



(By Fax 2543 9197 and email)

Our Ref. TD TS/151/205/45 C  
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4 July 2018

Mr. Anthony CHU  
Clerk to the Public Accounts Committee  
Legislative Council  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong

Dear Mr. Chu,

**Public Accounts Committee**  
**Consideration of Chapter 8 of the Director of Audit's Report No. 70**  
**Sha Tin Section of Route 8**

Thank you for your letter dated 12 June 2018 under reference requesting our responses to the questions listed in the **Appendix** of the letter.

Please find our responses in **both Chinese and English** in the attached Appendices. The soft copy of our responses has also been sent to the e-mail addresses listed in your letter.

Yours faithfully,

(Christopher Chiu)  
for Commissioner for Transport

Encl.

c.c.

Secretary for Transport and Housing	(Fax no.: 2537 6519)
Secretary for Development	(Fax no.: 2147 3691)
Director of Highways	(Fax no.: 2714 5203)
Director of Civil Engineering and Development	(Fax no.: 2246 8708)
Director of Architectural Services	(Fax no.: 2810 7341)
Director of Electrical and Mechanical Services	(Fax No.: 2882 9042)
Secretary for Financial Services and the Treasury	(Fax No.: 2147 5239)
Director of Audit	(Fax No.: 2583 9063)

**The Legislative Council Public Accounts Committee  
Report No. 70 of the Director of Audit  
Chapter 8 – Sha Tin Section of Route 8**

**Part 4: Usage and Management of Sha Tin Section  
Supplementary information provided by the Transport Department**

Regarding the letter dated 12 June 2018 from the Legislative Council (“LegCo”) Public Accounts Committee (“PAC”) seeking information on items (a) to (o) on pages 1 to 4 of the appendix regarding the captioned matter, the reply of the Transport Department (“TD”) is as follows:

- (a)** At the public hearing held by the PAC on 11 June 2018, the Commissioner for Transport (“the Commissioner”), in reply to the question on the usage of Sha Tin Section, said that the TD had been monitoring closely the usage of Eagle’s Nest Tunnel. Moreover, regarding how to further enhance the usage of Route 8 Sha Tin Section to duly relieve the traffic congestion of the connecting roads between Kowloon and Sha Tin, the TD has been conducting detailed analysis and assessment with a focus on eliminating the bottleneck at the existing roads leading to Route 8. To this end, the TD, in collaboration with related works departments, has been striving to implement the required road works projects, including the construction of an additional lane at the approach road from Tai Po Road (Sha Tin Section) leading to Route 8 near Scenery Court<sup>1</sup>, the widening of Tai Po Road (Sha Tin Section) to a dual 3-lane carriageway<sup>2</sup>, and taking forward the strategic highway project of Trunk Road T4<sup>3</sup>.

Since the Government has been progressively implementing the above-mentioned road projects in order to divert more traffic heading for the urban

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<sup>1</sup> The relevant works were completed in 2015.

<sup>2</sup> The funding for the relevant works has been approved by the LegCo Finance Committee in May 2018. The works will commence in mid-2018.

<sup>3</sup> The relevant works include the construction of a strategic road which connects Tsing Sha Highway and Shing Mun Tunnel Road in the west as well as with Sha Tin Road in the east, to provide a linkage between West Kowloon / Tsuen Wan and Ma On Shan and Sai Kung.

areas to use Route 8, and the TD has all along been monitoring closely the overall traffic conditions of the roads concerned, the TD has not conducted any specific study on the usage of Route 8 Sha Tin Section.

**(b)** Since the commissioning of Sha Tin Section of Route 8 in 2008 and up to December 2017, the TD has proposed a total of 39 improvement items for introducing bus routes or strengthening the existing bus services passing through relevant sections of Route 8. Of them, after consultation with the relevant District Councils, 32 items have been or will be implemented, and the remaining 7 items were either not materialised or revoked after implementation. Please see **Annex 1** for the details.

**(c)** Green minibus (“GMB”) operators provide scheduled services operating on fixed routes, with the service level and fares subject to the regulation and monitoring of the TD. On the other hand, red minibus (“RMB”) services are not subject to regulation in respect of their service level and fares. It has been the Government's established policy to encourage the conversion of RMBs to GMBs for the sake of ensuring service quality level.

Since the service routings and frequencies of RMBs are not subject to regulation, RMBs, for maintaining effective traffic management, are normally restricted from providing service in newly developed areas with a comprehensive rail and bus network and from using newly commissioned expressways. However, the TD can allow minor relaxation on a case-by-case basis where there is genuine demand and so long as other public transport services and road traffic will not be affected.

The TD is studying whether the restrictions on RMBs to operate on some road sections of Tsing Sha Highway can be relaxed, and will inform the minibus trade of the result in due course.

**(d)** At the public hearing held by the PAC, the Commissioner informed Members that seven items under the Route Planning Programmes (RPPs) 2018-19 that involved frequency enhancement and service introduction had been put to relevant District Councils for consultation and their support had been secured. The seven items are scheduled for implementation between

the third quarter of 2018 and the first quarter of 2019. Please see Annex 2 for the details.

As regards other measures for increasing the usage of Route 8 Sha Tin Section with a view to alleviating the traffic congestion at the road links between Kowloon and Sha Tin, please refer to item (a) above for the details.

(e)

- (i) Upon the commissioning of Tsing Sha Control Area (“TSCA”) on 19 March 2008, the TD has conducted two open tender exercises to outsource the management, operation and maintenance (MOM) of TSCA. In the first tender exercise in 2007 (Tender Reference; TD 1/2007), a total of five tender proposals have been received. In the second tender exercise in 2012 (Tender Reference: TD 5/2012), a total of three tender proposals have been received.

(ii)&(iii)

The management fee offered by the operator of the current TSCA MOM contract was the lowest of the conforming tenderers in the second tender exercise. The TD will make preparations for and conduct an open tender exercise about nine months to one year prior to the expiry of the current contract. The TD is drafting tender documents for the next TSCA MOM contract in consultation with relevant government departments. It is expected that tender invitation will be conducted in the fourth quarter of 2018 and the contract can be awarded to the successful tenderer in first quarter of 2019.

(f)

- (i) As said by the Commissioner at the public hearing held by the PAC, various government departments (including the TD, the Electrical and Mechanical Services Department (“EMSD”), the Highways Department (“HyD”) and the Architectural Services Department (“ArchSD”)) have been responsible for monitoring the performance of the operators of government tunnels and control areas (in respect of operation, administration, maintenance of

electrical and mechanical (E&M) systems and equipment, highway maintenance and building maintenance). There is a clear division of responsibilities among the four departments, with each overseeing a specific area of work: the TD monitors the daily operation as well as traffic and incident management; the HyD monitors the maintenance of bridges, viaducts and tunnel structures; the EMSD monitors the maintenance of all E&M systems and equipment; and the ArchSD monitors the maintenance of building structures.

