. It has been reported that the number of complaints about ECVs received by the Department of Health (“DH”) increased substantially year on year in each of the past three years, and quite a number of which involved abusive use of ECVs. In this connection, will the Government inform this Council:

- (1) of (i) the number of complaints about ECVs received and (ii) the number of such complaints into which investigations were conducted, by DH in each of the past three years (with a tabulated breakdown by nature of the complaints);
- (2) whether it has examined the implementation of specific measures to further prevent the abusive use of ECVs, and whether it will step up its monitoring of the service providers for the ECV Scheme; and
- (3) whether it will consider afresh raising the cap on the cumulative total value of ECVs, so as to prevent service providers from persuading elderly people into using their ECVs indiscriminately by taking advantage of their mentality that those ECVs above the cap will anyway be nullified?

Monitoring the sale of overseas properties
by estate agents and salespersons

(9) Hon James TO (Written reply)

Last year, the Consumer Council received 35 complaints concerning the sale of overseas properties, which more than doubled the figure of the previous year. In some of the cases, the uncompleted properties involved subsequently “failed”; in other cases, the estate agents were alleged to have failed to disclose to the buyers the risk that a property valuation might be lower than what had been expected; and in other cases, the buyers demanded, upon discovery that the estate agents concerned had made statements inconsistent with the contents of the sale and purchase agreements, for refund, but to no avail. Furthermore, according to the Estate Agents (Exemption from Licensing) Order (Cap. 511B), any person who deals exclusively with overseas properties and states in all his documents (including pamphlets, brochures) and in any advertisement that he is not licensed to deal with properties within Hong Kong may be exempted from obtaining an estate agent’s licence or a salesperson’s licence. However, if the person concerned also deals with properties within Hong Kong, he is required to obtain a licence. Regarding the monitoring of the sale of overseas properties by estate agents and salespersons, will the Government inform this Council:

- (1) whether it knows (i) the number of complaints concerning the sale of overseas properties received, and (ii) the number of such complaints for which follow-up actions have been taken, by the Consumer Council since last year; whether the Consumer Council will consider using the Consumer Legal Action Fund to help complainants recover their losses through legal means; if the Consumer Council will, of the considerations; if not, the reasons for that;
- (2) among the complaints mentioned in (1), of the number of those which have been found to be substantiated; regarding those substantiated cases where the estate agents concerned have refused to offer compensation, whether the authorities know if the Consumer Council will consider making public the names of such agents as well as those of the relevant property projects and developers so as to prevent more consumers from suffering losses;
- (3) of the number of cases, discovered by the Estate Agents Authority (“EAA”) in the course of enforcing Cap. 511B in the past three years, in which the sale of overseas properties was alleged to have been conducted unlawfully, and the details of the irregularities concerned;
- (4) of the total number of cases mentioned in (3) which have been referred to the Police by EAA for follow-up; among those referral cases, the respective numbers of those where (i) both the estate agent and the salesperson involved were unlicensed and (ii) the estate agent involved was licensed but the salesperson involved was not; among the cases in (i) and (ii), the respective numbers of estate agents and salespersons

involved; the follow-up actions taken by the Police in respect of such cases;

