Legislative Council

Agenda

Wednesday 5 June 2019 at 11:00 am

I. Paper to be laid on the Table of the Council

The paper to be laid on the Table of the Council is set out in **Appendix 1**

II. Questions

Members to ask 22 questions (6 for oral replies and 16 for written replies)

Qu	estions for oral replies to be asked by	Public officers to reply
1.	Hon Frankie YICK (Auto-liquefied petroleum gas prices and filling stations)	Secretary for the Environment
2.	Hon James TO (Surrender of fugitive offenders to other jurisdictions)	Secretary for Security Secretary for Commerce and Economic Development
3.	Dr Hon Fernando CHEUNG (Handling of views from outside Hong Kong on law amendment)	Secretary for Security
4.	Hon HO Kai-ming (Rodent infestation and human infection of rat Hepatitis E)	Secretary for Food and Health
5.	Hon CHAN Han-pan (Healthcare services for Hong Kong people living in the Greater Bay Area)	Secretary for Food and Health
6.	Hon CHAN Hak-kan (Tolls of road tunnels and bridges)	Secretary for Transport and Housing

Contents of the 22 questions, the Members to ask such questions and the public officers to reply are set out in **Appendix 2**

III. Member's Motion on Subsidiary Legislation/Instrument

Proposed resolution to extend the period for amending subsidiary legislation

Dr Hon Priscilla LEUNG to move the motion in **Appendix 3**

IV. Members' Motions

1. Motion on "Improving the employment terms of civil servants, enhancing the efficiency of policy implementation and promoting creativity and innovation"

Hon Tony TSE to move the motion in **Appendix 4**

4 Members (Hon HO Kai-ming, Hon Charles Peter MOK, Hon Jeremy TAM and Hon Holden CHOW) to move amendments as set out in LC Paper No. CB(3) 635/18-19 issued on 24 May 2019

Public officer to attend : Secretary for the Civil Service

2. Motion on "Promoting healthcare reform"

Hon CHAN Han-pan to move the motion in **Appendix 5**

7 Members (Hon Alice MAK, Prof Hon Joseph LEE, Dr Hon Pierre CHAN, Dr Hon KWOK Ka-ki, Dr Hon Helena WONG, Hon CHU Hoi-dick and Hon SHIU Ka-chun) to move amendments as set out in LC Paper No. <u>CB(3) 636/18-19</u> issued on 24 May 2019

Public officer to attend : Secretary for Food and Health

Clerk to the Legislative Council

Council meeting of 5 June 2019

Paper to be laid on the Table of the Council

Paper

Report No. 18/18-19 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments

(to be presented by Hon Starry LEE, Chairman of the House Committee)

22 questions to be asked at the Council meeting of 5 June 2019

Que	stions for oral replies	Subject matters	Public officers to reply
1	Hon Frankie YICK	Auto-liquefied petroleum gas prices and filling stations	Secretary for the Environment
2	Hon James TO	Surrender of fugitive offenders to other jurisdictions	Secretary for Security Secretary for Commerce and Economic Development
3	Dr Hon Fernando CHEUNG	Handling of views from outside Hong Kong on law amendment	Secretary for Security
4	Hon HO Kai-ming	Rodent infestation and human infection of rat Hepatitis E	Secretary for Food and Health
5	Hon CHAN Han-pan	Healthcare services for Hong Kong people living in the Greater Bay Area	Secretary for Food and Health
6	Hon CHAN Hak-kan	Tolls of road tunnels and bridges	Secretary for Transport and Housing
Que	stions for written replies		
7	Hon CHAN Han-pan	Manpower of and training for doctors	Secretary for Food and Health
8	Hon IP Kin-yuen	Transient increase in demand for Primary One places	Secretary for Education
9	Hon KWONG Chun-yu	General Chinese Charities Fund and Emergency Relief Fund	Secretary for Home Affairs
10	Hon Mrs Regina IP	Policy on private recreational leases	Secretary for Home Affairs
11	Hon Tony TSE	Engagement of land surveying personnel	Secretary for Development
12	Hon Frankie YICK	Promoting the use of biodiesel	Secretary for the Environment
13	Hon WU Chi-wai	Excessive passenger flow of the Kwun Tong Line	Secretary for Transport and Housing
14	Dr Hon Elizabeth QUAT	Policies and measures concerning foreign domestic helpers	Secretary for Labour and Welfare
15	Hon Charles Peter MOK	CCTV systems with facial recognition function	Secretary for Constitutional and Mainland Affairs
16	Hon Kenneth LEUNG	Monitoring the operations of airlines	Secretary for Transport and Housing
17	Hon Andrew WAN	Planning standards for car parking spaces, markets and social welfare facilities	Secretary for Development
18	Hon Paul TSE	Preparation for and follow-up work after the onslaught of typhoons	Secretary for Development
19	Dr Hon Priscilla LEUNG	Pest and rodent control	Secretary for Food and Health
20	Hon HO Kai-ming	Manpower situation of lifeguards	Secretary for Home Affairs
21	Hon Michael TIEN	Disposal of waste medicine from households	Secretary for the Environment
22	Dr Hon Elizabeth QUAT	Rodent infestation and environmental hygiene issues	Secretary for Food and Health

Question 1 (For oral reply)

(Translation)

Auto-liquefied petroleum gas prices and filling stations

Hon Frankie YICK to ask:

In early years, the Government granted sites at nil land premium for the setting up of 12 dedicated auto-liquefied petroleum gas ("LPG") filling stations ("dedicated stations"). A cap on LPG pump prices ("pump prices") at dedicated stations is required to be set in accordance with a prescribed pricing formula. As the pump prices at dedicated stations are lower than those at non-dedicated stations, there are always long queues at dedicated stations. At present, the vast majority of taxis and about 60% of light buses are LPG-fuelled. In this connection, will the Government inform this Council:

- as some drivers have pointed out that the pump prices at nondedicated stations are relatively higher, and the method for setting such prices lacks transparency, whether the Government will set a cap on the pump prices at non-dedicated stations by adopting a prescribed pricing formula, so as to reduce the pressure for the fares of taxis and light buses to rise; if so, of the details; if not, the reasons for that;
- (2) given that the existing Design, Build and Operate contracts of the various dedicated stations will expire one after another in 2021 or 2022, whether the Government will grant leases for the sites of those stations at nil land premium again; if not, of its plans to keep pump prices at a low level, so as to avoid the fares of taxis and light buses rising substantially; and
- (3) as some Lantau taxi drivers have pointed out that while there is no dedicated station on Lantau Island and they therefore have to patronize non-dedicated stations at which pump prices are higher, the fare scale of Lantau taxis is the lowest among the various types of taxis, whether the Government will set up dedicated stations on Lantau Island; if so, of the details; if not, its measures to alleviate those drivers' financial burden?