In response to the Audit recommendations, the TD, in collaboration with other Government Monitoring Team (“GMT”) members, has consolidated a list of “GMT Members Monitoring Responsibility for Tsing Sha Control Area”, which clearly sets out the specific areas of responsibilities of various departments. The list has been attached to the current TSCA MOM contract (please see **Annex 3** for details).

- (ii) The departments concerned normally hold meetings with the TSCA operator once every one to three months to maintain communication and monitor its performance. Moreover, for the sake of strengthening the monitoring of the operator’s performance in undertaking important projects, such as to enhance monitoring and liaison on the implementation of “stop-and-go” e-Payment services, the TD will also hold joint special meetings with the operator and relevant departments as necessary. The details of the meetings (a total of 45 meetings) held and attended by the TD to discuss the TSCA operator’s operational performance are listed below:

<b>Meeting date</b>	<b>Meeting</b>
24/10/2013	Regular meeting between the EMSD/TD/HyD and the operator
5/12/2013	Regular meeting between the TD and the operator
19/12/2013	Regular meeting between the EMSD/TD/HyD and the operator
20/2/2014	
17/4/2014	
19/6/2014	
8/7/2014	Meeting between the Commissioner for Transport and the

	operator's senior management
21/8/2014	Regular meeting between the EMSD/TD/HyD and the operator
23/10/2014	
18/12/2014	
30/12/2014	Regular meeting between the TD and the operator
12/2/2015	Regular meeting between the EMSD/TD/HyD and the operator
23/4/2015	
25/6/2015	
15/7/2015	Meeting between the Assistant Commissioner for Transport and the operator's senior management
20/8/2015	Regular meeting between the EMSD/TD/HyD and the operator
21/8/2015	Regular meeting between the TD and the operator
22/10/2015	Regular meeting between the EMSD/TD/HyD and the operator
17/12/2015	
16/2/2016	
18/2/2016	
18/4/2016	Regular meeting between the TD and the operator
21/4/2016	Regular meeting between the EMSD/TD/HyD and the operator
23/6/2016	
19/7/2016	Meeting between the Commissioner for Transport and the operator's senior management
26/8/2016	Regular meeting between the EMSD/TD/HyD and the operator
6/10/2016	Regular meeting between the TD and the operator
20/10/2016	Regular meeting between the EMSD/TD/HyD and the operator
21/12/2016	Special meeting between the TD and the operator
8/2/2017	Special meeting between the TD/the Police and the operator
2/3/2017	Regular meeting between the TD and the operator
20/4/2017	Regular meeting between the EMSD/TD/HyD and the operator
22/6/2017	
4/7/2017	Regular meeting between the TD and the operator

24/8/2017	Regular meeting between the EMSD/TD/HyD and the operator
4/10/2017	Meeting between the Assistant Commissioner for Transport and the operator's senior management
19/10/2017	Regular meeting between the EMSD/TD/HyD and the operator
3/1/2018	Regular meeting between the TD and the operator
17/1/2018	Special meeting between the TD and the operator
8/3/2018	Working meeting for "stop-and-go" e-Payment services between the EMSD/TD and the operator
14/3/2018	Meeting between the Assistant Commissioner for Transport and the operator's senior management
23/3/2018	Working meeting for "stop-and-go" e-Payment services between the EMSD/TD and the operator
18/4/2018	
26/4/2018	Regular meeting between the EMSD/TD/HyD and the operator
11/5/2018	Regular meeting between the TD and the operator

In addition, the TD will, where necessary, hold meetings with other GMT members to discuss management and maintenance issues relating to the TSCA. For instance, the TD convened an inter-departmental meeting with the EMSD, HyD and ArchSD on 8 February 2018 to discuss detailed division of responsibilities among them in the monitoring of the operator's repair and maintenance work.

- (iii) As replied by the Commissioner at the public hearing held by the PAC, the TD has put in place an established monitoring mechanism to monitor the operator's performance. Under this mechanism, monitoring is pursued mainly through site inspections, working meetings, quarterly assessment reports. Please refer to **Annex 4** for the details of the TD's monitoring mechanism.

**(g)**

- (i) According to the current arrangements for conducting surprise site inspection, the TD will draw up in advance each month the timetable for Transport Controllers to conduct the TSCA inspections, including the AM shift, PM shift and Night shift, so as to cover the 24-hour operation of the TSCA. Transport Controllers will randomly conduct surprise check at different working locations of the TSCA (such as the toll plaza, administration building and control points, etc.) according to the timetable, and fill in monitoring assessment reports regarding the operator's performance. Meanwhile, Transport Officers will also inspect the operation of the TSCA once around every two weeks. When conducting surprise inspections, the TD staff will record the operators' performance. If the operator's performance is found to fall short of the contract requirements, the TD will follow up with the operator as appropriate as soon as possible.

Furthermore, arising from actual situations and needs (e.g. for investigating complaint cases or handling incidents, etc.), Transport Controllers and Transport Officers will also conduct non-scheduled ad hoc inspections to evaluate the operator's actual performance.

- (ii) At the public hearing held by the PAC, the Commissioner has responded to the allegation of the TD's failure to monitor the manning level of administrative and supporting staff. For contract management, the TD has all along adopted a two-pronged approach in monitoring performance of the operator, namely the input-oriented approach (e.g. the minimum manning level requirement) and performance-oriented approach (e.g. whether financial information can be submitted within the prescribed period), depending on the nature of the work. As the administrative and supporting staff are mainly back-up staff (e.g. clerks, chefs, accounting and administrative staff, etc.) who are not engaged in the core frontline services of the control area, there were no minimum manning level requirements for administrative and supporting staff in the tender documents. Moreover, since commencement of the contract, the TD has adopted the performance-oriented approach in monitoring the services provided by the administrative and supporting staff, including scrutinising the human resources information/ monthly performance reports/ monthly financial



information prepared by the operator, checking whether the information concerned is submitted on time, and conducting regular site inspections of the cleansing services and catering provisions to staff. The operator has all along been providing the required level of services in a timely manner, and no irregularity has been found.

Yet, since the manning level of administrative and supporting staff has been specified in the contract, the TD has accepted the Audit's recommendation and has been monitoring the operator's compliance with the manning level requirements for administrative and supporting staff specified in the contract since February 2018.

(iii) The TD is responsible for monitoring the manning levels of operations staff and administrative and supporting staff. According to the staff attendance records furnished by the operator and the TD's inspection records<sup>4</sup>, there was no shortfall for staff not subject to liquidated damages ("LD") in these staff categories from September 2013 to January 2017.

