

立法會
Legislative Council

LC Paper No. ESC74/20-21
(These minutes have been
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Ref : CB1/F/3/1

Establishment Subcommittee of the Finance Committee

Minutes of the 7th meeting
held in Conference Room 1 of Legislative Council Complex
on Wednesday, 9 June 2021 at 9:00 am

Members present:

Hon Mrs Regina IP LAU Suk-ye, GBS, JP (Chairman)
Hon YIU Si-wing, BBS (Deputy Chairman)
Hon WONG Ting-kwong, GBS, JP
Hon Starry LEE Wai-king, SBS, JP
Hon CHAN Hak-kan, BBS, JP
Hon Steven HO Chun-yin, BBS
Hon KWOK Wai-keung, JP
Hon Christopher CHEUNG Wah-fung, SBS, JP
Hon Elizabeth QUAT, BBS, JP
Hon Martin LIAO Cheung-kong, GBS, JP
Hon POON Siu-ping, BBS, MH
Dr Hon CHIANG Lai-wan, SBS, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon CHUNG Kwok-pan
Hon Jimmy NG Wing-ka, BBS, JP
Hon Holden CHOW Ho-ding
Hon SHIU Ka-fai, JP
Hon YUNG Hoi-yan, JP
Hon CHAN Chun-ying, JP
Hon Tony TSE Wai-chuen, BBS, JP

Member attending:

Hon Frankie YICK Chi-ming, SBS, JP

Ms Sharon CHAN
Ms Haley CHEUNG

Legislative Assistant (1)4
Legislative Assistant (1)10

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The Chairman drew members' attention to the information paper ECI(2021-22)4, which set out the latest changes in the directorate establishment approved since 2002 and the changes to the directorate establishment in relation to the four items on the agenda. She then reminded members that in accordance with Rule 83A of the Rules of Procedure ("RoP"), they should disclose the nature of any direct or indirect pecuniary interest relating to the items under discussion at the meeting before they spoke on the items. She also drew members' attention to RoP 84 on voting in case of direct pecuniary interest. She remarked that the Administration had withdrawn the proposal for creation of one supernumerary post of Chief Labour Officer in the Labour Department (EC(2021-22)4) prior to the meeting.

EC(2021-22)3 Proposed retention of one supernumerary post of Government Architect (D2) in the Home Affairs Bureau with effect from 1 September 2021 or upon approval of the Finance Committee (whichever is later) up to 31 December 2023 to continue to head the Kai Tak Sports Park Section to oversee the implementation of the Kai Tak Sports Park

2. The Chairman remarked that the staffing proposal was to retain one supernumerary post of Government Architect (D2) in the Home Affairs Bureau, designated as Project Director (Sports Park) ("PD(SP)"), with effect from 1 September 2021 or upon approval of the Finance Committee ("FC") (whichever is later) up to 31 December 2023 to continue to head the Kai Tak Sports Park Section to oversee the implementation of the Kai Tak Sports Park (the "Sports Park").

3. The Chairman pointed out that the Panel on Home Affairs had discussed this proposal at its meeting on 15 March 2021 and members supported submission of the proposal to the Establishment Subcommittee ("ESC") for consideration. Members were primarily concerned with the progress in the construction of the Sports Park. Some members had questioned whether the proposed extension of the supernumerary post was made necessary as a result of delay of the Sports Park project, and members

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were concerned about whether any mechanisms were in place for penalty to be imposed in case of delay. Furthermore, members were of the view that holder of the supernumerary post had to ensure that the Contracted Party would speed up the construction to adhere to the requirement of the project programme, with a view to ensuring that the Sports Park could be completed on schedule, and that no further extension of the supernumerary post would be necessary.

Deliberations

Duties of the proposed post

4. Mr CHAN Chun-ying remarked that he did not oppose the staffing proposal. He asked why the duties of PD(SP) included overseeing the organization and set up of the Contracted Party's operation teams; and as the Sports Park was not yet commissioned, how PD(SP) could monitor if the operational requirements were in line with the interest and standard practices of the Government. Mr YIU Si-wing raised a similar question while expressing support for the staffing proposal. He asked about the party responsible for the future operation of the Sports Park upon the lapse of the proposed post.

