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Ms Sophie LAU  
Clerk to Panel on Transport  
Legislative Council Secretariat  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong

15 April 2019

Dear Ms LAU,

### **Working hours of franchised bus captains**

Thank you for your letter dated 19 February 2019, enclosing the letters from Hon Tanya CHAN and Hon Jeremy TAM Man-ho addressed to the Chairman of the Legislative Council Panel on Transport. Regarding Hon Jeremy TAM's letter concerning working hours of bus captains, our reply is as follows:

#### Working hours of franchised bus captains

The Government attaches great importance to the operational safety of franchised buses. To ensure sufficient rest time of bus captains, the Transport Department ("TD") has formulated the Guidelines on Bus Captain Working Hours, Rest Times and Meal Breaks ("the Guidelines") for the franchised bus companies and requested them to comply with the Guidelines in arranging duty schedules.

The TD will review the Guidelines from time to time and make amendments in a timely manner. The last amendment of the Guidelines was

announced in February 2018. As franchised bus companies need time to recruit bus captains to fill up the shortfall arising from the shortening of working hours and driving hours, the revised Guidelines have to be implemented in phases. Among the franchised bus companies, New World First Bus Services Limited (“NWFB”) and the Citybus Limited (“CTB”) fully implemented the revised Guidelines in March this year, while the other three franchised bus companies will fully implement the revised Guidelines within the second quarter this year.

Franchised bus companies have to comply with the Guidelines in arranging duty schedules of bus captains. To ensure compliance of the Guidelines by franchised bus companies in arranging duty schedules, each franchised bus company has to submit monthly reports to the TD on the implementation of the Guidelines. The TD also engages independent contractors to carry out annual surveys on the working hours, rest time and meal break arrangements of bus captains in order to monitor whether franchised bus companies have complied with the Guidelines. In the past three years, reports of franchised bus companies and survey findings of the TD showed that the duty schedules and the implementation of the Guidelines were generally in compliance with the requirements. The overall compliance rate was over 96%. For the small number of cases of non-compliance with the Guidelines, the TD would demand explanations and rectifications from the franchised bus companies concerned. In these cases, the deviation of driving/working hours of bus captains from the schedules was mainly caused by various external factors, e.g. traffic congestion and occurrence of unexpected incidents. A franchised bus company would normally adjust the subsequent driving/working hours of the affected captain, e.g. arranging the bus captain to drive a bus that departed at a later time, to ensure that he/she had sufficient rest time/meal break. In addition, in the event that a bus captain had to get off work at a later hour, the franchised bus company concerned would defer the working hours of the captain on next day accordingly to ensure that his/her rest period between the two shifts was in compliance with the relevant requirements of the Guidelines.

To cater for the service demand in the morning and evening peak hours, franchised bus companies will arrange special shifts where necessary. The TD has introduced an arrangement in the revised Guidelines, under which rest time of no less than three consecutive hours should be provided in a special shift, to ensure that there is sufficient rest time for bus captains working on special shifts. Meanwhile, as a complementary arrangement, franchised bus companies have been making continuous effort to improve the rest facilities in bus depots and termini for the convenience of bus captains. The TD will

closely monitor the proportion and pattern of special shift arrangements made by franchised bus companies to ensure that the special shifts are arranged based on genuine operational needs of the companies.

During the review of the Guidelines in end 2017, a total of around 7 100 work shifts per day were arranged by franchised bus companies and around 1 500 of them were special shifts. If all special shifts are cancelled, generally speaking, each 14-hour special shift has to be split into two 7-hour work shifts (i.e. 1 500 additional work shifts would be required). However, upon review of operational and service needs and fine-tuning of work schedules of other shifts, franchised bus companies estimated that around 1 200 additional work shifts would be required if all special shifts are cancelled. As franchised bus companies need to take into account factors such as rest days of staff, normally around 1.3 captains are required for each shift. Thus, if the arrangements for special shifts are to be cancelled, franchised bus companies would require a total of around 1 600 additional bus captains to maintain the service level.

The TD set up the Working Group on Enhancement of Safety of Franchised Buses (“Working Group”) in mid-March last year to consider and study possible measures to further enhance bus safety with all franchised bus companies. Having taken into account the recommendations made by the Independent Review Committee on Hong Kong’s Franchised Bus Service, the Working Group has been turned into a permanent setup, and upgraded as the Committee on Enhancement of Franchised Bus Safety to further strengthen the interaction and cooperation with franchised bus operators and other stakeholders, and facilitate discussion, study, implementation and promotion of various strategies and measures for enhancing franchised bus safety among different stakeholders. Apart from the management representatives from all franchised bus companies, the Committee has invited two local academic experts (including an expert on fatigue management) to join as members to provide the Committee with comments on enhancement of bus safety and fatigue identification and management. Upon the full implementation of the revised Guidelines in the second quarter this year, the TD will review the requirements of the Guidelines again and consult the stakeholders. The review is expected to be completed within 2020.

#### Financial position of franchised bus companies

The financial position of franchised bus companies in the past three accounting years are set out at Annex.

The requirements of section 12(1) of the Public Bus Services Ordinance

The TD has been closely monitoring the service levels of franchised bus companies and from time to time requests the operators to improve their services and enhance the quality of their operations when necessary in order to provide proper and efficient public bus services. According to section 12(1) of the Public Bus Services Ordinance (Cap. 230), a franchised bus company shall, at all times during the franchise period, maintain to the satisfaction of the Commissioner for Transport a proper and efficient public bus service. Over the past 10 years, franchised bus operators have generally complied with the Ordinance or franchise requirements, and none of the situations has resulted in an imposition of a fine on a franchised bus company by the Government. The TD will continue to closely monitor the service levels of franchised bus companies with a view to providing the public with safe and efficient public bus services.

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'N. Choi', with a small dot at the end.

( Nick CHOI )

for Secretary for Transport and Housing

**Profits/losses made by franchised bus companies  
over the past three accounting years**

	<b>2015/16*</b> <b>(\$'000)</b>	<b>2016/17*</b> <b>(\$'000)</b>	<b>2017/18*</b> <b>(\$'000)</b>
KMB	546,880	659,102	541,351
LWB	62,964	25,879	33,982
CTB (Franchise for the Hong Kong Island and cross-harbour bus network)	127,550	84,022	(2,607)#
CTB (Franchise for Airport and North Lantau bus network)	111,789	130,455	102,636
NWFB	70,167	77,305	(5,082)#
NLB	4,497	7,705	(3,471)#

\* The accounting years of KMB and LWB are on a calendar year basis; the accounting years of CTB and NWFB end on 30 June each year; the accounting year of NLB ends on 31 March each year.

# Figures in brackets represent losses.