**(h)** As mentioned in the reply to item (g)(ii) above, the TD has been monitoring the service level of the administrative and supporting services provided by the operator to ensure its service quality. However, given that the manning level requirement is specified in the contract, the TD has accepted the Audit's recommendation and requested the operator to submit manning information about the administrative and supporting staff starting from 2018. The TD will also check the operator's compliance with the manning level requirement for the administrative and supporting staff through site inspections and monthly operations reports submitted by the operator. According to the information furnished by the operator as well as the TD's site inspections and scrutiny of the monthly operations reports submitted by the operator since 2018, the manning level of the administrative and supporting staff has met the contract requirement since the contract came into effect.

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<sup>4</sup> During the inspections held from September 2013 to January 2017, the TD only recorded the manning level of operations staff.

**(i)**

- (i) Of the 403 staff on duty, 343 frontline staff are subject to LD for any shortfall, including 186 operations staff (responsible for daily operation, traffic and incident management), 34 highway maintenance staff, 122 E&M staff and 1 building maintenance staff. The purpose of imposition of LD is to ensure efficient and safe operation of the control area at all times. The operator needs to deploy sufficient frontline staff who are critical in carrying out the routine operations and maintenance duty in the control area (e.g. incident handling and maintenance of E&M systems). Therefore, it is stipulated in the current contract that LD are imposed for any staff shortfall in the ranks of frontline operational staff.
- (ii) As for the remaining 60 staff not subject to LD for any shortfall, they include the principal (management and professional) staff, the supporting staff for highway maintenance and building maintenance, as well as the administrative and supporting staff (such as administrative manager, chefs and clerks, etc.) Under the contract terms, for any reason a vacancy of the principal (management and professional) staff suddenly arises, the operator should inform the TD within three working days, and employ an eligible person to fill the vacant post as soon as possible upon approval by the TD. Any failure on the part of the operator to employ the above 60 staff not subject to LD for any shortfall in compliance with the staff manning level requirement stipulated in the contract also constitutes a breach of the contract. If there is persistent shortfall in staff, the Government may impose penalties on the operator pursuant to the Tsing Sha Control Area Ordinance (Cap. 594) or the MOM contract. Please see item (1)(i) below for details regarding the contract terms and legal provisions concerned.
- (iii) As mentioned by the Commissioner at the public hearing held by the PAC, the 403 staff refers to those assigned to various shifts. The figure does not include the 80 “leave relief” staff (including 67 frontline operations staff and 13 frontline E&M staff). The manning of these “leave relief” staff is for filling vacancies of operations and E&M staff in the AM/PM/Night shift to maintain the 24-hour TSCA operation. Whenever there is a staff shortfall in a required duty shift, the TSCA operator will suitably deploy replacement

staff. It will deploy “leave relief” staff in the first place. If there is still a staff shortfall, it will fill the vacancies through overtime work or acting appointment arrangements. The normal operation of the TSCA has generally been maintained without being affected by staff shortfall. Yet, if there are vacancies in certain duty shifts which cannot be filled and these staff posts are subject to LD for any shortfall, LD will be imposed.

- (iv) According to the MOM contract, the operator needs to sign employment contracts with all the employees and may outsource non-core services and maintenance work in accordance with the contract requirements. As at end-May 2018, except for several staff members engaged in catering services who are outsourced staff, all staff members in the TSCA are directly employed by the operator.
- (v) According to the MOM contract, the operator may, after obtaining approval from relevant departments, outsource repair and maintenance work, and the outsourced work may offset the manpower required for such work and the corresponding LD to be imposed. For example, the operator outsourced some of the E&M repair work from October 2013 to April 2014. Such outsourced work could be used to offset the LD otherwise imposed for the E&M staff shortfall during that period, based on the EMSD’s calculation of the number of E&M staff otherwise required. As mentioned by the Commissioner at the public hearing held by the PAC, LD will still be imposed on the operator if the staff shortfall exists after outsourcing. The terms on LD in the MOM contract are at **Annex 5**.
- (i)** Two Transport Controllers of the TD are stationed at the TSCA on a regular basis to conduct monitoring work, including monitoring the operator’s manning level, staff training and examinations, operational records such as information about traffic flows, toll collection procedures and operation of toll booths, as well as recovery vehicles conditions and rescue procedures, etc. The Transport Controllers report the assessment results to relevant Transport Officers for appropriate follow-up actions. Having regard to actual situations and needs, Transport Officers will also conduct site inspections at the TSCA.

**(k)** Where necessary, the HyD will discuss with the TD on repair and maintenance issues (e.g. works for retrofitting gates on viaducts) of the TSCA. At present, the HyD does not regularly provide the TD with records of its meetings with the operator.

**(l)**

(i) As replied by the Commissioner at the public hearing held by the PAC, the MOM contract contained clear sanction clauses against the operator's failure to meet the performance requirements / operating standards. Under sections 24 and 25 of the Tsing Sha Control Area Ordinance, if an operator is in breach of a management agreement, the relevant authority may impose, with the approval of the Chief Executive in Council, a financial penalty on the operator in accordance with the Ordinance.

The Government may impose a financial penalty on the operator in respect of each breach pursuant to the ordinance. Where the breach is capable of being remedied, the amount of financial penalty imposed for each breach shall not exceed \$10,000 on the first occasion; if the relevant breach continues, the Government may impose a further financial penalty not exceeding \$10,000 on the operator for each day. Where the breach is not capable of being remedied, the amount of financial penalty imposed for each breach shall not exceed \$20,000 on the first occasion, \$50,000 on the second occasion and \$100,000 on the third or a subsequent occasion.

Moreover, under clauses 91 to 93 of the MOM contract, for any fault or breach of the management contract by the operator which would cause damage to the Government, the Government may seek compensation from the operator. In serious case, the Government may even terminate the contract.

Among them, for any staff shortfall or failure to attain the operating standards of core services, the operator is required to pay LD to the Government. Apart from imposing LD for staff shortfall, the TD on two occasions claimed an amount of \$3,801 as LD each to compensate for the

administrative expenses incurred by the Government due to the operator's failure to arrive at the scenes of traffic accidents on time.

(ii) The MOM contract has specified the conditions for termination of contract. In case of the operator's repeated non-compliance with the contract requirements, the Government may seek to terminate the contract.

**(m)**

(i) The figures on the "actual staff shortfall on average" in table 17 in the Audit's Report were worked out from the Audit analysis of manning levels and records submitted by the TD, EMSD, HyD and ArchSD to reflect the actual average numbers of staff shortfall subject to LD at the TSCA after deducting staff's overtime work and acting appointment from January to September 2017.