5. Mr POON Siu-ping and Mr Holden CHOW asked if there were any issues concerning the Sports Park which were not in line with the interests of the Government and warranted the attention of PD(SP). Mr CHOW stressed that any such issues should be reported to the Legislative Council ("LegCo").

6. In response, Under Secretary for Home Affairs ("USHA") said that the post was originally created in 2018 for handling the work for the Sports Park relating to the tendering exercise in the first year. With the Sports Park proceeding into design and construction stage subsequent to the award of the contract in 2019, it was necessary for the proposed post to be retained to keep overseeing the implementation of the Sports Park until its completion in 2023. He advised that the Sports Park project was being taken forward in a "design, build and operate" contract mode for a period of 25 years. Under the terms of the contract, the Contracted Party would be required to comply with a number of operational requirements, such as to ensure that the Sports Park would reserve a certain number of days for sports events. It was incumbent upon PD(SP) to ensure compliance with the relevant contractual requirements on the part of the Contracted Party. No issues had arisen so far which was not in line with the interests of the Government and warranted intervention of PD(SP). Commissioner for Sports, Home Affairs Bureau ("C for S") added that both PD(SP) and Principal Assistant Secretary (Recreation and Sport)² ("PAS(RS)²") were

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tasked to oversee the Sports Park project, with PD(SP) mainly responsible for matters relating to design and construction, and PAS(RS)2 responsible for operational arrangements. In addition, any changes in the design or construction and contractual requirements were subject to the approval of the Government.

7. Mr Christopher CHEUNG expressed support for the staffing proposal in principle. Noting that PD(SP) was responsible for overseeing various works, he asked whether the post holder possessed relevant professional qualifications.

8. In response, USHA said that PD(SP) being a post of Government Architect, the post holder possessed relevant professional qualifications with the support of a multi-disciplinary team of 40 staff.

9. Mr Tony TSE remarked that he did not oppose the staffing proposal. Pointing out that upholding the standards in site safety and environmental aspects during construction was a basic duty in construction supervision, he asked why it was necessary to state in paragraph 13 of the Administration's paper that PD(SP) had that responsibility. In response, USHA said that it was stated in the Administration's paper on account of the importance of upholding site safety and environmental requirements.

10. Mr POON Siu-ping asked if any contingency plan was in place if FC's approval was not given on the staffing proposal. USHA reiterated the importance of PD(SP) in implementing the Sports Park project, and that failure to secure FC's approval on the staffing proposal would have great impact on the implementation of the project and contract administration.

Duties and structural arrangement of the Kai Tak Sports Park Section

11. Ms YUNG Hoi-yan expressed support for the staffing proposal in principle. Noting that PD(SP) was supported by a total of 40 non-directorate officers, including 37 time-limited civil service posts, she asked about the tenures of those posts. She opined that the need for those posts should be critically reviewed on an individual basis instead of granting across-the-board extension until end of 2023. Mr POON Siu-ping asked whether consideration would be given to outsourcing once the tenures of those time-limited posts had lapsed.

12. In response, USHA and C for S said that the Administration would decide whether those 40 non-directorate posts would be retained based on actual operational need. Some of those posts would lapse by end of 2023; where appropriate, application would be made for extending the tenures of some of those time-limited posts in line with existing mechanism. Those

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non-directorate officers included officers from various professionals, including Architect, Engineer, Quantity Surveyor and Landscape Architect.

13. At the request of Mr Tony TSE, the Administration undertook to provide supplementary information on the justifications and cost estimates for engagement of external consultants by the Kai Tak Sports Park Section.

(Post-meeting note: The supplementary information provided by the Administration was circulated to members on 23 June 2021 vide LC Paper No. ESC69/20-21(01).)

14. Noting that PD(SP) and PAS(RS)2 were the direct supervisors of the Chief Leisure Manager and two Senior Leisure Managers in the Kai Tak Sports Park Section, Mr CHAN Chun-ying was concerned if that would lead to duplication of structure, and asked about the authority responsible for assessing the performance of the three leisure managers.

15. In response, USHA and C for S said that PD(SP) was mainly responsible for ensuring the implementation of contracts, focusing on the design and construction of the Sports Park, whereas PAS(RS)2 was mainly responsible for operational arrangements of the Sports Park upon completion of the project. The three leisure managers were responsible for the design, construction (such as the design of the turf surface in the main stadium) and future operation (such as the management of facilities) of the Sports Park; as such, they were under both PD(SP) and PAS(RS)2, who would assess their performance. This dual-leadership arrangement was not uncommon in the civil service.