Question 2 (For oral reply)

(Translation)

Surrender of fugitive offenders to other jurisdictions

Hon James TO to ask:

The Government has submitted to this Council a bill which seeks to enable the Government to surrender fugitive offenders under a one-off case-based approach to jurisdictions (including Mainland China) with which Hong Kong has not entered into any long-term surrender arrangements. Earlier on, 130 000 members of the public joined a march to express strong objection to the proposed legislative amendments of the bill, and the government officials of a number of countries as well as some international chambers of commerce have expressed grave concern on the matter. On the other hand, the Government conducted a public consultation lasting for 20 days only and, under the circumstances that the relevant Bills Committee was yet to examine the general merits, principles and detailed provisions of the bill and was yet to listen to public views, the Government indicated on 20 May that "[it] intend[s] to give notice to the Clerk to LegCo for resumption of the Second Reading debate on the Bill on 12 June". In this connection, will the Government inform this Council:

- (1) whether it has assessed if the hasty law amendment process and insufficiency in public engagement opportunities will draw a strong backlash from the various sectors of society; if it has, of the details; whether it will consider afresh withdrawing the bill so as to maintain social stability; if not, of the reasons for that;
- (2) as the United States-China Economic and Security Review Commission, created by the United States ("US") Congress, pointed out in a report published on the 7th of last month that the bill would create serious risks for the national security and economic interests of the US and could potentially violate numerous key provisions of the Hong Kong Policy Act, whether the Government has assessed the impacts on US-Hong Kong relations that the passage of the bill will bring about, including whether US would repeal the Hong Kong Policy Act and whether such a situation would lead to any adverse consequences, such as overseas enterprises moving their regional headquarters out of Hong Kong and implementing large scale layoffs in the territory; if it has assessed and the outcome is in the affirmative, of the counter measures; and
- (3) given that two years ago, some US Congressmen, out of their worries that the human rights and freedom in Hong Kong would be

jeopardized, re-introduced the Hong Kong Human Rights and Democracy Act to the US Congress, proposing the imposition of sanctions against the government officials in Hong Kong and Mainland China who suppress the basic freedoms of Hong Kong residents, including freezing their US-based assets and denying them entry into US (but the Act was not enacted), whether the Government has assessed, upon the passage of the bill on surrendering fugitive offenders, if some US Congressmen will reintroduce the Hong Kong Human Rights and Democracy Act and what impacts such a situation will bring onto Hong Kong; if it has, of the details; if not, the reasons for that?

Question 3 (For oral reply)

(Translation)

Handling of views from outside Hong Kong on law amendment

Dr Hon Fernando CHEUNG to ask:

On the 15th of last month, the Director of the Hong Kong and Macao Affairs Office ("HKMAO") of the State Council said that the work of the SAR Government on amending "two pieces" of ordinances regarding the transfer of fugitive offenders was necessary, appropriate, reasonable and lawful, and the worries about it were unwarranted. On the 17th of last month, the Director of the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region ("the Liaison Office") met with dozens of Hong Kong deputies to the National People's Congress and Hong Kong members of the National Committee of the Chinese People's Political Consultative Conference, notifying them that the Central Authorities supported the SAR Government's effort to amend the ordinances in accordance with the law, and requesting them to support the SAR Government in accomplishing its work on amending the On the 21st of last month, a Vice-Premier of the State ordinances. Council said that the SAR Government's amending the ordinances was constitutional and a manifestation of the rule of law, and that the Central Authorities fully supported the work of amending the ordinances. same day, the Chief Executive ("CE") said that both HKMAO and the Liaison Office had expressed their stances on amending the ordinances because external forces were intervening, and the issues concerning the amendment of the ordinances had been elevated to the level of "one country, two systems". In this connection, will the Government inform this Council:

- (1) whether the expression of views by the foreign governments in respect of the personal safety of their nationals in Hong Kong is tantamount to an intervention by external forces referred to by CE; if so, of the justifications for that, and whether it has assessed if CE's remarks have seriously undermined the status of Hong Kong as an international financial centre; if it has assessed and the outcome is in the affirmative, of the remedial measures; if the assessment outcome is in the negative, the justifications for that;
- of the details of the Government's efforts in explaining the amendment of the ordinances to representatives of foreign chambers of commerce and foreign government officials and listening to their views (including the number and dates of meetings, as well as the names of the chambers of commerce and

- the post titles of the foreign government officials); if the targets to which the explanations were given did not include foreign government officials, of the reasons for that; and
- (3) as Article 22 of the Basic Law provides that "[n]o department of the Central People's Government and no province, autonomous region, or municipality directly under the Central Government may interfere in the affairs which the Hong Kong Special Administrative Region administers on its own in accordance with this Law...", whether it has assessed if Mainland officials' expression of the aforesaid stances constituted a violation of the provision; if it has assessed and the outcome is in the affirmative, how the Government will pursue the matter; if the assessment outcome is in the negative, of the justifications for that?

Question 4 (For oral reply)

(Translation)

Rodent infestation and human infection of rat Hepatitis E

Hon HO Kai-ming to ask:

The Rodent Infestation Rate ("RIR") of the Wong Tai Sin ("WTS") district for the whole of last year stood at 1%, which was the second lowest among 19 districts in Hong Kong. However, quite a number of residents in that district have pointed out that rodent infestation in the district is serious, with rats frequently spotted in markets and public housing estates. Furthermore, the world's first two cases of human infection of rat Hepatitis E were found in Hong Kong last year, whose patients were both residing in the WTS district. In this connection, will the Government inform this Council:

- (1) given that when the RIR of a district reaches 10% or higher, the Food and Environmental Hygiene Department ("FEHD") will step up rodent disinfestation work in the district, and when the district's RIR reaches 20% or higher, the relevant government departments will form a joint task force and launch a special rodent control operation, of the criteria adopted by FEHD for setting such levels for triggering strengthened rodent disinfestation work;
- as FEHD has admitted that RIRs cannot fully reflect the actual situations of rodent infestation in individual districts, whether FEHD will review RIR, and work with scientific research institutions to devise a new index with a higher reference value; if FEHD will, of the details; if not, the reasons for that; and
- (3) given that a total of five cases of human infection of rat Hepatitis E have so far been recorded in Hong Kong, how the Department of Health ascertains that there is no unreported case in the community, and what measures are in place to stop the disease from spreading and becoming an endemic disease?