(ii) The numbers of staff who worked overtime and the total numbers of overtime working hours of the TSCA operator's staff from January to December 2017 are detailed as follows:

2017	Operations staff		E&M staff		Highway maintenance staff		Building maintenance staff	
	Overtime work							
	No. of staff	No of working hours	No. of staff	No. of working hours	No. of staff	No. of working hours	No. of staff	No. of working hours
January	93	2182.2	37	986.5	17	641	0	0
February	90	4792.25	30	789.5	28	623	0	0
March	95	5572.72	37	1208.5	31	458	0	0
April	102	6014.75	22	992	11	130	0	0
May	102	6511.98	29	1041	10	84	0	0
June	103	6600.75	36	1355.5	30	696	0	0
July	110	6457	37	1105	33	472.5	0	0

August	108	5923.75	50	1262.3	26	586.2	0	0
September	94	5244.5	49	1311.5	8	203	0	0
October	98	6522.25	36	1233	19	317	0	0
November	105	6897	43	1450.3	16	229	0	0
December	98	6552.75	36	1291.5	21	668	0	0

**(n)** At the public hearing held by the PAC, the Commissioner said that a staff member could take up the duties of two posts without incurring LD. At present, the operator must arrange for sufficient staff on duty in the AM/PM/Night shifts in accordance with contract requirements to ensure efficient and safe operation of the control area at all times. A staff member on shift duty with qualifications meeting the requirements of more than one post could take up different posts in different shifts.

In terms of daytime work, staff taking their entitled leave (such as maternity leave, paternity leave, rest day, sick leave, general holiday and statutory holiday as well as annual leave, etc.) would not be regarded as staff shortfall. Moreover, a staff member on daytime duty could take up the duty of another post in the PM/night shift as long as he/she meets the qualification requirement of the post, which may also offset the relevant amount of LD.

However, if any staff shortfall persists in the control area even after doubling-up/acting among the staff is arranged by the operator, corresponding LD would be imposed on the operator.

**(o)**

(i) As replied by the Commissioner at the public hearing held by the PAC, the MOM contract for the TSCA was the first contract imposing LD clauses against the operator of government tunnel and control area. The mechanism was added within a short period of time upon the request of the Central Tender Board. The details are as follows:

In May 2013, after selection of the successful tenderer for the MOM contract of the TSCA as recommended by the Tender Assessment Panel (comprising officers from the TD, HyD, EMSD and ArchSD), the Central Tender Board informed the TD that sanctions should be imposed if the operator failed to comply with its committed minimum manning level, with a view to conveying a clear message that the operator had to fully comply with the contract requirements and address its inadequacies as soon as possible. Upon such request, the TD had to negotiate with the selected tenderer on the insertion of relevant clauses in the contract within a short period of time. After obtaining the agreement of the selected tenderer, the sanction clauses relating to LD for staff shortfall were incorporated into the MOM contract for the TSCA.

Since the above recommendation by the Central Tender Board was made after the successful tenderer was selected, such clauses have not been included in the tender document. Also, given the limited time in preparing the contract clauses, only “in-principle” clauses are stipulated in the contract. Therefore, when problems were encountered in implementing the contract, it took time for discussing and agreeing with the operator the detailed methodology for calculating the amount of LD.

- (ii) As explained by the Commissioner at the public hearing, the MOM contract for the TSCA was the first contract imposing LD clauses against the operator. Also, the LD clauses were demanded by the Central Tender Board only after the tenderer was selected, and the agreement of the operator for incorporating the clause into the contract was obtained only shortly before the signing of the contract. Therefore, in implementing the contract, it took time for relevant government departments and the operator to discuss and agree on the methodology for calculating the amount of LD (e.g. how sick leave or annual leave, or outsourcing and acting appointment would be taken into account). In the process, the TD has on a number of occasions sought legal advice from the Department of Justice on the interpretation of LD clauses. It also held

numerous meetings with EMSD, HyD and the TSCA operator. In December 2016, the operator arranged for staff of their overseas headquarters to come to Hong Kong to meet TD staff and discuss matters relating to the operation of the TSCA, including the clause and methodology for calculating the amount of LD, timeframe for payments for contract claims, as well as the financial impact of LD on the operator.

In early 2017, after the methodology and details for calculating the amount of LD imposed for staff shortfall has been largely sorted out, the Government proceeded to work out the format of submitting information and develop the worksheet for checking the submitted information. In May 2017, the first letter on imposing LD for staff shortfall was issued. In June 2017, the TD discussed and agreed with the operator the arrangement for collecting in batches the LD for the period from the commencement of contract to end-2017 by March 2018. The operator has paid off to the TD the full amount of LD for staff shortfall from the commencement of contract to end-2017 on time by March 2018.

(iii) TD's records of LD imposed on the operator are appended below:

<u>Period</u>	<u>Letter date for LD collection</u>	<u>Payment date</u>	<u>LD amount (\$)</u>
<u>E&amp;M</u>			
Sep - Nov 13	10/5/2017	16/5/2017	About 1.38 million
Jan 17	25/5/2017	1/6/2017	About 320,000
Feb - Mar 17	10/7/2017	17/7/2017	About 630,000
Apr - May 17	18/10/2017	1/11/2017	About 700,000
Jun - Sep 17	19/12/2017	29/12/2017	About 1.34 million
Dec 13 - Feb 14	7/12/2017	18/12/2017	About 1.32 million
Mar - May 14	9/1/2018	16/1/2018	About 1.05 million
Oct - Nov 17	25/1/2018	1/2/2018	About 620,000
Nov 15 - Dec 16	8/2/2018	16/3/3018	About 5.3 million



Oct 14 - Oct 15	2/2/2018	21/2/2018	About 4.7 million
Dec-17	22/2/2018	1/3/2018	About 310,000
Jun - Sep 14	30/1/2018	1/2/2018	About 1.22 million
<b>Total collected for Sept 2013 – Dec 2017</b>			<b>About 18.92 million</b>
Jan-18	13/4/2018	16/4/2018	About 310,000
Feb-18	13/4/2018	16/4/2018	About 310,000
Mar-18	31/5/2018	1/6/2018	About 300,000
<b>Total collected for Sept 2013 – Mar 2018</b>			<b>About 19.84 million</b>
<u>Building maintenance</u>			
Mar 14 - Sep 14	20/2/2018	1/3/2018	About 120,000

(iv) The TD will check all records submitted by the operator in relation to the imposition of LD, including attendance record, human resources records and staff qualification, etc, to ensure that the records are accurate and the staff on duty are qualified.

In addition, the TD also regularly deploys officers to conduct surprise checks to monitor and record the manning level of operations staff in the TSCA on site, which would facilitate cross checking of attendance records submitted by the operator at month-end.