16. Mr Holden CHOW asked about details on the operational arrangements of the Sports Park; he stressed that the Sports Park should be tasked with a mission for promoting sports instead of emphasising too much on entertainment programmes.

17. C for S reiterated that PAS(RS)2 was responsible for the operational arrangements of the Sports Park. Under the "design, build and operate" contract mode which was adopted for the Sports Park project, the operator would participate in the design of the facilities by making suggestions from commencement of the contract, and there would be ample time to work out the operational details. In addition to preparation of operation plans, the operator would be required to submit a Pre-opening Plan and conduct related project testing before commissioning, so as to ensure smooth operation of the Sports Park. C for S stressed that the Sports Park would be sports-oriented in the events to be organized.

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Progress of the construction works of the Kai Tak Sports Park

18. Mr Tony TSE asked whether the Administration had set a target completion date for the project. He stressed that it was incumbent upon PD(SP) to ensure on-schedule completion of the Sports Park, failing which an account would have to be given to LegCo. Mr POON Siu-ping, Mr Christopher CHEUNG, Mr Holden CHOW and Mr KWOK Wai-keung were concerned whether any contingency plans (e.g. further extension of the proposed post) were in place if the Sports Park could not be completed on schedule by the second half of 2023 due to external factors affecting the progress of the project (such as the COVID-19 epidemic). Mr KWOK further asked whether PD(SP) would be held accountable for any delay in the construction works.

19. In response, USHA said that the Sports Park was being taken forward on schedule. At present, the design development, preliminary architectural, structural, building services and landscape architectural design of the Sports Park were largely completed, while detailed design on façade, interior fitting out, signage, security and information technology system were in progress. Furthermore, the piling works of the Sports Park were largely completed, while superstructure construction had commenced as scheduled. In light of the current progress, the Administration was looking forward to completion of the Sports Park project in the second half of 2023. He stressed that the Contracted Party would be subjected to \$4.3 million per day liquidated damages for failing to meet the target schedule set out in the terms of the contract. This should be sufficient in incentivizing the Contracted Party to complete the construction on schedule. USHA further advised that given the measures put in place by the Contracted Party in response to the COVID-19 epidemic (including requiring subcontractors to divert workers and implement flexible working hours and lunch hours, so as to reduce foot traffic at site), the Sports Park had not been unduly affected by the epidemic to date. C for S added that the authorities had been closely monitoring the progress of the project in an effort to ensure on-schedule completion of the project.

20. Mr KWOK Wai-keung remarked that the post of PD(SP) would lapse a few months after completion of the Sports Park. He asked about the authority responsible for undertaking remedial works for the Sports Park. Mr Holden CHOW asked about the hand-over arrangements upon the lapsing of the proposed post.

21. In response, C for S said that under the construction contract of the Sports Park, the Contracted Party would be responsible for the relevant remedial works, which would be under the oversight of the

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multi-disciplinary team supporting the Sports Park project.

Traffic arrangement for the Kai Tak Sports Park

22. Pointing out that the Central Kowloon Route would not be commissioned until two years (i.e. 2025) after the completion of the Sports Park, Mr YIU Si-wing asked whether the Administration had conducted any assessments regarding the ancillary transport facilities prior to the commissioning of the Central Kowloon Route. Mr YIU further asked if the Administration had discussed with the Contracted Party regarding the number of parking spaces to be provided at the Sports Park (including those for coaches) with a view to ensuring provision of sufficient parking facilities at the Sports Park.

23. In response, USHA and C for S said that the Sports Park was well supported by ancillary transport facilities in addition to the Central Kowloon Route, including bus routes and two MTR stations nearby; therefore, comprehensive ancillary transport facilities would be available upon the commissioning of the Sports Park. In addition, the Home Affairs Bureau had been liaising with the relevant departments responsible for the construction of the Central Kowloon Route to follow up on the progress of construction related to the Route in the vicinity of the Sports Park, with a view to ensuring uninterrupted operation of the Sports Park. Regarding parking facilities, USHA advised that the Sports Park would provide more than 880 parking spaces, among them some 600 for private cars and a certain number for buses and coaches, in addition to other parking facilities in close proximity to the Park. It was believed that the parking demand could be satisfied.

