

立法會
Legislative Council

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**Paper for the House Committee meeting
of 15 February 2019**

**Questions scheduled for the
Legislative Council meeting of 20 February 2019**

Questions by:

- | | | |
|------|------------------------|-----------------|
| (1) | Hon Steven HO | (Oral reply) |
| (2) | Hon Wilson OR | (Oral reply) |
| (3) | Hon CHAN Hoi-yan | (Oral reply) |
| (4) | Dr Hon Helena WONG | (Oral reply) |
| (5) | Hon Jeremy TAM | (Oral reply) |
| (6) | Hon LAM Cheuk-ting | (Oral reply) |
| (7) | Hon HUI Chi-fung | (Written reply) |
| (8) | Dr Hon Pierre CHAN | (Written reply) |
| (9) | Hon Alvin YEUNG | (Written reply) |
| (10) | Hon WONG Ting-kwong | (Written reply) |
| (11) | Hon LAU Kwok-fan | (Written reply) |
| (12) | Hon KWOK Wai-keung | (Written reply) |
| (13) | Hon Dennis KWOK | (Written reply) |
| (14) | Hon CHAN Chi-chuen | (Written reply) |
| (15) | Dr Hon Fernando CHEUNG | (Written reply) |
| (16) | Hon Alice MAK | (Written reply) |
| (17) | Hon Tommy CHEUNG | (Written reply) |
| (18) | Hon YUNG Hoi-yan | (Written reply) |
| (19) | Hon CHU Hoi-dick | (Written reply) |
| (20) | Hon AU Nok-hin | (Written reply) |
| (21) | Hon LEUNG Che-cheung | (Written reply) |
| (22) | Hon Frankie YICK | (Written reply) |

註 :

NOTE :

議員將採用這種語言提出質詢

Member will ask the question in this language

Following up marine incidents

(1) Hon Steven HO (Oral reply)

A few marine incidents have occurred in recent years, polluting the ecosystem of Hong Kong waters and causing far-reaching impacts on the fisheries resources. For instances, a large quantity of polypropylene plastic pellets were spilled into the sea from a container vessel during the onslaught of a typhoon in Hong Kong in 2012, 9 000-tonne palm oil was leaked following the collision of cargo vessels in 2017, and an explosion and a fire occurred in a cargo vessel in the waters off the Lamma Island in January this year. In this connection, will the Government inform this Council:

- (1) given that subsequent to the aforesaid incident of plastic pellets spilling into the sea, the party concerned reached a settlement agreement with the Marine Department (“MD”) and agreed to pay a sum to the Government to compensate for the expenditure it incurred on the clean-up operations, how MD determined if the amount of compensation was reasonable; as public interest was involved in the incident, why MD agreed to keep the compensation amount confidential and did not pursue the responsibilities of the party concerned for polluting the marine ecosystem;
- (2) whether it will set up an ad hoc committee in the wake of each marine incident to investigate the impact of the incident on the fisheries resources as well as the marine ecosystem and to prepare a report, which may form the basis for the affected persons to make compensation claims; and
- (3) given that mariculturists affected by marine incidents often give up compensation claims as they cannot afford the high legal costs or are ineligible for legal aid, of the mechanism put in place by the Government to provide them assistance?

The overloaded public healthcare system

(2) Hon Wilson OR (Oral reply)

It is learnt that the public healthcare system has been overloaded for a long period of time, resulting in deterioration in the quality of healthcare services and healthcare workers being overstretched. During the recent influenza surge in Hong Kong, the number of medical inpatients in public acute hospitals exceeded the number of medical inpatient beds by 10% in total and even by 20% in respect of the two acute hospitals in the Kowloon East Cluster. In this connection, will the Government inform this Council:

- (1) of the new measures put in place to tackle influenza outbreaks so as to alleviate the overcrowding situation in public hospitals and shorten the waiting time of patients, as well as to lower the death rates arising from influenza-related complications;
- (2) whether it knows if the Hospital Authority (“HA”) has taken targeted measures to solve the overcrowding problem in the acute hospitals in the Kowloon East Cluster; if HA has, of the details; if not, the reasons for that; and
- (3) whether it has formulated long-term plans and measures (e.g. enhancing the medical public-private partnership programmes and allocating resources to provide additional beds and healthcare manpower in public hospitals) to alleviate the pressure on the public healthcare system and to enhance both the quality and quantity of public healthcare services?