**Annex 1**

**RPP Proposals before December 2017**

Item No.	Year of RPP	Route No.	Origin - Destination	Details of the proposal	Date of DC Consultation	Comment of relevant DCs	Date of Implementation	Reason for not implementing the proposal
1.	2017-2018	980A	Shek Mun Estate to Wan Chai (Hennessy Road)	Introduction of two morning departures from Shek Mun Estate to Wan Chai (Hennessy Road) via Tsing Sha Highway	2017 Q1	Supported	2 January 2018	-
2.	2017-2018	287X	Shui Chuen O – Jordan (Circular)	Service enhancement (frequency improvement with one double decker added)	2017 Q1	Supported	5 June 2017	-

Item No.	Year of RPP	Route No.	Origin - Destination	Details of the proposal	Date of DC Consultation	Comment of relevant DCs	Date of Implementation	Reason for not implementing the proposal
3.	2017-2018	272X	Tai Po Central – Mong Kok	Service enhancement (add one departure each in morning and evening periods in addition to the existing 3 departures each in morning and evening peak periods)	2017 Q1	Supported	Target implementation date revised to 2018 Q4	-
4.	2017-2018	E43	Tung Chung – Wah Ming	Introduction of two departures each in morning and evening peak periods plying between Tung Chung and Wah Ming via Tsing Sha Highway	2017 Q1	Supported in principle subject to further discussion on routeing	Discussing with District Council on the routeing and service arrangement	-

Item No.	Year of RPP	Route No.	Origin - Destination	Details of the proposal	Date of DC Consultation	Comment of relevant DCs	Date of Implementation	Reason for not implementing the proposal
5.	2016-2017	38B	Riviera Garden – Shek Mun	Introduction of one departure each in morning and evening peak periods between Riviera Garden and Shek Mun Estate via Tsing Sha Highway	2016 Q1	Supported	22 January 2018	-

Item No.	Year of RPP	Route No.	Origin - Destination	Details of the proposal	Date of DC Consultation	Comment of relevant DCs	Date of Implementation	Reason for not implementing the proposal
6.	2016-2017	240X	Wong Nai Tau – Kwai Hing Station	<p>Service enhancement                      (add one morning departures from Wong Nai Tau to Kwai Hing in addition to the existing two morning departures) and introducing three evening departure from Kwai Hing to Wong Nai Tau, via Tsing Sha Highway</p> <p>(Remark: Eventually, two (instead of one) morning departures were added and two (instead of three) evening</p>	2016 Q1	Supported	25 September 2017	-

Item No.	Year of RPP	Route No.	Origin - Destination	Details of the proposal	Date of DC Consultation	Comment of relevant DCs	Date of Implementation	Reason for not implementing the proposal
				departures were introduced on 25 September 2017 in view of passenger demand)				

Item No.	Year of RPP	Route No.	Origin - Destination	Details of the proposal	Date of DC Consultation	Comment of relevant DCs	Date of Implementation	Reason for not implementing the proposal
7.	2016-2017	272E	Tai Wo – Sham Shui Po (Yen Chow Street)	Introduction of two departures each in morning and evening peak periods between Tai Wo and Sham Shui Po (Yen Chow Street) via Tsing Sha Highway	2016 Q1	Supported	9 October 2017	-
8.	2016-2017	272X	Tai Po Central – Mongkok	Introduction of three evening departures from Mongkok to Tai Po Central via Tsing Sha Highway	2016 Q1	Supported	19 June 2018	-
9.	2016-2017	280X	Sui Wo Court – Tsim Sha Tsui East ( Mody Road) (via Tsing Sha	Redeployment of one double decker from Rt. 80M for service strengthening of Rt. 280X	2016 Q1	Some District Councillors requested for	30 October 2017	-

Item No.	Year of RPP	Route No.	Origin - Destination	Details of the proposal	Date of DC Consultation	Comment of relevant DCs	Date of Implementation	Reason for not implementing the proposal
10.			Highway)	Introduction of one morning departure from Greenwood Terrace to Tsim Sha Tsui East	2016 Q1	service strengthening of Rt. 280X, while maintaining the original service level of Rt. 80M.	-	After discussing with the bus company, the TD decided to withdraw the introduction of morning departure from Greenwood Terrace to Tsim Tsui while maintaining



Item No.	Year of RPP	Route No.	Origin - Destination	Details of the proposal	Date of DC Consultation	Comment of relevant DCs	Date of Implementation	Reason for not implementing the proposal
								the whole day service of Rt. 80M. The TD informed the District Council accordingly in June 2016.
11.	2016-2017	270D	Luen Wo Hui to Sham Shui Po	Introduction of one special departure of the main route 270A and named as 270D (from Luen Wo Hui to Sham Shui Po via Tsing Sha Highway)	2016 Q1	Supported	27 June 2016	-

Item No.	Year of RPP	Route No.	Origin - Destination	Details of the proposal	Date of DC Consultation	Comment of relevant DCs	Date of Implementation	Reason for not implementing the proposal
12.	2016-2017	271X	Tsim Sha Tsui (Canton Road) to Fu Heng	Diversion of six evening departures of Rt. 271 to travel via Tsing Sha Highway and named as Rt. 271X	2016 Q1	Supported	27 February 2017	-
13.	2016-2017	286X	Hin Keng – Sham Shui Po ( Circular)	Service enhancement (frequency improvement with one double decker added)	2016 Q1	Supported	15 July 2017	-
14.	2016-2017	980X	Wu Kai Sha Station – Wan Chai (Hennessy Road) / Admiralty Station (East)	Introduction of two departures each in morning and evening peak periods plying between Wu Kai Sha Station and Wan Chai (Hennessy Road) / Admiralty Station (East) via Tsing Sha Highway	2016 Q1	Supported	20 February 2017	-

Item No.	Year of RPP	Route No.	Origin - Destination	Details of the proposal	Date of DC Consultation	Comment of relevant DCs	Date of Implementation	Reason for not implementing the proposal
15.	2016-2017	981P	Yiu On – Wan Chai (Hennessy Road) / Admiralty Station (East)	Introduction of two departures each in morning and evening peak periods plying between Yiu On and Wan Chai (Hennessy Road) / Admiralty Station (East) via Tsing Sha Highway	2016 Q1	Supported	20 February 2017	-
16.	2016-2017	A47X	Tai Po (Fu Heng) – Airport (GTC)	Introduction of new route plying between Tai Po (Fu Heng) and the Airport via Tsing Sha Highway	2016 Q1	Supported	27 January 2017	-
17.	2016-2017	N283	Tsim Sha Tsui East (Mody Road) to Wong Nai Tau	Introduction of three overnight departures from Tsim Sha Tsui East (Mody Road) to Wong Nai	2016 Q1	Supported	14 February 2017	-