Voting on the item

24. There being no further questions from members, the Chairman put the item to vote. All the members present were in favour of this proposal. The Chairman declared that the Subcommittee agreed to recommend the item to FC for approval.

25. Mr Tony TSE requested that the item be voted on separately at the relevant FC meeting. However, he would consider whether to withdraw this request after examining the supplementary information to be provided by the Administration.

(Post-meeting note: Mr Tony TSE's decision to withdraw the request for separate voting was circulated to members on 24 June 2021 vide LC Paper No. ESC71/20-21.)

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EC(2021-22)6 Proposed creation of one supernumerary post of Assistant Commissioner for Transport (D2)/ D2-equivalent non-civil service position with effect from 1 December 2021 or upon approval of the Finance Committee (whichever is later) for five years, and two supernumerary posts of one Principal Transport Officer (D1) and one Chief Electrical and Mechanical Engineer (D1) upon approval of the Finance Committee for five years in the Transport Department to lead the Franchised Bus Safety Team to strengthen the oversight and support in enhancing the safety of franchised buses

26. The Chairman remarked that this staffing proposal was to create one supernumerary post of Assistant Commissioner for Transport (D2)/ D2-equivalent non-civil service position with effect from 1 December 2021 or upon approval of FC (whichever is later) for five years, and two supernumerary posts of one Principal Transport Officer (D1) and one Chief Electrical and Mechanical Engineer (D1) upon approval of FC for five years in the Transport Department ("TD") to lead the Franchised Bus ("FB") Safety Team (the "Safety Team") to strengthen the oversight and support in enhancing the safety of FBs.

27. The Chairman pointed out that the Panel on Transport had discussed this staffing proposal at its meeting on 20 March 2020. Members had indicated reservation about the proposal in general, and were of the view that ensuring FB safety and reliability were regular and on-going duties of TD, and the proposal for creation of three permanent directorate posts to follow up on the implementation of FB safety measures by the operators was unjustifiable. Some members had opined that members of the public had reasonable expectations of the service and safety of FBs, whereas the staffing proposal would give the impression that the authorities only started to pay heed to the importance of FB safety upon the establishment of the new Safety Team. Members had expressed views on a number of issues, including how to avoid duplication of existing human resources between the Safety Team and TD in regulating FBs, how to strengthen regulation on the safety of FB operations, and how to encourage the industry's uptake of new technology to strengthen FB safety. Members had requested the Administration to provide more information and justifications to explain the need for establishing the Safety Team upon submission of the staffing proposal to ESC for deliberation.

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Deliberations

Organization and duties of the Franchised Bus Safety Team

28. A number of members opined that ensuring the safety and reliability of public transport service, including FBs, was TD's regular and on-going duty. Mr Tony TSE was of the view that the proposal for creation of three directorate posts to take forward the work related to bus safety was unjustifiable, irrespective of the recommendation of the Report of the Independent Review Committee on Hong Kong's Franchised Bus Service (the "IRC Report") on the appointment of one Safety Director (Franchised Bus) ("SD(FB)") by TD. He said that the paper for discussion provided by the Administration was unable to address the concerns of the Panel, and that the Administration should further elaborate with justifications for the proposed creation of the posts.

29. Mr Frankie YICK expressed support for establishing the Safety Team to formulate proactive measures to improve FB safety. He suggested that the Administration should expand the terms of reference of the Safety Team to include safety matters relating to all modes of public transport.

30. Ir Dr LO Wai-kwok expressed support for the staffing proposal. Referring to an accident in which a crane lorry had collided with a bridge under construction, he expressed concerns on the safety of commercial vehicles and enquired about details of the work of TD in this area.

31. Mr CHUNG Kwok-pan asked if any contingency plan was in place if the Administration was unable to create the proposed posts.

32. Given that all public transport services were closely related to the livelihood of members of the public, Mr KWOK Wai-keung questioned whether it was necessary for TD to establish a safety team for each public transport service. Pointing out that the main duty of the Safety Team was to formulate improvement strategies on FBs, which did not require frequent update, he opined that it might not be necessary for TD to have a Safety Team on a permanent basis. He asked about the arrangement for the Safety Team after five years.

