

**SUPPLEMENTAL REPORT OF THE  
PUBLIC ACCOUNTS COMMITTEE  
ON  
REPORT NO. 75 OF THE DIRECTOR OF AUDIT  
ON  
THE RESULTS OF  
VALUE FOR MONEY AUDITS**

*May 2021*

*P.A.C. Report No. 75A*

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*Introduction*

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**The Establishment of the Committee** The Public Accounts Committee is established under Rule 72 of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region, a copy of which is attached in *Appendix 1* to this Report.

2. **Membership of the Committee** The following Members are appointed by the President under Rule 72(3) of the Rules of Procedure to serve on the Committee:

**Chairman** : Hon Abraham SHEK Lai-him, GBS, JP

**Deputy Chairman** : Hon Paul TSE Wai-chun, JP

**Members** : Hon Steven HO Chun-yin, BBS  
Hon SHIU Ka-fai, JP  
Hon YUNG Hoi-yan, JP  
Hon LAU Kwok-fan, MH  
Hon Tony TSE Wai-chuen, BBS, JP

**Clerk** : Wendy JAN

**Legal Adviser** : Timothy TSO

*Procedure*

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**The Committee's Procedure** The practice and procedure, as determined by the Committee in accordance with Rule 72 of the Rules of Procedure, are as follows:

- (a) the public officers called before the Committee in accordance with Rule 72 of the Rules of Procedure, shall normally be the Controlling Officers of the Heads of Revenue or Expenditure to which the Director of Audit has referred in his Report except where the matter under consideration affects more than one such Head or involves a question of policy or of principle in which case the relevant Director of Bureau of the Government or other appropriate officers shall be called. Appearance before the Committee shall be a personal responsibility of the public officer called and whilst he may be accompanied by members of his staff to assist him with points of detail, the responsibility for the information or the production of records or documents required by the Committee shall rest with him alone;
- (b) where any matter referred to in the Director of Audit's Report on the accounts of the Government relates to the affairs of an organization subvented by the Government, the person normally required to appear before the Committee shall be the Controlling Officer of the vote from which the relevant subvention has been paid, but the Committee shall not preclude the calling of a representative of the subvented body concerned where it is considered that such a representative could assist the Committee in its deliberations;
- (c) the Director of Audit and the Secretary for Financial Services and the Treasury shall be called upon to assist the Committee when Controlling Officers or other persons are providing information or explanations to the Committee;
- (d) the Committee shall take evidence from any parties outside the civil service and the subvented sector before making reference to them in a report;
- (e) the Committee shall not normally make recommendations on a case on the basis solely of the Director of Audit's presentation;
- (f) the Committee shall not allow written submissions from Controlling Officers other than as an adjunct to their personal appearance before the Committee; and

- (g) the Committee shall hold informal consultations with the Director of Audit from time to time, so that the Committee could suggest fruitful areas for value for money study by the Director of Audit.

2. **Confidentiality undertaking by members of the Committee** To enhance the integrity of the Committee and its work, members of the Public Accounts Committee have signed a confidentiality undertaking. Members agree that, in relation to the consideration of the Director of Audit's reports, they will not disclose any matter relating to the proceedings of the Committee that is classified as confidential, which shall include any evidence or documents presented to the Committee, and any information on discussions or deliberations at its meetings, other than at meetings held in public. Members also agree to take the necessary steps to prevent disclosure of such matter either before or after the Committee presents its report to the Council, unless the confidential classification has been removed by the Committee.

3. A copy of the Confidentiality Undertakings signed by members of the Committee has been uploaded onto the Legislative Council website.

4. **The Committee's Report** This Report contains the Public Accounts Committee's supplemental report on Chapters 1, 2 and 4 of Report No. 75 of the Director of Audit on the results of value for money audits which was tabled in the Legislative Council on 25 November 2020. Value for money audits are conducted in accordance with the guidelines and procedures set out in the Paper on Scope of Government Audit in the Hong Kong Special Administrative Region - 'Value for Money Audits' which was tabled in the Provisional Legislative Council on 11 February 1998. A copy of the Paper is attached in *Appendix 2*. The Committee's Report No. 75 was tabled in the Legislative Council on 24 February 2021.

5. **The Government's Response** The Government's response to the Committee's Report is contained in the Government Minute, which comments as appropriate on the Committee's conclusions and recommendations, indicates what action the Government proposes to take to rectify any irregularities which have been brought to notice by the Committee or by the Director of Audit and, if necessary, explains why it does not intend to take action. It is the Government's stated intention that the Government Minute should be laid on the table of the Legislative Council within three months of the laying of the Report of the Committee to which it relates.

*Committee Proceedings*

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**Meetings** The Committee held a total of six meetings and four public hearings in respect of the subjects covered in this Report. During the public hearings, the Committee heard evidence from a total of 19 witnesses, including two Directors of Bureau and six Heads of Department. The names of the witnesses are listed in *Appendix 3* to this Report.

2. **Arrangement of the Report** The evidence of the witnesses who appeared before the Committee, and the Committee's specific conclusions and recommendations, based on the evidence and on its deliberations on the relevant chapters of the Director of Audit's Report, are set out in Part 4 below.

3. The video and audio records of the proceedings of the Committee's public hearings are available on the Legislative Council website.

4. **Acknowledgements** The Committee wishes to record its appreciation of the cooperative approach adopted by all the persons who were invited to give evidence. In addition, the Committee is grateful for the assistance and constructive advice given by the Secretary for Financial Services and the Treasury, the Legal Adviser and the Clerk. The Committee also wishes to thank the Director of Audit for the objective and professional manner in which he completed his Report, and for the many services which he and his staff have rendered to the Committee throughout its deliberations.

## **A. Introduction**

The Audit Commission ("Audit") conducted a review to examine the collection and removal of marine refuse<sup>1</sup> by the Marine Department ("MD"). A related review was conducted in 2004.<sup>2</sup>

### Background

2. From 2010-2019, an average of 15 354 tonnes of marine refuse was collected by the Administration annually and 70% of which was floating refuse collected by MD. The remaining 30% was shoreline refuse collected by other relevant departments<sup>3</sup> according to the locations of the refuse.