Alleviating the pressure on the services of public hospitals

(3) Hon CHAN Hoi-yan (Oral reply)

It is learnt that in recent years whenever there was an influenza surge, the Accident and Emergency Departments (“AEDs”) and in-patient services of public hospitals were invariably severely overloaded and faced with immense challenges. There are views that apart from deploying additional resources, the Government should make efforts to prevent an outbreak of influenza and divert patients to the private healthcare system, so as to alleviate the pressure on the services of public hospitals. In this connection, will the Government inform this Council:

- (1) of the respective seasonal influenza vaccination uptake rates of kindergarten, primary school and secondary school students in each of the past three years; whether it will set targets on the uptake rates of students and the entire population of Hong Kong; if so, of the details; if not, the reasons for that;
- (2) whether it will regularize the existing School Outreach Vaccination Pilot Programme and extend the scope of the Programme to cover all kindergartens, primary schools and secondary schools across the territory; if so, of the details and implementation timetable; if not, the reasons for that; and
- (3) whether it will set up outpatient clinics staffed by private medical practitioners next to the AEDs of public hospitals during influenza surges, so that AED patients categorized as semi-urgent and non-urgent may choose to seek medical consultation at those clinics, thereby alleviating the pressure on the services of AEDs; if so, of the details and implementation timetable; if not, the reasons for that?

Medical and nursing manpower in the public healthcare system

(4) Dr Hon Helena WONG (Oral reply)

In recent years, the shortage of medical and nursing manpower in the public healthcare system has been acute. According to the projection in the Report of Strategic Review on Healthcare Manpower Planning and Professional Development of 2017, there will be shortfalls of over 1 000 doctors and 1 600 nurses in Hong Kong by 2030. In this connection, will the Government inform this Council:

- (1) whether it will consider permitting doctors who have graduated from recognized medical schools in Commonwealth countries to come to Hong Kong, without going through examinations and internship, to practise in public hospitals, so as to increase the manpower of doctors in the public healthcare system; if so, of the details; if not, the reasons for that;
- (2) whether it knows if the Hospital Authority (“HA”) will transfer the senior management work currently undertaken by staff members from the medical and nursing grades to administrators who do not belong to such grades, so that staff members with medical and nursing professional knowledge can have more time to perform clinical duties; if HA will, of the details; if not, the reasons for that; and
- (3) whether it will implement new measures to reduce the wastage of doctors and nurses in the public healthcare system, and explore the stipulation of a minimum number of years for which locally trained doctors and nurses are required to serve in the public healthcare system upon graduation; if so, of the details; if not, the reasons for that?

Regulation of e-sports venues

(5) Hon Jeremy TAM (Oral reply)

While the Chief Executive said last month that the Government would kick-start its efforts in fostering the development of the e-sports industry, some e-sports venue operators have relayed that they have encountered quite a number of operating difficulties. Amusement Game Centre Licences are required for operating e-sports venues and convicted offenders will have a criminal record. However, the relevant licensing conditions are stringent. For instance, an amusement game centre must not be located in premises where another amusement game centre or an educational institution is within a radius of 100 metres from its main entrance. This requirement has made it difficult for them to find venues suitable for operating e-sports venues. Secondly, amusement game centres are categorized into two types: “children’s centres” which must deny entry by persons aged 16 or above and “adult centres” which must deny entry by children aged below 16. Substantial investments are involved in operating e-sports venues, but this categorization requirement has reduced the clientele of e-sports venues and affected their income. As a result, it is likely that the investments made by the operators will go down the drain. In this connection, will the Government inform this Council:

- (1) of the respective numbers of persons arrested, prosecuted and convicted in each of the past five years for operating an amusement game centre without a licence; the penalties imposed on those convicted, and the number of such convictions involving e-sports venues;
- (2) in respect of e-sports venues, entertainment machine centres and other amusement game centres, of the respective numbers of persons arrested, prosecuted and convicted for committing criminal offences in each of such types of venues in each of the past five years (with a breakdown by category of offences), as well as the penalties imposed on those convicted; and
- (3) given that the Innovation and Technology Bureau is, in conjunction with the Home Affairs Bureau and related government departments, formulating a set of guidelines to help e-sports venue operators apply for licences, whether the Government will, when vetting and approving applications for licences submitted by those operators, exempt e-sports venues from complying with the two aforesaid requirements; if so, of the details; if not, the reasons for that?

Construction documentation of the Shatin to Central Link project

(6) Hon LAM Cheuk-ting (Oral reply)

Under the Project Integration Management System of the MTR Corporation Limited (“MTRCL”), there are a number of hold points for the construction works for the Shatin to Central Link (“SCL”) project, which is currently undertaken by MTRCL. At each hold point, the contractor is required to submit a Request for Inspection and Survey Checks (“RISC”) form to MTRCL upon completion of a certain construction activity; the contractor may proceed with the next activity only after MTRCL has confirmed after checking that no problem is found and granted permission. However, the Government has recently announced that a number of problems concerning the construction works at the SCL Hung Hom Station North and South Approach Tunnels and Stabling Sidings were uncovered, including the missing of materials testing records and a large quantity of RISC forms, as well as unauthorized alterations of the construction methods. In this connection, will the Government inform this Council:

- (1) whether it will request the Secretary for Transport and Housing, who is a MTRCL Board member, to take the blame for problems concerning the construction works of the SCL project being uncovered one after another and resign;
- (2) whether the Highways Department and its consultants have regularly reviewed if the construction works of the SCL project were undertaken in accordance with the work procedures, including the checking of the RISC forms; if not, of the reasons for that; if so, the frequencies of such reviews and whether cases of RISC forms missing have been found; whether the Government and MTRCL have looked into the reasons for RISC forms missing (whether such reasons include the destruction of evidence by some works personnel for fear of their contravention of the rules being uncovered), and why the contractor, at various hold points, was allowed to proceed with the next construction activity even though the RISC forms concerned were missing; and
- (3) of the quantity and percentage of the materials testing records which are missing, as well as the materials involved; with such records missing, how the Government ascertains that the materials used for the works and the works quality on the whole comply with the safety standards; whether there is any case of missing RISC forms and materials testing records concerning other works sites of the SCL project; if so, set out the relevant quantities and percentages in a table?