Question 5 (For oral reply)

(Translation)

Healthcare services for Hong Kong people living in the Greater Bay Area

Hon CHAN Han-pan to ask:

It is learnt that in recent years, quite a number of Hong Kong people have moved to live in the Mainland cities within the Guangdong-Hong Kong-Macao Greater Bay Area ("Bay Area"). As the healthcare protection regime on the Mainland does not cover Hong Kong people, quite a number of such Hong Kong people have opted for returning to Hong Kong to seek medical treatment. Among them, some need to be transferred by Mainland ambulances to a Port and then, after crossing the boundary, by a Hong Kong ambulance to a nearby public hospital. As this transfer process is indirect and time-consuming, the conditions of the patients may be aggravated as a result. In this connection, will the Government inform this Council:

- (1) whether it knows the number of cases, in each of the past three years, in which non-emergency and non-critically ill Hong Kong people were transferred by an ambulance from an immigration control point to a public hospital and, among such cases, the number of those in which the conditions of the patients were aggravated during the transfer; whether it will discuss with the University of Hong Kong-Shenzhen Hospital ("HKU-SZ Hospital") the deployment of ambulances by the Hospital to provide cross-boundary direct transfer of Hong Kong people to public hospitals for treatment;
- (2) whether it will open up the electronic health record sharing system for use by HKU-SZ Hospital and, in future, other mainland hospitals recognized by Hong Kong, so as to facilitate Hong Kong people living on the Mainland to seek medical treatment in such hospitals; if so, of the details and timetable; if not, the reasons for that; and
- (3) whether it will extend the scope of application of the elderly health care vouchers to cover hospitals of Tier 3 Class A in the Bay Area; if so, of the details and implementation timetable; if not, the reasons for that?

Question 6 (For oral reply)

(Translation)

Tolls of road tunnels and bridges

Hon CHAN Hak-kan to ask:

Some members of the public have relayed to me that as the existing tolls of the various road tunnels and bridges vary, residents in some districts need to bear higher transport fares. In this connection, will the Government inform this Council:

- (1) of the considerations based on which the Government determines whether and at what levels road tunnels and bridges should be tolled; whether construction cost is one of the considerations;
- (2) of the operating revenues and expenditures respectively of the government tolled tunnels and the Lantau Link in each of the past five years; and
- (3) whether it will comprehensively review the toll levels of the government tolled tunnels and the Lantau Link, and consider adjusting downward or dispensing with the tolls; if so, of the details; if not, the reasons for that?

Question 7 (For written reply)

(Translation)

Manpower of and training for doctors

Hon CHAN Han-pan to ask:

Regarding the manpower of and training for doctors in Hong Kong, will the Government inform this Council:

whether it knows the staffing establishment and strength of doctors under the Hospital Authority ("HA") as at the end of March this year, and set out in the table below a breakdown by (i) hospital cluster, (ii) specialty/department and (iii) rank (Consultant/Associate Consultant/Specialist Resident/Nonspecialist Resident);

Hospital cluster	Specialty/ department	Rank	Staffing establishment of doctors	Strength of doctors

- (2) whether it knows the following information on doctors under HA in each of the past three financial years:
 - (i) the number and rate of wastage, with a breakdown by cause of wastage (e.g. retirement, resignation, transfer, dismissal and death),
 - (ii) the average number of years for which they had served in their respective ranks at the time when they left the service,
 - (iii) the number of new recruits and
 - (iv) the net growth rate,

and set out in the table below the information by hospital cluster, specialty/department and rank;

Financial year:						
Hospital cluster	Specialty/ department	Rank	(i)	(ii)	(iii)	(iv)

of the staffing establishment and strength of doctors under the Department of Health ("DH") as at the end of March this year, and set out in the table below a breakdown by specialty/department;

Specialty/department	Staffing establishment of doctors	Strength of doctors

(4) of the following information on doctors under DH in each of the past three financial years:

- (i) the number of wastage, with a breakdown by cause of wastage,
- (ii) the wastage rate,
- (iii) the number of new recruits and
- (iv) the net growth rate,

and set out in the table below a breakdown by specialty/department;

Financial year:				
Specialty/department	(i)	(ii)	(iii)	(iv)

whether it knows the number of applicants for the specialist training programmes offered by the Hong Kong Academy of Medicine ("HKAM") in each of the past three financial years and, among them, the number and percentage of those who were admitted to the programmes, and set out in the table below a breakdown by college;

Financial year:			
College	Number of applicants	Number of persons admitted	Admission percentage

(6) whether it knows the number of specialist training places HKAM plans to provide in each of the coming three financial years, and set out in the table below a breakdown by college;

College	2019-2020	2020-2021	2021-2022

- (7) of the respective attendances of the various specialties/departments under DH in the past three financial years;
- (8) among the doctors under (i) DH and (ii) HA, of the respective numbers and percentages of those in the past three financial years who provided primary healthcare services; the details of such services, including their respective attendances, service targets, and attainment rates of such service targets; and
- (9) of the respective numbers of doctors of DH and HA who will provide primary healthcare services, and the number of doctors who will provide such services at the District Health Centres, in the coming three financial years; the details of such services, including their respective attendances and the percentages of such numbers in the total service demand in Hong Kong?