- (5) whether the Police instituted prosecutions in the past three years against the estate agents or salespersons alleged to have sold overseas properties unlawfully; if the Police did, of the number of such prosecutions; if not, the reasons for that; the difficulties encountered by the Police in gathering evidence;
- (6) whether EAA conducted in the past three years surprise inspections on fairs relating to the sale of overseas properties, including checking on such publications as pamphlets, brochures or advertisement, for the purpose of investigating if there were estate agents or salespersons not exempted from obtaining a licence selling overseas properties unlawfully; if EAA did, of the outcome; if not, whether the authorities will allocate additional resources to EAA for conducting surprise inspections;
- (7) given that the authorities undertook in 1998 to a Subcommittee set up by this Council to examine the subsidiary legislation made under the Estate Agents Ordinance (Cap. 511) that the drafting of the regulations in respect of estate agency work relating to overseas properties would be completed by the end of 1999 for the protection of the rights and interests of consumers in such property transactions, of the latest progress of the work in this respect;
- (8) whether the authorities will consider abolishing the exemption granted to persons dealing exclusively with overseas properties from obtaining a licence, and bringing such persons within the ambit of Cap. 511; if so, of the implementation timetable; if not, the reasons for that; and
- (9) given that it is stipulated in the Anti-Money Laundering and Counter-Terrorist Financing (Financial Institutions) (Amendment) Ordinance 2018 (Ord. No. 4 of 2018) which came into operation on the 1st of this month that designated non-financial businesses and professions (including estate agents) are required to observe the requirements relating to customer due diligence and record-keeping when engaged in specified transactions, whether those persons being exempted from obtaining a licence because of engaging exclusively in the sale of overseas properties are required to observe such requirements; if not, how the authorities will curb the money laundering activities conducted through the buying and selling of overseas properties via such persons?

Manpower of medical practitioners needed by the beauty industry

(10) Hon SHIU Ka-fai (Written reply)

One of the provisions proposed in the Private Healthcare Facilities Bill, which is now under scrutiny by this Council, is that a person must not serve at the same time as the chief medical executive of more than two day procedure centres or clinics. Although it is learnt that the Government intends to raise that upper limit to three, some members of the beauty industry have pointed out that, as the existing manpower of medical practitioners in Hong Kong has already been stretched to the limit, the implementation of the proposed provision may aggravate the manpower shortage of medical practitioners and push up the salaries of medical practitioners. They worry that quite a number of beauty service providers may close down because they are unable to recruit medical practitioners to station on-site or afford the high expenses for engaging medical practitioners. Furthermore, the wastage of medical practitioners in the public healthcare sector may be aggravated. In this connection, will the Government inform this Council:

- (1) of (i) the current total number of registered medical practitioners in Hong Kong and (ii) the current ratio of the number of medical practitioners per 1 000 population of Hong Kong, and (iii) how that ratio compares with the relevant figures in South Korea, Singapore, Japan, the United Kingdom and the United States; the projected medical practitioners to population ratio in Hong Kong in each of the coming five years, and whether there will be improvement to such ratio;
- (2) whether it knows the current (i) number of medical practitioners who provide medical cosmetic services and (ii) number of beauty service providers which employ medical practitioners for provision of such services;
- (3) whether it has assessed the shortfall in medical practitioners in Hong Kong in each of the past five years and the coming five years;
- (4) whether it has assessed the feasibility and possible impacts of the aforesaid proposed provision, including whether there are sufficient medical practitioners in Hong Kong to dovetail with the implementation of such provision; if it has assessed, of the outcome; if not, the reasons for that;
- (5) how the Government determines the maximum number of beauty service providers that a medical practitioner may serve; and
- (6) as it is learnt that some cosmetic procedures are required to be performed by medical practitioners under the current law, but there is a view that those beauty practitioners who have received professional training and possess the relevant qualifications should in fact be able to perform some of such procedures, whether the Government has conducted an in-depth study on the feasibility of taking on board this view for alleviating the

manpower shortage of medical practitioners; if so, of the details; if not, the reasons for that and whether it will conduct such a study expeditiously?

Measures to assist retired elderly persons
in taking up employment again or starting their own businesses

(11) Dr Hon Priscilla LEUNG (Written reply)

It has been learnt that many people are still vibrant upon leaving the workplace at the age of 60. Also, they have accumulated considerable wealth, built extensive personal connections and had rich life experiences. Some of them do not want to stay idle after retirement and plan to take up employment again (including taking up part-time jobs) or even start their own businesses. Regarding measures to assist retired elderly persons in taking up employment again or starting their own businesses, will the Government inform this Council:

- (1) whether it will conduct a topical study on matters relating to elderly entrepreneurship, so as to examine issues such as the risks elderly persons can bear, the skills they need to learn, how they should deal with the pressure from family members and friends, the arrangements they need to make in respect of business succession, and the precautions they need to take when they quit their businesses;
- (2) whether it will consider (i) setting up a development fund to provide funding and information technology support to elderly persons who aspire to start their own businesses, and (ii) relaxing the existing legislation to allow elderly persons to prematurely withdraw the accrued benefits from their Mandatory Provident Fund accounts before the age of 65, so as to provide part of the funding for their plans to start their own businesses; if so, of the details; if not, the reasons for that;
- (3) whether it will provide human capital matching services, so as to bring together elderly persons with rich experience and knowledge in the relevant industries and young people with rich creativity to start their own businesses; and
- (4) whether it will (i) enhance the existing re-employment support (including training and employment services) for retired elderly persons, (ii) further promote the employment of retired elderly persons and the provision of suitable working environment for them among employers through such measures as providing additional tax allowances, and (iii) provide tax and transport fees concessions to working elderly persons, so as to encourage them to take up employment again after retirement?

Hong Kong Tourism Board's "Old Town Central" campaign

(12) Hon YIU Si-wing (Written reply)

The Hong Kong Tourism Board ("HKTb") rolled out an "Old Town Central" campaign last year, which repackaged the elements around Central, such as the historical architecture, gourmet meals, arts and culture, fashionable lifestyle and entertainment delights, into tourist walking routes with district characteristics, and promoted such routes to tourists. It has been reported that as the campaign has received positive response from both tourists and members of the tourism industry and has become a highlight for tourism of district characteristics, HKTb plans to apply the modus operandi of the campaign in the tourism projects for other districts. In this connection, will the Government inform this Council:

- (1) whether it knows (i) the total expenditure incurred by HKTb last year on the Old Town Central campaign, and (ii) the major channels through which HKTb promoted such routes to tourists last year; the effectiveness of the campaign, according to HKTb's assessment;
- (2) given that from January to mid-February this year, HKTb added to the Old Town Central campaign new initiatives of "smart travel" which included the installation, on the poles for visitor directional signs along the routes, of some temporary signage boards printed with a QR Code to facilitate tourists in obtaining the relevant information, whether it knows if HKTb has plans to install such type of signage boards on a long-term basis; if HKTb does, of the details; if HKTb does not, the reasons for that; and
- (3) whether it knows if HKTb has drawn experience from the Old Town Central campaign with a view to introducing smart travel initiatives when it takes forward other district tourism projects; if HKTb has, of the details; if HKTb has not, the reasons for that?

Transport arrangements for commuting to and from country parks

(13) Hon LEUNG Che-cheung (Written reply)

Some residents in Yuen Long have relayed that in recent years between December each year and February of that following, a large number of picnickers flock to the Tai Lam Country Park via the Tai Tong Shan Road in Yuen Long to appreciate and take pictures of the splendid red leaves. Although the authorities have implemented special traffic arrangements during the peak periods of visitor flows by enhancing the feeder bus services of Route K66 commuting between Tai Tong Shan Road and MTR Long Ping Station, residents in the vicinity of Tai Tong are still plagued by the problems of fully stretched public transport services and congested roads. As a result, their daily lives have been greatly affected. Regarding the transport arrangements for commuting to and from country parks, will the Government inform this Council:

- (1) whether it has reviewed the effectiveness of the aforesaid special traffic arrangements, and whether it has plans to make improvements; if so, of the details; if not, the reasons for that;
- (2) whether the Agriculture, Fisheries and Conservation Department has, prior to providing information on blossom appreciation on its website and launching relevant promotional campaigns, coordinated with the Transport Department to ensure that public transport services are sufficient to divert the visitor flows commuting to and from country parks; and
- (3) whether it has plans to grow a large number of plants with high ornamental value in various country parks with a view to attracting more members of the public and tourists to get close to the nature; if so, of the measures to alleviate the pressure caused to the traffic of the districts concerned by a large number of picnickers flocking to the country parks?