Item No.	Year of RPP	Route No.	Origin - Destination	Details of the proposal	Date of DC Consultation	Comment of relevant DCs	Date of Implementation	Reason for not implementing the proposal
				Tau and via Tsing Sha Highway				
18.	2015-2016	270S	Tsim Sha Tsui East (Mody Road) to Luen Wo Hui	Diversion of routeing via Tsing Sha Highway	2015 Q1	Supported	3 October 2015	-
19.	2015-2016	985	Mei Tin ( Mei Chi House ) to Wan Chai(Hennessy Road)	Diversion of the original route 305 to travel via Tsing Sha Highway and renaming it as Rt. 985	2015 Q1	Supported	22 August 2015	-
20.	2014-2015	272P	Fu Heng to Kwai Hing Station	Diversion of routeing via Tsing Sha Highway and extension from Cheung Sha Wan to Kwai Hing Station	2014 Q1	Supported	10 January 2015	-

Item No.	Year of RPP	Route No.	Origin - Destination	Details of the proposal	Date of DC Consultation	Comment of relevant DCs	Date of Implementation	Reason for not implementing the proposal
21.	2014-2015	286P	Mei Chung Court to Cheung Sha Wan	Diversion of five morning special departures of the main route 286X and named as 286P (from Mei Chung Court to Cheung Sha Wan via Tsing Sha Highway)	2014 Q1	Supported	16 June 2015	-
22.	2014-2015	307A	Tai Po (Tai Po Tau) to Sheung Wan	Diversion of routeing via Tsing Sha Highway	2014 Q1	Some District Councillors concerned about the traffic congestion on Tai Po Road (Sha Tin Section).	-	After considering the opinions of District Council, the TD decided to withdraw the proposal and informed

Item No.	Year of RPP	Route No.	Origin - Destination	Details of the proposal	Date of DC Consultation	Comment of relevant DCs	Date of Implementation	Reason for not implementing the proposal
								District Council in June 2014.
23.	2014-2015	307B	Tai Po (Wan Tau Tong) to Sheung Wan	Diversion of routeing via Tsing Sha Highway	2014 Q1	Some District Councillors concerned about the traffic congestion on Tai Po Road (Sha Tin		After considering the opinions of District Council, the TD decided to withdraw

Item No.	Year of RPP	Route No.	Origin - Destination	Details of the proposal	Date of DC Consultation	Comment of relevant DCs	Date of Implementation	Reason for not implementing the proposal
						Section).		the proposal and informed District Council in June 2014.
24.	2014-2015	307C	Tai Po (Tai Po Tau) to Wan Chai (HKCEE)	Introduction of two morning departures from Tai Po Tau to Wan Chai (HKCEE) via Tsing Sha Highway	2014 Q1	Supported	9 February 2015	-
25.	2014-2015	272X	Tai Po Central to Mong Kok	Introduction of three morning departures from Tai Po Central to Mong Kok via Tsing Sha Highway	2014 Q1	Supported	10 January 2015	-

Item No.	Year of RPP	Route No.	Origin - Destination	Details of the proposal	Date of DC Consultation	Comment of relevant DCs	Date of Implementation	Reason for not implementing the proposal
26.	2014-2015	286C	Lee On – Sham Shui Po	Introduction of four morning departures and one evening departure plying between Lee On and Sham Shui Po via Tsing Sha Highway	2014 Q1	Supported	6 December 2014	-
27.	2014-2015	280X	Sui Wo Court – Tsim Sha Tsui East ( Mody Road)	Diversion of the original route 280P to travel via Tsing Sha Highway, conversion to whole day service and renamed it as Rt. 280X	2014 Q1	Supported	24 January 2015	-
28.	2014-2015	240X	Wong Nai Tau – Kwai Hing Station	Introduction of two morning departures from Wong Nai Tau to Kwai Hing Station via Tsing Sha Highway	2014 Q1	Supported	15 December 2014	-



Item No.	Year of RPP	Route No.	Origin - Destination	Details of the proposal	Date of DC Consultation	Comment of relevant DCs	Date of Implementation	Reason for not implementing the proposal
29.	2013-2014	270B	Sheung Shui – Sham Shui Po	Introduction of five departures each in morning and evening peak periods plying between Sheung Shui and Sam Shui Po via Tsing Sha Highway	2013 Q1	Supported	17 August 2013	-
30.	2012-2013	286X	Hin Keng – Sham Shui Po ( Circular)	Diversion of the original route 86B to travel via Tsing Sha Highway and renamed it as Rt. 286X	2012 Q1	Supported	1 December 2012	-
31.	2012-2013	287X	Shui Chuen O – Jordan ( Cirular)	Diversion of the original route 87A to travel via Tsing Sha Highway and renamed as Rt. 287X	2012 Q1	Supported	23 August 2014	-

Item No.	Year of RPP	Route No.	Origin - Destination	Details of the proposal	Date of DC Consultation	Comment of relevant DCs	Date of Implementation	Reason for not implementing the proposal
32.	2012-2013	982X	Yu Chui Court to Central (Macau Ferry)	Diversion of the original route 182P to travel via Tsing Sha Highway and renamed as Rt. 982X	2012 Q1	Supported	27 August 2012	-
33.	2012-2013	373	Sheung Shui - Sheug Wan / Wan Chai ( HKCEE)	Diversion of the evening peak departures of Rt. 373 (Wan Chai to Sheung Shui) to travel via Tsing Sha Highway	2012 Q1	Supported	3 September 2012*	-

\* Routeing of Rt. 373 was converted back to travel via Tate's Cairn Highway in lieu of Tsing Sha Highway with effect from 7 September 2013 due to comments arose from North District Council.

Item No.	Year of RPP	Route No.	Origin - Destination	Details of the proposal	Date of DC Consultation	Comment of relevant DCs	Date of Implementation	Reason for not implementing the proposal
34.	2011-2012	81P	Sha Tin Wai to Tsim Sha Tsui	Diversion of routeing to travel via Tsing Sha Highway	2011 Q1	Some District Councillors were dissatisfied with the increased fare (i.e. +\$0.5) after the proposed diversion.		After discussing with the bus company, the TD decided to maintain the original routeing and fare, and informed the District Council in June 2011.

Item No.	Year of RPP	Route No.	Origin - Destination	Details of the proposal	Date of DC Consultation	Comment of relevant DCs	Date of Implementation	Reason for not implementing the proposal
35.	2011-2012	287X	Pok Hong – Jordan (Circular)	Diversion of original route 87A to travel via Tsing Sha Highway and renamed as Rt. 287X	2011 Q1	Some District Councillors disagreed with the increased fare (i.e. +\$0.6) after the proposed diversion.		After discussing with the bus company, the TD decided to maintain the original routeing and fare, and informed the District Council in June 2011.