33. Mr YIU Si-wing expressed concern that, given that the proposed Safety Team would be independent of the existing Bus and Railway Branch, that might result in a duplication in the institutional set-up of TD. He enquired about the current role and work of the Bus and Railway Branch in ensuring FB safety.

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34. The Commissioner for Transport ("C for T") stressed that ensuring FB safety, among other things, was the duties of TD. Among the 45 recommendations pertaining to FB safety put forward in the IRC Report, 43 had generally been implemented by TD. To implement the remaining two recommendations and follow up on the work on other initiatives such as bus captains' fatigue management and enhancements of bus structure, TD considered it necessary to establish the Safety Team and appoint one SD(FB) dedicated to take forward the work on FB safety. She added that at present, the Bus and Railway Branch under TD was overseen by one Assistant Commissioner for Transport, who was already heavily engaged, so it was necessary to establish the Safety Team to provide enhanced directorate support. Currently, the Government regulated and monitored FB services and assessed the performance of all FB operators mainly through the franchises granted to those operators. The operators had been made responsible for carrying out many of the measures for ensuring FB safety, and TD had been playing a relatively reactive role. With the establishment of the Safety Team and creation of the SD(FB) post, the Administration expected that TD's regulatory role would be reinforced. If the proposed post could not be created, TD would nonetheless continue its efforts to take forward various measures to ensure FB safety, but the progress and the effectiveness might be adversely affected.

35. C for T noted Mr Frankie YICK's view on the scope of work of the Safety Team. On whether it would be necessary to retain the Safety Team after five years, C for T advised that it would depend on the progress and effectiveness of the various tasks of the Safety Team. If it was then considered necessary to retain the three directorate posts, a submission would be made to FC in accordance with the established mechanism together with justifications supporting such retention.

36. On ensuring the safety of other vehicles, C for T explained that Road Safety and Standards Division under TD was mainly responsible for setting standards for road design and taking forward improvement measures for enhancing road safety, and Vehicle Safety and Standards Division ("VSSD") was for examining and monitoring the safety and suitability of all vehicles for use on roads. Subsequent to creation of the supernumerary post of Chief Electrical and Mechanical Engineer ("CEME") to take over the duty for overseeing and monitoring vehicle examinations of FBs and non-franchised buses, the incumbent CEME could focus on overseeing and monitoring the safety of other vehicles. Expressing serious concern over the crane lorry accident referred to by Ir Dr LO Wai-kwok, C for T advised that TD would conduct reviews on a number of areas including drivers' training, penalty, vehicle structure, road design and consult relevant stakeholders to come up with recommendations

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for improvements.

37. At the request of Mr Tony TSE, the Administration would provide supplementary information on:

- (a) the manpower changes of TD in enhancing FB safety in the past 10 years;
- (b) a comparison between the prospective achievement on promoting bus safety in the next five years under the existing set-up of TD and that under the proposed Safety Team; and
- (c) the expected work target achievable upon creation of the three directorate posts.

38. At the request of Ms YUNG Hoi-yan, the Administration would provide supplementary information on the latest progress on the Administration's follow-up actions on the recommendations of the IRC Report, including those that had been completed and those being implemented, as well as recommendations that had not be adopted, and the reasons concerned.

(Post-meeting note: The supplementary information provided by the Administration was circulated to members on 25 June 2021 vide LC Paper No. ESC72/20-21(01).)

39. Noting that the Administration intended to conduct a global recruitment exercise for the SD(FB) post, the Chairman suggested that appointment should be made on non-civil service terms for a period of three years. She asked whether TD had any specific candidate in mind for the post.

40. Mr YIU Si-wing noted the proposal of TD to redeploy 15 non-directorate staff to the Bus Technology Section under the Safety Team from VSSD under the Administration and Licensing Branch. He asked why the staff needed were not deployed from the Bus and Railway Branch instead, and whether the redeployment would result in shortage of manpower in VSSD.