Combating ticket scalping activities

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

Section 6 of the Places of Public Entertainment Ordinance (Cap. 172) provides that any person who sells or offers any ticket authorizing admission to any place of public entertainment licensed under the Ordinance at a price exceeding the amount fixed by the proprietor or manager of such place or by the organizer of the activity held therein (commonly known as “scalped tickets”), or exhibits or has in his possession for sale, or solicits the purchase of such tickets (commonly known as “ticket scalping”), shall be guilty of an offence and liable on conviction to a fine of \$2,000. It has been reported that the tickets of a concert scheduled to be held in May this year at the Hong Kong Cultural Centre (“HKCC”) were sold out in just 10 minutes after the starting time of the open sale of the tickets on 1 February this year. Immediately afterwards, someone put up the tickets of the concert for sale on the Internet, fetching over \$12,000 for a ticket with an original price of \$1,080. However, according to section 2 of the Places of Public Entertainment (Exemption) Order (Cap. 172D), places managed by the Leisure and Cultural Services Department (“LCSD”) (including HKCC) are not licensed places of public entertainment. As such, the aforesaid ticket scalping activities are not subject to regulation by section 6 of Cap. 172. In this connection, will the Government inform this Council:

- (1) of the measures taken in the past three years by the Police and other relevant government departments to combat ticket scalping activities;
- (2) of the number of reports about ticket scalping activities received by the Police in each of the past three years; among such reports, the respective numbers of cases in which the persons concerned were prosecuted and convicted, as well as the penalties imposed on the convicted persons in general;
- (3) whether it will consider raising the penalty for the offence of ticket scalping in order to enhance the deterrent effect; if so, of the details; if not, the reasons for that;
- (4) whether it will consider amending the relevant legislation to bring places managed by LCSD within the scope of regulation in order to combat ticket scalping activities more effectively; if so, of the details; if not, the reasons for that;
- (5) given that in 2004, the Police arrested 10 persons suspected to have engaged in ticket scalping for the alleged offence of “access to computer with criminal or dishonest intent” under section 161 of the Crimes Ordinance (Cap. 200), whether the Police invoked the aforesaid provision in the past three years to institute prosecution against persons who had allegedly engaged in ticket scalping activities; if so, of the number of convictions and the penalties imposed on the convicted persons in general; if not, the reasons for that; and

- (6) whether LCSD will assist activity organizers in selling tickets by way of real name registration in order to curb ticket scalping activities; if so, of the details of the assistance to be provided; whether LCSD will consider upgrading the Urban Ticketing System to add the function of selling tickets by way of real name registration; if so, of the details; if not, the reasons for that?

Control of experiments on animals

(15) Hon Claudia MO (Written reply)

The Budget for the 2018-2019 financial year proposes to allocate \$3 billion to the Hong Kong Science and Technology Parks Corporation (“HKSTPC”) for the construction of scientific research-related infrastructure and facilities. It has been reported that the facilities to be constructed by HKSTPC include an animal laboratory. On the other hand, according to the Animals (Control of Experiments) Ordinance (Cap. 340) (“the Ordinance”), no person except a holder of a licence granted by the Director of Health (“the Director”) under section 7 of the Ordinance (“the licensee”) shall perform any experiment on a living vertebrate animal which is calculated to give pain. Regarding control of experiments on animals, will the Government inform this Council:

- (1) whether it knows the types and purposes of the experiments on animals to be conducted in the aforesaid laboratory; what measures the Government will put in place to ensure that the staff of that laboratory comply with the requirements of the Ordinance when they conduct experiments on animals;
- (2) given that some animal protection groups have pointed out that the European Union, India, Israel, Norway and Taiwan have legislated against animal testing for cosmetic products, and that with the advancement of technology, the technology regarding alternatives to animal experimentation has become increasingly mature and reliable, whether the Government will (i) request HKSTPC to drop the plan to construct the animal laboratory, and (ii) introduce legislation to ban the conduct of experiments on animals; if it will introduce legislation, of the timetable; if not, the justifications for that;
- (3) given that some animal protection groups have criticized that some provisions of the Ordinance, which was enacted as early as in 1963, have become very outdated, uncivilized and unnecessary, whether the Government will consider amending the Ordinance, such as extending the scope of animal experimentation under control, so that it will no longer be limited only to those experiments “performed on animals and calculated to give pain”;
- (4)
 - (i) of the number of licences granted by the Director under section 7 of the Ordinance in the past five years,
 - (ii) of the number of licence endorsements, issued by the Director under section 8 of the Ordinance in the past five years, to perform experiments on animals for the purpose of attaining manual skill,
 - (iii) of the number of teaching permits, granted by the Director under section 9 of the Ordinance in the past five years, to perform experiments on animals for the purpose of illustrating lectures, and