Item No.	Year of RPP	Route No.	Origin - Destination	Details of the proposal	Date of DC Consultation	Comment of relevant DCs	Date of Implementation	Reason for not implementing the proposal
36.	2010-2011	249X	Sha Tin Central - Tsing Yi Station	Introduction of special departures of Rt. 49X and named it as Rt. 249X( Tsing Yi Station - Sha Tin Central via Tsing Sha Highway)	2010 Q1	Supported	26 July 2010	-

**Non RPP Proposals before December 2017**

Item No.	Route No.	Origin - Destination	Details of the proposal	Date of DC Consultation	Comment of relevant DCs	Date of Implementation
37.	70S	Wo Hop Shek – Hung Hom Station	Diversion of routeing to travel via Tsing Sha Highway	2016 Q1	No adverse comment was received	9 October 2016
38.	270P	Sheung Shui – Tsim Sha Tsui East (Mody Road)	Introduction of two morning departures from Sheung Shui to China Ferry Terminal Bus Terminus via Tsing Sha Highway	--@	--@	13 December 2010
39.	373A	Wah Ming – Wan Chai (HKCEE)	Diversion of routeing to travel via Tsing Sha Highway	2009 Q1	Supported	30 March 2009 <sup>#</sup>

@ As per request of the North District Council, KMB introduced two morning departures of route 270A (Sheung Shui – Kowloon Station) from Sheung Shui to China Ferry Terminal Bus Terminus via Tsing Sha Highway and named as route 270P. The terminus of route 270P was relocated to Kowloon Station in June 2012

# Routeing of Rt. 373A was converted back to travel via Tai Lam Tunnel in lieu of Tsing Sha Highway with effect from 20 December 2010 due to comments arose from North District Council.

## Annex 2

### Details of the seven proposed RPP improvement items in 2018-2019

Item No.	Route No.	Origin-Destination	Proposal	Target Implementation Date
1.	287P	Shui Chuen O to Mongkok	Introduction of one special morning departure of the main route 287X and named as Rt.287P (from Shui Chuen O to Mongkok via Tsing Sha Highway)	2019 Q1
2.	270B	Sheung Shui – Sham Shui Po	Conversion from peak only service to whole-day service	2018 Q3
3.	286C	Lee On – Sham Shui Po	Conversion from peak only service to whole-day service	2018 Q4
4.	982X	Yu Chui Court to Wan Chai (Fleming Road)	Introduction of four evening departures from Admiralty Station (East) to Yu Chui Court via Tsing Sha Highway, in addition to the existing 11 morning departures	2018 Q4

Item No.	Route No.	Origin-Destination	Proposal	Target Implementation Date
5.	985	Mei Tin (Mei Chi House) – Wan Chai (Hennessy Road)	Introduction of four evening departures from Admiralty Station (East) to Mei Tin (Mei Chi House) via Tsing Sha Highway, in addition to the existing 12 morning departures	2018 Q4
6.	272E	Tai Wo – Sham Shui Po (Yen Chow Street)	Service enhancement (add two departures each in morning and evening peak periods in addition to the existing two departures each in morning and evening peak periods)	2018 Q4
7.	307C	Tai Po (Tai Po Tau) Road to Wan Chai (Convention Centre)	Service enhancement ( add two morning departures in addition to the existing four morning departures)	2018 Q3



List of “GMT Members Monitoring Responsibility for Tsing Sha Control Area (“TSCA”)” attached to the current TSCA MOM contract



Our Ref. TD TS/151/205/22C  
Tel. No. 2829 5536  
Fax. No. 2519 8094

By Email and fax (3140 1315)

13 March 2018

Mr. Kelvin Sze  
Contract Director  
Serco Lam JV  
Suite 1101, Sino Plaza  
255-257 Gloucester Road  
Causeway Bay  
Hong Kong

Dear Sir,

**Agreement for Management, Operation and Maintenance (“MOM”)  
of Tsing Sha Control Area (“TSCA”)  
Addendum to Schedule I and III**

The Government may from time to time appoint a Government Monitoring Team (“GMT”) comprising officers from various Government departments to be responsible for monitoring and auditing the Operator’s performance in accordance to the major buildings, structures, facilities and equipment to be managed, operated and maintained by the operator and scheduled maintenance works requirements set out in Schedule I and III of Agreement for MOM of TSCA respectively.

To supplement Schedule I and III, we have consolidated a detailed list of “GMT Members Monitoring Responsibility for TSCA” at **Annex**. Please contact the responsible departments for issues related to these items on the list accordingly.

Thank you for your attention.

Yours faithfully,

  
(Ian TSANG Yee-yeung)  
for Commissioner for Transport

**Detailed List on Responsibilities of Government Monitoring Team Members in  
Monitoring the Performance of the Operator of Tsing Sha Control Area**

<b>Item No.</b>	<b>Buildings, Structures, Facilities and Equipment</b>	<b>Responsible Department</b>
1	Viaduct and Bridges (Structures)	HyD
2	Highways and Road Structures	HyD
3	Tunnel Structures	HyD
4	Footbridge in the Toll Plaza	HyD
5	Toll Booths	ArchSD
6	Administration Building (Nam Wan & Sha Tin)	ArchSD
7	Portal Buildings	ArchSD
8	Ventilation Buildings	ArchSD
9	Control Kiosks	ArchSD
10	Man-made Slopes	HyD / ArchSD*
11	Lighting (including high mast lighting)	EMSD
12	High mast lighting structures	HyD
13	Fire Service Installation and Equipment	EMSD
14	Sewage Treatment Plant (E&M Equipment)	EMSD
15	Landscaping	HyD
16	Software Maintenance for Traffic Control and Surveillance System (TCSS), Toll Collection System and E&M Systems with embedded software	EMSD
17	Wind And Structural Health Monitoring System (WASHMS) and Associated Operations	HyD
18	Waterworks Installations for buildings (after water meter of buildings)	ArchSD

\*according to SIMAR's record of maintenance agents

**Tunnels and Tsing Ma Section**  
**Monitoring Mechanism of TSCA**  
**Monitoring Methods**

(TD's internal guideline which is in Chinese only)

監察方式

主要的監察方式包括實地巡查、舉行會議、編制表現報告等，詳情如下：

1. 在管制區內的監察工作

運輸監督及運輸主任會定期在管制區內分別執行「定質評估」(Qualitative Assessment) 及「定量評估」(Quantitative Assessment) 的監察工作。

「定量評估」工作包括監察各職級合資格人員的數目、人手短缺情況、收費站運作數目、管制區車輛數目、管制區日常及緊急救援設備等；至於「定質評估」工作則主要監察營運者在日常營運時的各項處理程序，包括收