Non-local students and graduates staying in Hong Kong

(7) Hon HUI Chi-fung (Written reply)

Under the Immigration Arrangements for Non-local Graduates (“IANG”), non-local students who enter Hong Kong for the purpose of education with a student visa/entry permit may, upon completion of their study and obtaining an undergraduate degree or a higher qualification in Hong Kong, apply for staying in/returning to Hong Kong for work for a period of 12 months. Persons permitted to stay in Hong Kong under IANG may apply for an extension of stay if they have secured local employment upon expiry of their limit of stay. In this connection, will the Government inform this Council:

- (1) of the number of applications submitted in the past three years for renewal of student visas by persons who had been staying in Hong Kong on student visa for a continuous period of seven years and, among such applications, the number and percentage of those approved, with a breakdown by whether or not the applicants were Mainland residents;
- (2) of the number of applications submitted last year under IANG and, among such applications, the number and percentage of those approved, with a breakdown by whether or not the applicants were Mainland residents;
- (3) of the number of applications submitted in the past three years for verification of the permanent resident status by persons who had been allowed to stay/return and work in Hong Kong under IANG and, among such applications, the number and percentage of those approved, with a breakdown by whether or not the applicants were Mainland residents; and
- (4) whether the Immigration Department, when vetting and approving the aforesaid applications for extension of stay in the past three years, took measures to check the authenticity of the employment contracts as well as the background and financial information on the companies that had employed them, which were submitted by the applicants; if so, of the details?

Monitoring the water quality of fountains

(8) Dr Hon Pierre CHAN (Written reply)

Last year saw over 100 reported cases of Legionnaires' disease in Hong Kong, and that number was higher than the annual average of some 70 cases for the past five years. Legionella bacteria grow well in warm water between 20 and 45 degrees Celsius and may be found in water bodies in cooling towers, fountains, etc. It has been reported that in December last year, two residents of a private housing estate developed, after having been infected with Legionnaires' disease, the complications of pneumonia and were in a critical condition, and there is a fountain at the entrance of the housing estate. Regarding the monitoring of the water quality of fountains, will the Government inform this Council:

- (1) given that there were 77 fountains managed by the Leisure and Cultural Services Department ("LCSD") as at November last year, of the following details of each of the fountains: (i) address, (ii) year of completion, (iii) whether the construction contract provided that the contractor had to comply with the Code of Practice for Prevention of Legionnaires' Disease when designing and constructing the fountain, and (iv) the government department responsible for monitoring the design and construction of the fountain (set out one by one in the table below);

	(i)	(ii)	(iii)	(iv)
1.				
2.				
...				
77.				

- (2) of the following details of the repair, maintenance and cleaning work in respect of the fountains mentioned in (1): (i) the number of times for which the fountains were completely drained and cleaned in 2016-2017, (ii) the number of reports and follow-up requests concerning the problems found in the fountains made by the management departments to the works departments in 2016-2017, and (iii) whether the fountains are now in operation (set out one by one by address of the fountains in the table below);

	Address of fountain	(i)	(ii)	(iii)
1.				
2.				
...				
77.				

- (3) given that upon completion of the construction works for the music fountains at Kwun Tong Promenade, the Architectural Services Department ("ArchSD") will conduct water tests for the fountains in accordance with the standards stipulated in the Swimming Pools Regulation (Cap. 132CA), whether such tests are one-off in nature, and whether ArchSD will conduct similar water tests for newly built fountains in future;

- (4) given that LCSD regularly takes water samples at its public swimming pools for water quality examination, why LCSD does not do the same for the fountains under its management;
- (5) given that the Food and Environmental Hygiene Department licenses and monitors private swimming pools in accordance with the Swimming Pools Regulation, whether the Government will establish a similar licensing and regulatory regime for private fountains; if not, of the reasons for that; and
- (6) whether it knows the current number and addresses of the private fountains in Hong Kong, and of the government department responsible for monitoring the water quality of such fountains?