3. Since July 2005, MD has outsourced all marine refuse cleansing and disposal services. MD's existing contract for marine refuse cleansing and disposal services covering the whole of Hong Kong waters<sup>4</sup> is for a term of five years from October 2017 to September 2022 at an estimated contract expenditure of about \$447 million. In 2018, MD awarded to the same contractor an additional contract for marine refuse cleansing and disposal services in Tai Po District for a term of two years from October 2018 to September 2020 at a sum of \$9.48 million. MD renewed the Tai Po District contract with this contractor for another two years from October 2020 to September 2022 at a sum of about \$10 million.

4. In 2020-2021, MD's estimated annual recurrent expenditure (excluding MD staff costs) on the work in tackling marine refuse<sup>5</sup> was about \$102 million, of which

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<sup>1</sup> According to the report of a Marine Refuse Study completed by the Environmental Protection Department ("EPD") in 2015, marine refuse refers to any solid waste, discarded or lost material, resulting from human activities, that has entered the marine environment irrespective of the sources. Marine refuse consists of floating refuse and shoreline refuse washed up on the shores.

<sup>2</sup> Chapter 9 of the Director of Audit's Report ("Audit Report") No. 43 of October 2004 – "Provision of marine scavenging service".

<sup>3</sup> Please refer to Chapter 2 of Part 4 of this report on Government's efforts in tackling shoreline refuse.

<sup>4</sup> The core services of the contract include scavenging of floating refuse, collection of domestic refuse from vessels, disposal of refuse collected and foreshore cleansing.

<sup>5</sup> MD's work in tackling marine refuse includes: (a) collecting vessel-generated refuse and scavenging floating refuse in specified areas of Hong Kong waters through contractual services; (b) conducting publicity campaigns to keep the harbour clean; and (c) performing daily patrols in waters and conducting enforcement against marine littering.



\$95 million (93%) was related to the outsourcing of marine refuse cleansing and disposal services.

5. The Committee held one public hearing on 3 March 2021 to receive evidence on the findings and observations of the Director of Audit's Report ("Audit Report").

### The Committee's Report

6. The Committee's Report sets out the evidence gathered from witnesses. The Report is divided into the following parts:

- Introduction (Part A) (paragraphs 1 to 25);
- Administration of marine refuse cleansing and disposal contracts (Part B) (paragraphs 26 to 43);
- Monitoring of marine refuse cleansing and disposal services (Part C) (paragraphs 44 to 70);
- Other related issues (Part D) (paragraphs 71 to 79); and
- Conclusions and recommendations (Part E) (paragraphs 80 to 82).

### Speech by Director of Audit

7. **Mr John CHU Nai-cheung, Director of Audit**, gave a brief account of the Audit Report at the beginning of the Committee's public hearing held on 3 March 2021. The full text of his speech is in *Appendix 4*.

### Opening statements by Secretary for the Environment and Director of Marine

8. **Mr WONG Kam-sing, Secretary for the Environment**, and **Ms Carol YUEN Siu-wai, Director of Marine**, made opening statements respectively at the beginning of the Committee's public hearing held on 3 March 2021. The full text of their opening statements is in *Appendices 5* and *6* respectively.

Roles of the relevant government bureau and departments

9. In response to the Committee's enquiry about the respective roles of the Environment Bureau ("ENB"), the Environmental Protection Department ("EPD") and MD in tackling marine refuse, **Mr CHEN Che-kong, Assistant Director (Water Policy), EPD** explained at the public hearing and **Director of Environmental Protection** further advised in her letter dated 25 March 2021 (*Appendix 7*) that ENB played the role as the policy bureau responsible for formulating policies and providing policy steer. EPD was responsible for supporting the implementation of the relevant policies of ENB, and performing tasks assigned by the Inter-departmental Working Group on Marine Environmental Management.<sup>6</sup> As for the routine marine cleansing work, it was undertaken and monitored by MD.

Recurrent expenditure

10. With reference to Table 2 of paragraph 1.9 of the Audit Report, the Committee sought further information on the annual recurrent expenditure on MD's work in tackling marine refuse from 2011-2012 to 2020-2021, and the current staff establishment and strength of the dedicated team responsible for the related duties.

11. **Director of Marine** advised in her letter dated 4 January 2021 (*Appendix 8*) that:

- the recurrent expenditure (comprising expenditure on the outsourcing of marine refuse cleansing and disposal services and hire of launches) for 2011-2012 was \$35.06 million, and had increased to the estimated \$101.95 million in 2020-2021; and
- the Pollution Control Unit of MD was primarily responsible for monitoring the collection and removal of marine refuse by contractors, and patrolling the sea to monitor its cleanliness. The establishment and strength of the Unit were 23 and 20 respectively as at 31 December 2020.

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<sup>6</sup> In November 2012, the Government set up an Inter-departmental Working Group on Clean Shorelines to coordinate and enhance efforts among the relevant departments in tackling the marine refuse problem. In January 2018, the above Working Group was revamped and renamed as the Inter-departmental Working Group on Marine Environmental Management.

12. The Committee expressed concern about the significant increase in the recurrent expenditure on MD's work in tackling marine refuse over the past decade (from \$35.06 million in 2011-2012 to \$101.95 million in 2020-2021) while the quantities of marine refuse collected by MD had remained steady (ranging from 15 248 tonnes in 2013 to 16 198 tonnes in 2016), and asked whether there was a significant policy change in tackling marine refuse in the period that had led to such substantial rise in the expenditure.