Question 8 (For written reply)

(Translation)

Transient increase in demand for Primary One places

Hon IP Kin-yuen to ask:

The Education Bureau ("EDB") advised in 2013 that the overall demand for Primary One ("P1") places was expected to increase temporarily and substantially and to peak in the 2018-2019 school year. To cope with a transient increase in demand for P1 places, EDB has, in recent years, adopted a number of measures under the Primary One Admission System, including borrowing P1 places among school nets, making use of vacant classrooms, constructing temporary classrooms, deploying vacant school premises, temporarily allocating more students to each P1 class and operating time-limited primary schools. In this connection, will the Government inform this Council:

- (1) of the respective justifications and criteria for adopting the aforesaid measures, and the priorities accorded to the adoption of the various measures;
- of the following details of each of the three school nets in the Shatin district in each of the past three school years:
 - (i) the population of school-aged P1 children, the numbers of P1 places and P1 students in schools of each funding mode, as well as the number of places borrowed from/lent to other school nets (set out by school net number);
 - (ii) in respect of the standard classrooms in primary school premises, the total number that were vacant, and the overall usage rate;
 - (iii) the number of primary schools which completed works to extend or convert standard classrooms on EDB's requests; the costs incurred by each school for the relevant works; the time generally taken for the relevant works to complete; the number and the average usage rate of the new classrooms, as well as the number of places that could be/were actually provided; the number of new classrooms which were used, on average daily, for less than half of the lesson time in a day; the number of new classrooms that had/had not been used as additional P1 classrooms; and
 - (iv) the details of temporary allocation of more students to primary schools which had/had not implemented small class teaching respectively; the number of primary schools in

respect of which the number of P1 classes was cut even after they had been allocated more students temporarily, and set out by name of schools the number of classes cut and the reasons for that; and

as it is learnt that there have all along been vacant classrooms in some schools (including those which have completed works to extend or convert standard classrooms) in the three school nets in the Shatin district, whether EDB, in the past three years, accorded priority to using such classrooms to cope with the transient demand for P1 places in the district; if so, of the details; if not, the reasons for that, and whether it will consider doing so in future?

Question 9 (For written reply)

(Translation)

General Chinese Charities Fund and Emergency Relief Fund

Hon KWONG Chun-yu to ask:

Persons who have been affected by natural disasters or accidents and have financial needs may apply to the General Chinese Charities Fund ("GCCF") or the Emergency Relief Fund ("ERF") for financial assistance. Some victims affected by last year's super typhoon Mangkhut have relayed to me that after the passage of the typhoon, the District Offices ("DOs") of their respective districts did not deploy staff to publicize to them that they might apply to the two Funds for assistance, and the victims became aware of it only through word of mouth. Moreover, although the victims' accommodation suffered damage to varying extent, the amount of relief granted to them under GCCF was \$3,000 across the board. In this connection, will the Government inform this Council:

- of the locations and manner in which the Government carried out publicity activities on the two Funds at the district level in the past three years; the channels and procedures for application for the two Funds, and the documents which applicants are required to submit;
- (2) in respect of each of the two Funds, of the respective numbers of applications from Mangkhut-affected victims, which were received, approved and rejected by the Government, the average time taken for the vetting and approval of such applications, and the total amount of relief grants approved; the reasons for some applications being rejected;
- of the considerations and criteria based on which DOs in the various districts assess, for determining the amount of relief grant, the financial hardship faced by the applicants applying for assistance under GCCF; whether those considerations and criteria include the extent of damage to the applicants' accommodation; if not, whether the home visit procedure can be dispensed with in order to expedite the payment of grants;
- (4) of the date on which the Home Affairs Department last adjusted the ceiling of relief grant under GCCF and the criteria adopted for that; whether the Government will review and raise that ceiling; if so, of the details; if not, the reasons for that; and
- of (i) the total amount of donations received from members of the public and (ii) the total amount of grants approved, by the Government in respect of ERF in the past five years?

Question 10 (For written reply)

(Translation)

Policy on private recreational leases

Hon Mrs Regina IP to ask:

The Government conducted a six-month public consultation on the policy on private recreational leases last year, and published the outcome of the consultation in February this year. It was recommended in the consultation paper that the leases currently held respectively by community organizations and private sports clubs be handled separately. For the 39 sites currently granted to community organizations, it was proposed to switch to the handling of them by way of special purpose leases. For the 27 sites granted to private sports clubs, it was proposed that they continue to be handled according to the current arrangements, but the Government would charge the sports clubs, upon renewal of their leases, a land premium of one-third of the full market value ("FMV"), and require them to open up their facilities further. In this connection, will the Government inform this Council:

- (1) of the specific method to be adopted by the Lands Department for calculating the FMV land premiums of the sites currently granted to private sports clubs;
- (2) given that the Government proposed in the consultation paper a transitional instalment option for land premium payment by private sports clubs upon renewal of their leases (i.e. 20% of the land premium to be payable immediately upon renewal of leases and the remainder to be paid by five annual instalments, subject to payment of an interest at a fixed rate of 2% per annum above the average best lending rate), whether the Government has decided to adopt this arrangement; if not, of the alternative arrangements;
- (3) in respect of each of the 27 sites granted to private sports clubs, of (i) the total number of hours for which sports and recreation facilities thereat were opened to eligible outside bodies, as well as (ii) the average monthly total hours of sports programmes (which were co-organized with sports organizations and were opened for participation by the public) held thereat, last year (set out in the table below); and

	Name of private sports club	(i)	(ii)
1.	Aberdeen Boat Club		
27.	Yau Yat Chuen Garden City Club		

(4) as individual private sports clubs have indicated that due to space constraints, they are unable to adjust their positioning and membership policy so that they may be treated as community organizations, and they even need to raise funds by drastically increasing membership fees in order to meet the expenditure on land premiums, which may make them become sports clubs exclusive to only a small number of rich people, whether the Government has assessed if such a situation will arise and what concrete solutions are in place?