Legal basis for non-Hong Kong residents to settle/stay in Hong Kong

(9) Hon Alvin YEUNG (Written reply)

Regarding the legal basis for non-Hong Kong residents to settle/stay in Hong Kong, will the Government inform this Council:

- (1) of the provisions in the Basic Law and/or the laws of Hong Kong by virtue of which holders of Permits for Proceeding to Hong Kong and Macao may come to Hong Kong for settlement; and
- (2) of the respective provisions in the Basic Law and/or the laws of Hong Kong under which the Director of Immigration gives permission for the following categories of non-Hong Kong residents to stay in Hong Kong:
 - (i) dependants of Hong Kong permanent residents,
 - (ii) dependants of persons other than Hong Kong permanent residents,
 - (iii) persons who are granted entry into Hong Kong under the Admission Scheme for Mainland Talents and Professionals,
 - (iv) Mainland residents who are granted entry into Hong Kong under the Quality Migrant Admission Scheme,
 - (v) non-Mainland residents who are granted entry into Hong Kong under the Quality Migrant Admission Scheme,
 - (vi) persons of Chinese nationality who have obtained permanent resident status in a foreign country and are granted entry into Hong Kong under the Capital Investment Entrant Scheme,
 - (vii) foreign nationals who are granted entry into Hong Kong under the Capital Investment Entrant Scheme, and
 - (viii) persons who are granted entry into Hong Kong under the Admission Scheme for the Second Generation of Chinese Hong Kong Permanent Residents?

Certification systems for Chinese medicines pharmacists and personnel

(10) Hon WONG Ting-kwong (Written reply)

Some members of the Chinese medicines industry have relayed that currently, there is no professional qualification certification system for Chinese medicines pharmacists and personnel in Hong Kong, resulting in a lack of protection for the health of those members of the public who take Chinese medicines. In addition, the Office of The Ombudsman published in December last year a direct investigation report, recommending that the Government consider setting up a certification system for Chinese medicines pharmacists. In this connection, will the Government inform this Council:

- (1) of the number of reports, received by the authorities in each of the past five years, about members of the public feeling unwell or being poisoned as a result of taking Chinese medicines wrongly; the measures (including those about proper dispensation and decoction of Chinese medicines) currently put in place to protect the health of members of the public in taking Chinese medicines;
- (2) whether it knows the current number of Chinese medicines personnel in Hong Kong and, among them, the respective numbers of those responsible for dispensing Chinese medicines (i.e. Chinese medicines pharmacists) and those holding professional qualifications of Chinese medicines pharmacists certified by authorities outside Hong Kong;
- (3) given the establishment of a registration system for Chinese medicines pharmacists on the Mainland, an examination system for Chinese medicines pharmacists in Taiwan, and a certification system for Chinese medicines technicians in Macao, whether the authorities have plans to set up a certification system for Chinese medicines pharmacists; if so, of the details; if not, the reasons for that; and
- (4) as members of the Chinese medicines industry generally support the setting up of a professional qualification certification system for Chinese medicines personnel to strengthen the relevant regulatory and training work, whether the authorities have plans to explore this matter with the industry and to provide the needed assistance; if so, of the details; if not, the reasons for that?

Serious drug offences

(11) Hon LAU Kwok-fan (Written reply)

Regarding serious drug offences (covering drug trafficking and manufacturing), will the Government inform this Council:

- (1) of the number of persons arrested in each of the past 10 years for committing serious drug offences (set out by age group in a table);
- (2) given that while the number of crimes concerning serious drug offences in 2018 has dropped as compared to that in the preceding year, the quantity of drugs seized over the same period has risen, whether the authorities have studied if there is a trend of serious drug offences being committed in a syndicated manner and on an expanded scale; and
- (3) whether the Police have formulated targeted strategies with a focus on dealing a blow to the leaders and management of drug syndicates; if so, of the details and the effectiveness; if not, the reasons for that?

Retrofitting noise barriers on existing roads

(12) Hon KWOK Wai-keung (Written reply)

Regarding the retrofitting of noise barriers on existing roads to alleviate the traffic noise nuisance caused to nearby residents, will the Government inform this Council:

- (1) of the respective numbers of noise barriers retrofitting works projects that were (i) completed, (ii) in progress and (iii) under planning, in each of the past five years; whether it has studied what factors have contributed to the year-on-year changes in those numbers;
- (2) of the following information (if applicable) on the works projects referred to in (1): (i) the (expected) commencement dates of the works, (ii) the (expected) completion dates of the works, (iii) the progress of the works, (iv) the traffic noise levels at the road sections concerned, (v) the (estimated) project costs, and (vi) the (expected) numbers of persons benefitting from the works;
- (3) of the order of commencement of those noise barriers retrofitting works projects currently under planning; the mechanisms adopted by the Government for determining the order and design of the noise barriers; as some residents of Heng Fa Chuen have indicated that they have, for many years, been suffering greatly from the noise nuisance caused by the traffic on Island Eastern Corridor, whether the Government will expedite the retrofitting of noise barriers on the road section concerned;
- (4) in respect of those road sections on which noise barriers retrofitting works are needed but have yet to commence, of the short-term measures the Government has in place to alleviate, before the completion of the relevant works, the noise nuisance caused by the traffic on the road sections concerned to nearby residents;
- (5) whether it will expedite the planning of noise barriers retrofitting works projects, and set a target for the number of such works projects to be completed per year; and
- (6) in view of the completion of two major infrastructure projects last year, whether the Government will seize the opportunity presented by the relatively abundant supply of construction workers at present to expedite the implementation of noise barriers retrofitting works projects?