41. C for T explained that TD did not have any specific candidate in mind for the post of SD(FB), and it aimed to identify an expert with relevant experience from local or overseas through an open recruitment exercise. During the appointment, SD(FB) would transfer to TD staff related knowledge, including knowledge of a regulator, such as training of FB operators' staff and bus captains. As for the 15-member team

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proposed to be redeployed, they were currently responsible for vehicle examinations of both FBs and non-franchised buses. The said team would be redeployed to the newly created Bus Technology Section under the Safety Team upon the establishment of the Safety Team to support the new CEME and to remain dedicated in ensuring FB and non-franchised bus safety.

Regulatory mechanism of franchised bus services

42. Ms YUNG Hoi-yan opined that the consideration should be given to formulation of punitive mechanisms and penalty targeted at FB operators with a view to encouraging compliance with safety measures for FB formulated by the Safety Team. She also asked how TD would ensure operators' cooperation to be under the oversight of SD(FB), and how it would develop a proactive approach to ensure FB safety. Mr KWOK Wai-keung asked how SD(FB) would keep close liaison with the operators.

43. Mr WONG Ting-kwong asked whether the focus of the work of SD(FB) was on formulating regulatory control framework and developing technical requirements for compliance by FB operators for the purpose of safeguarding road safety and preventing accidents, or on conducting review of bus accidents and putting forward safety improvement measures.

44. C for T explained that generally speaking, in formulating FB safety measures, consideration would generally be given to cost effectiveness and views of the operators. When formulating new safety standards in the future, the Safety Team would consult the operators, who would be asked to implement the new standards. SD(FB) would maintain close liaison with the operators and bus captain organizations for communications and exchanges. She reiterated that the operators were the primary responsible persons for FB safety, but a more proactive approach could be adopted by the Administration to promote bus safety.

45. C for T further remarked that at present, the Administration ensured that the operators complied with all regulatory requirements related to FB safety through regular franchise renewal exercises. As a number of operators would have their existing franchises expired in 2023, TD would consult with LegCo in a timely manner to make sure that views of members of the public on FB services would be relayed to the operators for follow-up actions to be taken. Furthermore, TD ensured the normal operation of buses under a vehicle examination system with measures for conducting spot checks. In view of changing environment and public expectation, consideration would be given to stepping up regulatory requirements for the operators, increasing the frequency of spot checks, introducing penalty into bus franchise, or formulation of new legislations to

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implement safety measures for FB operators and/ or passengers, for the purpose of enhancing the overall safety level of FB.

Technological advances in transport safety

46. Mr Martin LIAO asked about details on the technologies relating to bus safety which were to be studied by the Safety Team, the implementation timetable of the relevant measures, and the distinction between those technologies and the various safety devices to be fitted by the operators subsequent to the serious traffic accident involving a bus in Tai Po in February 2018, including electronic stability control system and speed limiters with retardation function ("speed limiting retarder").

47. The Chairman asked whether the Safety Team would study the feasibility of introducing, and the operational constraints of, autonomous bus technology in Hong Kong.

48. Given the rapid advances of technology in the automotive industry, Mr WONG Ting-kwong was concerned about what qualifications SD(FB) should possess in relation to vehicle safety technology. Mr YIU Si-wing was concerned that subsequent to the expiration of the five-year tenure of SD(FB), how the Administration could ensure that TD would still keep abreast of the rapid development of the automotive industry and ensure the safety of new bus models in an effective manner.

49. In response, Deputy Commissioner for Transport (Transport Services and Management) ("DCT(TSM)") said that all new buses procured from July 2018 onwards would have been installed with seat belts, electronic stability control systems and speed limiting retarders. In addition to an on-going arrangement for the seats on the upper deck of around 1 900 existing double-deck buses to be installed with seat belts, TD anticipated that in three years' time, more than half of the buses would have seat belts installed on either the seats on the upper deck or on all passenger seats. Furthermore, arrangements had been made for electronic stability control system and speed limiting retarder to be retrofitted for around 4 000 existing double-deck buses. C for T advised that given the benefits of autonomous vehicle technologies in enhancing efficiency in road utilization, efforts had been made by TD to facilitate the development and testing of such technologies in recent years. A relevant Bill would be introduced to LegCo in 2022 to establish a new regulatory framework for autonomous vehicles. However, she was of the view that the duties of bus captains would not be made redundant by autonomous vehicle technologies in the foreseeable future.