13. **Director of Marine** explained at the public hearing and elaborated in her letter dated 25 March 2021 (*Appendix 9*) that:

- compared with the previous contract for the whole of Hong Kong waters, the existing one required the contractor to provide at least 60 vessels, and the number of foreshore cleansing team members had increased from two teams of 24 members to three teams of 36 members in total. The number of priority areas in the contract had also increased from 36 to 43. Coupled with factors such as rising costs in hiring work boats, inflation and wage increase, the total price of the contract for the whole of Hong Kong waters had increased from \$189 million to \$447 million. Besides, MD awarded an additional contract for Tai Po District in October 2018 with a total contract value of \$9.48 million; and
- MD hired two launches for patrolling in 2016-2017, and additional two in 2017-2018 and 2018-2019 respectively (i.e. four patrol launches in total), and had also extended the working hours of some of the launches since June 2020. The increase in the number of vessels and the extension of their operation hours had led to a corresponding rise in MD's expenditure on hire of launches.

14. The Committee enquired about the basis for increasing the number of patrol launches hired from two to four since 2017-2018, and asked why MD's work in tackling marine refuse showed no corresponding progress from 2017 to 2019 in terms of the quantities of marine refused collected as reflected by the three performance indicators in Table 1 of paragraph 1.8 of the Audit Report.

15. **Director of Marine** explained at the public hearing and supplemented in her letter dated 25 March 2021 (*Appendix 9*) that:

- in response to the recommendations of a consultancy study on the sources, fates, distribution and movement of marine refuse in Hong Kong waters announced in 2015, MD successfully applied for funding in 2017 for hiring one more vessel to step up patrol in Hong Kong waters targeting marine refuse accumulation and to enhance monitoring of the contractor's performance. In 2018, MD hired an additional launch when tendering for the marine refuse cleansing and disposal services contract for Tai Po District where more hygiene blackspots had been identified; and
- as the quantity of marine refuse varied daily and was affected by factors such as weather, current, geographical location, population density and vessel density, MD did not require the contractor to collect a specified quantity or weight of refuse every day, nor use the quantity or weight of marine refuse collected as an indicator to measure the contractor's performance.

#### Outsourcing arrangement

16. In view of the increasing recurrent expenditure of MD on the outsourcing of marine refuse cleansing and disposal services, the Committee asked whether the current outsourcing arrangement for marine refuse cleansing and disposal services could be considered cost-effective from the perspective of value for money, and whether MD had regularly reviewed the effectiveness of the outsourcing practice in improving the operational efficiency of the relevant services.

17. **Director of Marine** responded in her letters dated 29 December 2020 and 25 March 2021 (*Appendices 10 and 9* respectively) that:

- according to the last Audit review in 2004, the cost of collecting marine refuse by MD's in-house scavenging vessels was about 16 times that of the contractor's scavenging vessels. MD had agreed that the cost-effectiveness of collecting marine refuse by government vessels was relatively low, and hence had fully outsourced the marine refuse cleansing and disposal services since 2005. MD would conduct a review on the marine refuse cleansing and disposal services, which would include analysis of cost-effectiveness of the services and adoption of additional service performance indicators to better examine the effectiveness of the existing outsourcing arrangements; and

- at the monthly contract management committee meetings with the contractor chaired by the Marine Officer/Pollution Control Unit, MD would examine with the contractor the trend of the quantity of marine refuse collected in different areas of Hong Kong waters with a view to identifying blackspots for follow-up actions and areas for improvement.

18. The Committee further asked whether MD would conduct a comprehensive review of the content of the current service contract for the whole of Hong Kong waters before its expiry in September 2022 in order to explore ways to minimize the expenditure. **Director of Marine** advised in her letter dated 25 March 2021 (*Appendix 9*) that before considering the next tendering exercise for the contract for the whole of Hong Kong waters, MD would conduct a review on contract duration, service specifications, number of vessels required and operation of the marine refuse collection points ("MRCPs").<sup>7</sup>

19. Referring to paragraphs 1.12 to 1.14 of the Audit Report regarding the award of the additional contract for Tai Po District to the same contractor of the contract for the whole of Hong Kong waters, the Committee enquired about the justifications for such additional outsourcing arrangement given that the service areas, services provided and resources deployed under the two contracts overlapped with each other.

20. **Director of Marine** explained at the public hearing and supplemented in her letter dated 25 March 2021 (*Appendix 9*) that:

- the Chief Executive initiated in the 2017 Policy Address a series of improvement measures, including cleaning hygiene blackspots in all districts more frequently, and conducting large-scale clean-up operations regularly at coastal areas and typhoon shelters. At the meeting of the Steering Committee on District Administration in September 2017, the Home Affairs Bureau listed out 12 blackspots in the foreshore water areas of Tai Po District, which were under the purview of MD; and

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<sup>7</sup> All floating refuse and domestic refuse collected is transported on vessels to the four MRCPs managed by the contractor. The four MRCPs are located in Cha Kwo Ling, Ap Lei Chau, Kowloon West and Tuen Mun.

*Collection and removal of marine refuse by the Marine Department*

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- MD invited tenders in 2018 for the contract of marine refuse cleansing and disposal services in Tai Po District, with emphasis on cleansing the hygiene blackspots in the foreshore water areas of Tai Po District. Under the contract, the contractor provided additional cleansing services for Tai Po District on top of the services covered under the contract for the whole of Hong Kong waters.

At the request of the Committee, **Director of Marine** provided in her above letter the quantities of marine refuse collected in Tai Po District each year from 2017 to 2020 with the percentages over the total quantities of marine refuse collected in the whole of Hong Kong waters. The statistics showed that the quantity of marine refuse collected in Tai Po District increased by about 45% from 314.5 tonnes in 2017 to 456.8 tonnes in 2020.

21. The Committee asked whether MD had conducted any cost analysis to compare the relative costs of varying the contract for the whole of Hong Kong waters to include the special service requirements for Tai Po District and entering into a separate service contract for Tai Po District, and whether MD would review the need to renew the contract for Tai Po District before the expiry of the current contract in September 2022.

22. **Mr Tony CHAN Cheuk-sang, Assistant Director/Planning and Services, MD** responded at the public hearing and **Director of Marine** further explained in her letter dated 25 March 2021 (*Appendix 9*) that in 2018, MD was of the view that there was a need for additional services to Tai Po District, and the provision of marine refuse cleansing and disposal services in Tai Po District with a two-year term by way of open tendering would allow more flexibility. At that time, varying the existing contract for the whole of Hong Kong waters to cover the improvement measures for Tai Po District was not considered. Before the expiry of the current contract for Tai Po District in September 2022, MD would conduct a review on the existing arrangement together with the marine refuse cleansing and disposal services contract for the whole of Hong Kong waters.