Enforcement of the Import and Export Ordinance

(13) Hon Dennis KWOK (Written reply)

Will the Government inform this Council of the respective numbers of times for which law enforcement actions were taken in the past five years by law enforcement agencies for the purpose of enforcing the requirements under Part III (Prohibited Articles, etc.) and Part IV (Unmanifested cargo and smuggling) of the Import and Export Ordinance (Cap. 60); the respective numbers of prosecutions and convictions resulting from such actions, and the classes and quantities of the articles/cargoes involved?

Declaration of the ownership of properties outside Hong Kong

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

Applicants for public rental housing (“PRH”) are required, if they themselves or their family members own properties outside Hong Kong, to declare so. Under the “Well-off Tenants Policies”, PRH tenants likewise are required, if they own such properties, to declare so. It has been reported that quite a number of new arrivals from the Mainland concealed the ownership of properties on the Mainland when applying for PRH and they, upon being allocated a PRH unit, reside on the Mainland on a long-term basis. In this connection, will the Government inform this Council:

- (1) of (i) the number of new applicants for PRH who declared that they owned properties outside Hong Kong, (ii) the number of reports received by the Housing Department (“HD”) regarding PRH applicants concealing the ownership of this type of properties, (iii) the respective numbers of concealment cases uncovered upon receipt of reports and upon investigations initiated by HD, and (iv) the respective numbers of cases in which applicants were prosecuted and convicted for concealing the ownership of this type of properties, in each of the past three years; if HD did not initiate any investigation, of the reasons for that;
- (2) of (i) the number of PRH tenants who declared that they owned properties outside Hong Kong, (ii) the number of reports received by HD regarding tenants concealing the ownership of this type of properties, (iii) the respective numbers of concealment cases uncovered upon receipt of reports and upon investigations initiated by HD, and (iv) the respective numbers of cases in which tenants were prosecuted and convicted for concealing the ownership of this type of properties, in each of the past three years; if HD did not initiate any investigation, of the reasons for that; and
- (3) whether HD will adopt measures (e.g. setting up a dedicated investigation team) to take the initiative to investigate and verify if PRH applicants and PRH tenants own this type of properties; if so, of the details; if not, the reasons for that?

Home and community care services for
the elderly and persons with disabilities

(15) Dr Hon Fernando CHEUNG (Written reply)

Despite a pledge, made by the Chief Executive (“CE”) in her speech in delivering her Policy Address in October 2017, to reduce to zero the waiting time for home and community care services, frail elderly persons, persons with disabilities (“PWDs”) and needy people currently have to wait for a long time for such services. In the past two years, a number of tragedies occurred one after another in which carers, owing to the excessive pressure in single-handedly taking care of their chronically ill family members at home, killed the family members and themselves. With the population of Hong Kong ageing continuously, it is anticipated that there will be increasing demands for the Integrated Home Care Services, which target at elderly persons, PWDs and other needy people (“Category 1 services”), and the Enhanced Home and Community Care Services, which target at frail elderly persons (“Category 2 services”). In this connection, will the Government inform this Council:

- (1) of the following details regarding the Ordinary Cases under Category 1 services in each of the past 10 years: (i) number of persons receiving the services, (ii) unit cost, (iii) number of persons waiting for the services, (iv) average waiting time, (v) number of persons who stopped waiting due to deterioration in health conditions or deaths, and (vi) number of persons who stopped waiting due to other reasons (with a tabulated breakdown by the three types of service targets, namely elderly persons, PWDs and other needy people);
- (2) of the following details regarding the Frail Cases under Category 1 services in each of the past 10 years: (i) number of persons receiving the services, (ii) unit cost, (iii) number of persons waiting for the services, (iv) average waiting time, (v) number of persons who stopped waiting due to deterioration in health conditions or deaths, and (vi) number of persons who stopped waiting due to other reasons (with a tabulated breakdown by the two types of service targets, namely elderly persons and PWDs);
- (3) of the following details regarding Category 2 services in each of the past 10 years: (i) number of persons receiving the services, (ii) unit cost, (iii) number of persons waiting for the services, (iv) average waiting time, (v) number of persons who stopped waiting due to deterioration in health conditions or deaths, and (vi) number of persons who stopped waiting due to other reasons (set out in a table);
- (4) in respect of the service teams for the two categories of services respectively, of the average (i) staffing establishment and, among them, the respective numbers of full-time and part-time staff members, (ii) ratios of manpower to cases handled, (iii) payroll expenses, and (iv) year-end vacancy rates, in each of the past 10 years (set out in a

table); if such information is not available, of the basis on which CE made a remark at a Question and Answer Session of this Council early last month that community care services were facing a shortage of manpower;