- (iv) of the number of licence endorsements, issued by the Director under section 10 of the Ordinance in the past five years, to perform experiments on animals without administering any anaesthetic, etc. to the animals concerned;
- (5) of the number of licensees in each of the past five years who rendered returns to the Director under section 12 of the Ordinance;
- (6) of the respective numbers of licences/endorsements/permits granted/issued and renewed by the Director under sections 7 to 10 of the Ordinance in each of the past five years;
- (7) of the current number of researchers granted/issued with more than one licence/endorsement/permit;
- (8) of a breakdown, by type and purpose of experiment, of the numbers for the past year in relation to (i) to (iv) of (4);
- (9) whether it knows the number of animals used in experiments on animals in each of the past five years, with a breakdown by species;
- (10) of the places currently permitted by the Director under the Ordinance for conducting experiments on animals, and the numbers of persons holding licences/endorsements/permits involved in respect of each of such places;
- (11) of the respective numbers of occasions in each of the past five years for which a person authorized in writing by the Director (i) inspected the records kept by a licensee, and (ii) entered and inspected the places specified in a licensee's licence for experiments on animals, under section 11 of the Ordinance; among such occasions, the respective numbers of repeated inspections of such records and places; and
- (12) of the number of persons convicted in the past five years for contravening the Ordinance, with a breakdown by the provisions that they had contravened and the penalties imposed on them?

Promoting the long-term development of Chinese medicine
and integrated Chinese-Western medicine

(16) Hon HO Kai-ming (Written reply)

According to the existing codes of practice or legislation applicable to the supplementary healthcare professions, practitioners of supplementary healthcare professions (e.g. medical laboratory technologists and radiographers), except optometrists, under normal circumstances may only perform examination for or provide treatment to patients who have been referred to them by prescribed persons (e.g. doctors). However, the classes of persons who may make such referrals do not include registered Chinese medicine practitioners. Some registered Chinese medicine practitioners have relayed that the aforesaid referral requirement has rendered them unable to make good use of modern medical technologies in their diagnoses. They have also pointed out that the Chinese medicine outpatient clinics set up under the Hospital Authority have not been fully incorporated into the public healthcare system, and the remuneration packages for the Chinese medicine practitioners of such clinics are far inferior to those of the western medicine practitioners in public hospitals. The aforesaid situation has discouraged talents from joining the Chinese medicine profession, and hampered the long-term development of Chinese medicine and integrated Chinese-Western medicine. In this connection, will the Government inform this Council:

- (1) whether it has compiled statistics on the number of complaints received by the authorities in each of the past five years about practitioners of the supplementary healthcare professions who allegedly contravened the aforesaid referral requirement (with a breakdown by profession);
- (2) whether it knows the criteria and considerations based on which the authorities determined the classes of persons who may make referrals;
- (3) whether it will consider (i) providing resources to train registered Chinese medicine practitioners to make proper referrals, (ii) requiring relevant local institutions to incorporate such training into their Chinese medicine undergraduate programmes, and (iii) amending the classes of prescribed persons who may make referrals, so as to enable registered Chinese medicine practitioners who have received such training to make referrals; if so, of the details and timetable; if not, the reasons for that; and
- (4) whether it has drawn up specific work plans for promoting the long-term development of Chinese medicine and integrated Chinese-Western medicine; if so, of the details; if not, the reasons for that; whether it will consider fully incorporating Chinese medicine services into the public healthcare system and establishing Chinese medicine hospitals that receive public funding on a par with that for western medicine services; if so, of the details; if not, the reasons for that?