23. The Committee was also concerned whether MD's tendering arrangement for marine refuse cleansing and disposal services might have given advantage to the current contractor, who had been the sole contractor for the relevant services since July 2005, and subsequently had led to over-reliance on a single contractor for the provision of the services.

24. **Director of Marine** responded in her letter dated 25 March 2021 (*Appendix 9*) that MD had been inviting tenders for the marine refuse cleansing contracts in accordance with the tendering procedures as stipulated in the Stores and Procurement Regulations. Since the tender submissions received in the tender exercises for the contract for the whole of Hong Kong waters were of value exceeding \$30 million, the tenders were approved by the Central Tender Board. There was no bias towards the existing contractor. Nevertheless, to enhance tender competition, MD would review the existing practice before considering the next tendering exercise by taking into account the recommendations of the Central Tender Board in 2017 as stated in paragraph 2.24 of the Audit Report, with a view to refining the procedure and attracting more tenderers to bid for the marine refuse cleansing contract.

25. At the request of the Committee, **Director of Marine** provided MD's tender evaluation mechanism in her letter dated 4 January 2021 (*Appendix 8*).

**B. Administration of marine refuse cleansing and disposal contracts**

26. With reference to paragraph 2.3 of the Audit Report, the Committee asked how MD would address the issue of the shared use of the same vehicle by the contractor under the two contracts for the whole of Hong Kong waters and Tai Po District as well as the contractor's failure to maintain attendance records and daily log books on the deployment of vehicles and their work for inspection by MD as required by the two contracts.

27. **Director of Marine** advised at the public hearing and further explained in her letter dated 25 March 2021 (*Appendix 9*) that:

- the current contracts for the whole of Hong Kong waters and Tai Po District had not stipulated that vehicles provided by the contractor could only be used to transport marine refuse collected under a particular contract, and the contractor was also not required to use a specified number of vehicles to transport marine refuse every day. Hence, the provision of the same vehicle for the two contracts by the contractor had not constituted a violation of contract terms. Nevertheless, the contractor had confirmed in writing that the vehicle concerned would not be used for purpose other than transporting marine refuse; and

- MD had requested the contractor to comply with the requirement of maintaining attendance records and daily logs from August 2020 onwards and to provide the records for inspection by MD at any time.

28. The Committee further asked how MD could ensure that the contractor could meet the contractual requirement of collecting marine refuse daily from MRCPs to disposal sites given that only one vehicle was provided under the two contracts.

29. **Director of Marine** and **Assistant Director/Planning and Services**, MD responded at the public hearing, and **Director of Marine** supplemented in her letter dated 25 March 2021 (*Appendix 9*) that the refuse collected in Tai Po District only accounted for about 2.9% of the total amount of refuse collected on average over the past few years, which would not have significant implication on the provision of services by the contractor under the contract for the whole of Hong Kong waters. MD had stepped up efforts in monitoring the loading records of refuse collecting vehicles from August 2020 onwards, and had begun conducting surprise checks at MRCPs since January 2021 to monitor the compliance with the relevant requirement by the contractor.

30. Referring to paragraph 2.4 of the Audit Report, the Committee expressed concern about the significant discrepancies between the quantities of municipal solid waste disposed of by the contractor as per EPD's records and the quantities of marine refuse collected as reported in MD's Controlling Officer's Reports ("CORs") arising from the use of different measurement methods by the two departments.<sup>8</sup> Noting from the public hearing that MD had adopted a new arrangement by using cubic metre as the measurement unit for marine refuse with effect from 1 January 2021, the Committee asked how such new approach could ensure the accuracy of the statistics provided by the contractor on the quantities of marine refuse collected and address the inconsistency in the relevant statistics as reported by the two departments.

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<sup>8</sup> The discrepancies arose as EPD's records were based on the actual weight of the municipal solid waste disposed of by the contractor at landfills and refuse transfer stations while the quantities of marine refuse collected by MD were estimated in terms of volume (number of bags) and converted to tonnes for reporting in MD's CORs.



31. **Director of Marine** explained at the public hearing and elaborated in her letter dated 25 March 2021 (*Appendix 9*) that:

- with the consent from ENB, starting from 1 January 2021, the quantity of refuse collected from the sea and vessels had been measured by volume in cubic metres, which was in line with the practice adopted in the Consolidated Guidance for Port Reception Facility Providers and Users of the International Maritime Organization; and
- MD had instructed the contractor to measure the actual quantity of refuse collected in cubic metres starting from 1 January 2021, instead of following the past practice of "estimating" the weight based on the number of bags of refuse collected. To ensure the accuracy of the statistics provided by the contractor, MD officers had since 1 January 2021 conducted monthly surprise checks on the refuse handling procedures adopted by the contractor at the four MRCs, including the use of designated containers for carrying marine refuse and the recording of the quantity of marine refuse collected.

32. The Committee also asked about the manpower required and frequency of inspection conducted by MD to verify the statistics provided by the contractor on the quantity of marine refuse collected under the aforesaid new approach, and whether the new measure would incur extra expenditure.

33. **Director of Marine** advised at the public hearing and supplemented in her letter dated 25 March 2021 (*Appendix 9*) that currently there were 10 Marine Inspectors II and four patrol launches mainly responsible for the inspection of sea water cleanliness across the territory and the monitoring of the contractor's performance. MD would increase the surprise checks to 8 to 10 times a month at the four MRCs to monitor the performance of the contractor in reporting the quantity of refuse collected. The new measure was undertaken by the staff of the existing establishment and thus would not incur extra expenditure.

34. With reference to paragraph 2.6 of the Audit Report, the Committee asked why MD under the past practice did not verify the statistics provided by the contractor on the quantities of marine refuse collected despite the fact that such statistics would be included in its CORs as one of the important performance indicators to evaluate MD's work in tackling marine refuse, and whether MD would

consider adopting in its CORs other performance indicators apart from "the quantity of marine refuse collected" to better reflect its work in tackling marine refuse.