- (5) whether it has gained an understanding of the office spaces needed by the service teams for the two categories of services, and the criteria adopted for calculating such space requirements, and whether it proactively looked for, in the past 10 years, suitable spaces in idle government lands/properties in various districts for accommodating these service teams; if not, of the justifications for CE to make a remark at the aforesaid Question and Answer Session that community care services were facing a shortage of lands; and
- (6) whether it has assessed the demands for the two categories of services in the coming 10 years, taking into account the ageing population of Hong Kong; if so, of the details; if not, the reasons for that; whether it has plans to set up additional service teams in various districts to cope with the demands; if so, of the details (including the districts in which additional service teams will be set up, and the specific criteria adopted for determining the districts concerned and the division of labour); regarding those districts in which no additional service teams will be set up, of the specific plans (e.g. increasing manpower and providing more vehicles for transportation) to cope with the ever-increasing demands through enhancing the existing service teams, and the criteria adopted for formulating such plans?

Alleviating the financial burden on parents of students

(16) Hon Alice MAK (Written reply)

According to the results of a survey conducted in 2017, 90% of the parents surveyed indicated that the expenses on kindergarten (“KG”) education had posed a heavy financial burden on their families. In addition, some parents of primary and secondary students (particularly those belonging to the sandwich class) have pointed out that the expenses on textbooks and transportation for their children are costly, and they are unable to benefit from the School Textbook Assistance Scheme (“STAS”) and Student Travel Subsidy Scheme (“STSS”) implemented by the Government because the application thresholds of those Schemes are too high. In this connection, will the Government inform this Council:

- (1) among the pupils currently studying in KGs which have joined the Free Quality Kindergarten Education Scheme, of the number and percentage of those who are required to pay school fees; whether the Education Bureau (“EDB”) will consider enhancing the Scheme by providing KGs with subsidies that are sufficient to meet all operating expenses, so that all pupils in half-day, whole-day and long whole-day KGs are not required to pay school fees, thereby offering genuinely free KG education;
- (2) whether EDB has regularly reviewed and compiled statistics on the items and levels of miscellaneous fees collected by KGs; if so, of the total amount of miscellaneous fees collected on average from each pupil by KGs in each of the past three years; whether EDB will cap the miscellaneous fees that KGs may collect from pupils;
- (3) among primary and secondary students in each of the past three years, of the respective numbers and percentages of those who benefited from STAS and STSS; whether EDB will lower the application thresholds for those Schemes, including revising the “Adjusted Family Income” Formula and adding tiers of assistance, so that more students can benefit; and
- (4) as quite a number of parents have pointed out that the existing subsidy schemes have failed to alleviate their financial burden, whether EDB will grant an allowance annually to each of the KG pupils as well as primary and secondary students for meeting the expenses arising from the commencement of a new school year, with a view to alleviating their families’ financial burden; if not, of EDB’s ways to alleviate the financial burden on parents?

Support for Self-reliance Scheme

(17) Hon Tommy CHEUNG (Written reply)

Currently, the Social Welfare Department (“SWD”) requires able-bodied recipients of Comprehensive Social Security Assistance (“CSSA”), who are aged 15 to 64 (the relevant age ceiling was 59 prior to 1 February 2019) and are unemployed or whose monthly earnings/working hours are less than the standard amount/number, to participate in the Support for Self-reliance (“SFS”) Scheme, so as to encourage and assist them to move towards full-time paid employment and self-reliance. In addition, while SWD must deduct the employment earnings of such CSSA recipients in calculating the amounts of CSSA payments payable to them, a maximum amount of \$2,500 per month of the earnings may be disregarded. There are comments that since the amount of disregarded earnings (“DE”), which has not been adjusted since 2007, is on the low side as compared to the current wage level, and a considerable portion of the employment earnings will be offset by deduction in CSSA payments, CSSA recipients lack the motivation for finding employment. In this connection, will the Government inform this Council:

- (1) among the able-bodied CSSA recipients in each of the past 10 years, of the number and percentage of those who participated in SFS Scheme, and set out in the table below a breakdown by the age group (i.e. aged (i) 15 to 29, (ii) 30 to 39, (iii) 40 to 49 and (iv) 50 to 59) to which the participants belonged;

Year	Participants		(i)	(ii)	(iii)	(iv)
	Number	Percentage				
2018						
...						
2009						

- (2) of the monthly average amount of wage and average number of working hours of those who secured employment in each of the past 10 years with the assistance of SFS Scheme; if such information is unavailable, whether it will consider collecting the relevant data, so as to evaluate the attractiveness of SFS Scheme;
- (3) given that the wage levels have generally risen in recent years, whether the authorities will raise the DE ceiling, so as to encourage able-bodied CSSA recipients who have the capacity to work to be more proactive in finding and remaining in employment; if not, of the reasons for that; if so, the details; and
- (4) whether it has evaluated the effectiveness of SFS Scheme in assisting able-bodied CSSA recipients in moving towards self-reliance; if so, of the evaluation outcome, and the measures put in place to change the perception of some members of the public that SFS Scheme is a punitive measure?