Depositing or dumping of construction waste on private lands

(17) Hon LEUNG Yiu-chung (Written reply)

Earlier on, some community groups uncovered that construction waste had been dumped on a piece of wetland zoned “Coastal Protection Area” in Pui O, Lantau Island. However, the Planning Department (“PlanD”) stated that the lot concerned was not covered by any Development Permission Area (“DPA”) Plan while the Lands Department stated that the activities concerned were not in breach of the relevant lease conditions. As a result, neither of these two departments had any enforcement and regulatory power over such activities. On the other hand, under sections 16B and 16C of the Waste Disposal Ordinance (Cap. 354), a person who intends to deposit construction waste on a private lot must obtain a valid permission of the sole owner or all of the owners of the lot for such depositing activities, without which that person commits an offence. The permission concerned must be given in a form specified by the Director of Environmental Protection (“the Director”) (“specified form”), and the form is valid only if it bears an acknowledgement affixed by the Director. The Director will affix an acknowledgement on the specified form only if the form is submitted at least 21 days before the intended date on which the depositing activity is to commence. In this connection, will the Government inform this Council:

- (1) of the number of acknowledgements made by the Director in the past five years in respect of activities of depositing construction waste on private lots in South Lantau, the detailed addresses of the lots concerned, and whether the Environmental Protection Department (“EPD”) sent its staff to:
 - (i) conduct inspections of the lots concerned; if EPD did, of the number of inspections and the locations of the lots inspected;
 - (ii) conduct tests on whether the construction waste deposited had caused environmental pollution; if EPD did, of the details (including the number of tests, the items tested and the outcome of the tests as well as the locations of the lots concerned); whether EPD instituted prosecutions against the persons concerned in respect of those cases that had caused environmental pollution; if so, of the details (including the number of cases, the types of pollution caused and the prosecution outcome); and
 - (iii) verify whether the actual areas, heights and dates of the deposition of construction waste tallied with those stated in the specified forms; if EPD did, of the details (including the number and the outcome of verifications as well as the locations of the lots concerned); whether EPD instituted prosecutions against the persons concerned in respect of cases in which the actual circumstances did not tally with the information given in the

specified forms; if so, of the details (including the number of cases and the prosecution outcome);

- (2) as EPD has indicated that where dumping of construction waste or landfilling is found to have caused environmental pollution, it may take enforcement actions by invoking other legislation on environmental protection, how EPD determines whether such type of activities “have caused environmental pollution”; whether EPD took this type of law enforcement actions in the past five years; if so, of the number and details of the actions; if not, the reasons for that;
- (3) of the factors taken into account by the Director when making acknowledgment decisions; whether the Director will add a time limit for depositing construction waste on the specified form; if so, of the criteria to be adopted; if not, the reasons for that; as some environmentalists have lodged a judicial review in respect of the Director’s decision to acknowledge the activities of depositing construction waste on four private lots in Pui O, Lantau Island, whether the Director will withhold making decisions on acknowledging such type of activities in the vicinity of Pui O; if so, of the details; if not, the reasons for that; and
- (4) whether it will introduce legislative amendments expeditiously, so as to plug the existing loophole that PlanD does not have any enforcement and regulatory power over the lots which are not covered by any DPA Plan; if so, of the details and timetable; if not, the reasons for that?

Adoption of children

(18) Dr Hon CHIANG Lai-wan (Written reply)

Regarding adoption of children, will the Government inform this Council:

- (1) of the existing numbers of (i) children waiting to be adopted (and among them, the number of those who are receiving residential child care services), and (ii) families waiting to adopt children;
- (2) of the respective numbers of children, in each of the past three years, adopted (i) by local families, (ii) by overseas families and (iii) through private arrangements (such as adoption by relatives);
- (3) whether it will review and enhance the existing procedure for adoption of children so as to shorten the time needed for the matching of adoptive children and prospective adoptive parents; if so, of the details; if not, the reasons for that;
- (4) whether measures are in place to ensure that children receive proper care after being adopted; if so, of the details; if not, the reasons for that; and
- (5) whether it has provided special support to families which have adopted older or disabled children; if so, of the details; if not, the reasons for that; whether it will strengthen the relevant support, in the hope that more families are willing to adopt such kind of children, and thus the waiting time for such kind of children to be adopted is shortened?