35. **Director of Marine** explained in her letter dated 25 March 2021 (*Appendix 9*) that MD stated in its COR of 1989 that "Performance is difficult to quantify because of the disposition, quantity and concentration of refuse". Before considering the next tendering exercise for marine refuse cleansing and disposal services contract, MD would explore other suitable performance indicators to be included in CORs.

36. Noting from paragraph 2.6 of the Audit Report that MD did not assess the contractor's performance based on the quantity of marine refuse collected, the Committee asked whether there were any other quantitative indicators that could help MD evaluate the contractor's performance in an effective manner.

37. **Director of Marine** responded at the public hearing and supplemented in her letter dated 25 March 2021 (*Appendix 9*) that MD currently adopted objective-based specifications in the contract under which the contractor was required to maintain cleanliness condition of Hong Kong waters at "Good" level during service hours. Upon identifying areas with cleanliness condition below "Good" level, the contractor was required to re-establish the cleanliness condition to "Good" level within a specified time limit. In the review of the marine refuse cleansing and disposal services, MD would examine ways to include other quantitative indicators to monitor the performance of the contractor more effectively.

38. On the Committee's enquiry about the progress of recovering from the contractor the overpayment on disposal charges arising from the Tai Po District contract as mentioned in paragraph 2.14(a) of the Audit Report, **Director of Marine** advised at the public hearing and supplemented in her letter dated 25 March 2021 (*Appendix 9*) that in September 2020, MD successfully recovered from the contractor the overpaid disposal charges at refuse transfer stations with a total sum of \$2,234 under the contract for Tai Po District. The tender documents of the Tai Po District contract had clearly stipulated that all costs related to marine refuse disposal were to be borne by the contractor. In preparing future tender documents of the contract for the whole of Hong Kong waters, MD would also include a provision stating that marine refuse disposal costs would be borne by the contractor.

39. With reference to paragraph 2.19 of the Audit Report, the Committee asked why MD had not imposed any penalty on the contractor for engaging a sub-contractor in the daily transportation of marine refuse to disposal sites without obtaining MD's prior written approval as required by the two contracts for the whole of Hong Kong waters and Tai Po District.

40. **Director of Marine** responded at the public hearing and further explained in her letters dated 29 December 2020 and 25 March 2021 (*Appendices 10 and 9* respectively) that the sub-contracting arrangement made under the two contracts for the whole of Hong Kong waters and Tai Po District involved the hire of a vehicle for land transportation of marine refuse collected by the contractor. Since the sub-contracting arrangements had neither affected the quality of service provided nor caused any loss or damage to the Government, MD did not issue Performance Default Notice to the contractor. Nevertheless, MD had reminded the contractor to strictly follow the terms and conditions in the contracts in future.

41. In response to the Committee's enquiry about the justifications for granting covering approval of the aforesaid sub-contracting arrangement under the contract for the whole of Hong Kong waters, **Director of Marine** advised at the public hearing and supplemented in her letter dated 25 March 2021 (*Appendix 9*) that the contractor had fulfilled the contract requirements with the use of the hired vehicle from the sub-contractor, and no additional expenses or material effects had been suffered by MD as a result of the use of the hired vehicle for transporting marine refuse. As such, MD approved in July 2020 the contractor's sub-contracting arrangements under the contract for the whole of Hong Kong waters. Nonetheless, MD agreed that the incident was undesirable, and would take actions against any further breaches of contract by the contractor in future.

42. Noting from the provisions in the contract for Tai Po District that the Government's approval of the sub-contracting services would normally only be granted in case of an emergency or under special circumstances, the Committee asked about the factors considered and/or justifications in granting covering approval of the sub-contracting arrangement made under the contract for Tai Po District as mentioned in paragraph 40.

43. **Director of Marine** explained in her letter dated 25 March 2021 (*Appendix 9*) that there were only two months left before the end of the previous

contract for Tai Po District in September 2020 when MD received the contractor's letter seeking approval of the sub-contracting services. Having considered such circumstances, MD granted the relevant approval in August 2020.

### **C. Monitoring of marine refuse cleansing and disposal services**

44. According to paragraph 3.3(c) of the Audit Report, the contractor was required to restore the level of cleanliness of any part of the Hong Kong waters to "Good" level within the timeframe specified for a particular service area. At the request of the Committee, **Director of Marine** provided in her letter dated 25 March 2021 (*Appendix 9*) the respective number of cases meeting and not meeting the specified time limit by the contractor in 2020, and advised that in 2020, there were two cases where the contractor took additional time to re-establish the water cleanliness condition to "Good" level due to special circumstances. She explained that whenever the contractor was unable to complete the cleansing work within the specified time limit under exceptional circumstances, such as taking time to deploy a foreshore cleansing team or requiring additional time to clean up enormous amount of floating refuse, MD patrol officers would discuss with the contractor to come up with a recommendation for tackling the issue.

45. With reference to paragraphs 3.3(d) and 3.3(e) of the Audit Report, the Committee asked how MD could ensure that at least 50% of the contractor's scavenging/collection fleet were in operation during service hours and that the contractor provided foreshore cleansing services every day for nine continuous working hours between 8:00 am and 7:00 pm in accordance with the requirements of the contract for the whole of Hong Kong waters.

46. **Director of Marine** and **Assistant Director/Planning and Services, MD** advised at the public hearing, and **Director of Marine** supplemented in her letter dated 25 March 2021 (*Appendix 9*) that the contractor would submit to MD a daily vessel operation schedule before each working day, and a daily situation report for MD's inspection and recordkeeping after service completion. During the daily patrol, MD would also inspect whether the contractor had provided the vessels as listed in the daily vessel operation schedule for service within the specified timeframe.