Question 11 (For written reply)

(Translation)

Engagement of land surveying personnel

Hon Tony TSE to ask:

Some works departments have issued guidelines specifying that contractors must engage, according to a project's scale and needs, a certain number of land surveyors and land surveying technicians with relevant professional qualifications and experience. However, such requirements do not apply to engineering consultants who are responsible for supervising, on behalf of the Government, contractors' carrying out the works. Some members of the surveying sector have pointed out that an engineering consultant's failure to engage a sufficient number of surveying personnel will render a project more prone to flaws (e.g. errors in setting out exact positions), thus necessitating last-minute changes to the design and even resulting in problems such as settlement, delay of works and cost overruns. Moreover, currently quite a number of engineering consultants have not yet employed the most advanced surveying equipment, technology and software for conducting surveying work, and they often carry out inspections only occasionally during the construction process, making it difficult for the Government to identify construction issues early and demand rectifications by the contractors. In this connection, will the Government inform this Council:

- (1) regarding the relevant advance engineering infrastructure works at the Kwu Tung North and Fanling North New Development Areas, of the details of the Government's requirements in respect of the engagement of land surveying personnel by engineering consultants (set out, by works contract, the number of such personnel, the qualification and experience required of them, as well as whether such personnel are required to be resident on site);
- whether it will formulate guidelines specifying the requirements concerning the engagement of land surveying personnel by engineering consultants, e.g. that engineering consultants must (i) engage, for every public works contract, at least one land surveyor who possesses qualifications of being a member of the Hong Kong Institute of Surveyors in the Land Surveying Division or equivalent, and (ii) engage, according to the project's scale, a corresponding number of land surveying technicians with relevant qualifications and experience; and
- (3) whether it will require engineering consultants to (i) employ the most advanced equipment, technology and software for conducting

surveying work, and (ii) monitor, continuously during each stage of construction until completion, if deviations from the design and settlements have occurred in the works carried out?

Question 12 (For written reply)

(Translation)

Promoting the use of biodiesel

Hon Frankie YICK to ask:

Biodiesel is a renewable energy source refined from oil and grease (e.g. used cooking oil). The findings of a study have revealed that the use of biodiesel to replace conventional diesel is conducive to the reduction in the emission of some air pollutants. However, a biodiesel producer has indicated that it came, under the auspices of Invest Hong Kong, to invest in Hong Kong in 2013 by setting up a biodiesel plant, but since then the Government has not actively promoted the use of biodiesel, resulting in a persistently low demand for biodiesel over the years. In this connection, will the Government inform this Council:

- (1) of the respective quantities of biodiesel used in each of the past three years by (i) the various government departments, (ii) the Airport Authority Hong Kong, (iii) the transport sector, (iv) the construction and industrial sectors, and (v) other sectors;
- whether it has plans to increase the use of biodiesel to partially replace diesel in the coming three years; if so, of the details; if not, the reasons for that; and
- of the specific measures put in place to promote the wider use of biodiesel in various sectors, e.g. whether it will provide any economic incentives and incorporate, into the land leases granted and renewed for filling stations, a provision requiring the lessees to provide biodiesel or auto-fuel containing a certain proportion of biodiesel at the stations for motorists to choose?

Question 13 (For written reply)

(Translation)

Excessive passenger flow of the Kwun Tong Line

Hon WU Chi-wai to ask:

The commissioning date of the Shatin to Central Link ("SCL"), now under construction, has been postponed due to, among others, works quality problem of the project. It has been reported that the MTR Corporation Limited ("MTRCL") has planned for a partial commissioning of SCL by first opening up train services from Tai Wai Station to Diamond Hill Station, and providing limited train services plying between Diamond Hill Station and To Kwa Wan Station by non-stop trains. On the other hand, the Chief Executive has announced in the 2018 Policy Address that a "Government, Institution or Community" site with an area of about 11 000 square metres in Kwun Tong has been identified for redevelopment to construct a civil service college and other community facilities, and the Government is exploring with MTRCL the feasibility of widening the station platform and/or concourse of Kwun Tong Station, so as to divert the passenger flow from Kwun Tong Station. In this connection, will the Government inform this Council:

- (1) whether it knows the details of MTRCL's plan for partial commissioning of SCL;
- (2) whether it has assessed the impact of partial or full commissioning of SCL on the passenger throughput of the Kwun Tong Line and that of the various railway stations along the Line; if it has assessed, of the outcome;
- (3) as it has been reported that in order to divert excessive passenger flow from some railway stations along the Kwun Tong Line, MTRCL has been running, during the morning peak hours in recent years, empty trains from Tiu Keng Leng Station or Whampoa Station heading directly to Wong Tai Sin Station or Kowloon Tong Station to pick up passengers, whether it knows the details of such arrangement and the other measures currently in place to divert excessive passenger flow from some railway stations along the Kwun Tong Line; whether it knows the measures to be put in place by MTRCL to cope with an additional passenger throughput of the Kwun Tong Line to be generated by SCL upon its partial commissioning;
- (4) of the commissioning dates, based on the latest projection, of the Tai Wai to Hung Hom Section and the Hung Hom to Admiralty

- Section of SCL, as well as the various railway stations of these two Sections; and
- of the new proposals of the Government and MTRCL to divert the passenger flow from Kwun Tong Station; as the Government indicated in reply to my question on 29 November 2017 that the Urban Renewal Authority had put forward a proposal to MTRCL the construction of a "podium" connecting the Kwun Tong Town Centre redevelopment project with Kwun Tong Station, with a view to providing additional circulation area for the Station, whether it knows the latest progress of the proposal?

Question 14 (For written reply)

(Translation)

Policies and measures concerning foreign domestic helpers

Dr Hon Elizabeth QUAT to ask:

Last year, the Secretary for Labour and Welfare pointed out that there were nearly 380 000 foreign domestic helpers ("FDHs") working in Hong Kong, that such number represented a growth by more than one-fold as compared to that of 20 years ago and accounted for nearly 10% of the labour force, and that the number of FDHs might increase to 600 000 within the coming 30 years, accounting for more than 15% of the labour force. On the policies and measures concerning FDHs, will the Government inform this Council:

- (1) given that FDHs must leave Hong Kong within two weeks after the termination of their employment contracts, unless they have been granted exceptional approvals for extension of their stay, of the circumstances under which FDHs will be granted exceptional approvals;
- (2) as some FDH employer groups have pointed out that some FDHs resign shortly after arriving in Hong Kong, how the Government ensures that FDHs will leave Hong Kong within two weeks after the termination of their employment contracts;
- (3) whether it has sufficient manpower to investigate if there are cases of FDHs extending their stay without exceptional approvals; if it has, of the details; if not, the reasons for that;
- (4) as it has been reported that the Government is considering the importation of carers from other places for subvented residential care homes for the elderly ("RCHEs"),
 - (i) whether measures are in place to ensure that the employment opportunities of local workers will not be affected; if so, of the details; if not, the reasons for that; and
 - (ii) whether it has assessed if the situation that the remuneration for RCHE carers is more attractive than that for FDHs will affect the supply of FDHs; if it has assessed and the outcome is in the affirmative, whether the Government will introduce measures to encourage more people to come to Hong Kong to work as FDHs; if the assessment outcome is in the negative, of the reasons for that;
- (5) given that people who intend to hire a FDH must have a monthly household income of no less than \$15,000, but households whose