Public Transport Fare Concession Scheme
for the Elderly and Eligible Persons with Disabilities

(19) Hon Jeremy TAM (Written reply)

Under the Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities (“the Concession Scheme”), eligible persons may travel on public transport modes, such as general MTR lines and franchised buses, at any time at a concessionary fare of \$2 per trip. On the premise that the public transport operators concerned will continue to absorb the cost of the fare concessions that they voluntarily offer to the elderly and persons with disabilities, the Government will provide them, on an accountable basis, with subsidies of the amounts equivalent to the fare differentials between the nominal fares and \$2. On the other hand, two-way section fares are currently applicable to a number of franchised bus routes. A passenger who travels on such routes and alights at or before a certain bus stop will receive partial fare reimbursement if he pays the fare with an Octopus card on boarding and taps the same Octopus card on alighting. Moreover, a “two-section fare” charging model has been adopted for some franchised bus routes. For example, a passenger who travels on the Yuen Long-bound No. B2 bus route is required to pay fares for two sections if he boards the bus before the Tai Tao Tsuen bus stop and alights at or after that bus stop. In this connection, will the Government inform this Council:

- (1) whether, under the Concession Scheme, the financial arrangements between the Government and franchised bus companies regarding the franchised bus routes to which two-way section fares are applicable are different from those between the two parties regarding other franchised bus routes; if so, of the details; regarding those bus rides for which section fares of less than \$2 are charged, whether the Government is required to provide subsidies to the franchised bus companies concerned; if so, of the method used for calculating the subsidies;
- (2) of the current number of franchised bus routes to which two-way section fares are applicable, and set out in the table below the following details of each route: (i) name of the franchised bus company, (ii) route number, (iii) full fare, (iv) starting points of sections, (v) end points of sections, (vi) Octopus section fares, (vii) amount of subsidy per trip under the Concession Scheme, and (viii) average monthly number of passenger trips that were subsidized in the past 12 months;

(i)	(ii)	(iii)	(iv)	(v)	(vi)	(vii)	(viii)
Example: Citybus Limited	6	\$7.9	Stanley Prison, Tung Tau Wan Road	Stanley Village	\$2.7		
			Stanley Village	Repulse Bay Beach, Repulse Bay Road	\$4.6		

- (3) regarding each of the routes to which two-way section fares are applicable, in the past 12 months, (i) among the passenger trips for which fares were paid with adult Octopus cards, of the percentage of those passenger trips for which only section fares were paid, and (ii) among the passenger trips that were subsidized under the Concession Scheme, of the percentage of those passenger trips for which only section fares were paid; and
- (4) regarding the franchised bus routes for which the two-section fare charging model has been adopted, how the Government calculates the levels of fare subsidies under the Concession Scheme it is required to provide to the bus companies concerned?

Replacement and rehabilitation of public sewers

(20) Hon Kenneth LAU (Written reply)

It has been reported that at present, the public sewers in quite a number of districts in the territory have been in service for several decades and rupture from time to time due to ageing. In addition, the volume of effluent discharge of some districts (e.g. Yuen Long) in recent years has increased substantially as a result of population growth, and exceeded the drainage capacity of the public sewers in the districts concerned, resulting in occasional occurrences of sewer blockage and backflow of sewage into properties, thereby causing nuisance to the shop operators and residents concerned. Regarding replacement and rehabilitation of public sewers, will the Government inform this Council:

- (1) of the number of complaints about public sewer blockages received by the authorities in the past three years, with a breakdown by District Council (“DC”) district; whether the Drainage Services Department (“DSD”) looked into the causes of such sewer blockages, and what follow-up actions DSD took;
- (2) of the districts in which the public sewers have been in service for more than 30 years at present; the total length of public sewers throughout the territory at present, and among such sewers, the length of those identified as requiring expeditious replacement or rehabilitation after assessment and its percentage in the total length;
- (3) of the length of the public sewers replaced or rehabilitated by DSD in the past five years and the expenditures involved, with a breakdown by DC district; and
- (4) as DSD commenced a study on sewer rehabilitation in 2012 to develop a long-term and territory-wide replacement and rehabilitation strategy, of the outcome of the study; whether DSD has drawn up a work schedule and set priorities for the territory-wide replacement and rehabilitation of sewers?

Outsourcing property management services for public rental housing estates

(21) Dr Hon Fernando CHEUNG (Written reply)

At present, among the public rental housing (“PRH”) estates under the Hong Kong Housing Authority (“HA”), the property management services of about 60% of them are provided by private property management services companies. In this connection, will the Government inform this Council:

- (1) in respect of the contracts awarded by HA in each of the past five years for providing three types of services for PRH estates, namely (i) property management, (ii) cleansing and (iii) security, of the details of such contracts, including (a) the location of service, (b) the name of contractor, (c) the estimated price (\$ million) as stated in the tender, (d) whether such price is the lowest among all of the tenders received for the tender exercise concerned, (e) the awarded contract price (\$ million), (f) the contract expiry date, and (g) the numbers of cleansing workers and security guards providing the services as well as their wage ranges as stated in the contract (set out in tables of the same format as the table below);

Year: _____ Type of service: _____

(a)	(b)	(c)	(d)	(e)	(f)	(g)			
						Cleansing workers		Security guards	
						Number	Wage range	Number	Wage range

- (2) how HA assesses the satisfaction levels of PRH households in respect of the outsourced property management services, including the assessment criteria adopted; and
- (3) whether HA has monitored the sub-contracting of services by its outsourced service contractors, so as to ensure that the sub-contractors have employed an adequate number of workers to provide the services and have offered reasonable remuneration packages to the workers concerned?

Provision of interpretation services
for ethnic minority patients by the Hospital Authority

(22) Hon Alice MAK (Written reply)

In recent months, some ethnic minorities (“EMs”) have relayed to me that owing to the shortage of interpretation services provided by public hospitals and clinics under the Hospital Authority (“HA”), those EMs who understand neither Chinese nor English have encountered a lot of difficulties in the use of public medical services. Some EMs have indicated that healthcare staff, upon confirming their need for using interpretation services, merely request them to arrange relatives and friends to accompany them to assist in interpretation, instead of arranging such services for them. In this connection, will the Government inform this Council:

- (1) whether it knows if HA has plans to request public hospitals and clinics to mark down patients’ preferred languages when recording their personal particulars, so as to facilitate the arrangement for interpretation services to be made, on a need basis, in future by healthcare staff before patients attending consultation; if HA does, of the details; if not, the reasons for that;
- (2) whether it knows if HA has plans to streamline the procedure for booking interpretation services in advance in public hospitals and clinics, and to enhance the understanding of the procedure for arranging interpretation services among frontline staff, so as to facilitate their arranging interpretation services for patients in need in a timely manner; if HA does, of the details; if not, the reasons for that;
- (3) given that the current general outpatient clinics telephone appointment service offers three language options only, namely Cantonese, English and Putonghua, whether it knows if HA will introduce options of languages which are used by a relatively larger number of EMs, so as to facilitate their use of the service; if HA will, of the details; if not, the reasons for that; and
- (4) given that some EMs have indicated that while being hospitalized in public hospitals, they were unable to comprehend the information on the treatment procedures and their conditions due to language barrier, whether it knows if HA will improve the contents of the response cue cards which are currently used for communication with EMs, and make more use of such cue cards during the hospitalization of that type of persons; whether HA will make a set of comprehensive graphic guidelines on the use of medicines, so as to assist EMs in taking medicines correctly; if HA will, of the details of such work and the timetable for implementation; if not, the reasons for that?