47. Referring to Table 6 in paragraph 3.8 of the Audit Report about the numbers of daily cleanliness patrols and helicopter surveillance conducted by MD in 12 patrol

areas in 2019, the Committee asked why the required frequency for conducting daily cleanliness patrols of at least once a month could not be met in 3 of the 12 patrol areas, namely Area 4 (Sai Kung), Area 8 (Lantau South) and Area 9 (Lantau West), how the patrol frequency for each of the 12 patrol areas was determined, and why Area 4 (Sai Kung) and Area 9 (Lantau West) were not inspected by either MD's daily cleanliness patrol or helicopter surveillance at least once a month.

48. **Director of Marine** and **Assistant Director/Planning and Services, MD** explained at the public hearing, and **Director of Marine** supplemented in her letter dated 25 March 2021 (*Appendix 9*) that:

- MD's patrol routes would be altered in accordance with the actual operations and needs, such as the weather conditions and emergency marine incidents, etc. Under such special circumstances, MD had to deploy patrol launches to deal with emergency situations, which might lead to the failure to meet the required frequency for conducting daily cleanliness patrols in some other patrol areas in that particular month; and
- MD had strengthened the monitoring of its daily cleanliness patrols from November 2020 onwards, and would review the frequency of patrols conducted for each patrol area in the middle of each month. For areas which had not been covered by MD's patrols, manpower would be deployed for conducting patrols in the areas concerned at the earliest possible time. Area 9 (Lantau West) had been included in the helicopter surveillance route since October 2020.

At the request of the Committee, **Director of Marine** provided in her above letter the number of daily cleanliness patrols and helicopter surveillance conducted in the 12 patrol areas in 2020.

49. With reference to paragraph 3.9(b) of the Audit Report, the Committee asked why 2 of the 12 patrol areas, namely Area 9 (Lantau West) and Area 10 (Sha Chau and New Territories North), were not covered by any of the six routes of helicopter surveillance.

50. **Assistant Director/Planning and Services, MD** explained at the public hearing and **Director of Marine** supplemented in her letter dated 25 March 2021 (*Appendix 9*) that in designing the routes for helicopter surveillance, the key

considerations of MD included locations with past records of frequent accumulation of refuse, districts receiving more complaints, the flight time required for the surveillance route, etc. MD had not included Areas 9 and 10 in its past helicopter surveillance routes having taken into account the above factors. However, after a recent review, MD had included these two areas under helicopter surveillance since October 2020 having considered that the service requests received covered water areas over the entire territory.

51. With reference to paragraph 3.7(d) of the Audit Report, the Committee was concerned whether the current staff establishment of the rank of Marine Inspector II, which was responsible for conducting the daily cleanliness patrols, in the Pollution Control Unit of MD was sufficient for performing the patrol duty at the required frequency.

52. **Director of Marine** explained at the public hearing and supplemented in her letter dated 25 March 2021 (*Appendix 9*) that MD's Pollution Control Unit had a current establishment of 10 Marine Inspectors II and four patrol launches for the inspection of sea water cleanliness across the territory and the monitoring of the contractor's performance in the marine scavenging services. The manpower deployed for patrolling could largely meet the required frequency of at least once a month except when there were marine oil spillage and related incidents.

53. The Committee asked whether MD would explore the use of information technology to facilitate its work in tackling marine refuse, including submission of marine refuse collection records by the contractor, referral of service requests/complaints to the contractor and the monitoring of daily cleanliness patrols conducted by patrol officers of MD.

54. **Assistant Director/Planning and Services, MD** responded at the public hearing and **Director of Marine** supplemented in her letters dated 4 January and 25 March 2021 (*Appendices 8 and 9* respectively) that the contractor reported to MD the duty records of its frontline staff and their replies to the latest position of referrals of service requests/complaints via email and facsimile. MD would explore with the contractor the further use of information technology in order to facilitate the daily management and monitoring of marine refuse cleansing and disposal services. MD would also study the use of applicable information technology to step up the monitoring of frontline patrol officers in conducting daily sea water cleanliness patrols. Furthermore, MD had acquired two drones, which were currently under

testing and expected to be deployed to assist in monitoring the sea water cleanliness starting from the second quarter of 2021. MD would review the effectiveness of the drones half a year following the commencement of their operation.

55. In response to the Committee's enquiry about the procedure for handling service requests/complaints relating to marine refuse by MD, **Assistant Director/Planning and Services, MD** advised at the public hearing and **Director of Marine** supplemented in her letter dated 25 March 2021 (*Appendix 9*) that upon receipt of marine refuse reports, MD would instruct the contractor to clean up the water area concerned. The contractor was required to re-establish the cleanliness condition to a "Good" level within 30 to 120 minutes (depending on the location of that particular area) upon receipt of notification from MD. MD would deploy officers where possible to inspect the cleanliness condition of the water area concerned after the contractor had completed the marine refuse cleansing work. In case the sea water cleanliness was still unsatisfactory after the cleansing work, MD officers would instruct the contractor to redeploy resources and manpower to strengthen the cleansing work until the cleanliness condition was up to the standard. MD would then make reply to the relevant service request/complaint.

56. The Committee noted from Figure 3 in paragraph 3.11 of the Audit Report that the number of patrol visits in 3 of the 12 patrol areas, namely Area 4 (Sai Kung), Area 8 (Lantau South) and Area 9 (Lantau West), was relatively small, but the number of service requests received was more than the number of patrol visits for these three areas. The Committee asked whether MD would consider deploying patrol resources to these three areas from other areas where the number of patrol visits largely exceeded the number of service requests/complaints. **Director of Marine** and **Assistant Director/Planning and Services, MD** responded at the public hearing, and **Director of Marine** supplemented in her letter dated 25 March 2021 (*Appendix 9*) that MD would take into account the nature and numbers of service requests/complaints received for a particular patrol area in planning the deployment of resources.

57. The Committee expressed concern about the contractor's underperformance in marine refuse cleansing work at typhoon shelters and promenades as shown in paragraph 3.13 of the Audit Report, and enquired about the efforts made by MD to monitor the contractor's marine refuse cleansing work, in particular at typhoon shelters and promenades, and the measures to be taken by MD to tackle the marine refuse in these areas.