- income barely reaches this level can hardly afford the expenses associated with hiring FDHs (including salary and employees' compensation insurance policies), whether the Government will consider reviewing such income threshold; if so, of the details; if not, the reasons for that;
- (6) notwithstanding that it has been stated in the Standard Employment Contract ("SEC") that a FDH must reside in the residence of his/her employer as named on his/her visa and perform domestic duties, of the measures put in place to ensure that FDHs will not engage in other work during holidays or outside working hours, which will affect the employment opportunities of local workers; and
- (7) given that according to the requirements in SEC, FDHs are required, before they come to Hong Kong, to undergo medical examinations and to produce the reports to the employers for inspection, but some FDH employer groups have pointed out that ordinary employers (especially the elderly) do not have sufficient knowledge to comprehend such reports, and some employers have even been persuaded by the intermediaries into signing the employment contracts before receiving such reports, whether the Government will consider stepping up the monitoring of medical check-ups for FDHs so as to prevent FDHs with severe health problems from coming to work in Hong Kong; if so, of the details; if not, the reasons for that?

Question 15 (For written reply)

(Translation)

CCTV systems with facial recognition function

Hon Charles Peter MOK to ask:

At present, quite a number of government departments have installed closed-circuit television ("CCTV") cameras at areas under their purview or public places for security and monitoring purposes. With the advancement in technology, the governments commercial organizations in some other regions make use of high resolution CCTV systems with recording and automated facial recognition ("AFR") functions ("AFR-CCTV systems") to get to know the identity of persons in a footage by making comparisons between the footage and databases. Such a practice has given rise to controversies. In view of this, the governments of some overseas cities have recently banned the use of facial recognition technology by government departments (including law enforcement agencies), with a view to preventing the abusive use of such technology and excessive monitoring by government departments, thereby protecting the personal privacy of the public. In this connection, will the Government inform this Council:

- of the respective numbers of (a) CCTV cameras installed in government venues and public places by the various government departments (including the Hong Kong Police Force ("HKPF") and other law enforcement agencies), and (b) body worn video cameras provided by such departments to their public officers, in each of the past three years, as well as (i) the uses of such devices and (ii) for how long they have been installed/provided (set out in a table);
- whether the various government departments (including HKPF and other law enforcement agencies) procured or developed AFR-CCTV systems or conducted trials of applying AFR technology in CCTV systems, in each of the past three years; if so, of the details and justifications for that;
- (3) whether it will, in order to protect the public's privacy, ban government departments (including HKPF and other law enforcement agencies) from using systems and devices with AFR function in public places for collection of personal identifiable information and automatic comparison with databases; if so, of the details; if not, the reasons for that; and
- (4) whether it will enact legislation to regulate the use of AFR-CCTV systems by commercial organizations, so as to prevent excessive

collection of sensitive personal data; if so, of the details; if not, the reasons for that?

Question 16 (For written reply)

(Translation)

Monitoring the operations of airlines

Hon Kenneth LEUNG to ask:

It is learnt that since December last year, there has been a spate of personnel changes to the board of directors of and financial difficulties encountered by the Hong Kong Airlines Limited ("HKA"). Since then, the Air Transport Licensing Authority ("ATLA") has requested, on several occasions and under the law, HKA to give an account of the situation and report the progress in a timely manner. In this connection, will the Government inform this Council:

- (1) as ATLA has requested HKA, on a number of occasions, to give an account of its financial situation and submit a specific plan for improving its financial situation in the short run, whether it knows if ATLA will make public HKA's replies; if ATLA will not, whether ATLA can disclose the causes for the financial difficulties encountered by HKA, as well as the specific solutions;
- (2) whether it knows, on each occasion after HKA had given an account, the mechanism based on which ATLA determined if there was a need to take further actions; and
- (3) as it is reported that recently, some management staff members of HKA have resigned, and an accounting firm which served as its auditor has also resigned, whether it knows if ATLA (i) has assessed whether those incidents will affect the operations of HKA, its passengers and flight services, and (ii) will request HKA to give an account to ATLA in this regard?

Question 17 (For written reply)

(Translation)

Planning standards for car parking spaces, markets and social welfare facilities

Hon Andrew WAN to ask:

Regarding the planning standards for car parking spaces, public markets and social welfare facilities in the Hong Kong Planning Standards and Guidelines ("HKPSG"), will the Government inform this Council:

- (1) as it is learnt that there is a shortage of car parking spaces in some newly completed public housing estates (e.g. On Tai Estate and Hung Fuk Estate) immediately after the intake of residents, whether the Government will amend HKPSG to raise the planning standard for the provision of car parking spaces (especially those parking spaces for commercial vehicles in public housing developments);
- (2) as it has been reported that due to a shortage of public markets in new towns such as Tin Shui Wai and Tung Chung, the residents in such districts have to travel to other districts in order to buy food at more affordable prices, whether the Government will amend HKPSG to reinstate a population-based quantitative planning standard for public markets; and
- (3) as one of the causes for the current shortage of social welfare facilities in quite a number of districts is that social welfare organizations cannot identify suitable premises for providing such facilities, whether the Government will consider adding to HKPSG the following planning standard: a floor area of not smaller than 0.5 time of the site area of a new development area or a new residential development must be set aside for social welfare facilities?