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50. Regarding the professional qualifications of SD(FB), C for T advised that in addition to the relevant experience and expertise necessary to enhance the safety performance of FBs in Hong Kong, SD(FB) also needed to keep in view new bus technology (including environmentally friendly and autonomous bus), vehicle design and safety installations on new models of vehicles, as well as transfer knowledge from the post to TD staff to meet the long term need for grooming talents and enhancing the overall FB safety. In devising the responsibilities and qualification requirements of SD(FB), TD had covered the prevailing trend in technological development. In addition to ensuring operational safety of existing buses through annual vehicle examination, TD would conduct type approval, pre-registration inspection, etc. for new bus models to be introduced in Hong Kong. TD, in collaboration with the Environment Bureau and Electrical and Mechanical Services Department, would advance in tandem with the global technological development and keep up with the times in an effort to ensure safety of buses employing new technologies or new energy.

Training, fatigue management and driving misbehaviour record of franchised bus captains

51. Mr CHUNG Kwok-pan asked whether all operators would be required to adopt an aligned training standard for bus captains subsequent to the introduction of the Bus Captain Accreditation Programme. In response, C for T said that it was the goal of the Administration to develop a systematic and standardized training mechanism for bus captains, which FB operators would be required to comply with.

52. Mr Martin LIAO Cheung-kong asked about details of the Administration's plan for conducting a comprehensive study on identification and management of fatigue driving by independent experts, including the progress of the study, and the role of SD(FB) in the formulation of fatigue management strategies.

53. DCT(TSM) replied that while new guidelines on regulation of FB captains' working hours had been issued in recent years, having regard to the information and study reports on driving fatigue of some overseas jurisdictions, TD had noted that a host of factors (including duty roster arrangement, rest times, as well as daily routine, sleep patterns and personal physical condition of the FB captains etc.) might cause fatigue on bus captains. In light of this, TD had engaged PolyU Technology and Consultancy Company Limited to conduct a study on identification and management of fatigue driving, with the engagement of FB operators and their bus captains. One of the main duties of SD(FB) was to oversee that

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study and formulate a comprehensive strategy on identification and management of bus captains' fatigue in the unique operating environment in Hong Kong. In response to views that shortening working hours of bus captains could help prevent most of the FB accidents, C for T remarked that in taking forward new safety measures, it was necessary to recognize the actual need of bus captains.

54. Pointing out the low level of bus captains' basic salary, Mr KWOK Wai-keung said that it was almost customary that bus captains would work for prolonged hours for getting overtime payments. He opined that as a first step, the Administration should review the pay structure of bus captains before conducting studies on shortening bus captains' working hours and formulation of effective strategies on fatigue management.

55. C for T recognized the importance of improving bus captains' salary package in relation to formulation of fatigue management strategies. However, considering the pressure on the current operating environment of FB operators arising from the epidemic, TD would proceed to reviewing the pay structure of bus captains at an opportune time while closely monitoring the development of the operating environment.

56. Mr CHUNG Kwok-pan opined that driving attitudes of bus captains was an integral part of FB safety. Pointing out that FB operators were not required to report bus captains' driving misbehaviour records to TD, he said that SD(FB) would be unable to formulate appropriate measures in the absence of related information.

57. In response, C for T said that when processing applications of new recruits for the post of bus captain, FB operators would carry out a background check on the applicants' record of driving-offence points and Traffic Conviction Record, as well as regular checks on bus captains' driving safety record. Although the arrangement of checking applicants' driving safety record was not applicable to some bus captains who had joined the profession a long time ago, TD would closely monitor whether the driving attitudes and conduct of bus captains would represent a line of weakness in terms of FB safety, and operators would be asked to take follow-up actions where appropriate.

(At 10:25 am, the Chairman asked if members agreed to extend the meeting by 15 minutes to 10:45 am to conclude consideration of this item. No Members raised any objection.)

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Voting on the item

58. There being no further questions from members, the Chairman put the item to vote. All the members present were in favour of this proposal. The Chairman declared that the Subcommittee agreed to recommend the item to FC for approval.

59. Mr Tony TSE requested that the item be voted on separately at the relevant FC meeting, but he would consider whether to withdraw the request after examining the supplementary information to be provided by the Administration.

60. There being no other business, the meeting ended at 10:40 am.

Council Business Division 1
Legislative Council Secretariat
30 June 2021