取使用費程序、實施單管雙程措施、車輛救援程序、員工訓練安排等。

一般而言，高級運輸監督及運輸監督會安排每兩星期在管制區內共分別進行一次及六次的「定量評估」工作，至於高級運輸主任及運輸主任則會安排每兩星期在管制區內進行最少半天的「定質評估」工作。因應實際情況及需要，運輸署亦會不定期於管制區進行突擊檢查。在完成監察工作後，運輸監督及運輸主任均須填寫監察評估報告以作記錄，如發現營運者工作未能符合合約要求時，運輸監督及運輸主任須與營運者作出適當的跟進。

## 2. 工作會議

運輸署定期和營運者舉行會議，以確保及協助營運者正確執行「管理、營運和維修」合約所規定的職責。運輸署亦會不定期與路政署、建築署及機電工程署開會，以保證營運和維修的監察工作順利進行。

### 3. 營運指引

運輸署會監督營運者依據營運指引程序執行工作，例如單管雙程措施、車輛救援程序及收取使用費程序等。

### 4. 管制區內各機電系統、建築物的設備及政府車輛的更新及替換

運輸署會定期檢視管制區內各建築物設備、儀器、系統及政府車輛，監察營運者所提供的維修和保養，以確保正常運作。就機電系統方面，運輸署透過聘任機電工程署屬下的機電工程營運基金，以監察管制區營辦商就機電工程方面提供的服務，確保營辦商符合合約要求。運輸署需監察機電工程營運基金所提供的服務是否符合就各項目訂立的所需服務水平(例如機電工程署人員每月於管制區的巡查次數)。

運輸署亦會替營運者更新/替換政府提供的儀器、車輛、管制區內的設備，以達政府訂下的標準。

## 5. 每月/季度表現報告

營辦商每月會向政府監察小組各成員提交表現報告，以供查核其表現情況。與此同時，運輸署、機電工程署、路政署及建築署會按各自的職權範圍，每季評核營辦商的表現。有關部門會把其表現報告提交予運輸署備考，以製備季度整體表現評核報告。

**\*Note by Clerk, PAC: Chinese version only.**

**Relevant LD terms in the MOM Agreement of TSCA**

**91A. Deductions**

91A.1 The Operator shall ensure that at all times the actual number of his staff employed at a rank(s) set out in the first column of Table 1 in Schedule XXIII shall not be less than the number of staff at that rank(s) specified in Schedule XI and that in case a staff is working on shift at a rank which is set out in the first column of Table 1 in Schedule XXIII, the actual hour of that staff working on a shift shall not be less than the required working hour on that shift for that rank of staff as specified in Schedule XI. In the event of resignation, dismissal, or absence of any such staff during the shift hours set out in Schedule XI, the Operator shall promptly provide adequate and competent replacement. If the Operator fails to comply with this clause, without prejudice to any other provisions of this Contract and other rights and remedies of Government, Government may deduct a sum or sums calculated in accordance with Clause 91A.2 and Clause 91A.3 below from the monthly Management Fee or any other sum then due or which at any time thereafter may become due from Government to the Operator under this Contract or any other contract(s) made between the Operator and Government.

91A.2 If the Operator fails to employ the required number of staff at a rank set out in the first column of Table 1 in Schedule XXIII in accordance with Clause 91A.1 above, without prejudice to any rights, actions or remedies that Government has or may have against the Operator, the Operator shall pay Government, as liquidated damages and not as penalty, the sum for shortfall of staff at each rank to be calculated in accordance with the formula below-

$$\begin{array}{l} \text{The sum for} \\ \text{shortage of} \\ \text{staff at a} \\ \text{rank in a} \\ \text{calendar} \\ \text{month} \end{array} = \begin{array}{l} \text{No. of man-day of shortfall of} \\ \text{staff at that rank in that} \\ \text{calendar month falling within} \\ \text{the Term} \end{array} \times \begin{array}{l} \text{Average monthly basic} \\ \text{salary of the corresponding} \\ \text{rank stated in last column of} \\ \text{Table 1 of Schedule XXIII} \\ \hline \text{No. of days in that calendar} \\ \text{month} \end{array}$$

The number of man-day of short fall of staff at a rank shall be counted starting from the effective date of resignation or dismissal of the staff and ending at the date immediately before the date of assuming duty of a new competent replacement staff, both starting date and ending date are inclusive.

91A.3 If the Operator fails to ensure that the actual hour of a staff working on a shift is not less than the required working hour on that shift for a rank of staff as specified in Schedule XI in accordance with Clause 91A.1 above, without prejudice to any rights, actions or remedies that Government has or may have against the Operator, the Operator shall pay Government, as liquidated damages and not as penalty, the sums to be calculated as follows-

<u>For the Shortfall of working hour of each staff of</u>	<u>Amount</u>	
Assistant Operations Controller	HK\$	per hour or any part thereof
Operations Supervisor	HK\$	per hour or any part thereof
Traffic Officer I	HK\$	per hour or any part thereof
Traffic Officer II	HK\$	per hour or any part thereof
Senior Driver	HK\$	per hour or any part thereof
Toll Collector	HK\$	per hour or any part thereof
Electrical and Mechanical Technical Supervisor	HK\$	per hour or any part thereof
Electronics Technical Supervisor	HK\$	per hour or any part thereof
Electrical and Mechanical Technician	HK\$	per hour or any part thereof
Electronics Technician	HK\$	per hour or any part thereof



**SCHEDULE XXIII**

**Details on Remuneration for  
Designated Outgoing Operator's Staff for the First Contract Year**

**Part I - Average Monthly Basic Salary**

**Table 1**

Column 1	Column 2	Column 3
Rank of Staff	Number of Outgoing Operator's Staff at the rank in Column 1 given with first offer of employment for the purposes of the Contract	Average Monthly Basic Salary for employing the Outgoing Operator's Staff at the rank in Column 1 who are being offered an employment
Assistant Operations Controller	20	HK
Operations Supervisor	36	HK
Training Supervisor	1	HK
Traffic Officer I	60	HK
Traffic Officer II	88	HK
Senior Driver	8	HK
Driver	7	HK
Toll Collector	28	HK
Highway Supervisor	5	HK
Deputy Highway Supervisor	12	HK
Painter	2	HK
Driver/ Plant Operator	12	HK
Safety Officer	2	HK
System Analyst	2	HK
Electrical and Mechanical Technical Supervisor	15	HK
Electronics Technical Supervisor	10	HK
Vehicle Technical Supervisor	3	HK
Electrical and Mechanical Technician	53	HK
Electronics Technician	35	HK
Vehicle Technician	21	HK
Technical Clerk	1	HK
Software Programmer	2	HK
Assistant Building Officer	1	HK