58. **Mr Warren LI Kin-pong, General Manager/Services, MD** responded at the public hearing and **Director of Marine** advised in her letters dated 4 January and 25 March 2021 (*Appendices 8 and 9* respectively) that:

- MD monitored the contractor's performance mainly by conducting daily patrols on a surprise basis in water areas including typhoon shelters and promenades, and reviewing the various operational returns and reports submitted by the contractor as well as conducting contract management committee meetings with the contractor each month;
- MD would also inspect the priority areas, including but not limited to Cheung Chau Typhoon Shelter, Sam Ka Tsuen Typhoon Shelter, Tuen Mun Typhoon Shelter and Kwun Tong Typhoon Shelter, on a surprise basis during patrols, so as to ensure the sea water cleanliness was up to the standard;
- MD would place floating booms at Kwun Tong Typhoon Shelter to intercept floating refuse in end March 2021, and would also make use of drones to assist in the monitoring of the sea water cleanliness starting from the second quarter of 2021; and
- MD would, during the review of marine refuse cleansing and disposal services, examine the cleansing arrangements in order to further enhance the cleansing requirements of individual locations in the future.

59. Noting from the public hearing that the contractor encountered operational difficulties in collecting and removing marine refuse at typhoon shelters which were always occupied by vessels, the Committee asked whether MD had taken any measures to assist the contractor in this regard.

60. **General Manager/Services, MD** advised at the public hearing and **Director of Marine** supplemented in her letter dated 25 March 2021 (*Appendix 9*) that the contractor might need a longer time than the timeframe as specified in the contract to re-establish the sea water cleanliness under certain circumstances, such as after typhoons and rainstorms or when floating refuse was accumulated between mooring vessels where it was difficult or impossible to access. MD had already reminded the contractor to keep the department informed of any difficulties in completing the cleansing work within the specified time limit, and to continue to follow up until the cleansing work was completed. MD would instruct the



contractor to redeploy vessels and foreshore cleansing team as needed to assist in cleaning up water areas inaccessible by work boats, and would clear the berthing area to facilitate the contractor's entry to perform cleansing work.

61. With reference to paragraph 3.20 of the Audit Report, the Committee enquired about the latest development of the issue relating to the deployment of pleasure vessels by the contractor for marine refuse cleansing work, the total number of Performance Default Notices issued by MD to the contractor arising from the issue, and the enforcement actions taken by MD.

62. **Director of Marine** advised at the public hearing and supplemented in her letter dated 25 March 2021 (*Appendix 9*) that after investigation, MD issued to the contractor two Performance Default Notices under the contract for the whole of Hong Kong waters in 2017 and one Performance Default Notice under the contract for Tai Po District in 2018. The contractor undertook not to use non-compliant vessels in conducting marine refuse cleansing work in the future. MD had also sought the Department of Justice's legal advice on the case, and was advised that there was insufficient evidence to initiate a prosecution against the contractor for such non-compliance.

63. In response to the Committee's enquiry about the consequences of the contractor for non-compliance with the Performance Default Notice issued by MD, **Director of Marine** explained at the public hearing and supplemented in her letter dated 25 March 2021 (*Appendix 9*) that according to Clause 36.3(ii) of the contract for the whole of Hong Kong waters and Clause 36.3(b) of the contract for Tai Po District, in the event that the contractor failed to comply with a Performance Default Notice served upon it pursuant to Clause 36.2 or the breach was such that remedy was not possible, the Government should be entitled to deduct from payments due to the contractor such reasonable sum or sums as the Government considered appropriate to reflect the actual loss to the Government resulting from the breach including administrative charges such sum or sums to be calculated by reference to the rates in the Price Proposal.

64. The Committee enquired about the number of Performance Default Notices served on the contractor in the past five years, and asked whether MD would exercise

its right under Clause 38.2<sup>9</sup> of the two contracts to impose penalties against the contractor pursuant to Clause 38.1, with a view to deterring further non-compliance with the terms of the contracts by the contractor.

65. **Director of Marine** advised at the public hearing and supplemented in her letter dated 25 March 2021 (*Appendix 9*) that in the past five years, three Performance Default Notices had been served on the contractor in respect of the use of non-compliant vessels in conducting marine refuse cleansing work. Since the contractor had made rectifications upon receipt of the notices, MD did not impose further penalties against the contractor for such non-compliances. As regards the unauthorized sub-contracting arrangements as mentioned in paragraph 40, MD had granted covering approvals and would not impose further penalties against the contractor. Nevertheless, MD would take actions and consider imposing penalties against the contractor for its further breaches of contract in future. Besides, MD would examine the relevant penalty provisions in the review on marine refuse cleansing and disposal services so as to enhance the deterrent effect.

66. With reference to paragraph 3.24 of the Audit Report, the Committee enquired about MD's monitoring work on the operations of the four MRCPs and its measures to ensure their proper management. **Director of Marine** and **Assistant Director/Planning and Services, MD** advised at the public hearing, and **Director of Marine** supplemented in her letter dated 25 March 2021 (*Appendix 9*) that when patrolling various areas, MD officers would inspect from time to time the conditions of MRCPs, including the temporary storage of refuse and the cleanliness of MRCPs. From January 2021 onwards, MD had increased the frequency of conducting surprise checks to 8 to 10 times at different MRCPs every month on the presence of supervisor, the overall cleanliness condition, gate closure, placing of warning signs in prominent locations, implementation of rat prevention measures and clearance of refuse from temporary storage containers.

67. The Committee further asked whether MD had imposed any penalty on the contractor for its failure to operate MRCPs in Cha Kwo Ling and Ap Lei Chau in accordance with the requirements of the contract. **Director of Marine** responded in

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<sup>9</sup> According to the two contracts for marine refuse cleansing and disposal services for the whole of Hong Kong waters and Tai Po District, the Government may exercise the rights contained in Clause 38.2, such as suspension of payment to the contractor and terminating the contracts under any of the circumstances referred to in Clause 38.1, such as where there is any substantial breach of the conditions of the contract or if the contractor sub-contracts its rights or obligations without the prior written consent of the Government Representative.

her letter dated 25 March 2021 (*Appendix 9*) that regarding the undesirable hygiene conditions of Cha Kwo Ling MRCP, MD had already required the contractor to improve its cleansing work. As for the absence of staff stationing at Ap Lei Chau MRCP, MD had also required the contractor to arrange an on-site supervisor. MD had not imposed penalties on the contractor as it had taken immediate follow-up actions to rectify the irregularities.