Question 18 (For written reply)

(Translation)

Preparation for and follow-up work after the onslaught of typhoons

Hon Paul TSE to ask:

In the past two years, super typhoons Hato and Mangkhut successively hit Hong Kong and caused huge damage. For instance, at the low-lying areas by the seaside in Lei Yue Mun and its vicinity, storm surges and huge waves tossed up tonnes of seawater together with silts onto the shore, threatening the lives of shop operators and residents along the shore and causing substantial damage to properties. I and the District Council members of the district concerned have repeatedly called on the authorities to construct flood protection barriers along the shoreline of Lei Yue Mun to guard against typhoons. It is understood that the Tourism Commission is implementing the Lei Yue Mun Waterfront Enhancement Project in the district concerned, and the Civil Engineering and Development Department is also conducting a study on the impact of storm surges on the low-lying or exposed coastal areas in Lei Yue Mun and its vicinity as well as in other districts during extreme weather. As both initiatives will take more than a year to complete, they cannot provide a solution to the imminent problems. Moreover, some shop operators and residents who have been victimized twice are worried that in the absence of short-term protective measures. disasters will happen again in this year's typhoon season to the area around the Lei Yue Mun Lighthouse where it is most seriously affected by silts tossed up onto the shore during the onslaught of typhoons in Hong Kong The Observatory has forecast that four to seven typhoons will hit Hong Kong this year. In this connection, will the Government inform this Council:

- of the latest progress of the post-Hato and post-Mangkhut clearance work; the manpower and resources involved in such work, including the expenditure on hiring service contractors to carry out the relevant work, with a breakdown by policy bureau/government department;
- (2) whether it has assessed, during the onslaught of Mangkhut and Hato in Hong Kong, the volume of silts that was tossed up, in particular through the gap near the Lei Yue Mun Lighthouse, onto the shore by storm surges and then poured into nearby shops and residential premises at Lei Yue Mun waterfront, as well as the amount of economic loss so caused;
- (3) whether it has assessed, in the absence of short-term protective measures, the casualties and economic loss that will be caused to

- the area along the shore at Lei Yue Mun by rainstorms and typhoons this year, and whether last year's disasters will recur; and
- (4) as the aforesaid two initiatives will take more than a year to complete, whether the authorities have put in place targeted short-term measures (e.g. some members of the public have proposed the placing of a number of breakwater columns horizontally) to enhance the capability of Lei Yue Mun waterfront (in particular the area around the aforesaid Lei Yue Mun Lighthouse) to withstand rough sea conditions, so as to avoid the recurrence of the disaster of tonnes of silts and rocks pouring into residential premises and shops; if so, of the details; if not, whether they will conduct a study immediately?

Question 19 (For written reply)

(Translation)

Pest and rodent control

Dr Hon Priscilla LEUNG to ask:

Regarding pest and rodent control work, will the Government inform this Council:

- of the following details of the rodent control work carried out in each District Council district by the relevant government departments in each year since 2008: (i) the number of times for which poisonous baits were placed in building blocks, (ii) the number of rodent trappings used, (iii) the numbers of dead rodents collected and live rodents caught, (iv) the number of rat holes blocked, (v) the number of surveys of rodent infestation conducted, (vi) the number of complaints about rodent infestation received, and (vii) the Rodent Infestation Rates recorded; and
- of the following details of the (a) pest control and (b) rodent control work carried out respectively by the relevant government departments in each year since the 2008-2009 financial year: (i) the total expenditure involved, (ii) the staffing establishment of the civil servants responsible for the relevant work and the staff costs involved, and (iii) the total value of outsourced service contracts and the total number of the outsourced service staff members responsible for the relevant work?

Question 20 (For written reply)

(Translation)

Manpower situation of lifeguards

Hon HO Kai-ming to ask:

It is learnt that as the Leisure and Cultural Services Department ("LCSD") has, in recent years, encountered difficulties in recruiting non-civil service contract ("NCSC") seasonal lifeguards, public swimming pool complexes and beaches have to be partially or completely closed from time to time due to manpower shortage of lifeguards. As such, swimmers cannot use the facilities, and civil service lifeguards have to take up extra duties and work overtime. In this connection, will the Government inform this Council:

- of the respective numbers of times for which public swimming pool complexes under LCSD were (i) completely and (ii) partially closed in each month of the past three years, with a breakdown by District Council ("DC") district, public swimming pool complex and reason for closure;
- of the respective staffing establishments and numbers of vacancies of (a) civil service lifeguards and (b) seasonal lifeguards in the current financial year at the various (i) public swimming pool complexes, (ii) public beaches and (iii) water sports centres, with a breakdown by DC district;
- (3) of the respective target numbers of (i) civil service lifeguards and (ii) seasonal lifeguards to be recruited by LCSD in the current financial year, as well as the respective numbers of such lifeguards recruited so far;
- (4) given that LCSD plans to form a special support team comprising 40 NCSC full-year full-time lifeguards this year for flexible deployment to public swimming pools and beaches in order to cope with unforeseen manpower shortage situations, of the current team size and its deployment records so far;
- (5) given that civil service lifeguards have to take up extra duties and work overtime owing to manpower shortage of seasonal lifeguards, whether the Government has provided civil service lifeguards with extraneous duties allowances and overtime allowances; if not, of the reasons for that;
- (6) whether the Government conducted, in the past three years, surveys on the number of swimmers at and the utilization of public beaches; if so, of the outcome, and whether it will open the beaches all year

- round and increase correspondingly lifeguard manpower and the relevant estimates of expenditure; and
- (7) whether it will consider changing the recruitment procedures and relaxing the entry requirements for lifeguards (e.g. that applicants who have passed a basic swimming and skills test are eligible for provisional employment, and then upon receiving the relevant internal training and obtaining relevant certificates, they may be formally appointed), so as to attract new blood to the trade; if so, of the details; if not, the reasons for that?

Question 21 (For written reply)

(Translation)

Disposal of waste medicine from households

Hon Michael TIEN to ask:

Under the existing legislation, the storage, collection, transport and disposal of chemical waste must comply with the relevant regulations. only waste medicine and injections generated by healthcare institutions such as hospitals and clinics are classified as chemical waste, the disposal of waste medicine from households is not regulated. It is learnt that at present, members of the public generally throw their leftover medicine into toilet bowls or discard them together with domestic waste, which is then transported to landfills. It has been reported that according to the findings of a study conducted last year, the samples of leachate taken from three landfills generally contained human antibiotics, at levels exceeding the limits by 5 to 53 times. The researcher concerned has pointed out that leachate, after treatment, still contains antibiotic residues which, upon discharge into the sea, will affect the marine ecosystem and enter the human food chain, resulting in the development of antibiotics-resistant In this connection, will the Government inform this microorganisms. Council:

- (1) whether it will, in the light of the findings of the aforesaid study, review and tighten the existing regulation on the disposal of waste medicine from households; if it will tighten the regulation, of the specific measures; if not, the reasons for that;
- (2) whether it will, by drawing reference from the experience of overseas countries, explore the implementation of a trial scheme on collection of waste medicine from households (e.g. setting up collection boxes for drugs); if so, of the details; if not, the reasons for that; and
- (3) whether it will conduct an in-depth study on the amounts of pharmaceutical residues in the environment and their impacts; if so, of the details; if not, the reasons for that?