“Smart Tender” Building Rehabilitation Facilitating Services

(18) Hon YUNG Hoi-yan (Written reply)

The Urban Renewal Authority (“URA”) has implemented the “Smart Tender” Building Rehabilitation Facilitating Services since May 2016, with an aim to provide technical support to property owners/Owners’ Corporations (“OCs”) of private buildings in respect of building maintenance and help reduce the chance of bid-rigging by works contractors. In this connection, will the Government inform this Council:

- (1) whether it knows the respective numbers of complaints and reports in respect of suspected bid-rigging activities in building rehabilitation works received last year by URA from property owners/OCs participating in Smart Tender (with a breakdown by District Council district) and, among such complaints and reports, the respective numbers of cases referred to law enforcement agencies for follow-up; the respective numbers of cases in which the persons concerned were prosecuted and convicted, as well as the penalties generally imposed and the maximum penalty imposed on the convicted persons;
- (2) whether it knows the respective numbers of applications received and approved by URA since the launch of Smart Tender, as well as the average processing time of the approved applications; among the approved applications, the respective numbers of cases in which the building rehabilitation works have (i) commenced and (ii) been completed and, in respect of the completed cases, the average and the longest time spent on providing services under Smart Tender to such cases;
- (3) whether it knows if URA has estimated (i) the average number of applications for participating in Smart Tender to be received, and (ii) the average manpower and expenditure required for implementing Smart Tender, in each of the coming three years; whether URA will consider recruiting additional manpower to strengthen the services; and
- (4) as some property owners/members of the management committees of the OCs participating in Smart Tender have indicated that (i) the various arrangements under Smart Tender (e.g. engagement of independent professional, and preparation of inspection reports and tender documents by Authorized Person/Registered Inspector) are time-consuming, and (ii) due to their old age and lack of professional knowledge, it may not be easy for them to understand the advice given by independent professionals on building rehabilitation works, whether the Government knows the measures URA has put in place to improve such situations?

Unauthorized building works and related prosecutions

(19) Hon CHU Hoi-dick (Written reply)

On 21 December last year, the Director of Public Prosecutions (“DPP”) issued a statement expounding the prosecution decisions made by him in respect of the unauthorized building works (“UBWs”) at House 3 and House 4 of Villa de Mer, Tuen Mun. DPP would not institute any prosecution against the Secretary for Justice (“SJ”) on the grounds that there was no evidence indicating that the UBWs at House 4 were constructed subsequent to SJ’s acquisition of the unit. As to the UBWs at House 3, DPP would institute prosecution against only one of the two owners of the property (i.e. the husband of SJ). On the other hand, it has been reported that the sale and purchase agreement through which SJ acquired a property in Repulse Bay had expressly stated the existence of UBWs in that property. In this connection, will the Government inform this Council:

- (1) whether the authorities instituted, by invoking sections 14(1) and 40(1AA) of the Buildings Ordinance (Cap. 123), prosecutions in the past 10 years against those persons who had commenced or carried out UBWs in their properties but subsequently sold the properties concerned; if so, of the number and details of such cases; if not, the reasons for that;
- (2) whether the Buildings Department (“BD”) will institute prosecution(s) against the former owner(s) of House 4 who carried out the UBWs therein; if so, of the details; if not, the reasons for that;
- (3) whether BD has investigated if the UBWs at the aforesaid property in Repulse Bay had been constructed by the person(s) who sold the property to SJ;
- (4) of the circumstances, in general, under which a person who holds part of the title to a property (i) is required and (ii) is not required to bear the legal liability for the commencement or carrying out of UBWs at that property; and
- (5) as section 14(1) of Cap. 123 stipulates that “[s]ave as otherwise provided, no person shall commence or carry out any building works...without having first obtained from the Building Authority... his approval...and...consent...”, whether the authorities regard a property owner who has engaged a contractor to carry out UBWs as a person who has commenced or carried out UBWs under that provision; if so, of the details?

Land administration of shipyard sites

(20) Hon AU Nok-hin (Written reply)

The Lands Department (“LandsD”) conducted a tendering exercise in 2012 to let 16 shipyard sites along Ap Lei Chau Praya Road by way of short-term tenancies (“STTs”). The STTs concerned were granted for a term ranging from five to seven years commencing from 2013, with the lowest monthly rental being around \$10,000-odd. It is stipulated in the STTs that the sites concerned may only be used for ship or boat building and/or repairing. However, it has been reported that while slipways are originally intended for temporary anchorage of vessels pending repair only, some tenants have, for profiteering purpose, let such slipways as berthing spaces for yachts. Over the years, I have received a number of complaints from local residents alleging that certain sites have been put to uses not permitted under the STTs, such as vehicle repairing, yacht sale shows and barbecue parties. The structures erected on such sites have also exceeded the structure height restrictions stipulated in the STTs. In this connection, will the Government inform this Council:

- (1) whether LandsD has set priorities for handling complaints about alleged breaches of STT conditions; if so, of the details;
- (2) since the commencement of the STTs of the aforesaid 16 shipyard sites in 2013, of the respective numbers of (i) inspections made by staff members dispatched by LandsD and (ii) occasions on which LandsD found that the shipyard tenants had breached STT conditions; the actions taken by LandsD in respect of those cases involving breaches of STT conditions and the outcome thereof;
- (3) as LandsD had reportedly written to the shipyard tenants concerned in late 2017 requesting them to provide information to prove that the land uses at that time had not breached STT conditions, whether LandsD has assessed if such a practice is sufficient for ensuring tenants’ compliance with STT conditions; whether LandsD (i) has other measures in place to ensure that the shipyard tenants will comply with STT conditions and (ii) has reviewed the effectiveness of such measures;
- (4) as the STTs for 15 out of the 16 shipyard sites will soon expire, whether LandsD has plans to conduct a tender exercise for letting such sites again; if so, of the details; and
- (5) whether it has made long-term plans for the uses of these 16 shipyard sites?

Owner-occupied residential properties owned by applicants
for Comprehensive Social Security Assistance

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

A Guide to Comprehensive Social Security Assistance and the webpage of the government hotline 1823 both set out the manner in which owner-occupied residential properties are treated and counted as assets in the asset test conducted by the Social Welfare Department (“SWD”) for applications for Comprehensive Social Security Assistance (“CSSA”): (i) the value of the owner-occupied residential property may be disregarded in cases where the applicant has a family member who is old or disabled or has been medically certified to be in ill-health, (ii) the owner-occupied residential property of an able-bodied adult applicant will be counted as assets only after a grace period of 12 months, and (iii) the Director of Social Welfare may, at his discretion, extend the grace period for an applicant who is a single parent with a child/ children aged below 15. However, the webpage on CSSA of SWD’s website and the Pamphlet on Comprehensive Social Security Assistance Scheme both contain merely a brief statement: the total value of the capital assets (including properties...) owned by a CSSA applicant and his/her family members must not exceed the prescribed limit of the relevant CSSA category. It is learnt that quite a number of people have, based on this simple statement, mistakenly thought that their owner-occupied residential properties must be counted as assets and they are therefore ineligible for CSSA. In this connection, will the Government inform this Council:

- (1) of the respective numbers of CSSA applications, which were made by applicants owning owner-occupied residential properties, received and approved by SWD in each of the past five years, with a breakdown by CSSA category; and
- (2) of the reason why SWD has not expounded on its webpage on CSSA and in the aforesaid pamphlet the manner in which owner-occupied residential properties are treated and counted as assets; whether SWD will make improvements and make publicity efforts in this regard to avoid the disadvantaged groups from giving up applying for CSSA as they are unaware of the relevant arrangements; if not, of the reasons for that?

Shortage of taxi drivers

(22) Hon Frankie YICK (Written reply)

Some taxi trade organizations have relayed that there are serious succession and ageing problems of taxi drivers. According to their estimation, about 10% of the taxis are currently left idle due to a lack of drivers, causing a decrease in taxi services. As the charges of illegal private car hire services (commonly known as “white licence car services”) are not subject to any regulation and tax evasion is possible for the income from such services, some taxi drivers have, in recent years, become drivers of white licence cars so that they can earn a higher income and have a greater freedom in deciding their business hours, thereby aggravating the taxi drivers’ wastage. Those organizations are also concerned that the franchised taxis scheme that the Government plans to implement will aggravate the wastage of drivers of conventional taxis. In this connection, will the Government inform this Council:

- (1) of the number of holders of a valid taxi driving licence and, among them, the number of those who were issued the driving licence for the first time, at the end of each of the past five years, with a tabulated breakdown of such numbers by the age group (i.e. 29 or below, 30 to 39, 40 to 49, 50 to 59, 60 to 69, 70 to 79 and 80 or above) to which the holders belonged at that time;
- (2) of the measures taken by the Government in the past five years (including those for combating white licence car services) to improve the business environment of the taxi trade, so as to increase the income of taxi drivers and attract new blood to the trade, together with the details and effectiveness of each of these measures;
- (3) as the Government has plans to relax one of the requirements for applying for commercial driving licences (including taxi licence), namely by shortening the minimum period for which an applicant has held a valid driving licence for private car or light goods vehicle before making the application from three years to one year, whether the Government will consider lowering at the same time the minimum age requirement for applying for such type of licences from 21 to 19, in order to attract young people to join the taxi trade as soon as practicable; if so, of the details; if not, the reasons for that; and
- (4) whether it will consider shelving its plan of introducing franchised taxis; if so, of the details; if not, how the Government will prevent the franchised taxis from aggravating the problems of wastage and manpower shortage of drivers of conventional taxis?