Question 22 (For written reply)

(Translation)

Rodent infestation and environmental hygiene issues

Dr Hon Elizabeth QUAT to ask:

Some members of the public have relayed that rodent infestation is serious in various districts across the territory, and that the discovery of a total of five cases of human infection of rat Hepatitis E ("rat Hep E") in Hong Kong since September last year has made them worried. In this connection, will the Government inform this Council:

- **(1)** given that the public litter containers in some public housing estates (e.g. Chung On Estate) do not have covers and the rubbish bags inside them are supported merely by iron bars at the bottom of the containers, which makes it easy for rodents to crawl into the containers to forage for food and leave the containers by biting a hole in the bags, whether the Government will replace such litter with containers those of a fully-enclosed design. comprehensively improve the design of litter containers in public housing estates; if so, of the details and timetable; if not, the reasons for that:
- as it is learnt that at present, litter containers provided in quite a number of rural areas and country parks are without covers, which enables rodents to crawl into the containers (while larger animals can even topple such litter containers) to forage for food, whether the Government will introduce fully-enclosed smart litter containers in such areas and country parks; if so, of the details and timetable; if not, the reasons for that;
- (3) as it has been reported that the facts that (i) the surveillance areas of the Internet Protocol ("IP") cameras installed at illegal refuse dumping black spots having blind spots, (ii) quite a number of black spots not having IP cameras installed and (iii) a lack of coordination among government departments have contributed to the poor environmental hygiene conditions, of the Government's measures to tackle such problems and the implementation timetables;
- (4) as the rodent disinfestation work of the Food and Environmental Hygiene Department ("FEHD") is mainly performed by the cleansing workers of its contractors at present, whether FEHD has (i) required its contractors to provide their workers with sufficient rodent disinfestation training, and (ii) regularly reviewed the effectiveness of the rodent disinfestation approaches and the baits

- used by its contractors; if so, of the details; if not, the reasons for that;
- (5) as the medical sector is currently unclear about the mode of transmission for human infection of rat Hep E, whether the Government will expeditiously allocate funds to local medical research institutions for conducting studies in this regard; if so, of the details; if not, the reasons for that;
- (6) as tests for rat Hep E virus are currently provided only by the Department of Health and Queen Mary Hospital, whether the Government will immediately extend the relevant test services to all public hospitals; if so, of the details; if not, the reasons for that;
- (7) whether it will step up efforts in educating the public about the ways to deal with the live rodents they have caught and the rodent carcasses found, as well as set up a hotline to answer the relevant enquiries from the public; if so, of the details; if not, the reasons for that; and
- (8) whether the poisonous baits currently used by FEHD for rodent disinfestation are hazardous to the health of other animals (e.g. cats and dogs); if so, whether it has informed members of the public that they should guard against their pets mistakenly eating such poisonous baits; if it has not, of the reasons for that?

Interpretation and General Clauses Ordinance

Resolution

(Under section 34(4) of the Interpretation and General Clauses Ordinance (Cap. 1))

Resolved that in relation to the Arbitration (Appointment of Arbitrators and Mediators and Decision on Number of Arbitrators) (Amendment) Rules 2019, published in the Gazette as Legal Notice No. 76 of 2019, and laid on the table of the Legislative Council on 22 May 2019, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) be extended under section 34(4) of that Ordinance to the meeting of 10 July 2019.

(Translation)

Motion on "Improving the employment terms of civil servants, enhancing the efficiency of policy implementation and promoting creativity and innovation" to be moved by Hon Tony TSE

Wording of the Motion

That this Council urges the Government to adopt effective measures to improve the employment terms, manpower, working environment and continuing education and training of civil servants; raise the Government's efficiency of decision-making, decision execution and vetting and approval process, and strengthen inter-bureau and inter-departmental cooperation and coordination; and enhance middle and senior civil servants' creative mindset and capacity to manage changes, and promote the application and research and development of innovative technology in various government departments.

(Translation)

Motion on "Promoting healthcare reform" to be moved by Hon CHAN Han-pan

Wording of the Motion

That the tilting of the public healthcare system towards the provision of care for patients with serious illnesses, coupled with the serious lack of comprehensive preventive healthcare services in society, has rendered it difficult for people to receive treatment at an early stage of illness; in recent years, the Hospital Authority ('HA') has phased out the 'mentorship approach' to medical practice and adopted clinical and administrative guidelines together with a mechanical management approach in managing frontline doctors, and this has imposed prolonged pressure on frontline doctors, made it difficult for them to develop team spirit, and led to a massive wastage of healthcare personnel; the aforementioned shortcomings have also caused difficulties in improving the quality of public healthcare services, and among others, problems such as excessively long waiting time for healthcare services and persistent healthcare manpower shortage have even intensified; in this connection, this Council urges the SAR Government to expeditiously promote healthcare reform to eradicate the deep-rooted deficiencies in the healthcare system; the relevant proposals include:

- (1) allocating additional resources to develop comprehensive preventive healthcare services, so as to build up an integrated first line of defence in healthcare and compensate for the inadequacies in the existing healthcare system;
- (2) by drawing reference from the mode of public-private healthcare partnership, incorporating private healthcare services into the development planning for a first line of defence in healthcare, so as to reduce the pressure on the public healthcare system by drawing on the strength of private healthcare;
- (3) exploring the feasibility of introducing a new 'mentorship approach' to medical practice in HA, so as to rebuild team spirit among frontline doctors and sustain the inheritance of medical experience;

- (4) reforming HA's mechanical management approach and including the element of humanized management, so as to boost the morale of frontline healthcare personnel;
- (5) adopting the principles of 'focusing on patients' needs' and 'saving patients' time' in reforming HA's service mode and subsidy computation mode, so as to enable patients to receive one-stop healthcare services within a short time for a single illness or multiple illnesses without having to make repeated trips to hospitals as in the past and in turn reduce their ordeals; and
- (6) developing comprehensive integrated Chinese-Western medicine services in the public healthcare system, so as to promote the diversification of public healthcare services by drawing on the strength of Chinese medicine.