68. With reference to paragraphs 3.26, 3.28(b) and 3.29(b) of the Audit Report, the Committee was advised at the public hearing that the replacement of the lifting appliance in Ap Lei Chau MRCP, which had been out of order since October 2017, could not be made until November 2021. The Committee asked why it had taken MD such a long time to arrange the replacement, how the contractor unloaded marine refuse from vessels to Ap Lei Chau MRCP without the lifting appliance in the meantime, and whether MD had completed the review on the need for lifting appliances in MRCPs in Cha Kwo Ling and Ap Lei Chau.

69. **Director of Marine, Mr Raymond SY, Deputy Director of Marine (2) and Assistant Director/Planning and Services, MD** explained at the public hearing, and **Director of Marine** supplemented in her letter dated 25 March 2021 (*Appendix 9*) that:

- regarding the replacement of the lifting appliance in Ap Lei Chau MRCP, it took time for MD to coordinate with the Electrical and Mechanical Services Department ("EMSD") in making the funding application for the replacement. After the funding was granted, the tender invitation was conducted by EMSD on behalf of MD. However, the procurement procedures, which were originally scheduled for completion in the first half of 2020, were delayed due to the pandemic. MD and EMSD had finalized the arrangements with an aim to replace the lifting appliance in November 2021. Before the replacement, the contractor could arrange refuse collection vessels with lifting appliance for unloading refuse to the temporary storage containers; and
- Cha Kwo Ling MRCP would be relocated in future to cope with the development plan of the district. It was thus not cost-effective if the lifting appliance was to be demolished shortly after the repair. As the contractor had arranged refuse collection vessels with lifting appliance for unloading refuse to the temporary storage containers, MD would not repair the lifting appliance concerned for the time being.

70. In response to the Committee's enquiry as to whether MD would examine the need to retain Cha Kwo Ling and Ap Lei Chau MRCPs given their low utilization, **Director of Marine** advised in her letter dated 25 March 2021 (*Appendix 9*) that:

- Cha Kwo Ling MRCP, which had been in operation since 1995, was mainly used for handling marine refuse collected from the eastern waters of Hong Kong. It had to be retained at this stage as 20% to 30% of marine refuse was transported from Cha Kwo Ling MRCP to disposal sites for disposal every year; and
- Ap Lei Chau MRCP was mainly used for handling marine refuse collected from the southern waters of Hong Kong. About 30% to 40% of marine refuse was transported from Ap Lei Chau MRCP to disposal sites for disposal every year. During typhoon season, this MRCP would also provide support to the cleansing work of the southern waters of Hong Kong and the Aberdeen Typhoon Shelter. The work boats could save the time required for travelling to other MRCPs. As such, this MRCP had to be retained as well.

#### **D. Other related issues**

71. With reference to Table 9 in paragraph 4.4 of the Audit Report, the Committee sought explanations for the small number of enforcement cases in relation to marine littering, which ranged from 13 to 17 cases only during the period from 2015 to 2019. The Committee queried whether the statistics suggested inadequate enforcement efforts made by MD, and asked about MD's follow-up actions in respect of the Audit's recommendation of arranging more anti-marine littering operations by officers in plain clothes as stated in paragraph 4.6 of the Audit Report.

72. **Director of Marine** and **Deputy Director of Marine (2)** explained at the public hearing, and **Director of Marine** supplemented in her letter dated 25 March 2021 (*Appendix 9*) that MD would arrange launches to perform daily patrols in Hong Kong waters against marine littering at sea every day and prosecute those who committed marine littering. Prosecution against marine littering was not easy since uniformed enforcement officers of MD on patrol boats could easily be seen. To enhance the enforcement work, MD had arranged about 30% of the anti-marine littering operations to be conducted by officers in plain clothes since 2021. During the operations, enforcement officers in plain clothes would patrol along coastal area and conduct law enforcement actions against marine littering.

73. The Committee noted from Table 10 in paragraph 4.7 of the Audit Report that the Marine Refuse Study ("the Study") commissioned by EPD and released in April 2015 revealed that shoreline and recreational activities and ocean/waterway activities represented about 89% of marine refuse in Hong Kong. The Committee asked whether MD and EPD had taken into account the above findings of the Study in planning their enforcement operations and organizing public education and publicity campaigns to curb source activities of marine refuse.

74. **Deputy Director of Marine (2)** advised at the public hearing and **Director of Marine** supplemented in her letter dated 25 March 2021 (*Appendix 9*) that:

- the report of the Study made five recommendations in respect of improving the cleanliness of the shorelines. Under the co-ordination of EPD, MD worked together with green groups in marine refuse cleansing. In 2020, MD participated in a total of nine joint clean-up operations with green groups. MD also conducted joint clean-up operations with the Food and Environmental Hygiene Department and the Agriculture, Fisheries and Conservation Department respectively. In 2020, three enforcement operations against marine littering were conducted; and
- MD would conduct publicity and education activities, such as distributing leaflets to vessels and stakeholders of marine operations, to raise public awareness of keeping the sea clean and reduce marine littering at source. Before Lunar New Year and fish moratorium, MD would also organize typhoon shelter management meetings with the stakeholders to promote the message of keeping the sea clean, and distribute promotional leaflets to remind members of the industry and vessels to handle their domestic waste properly.

75. **Assistant Director (Water Policy), EPD** advised at the public hearing and **Director of Environmental Protection** supplemented in her letter dated 25 March 2021 (*Appendix 7*) that in response to the findings of the Study, EPD had since 2015 coordinated the efforts of other government departments in supporting volunteer groups to organize up to 1 600 shoreline clean-up activities, while 78 "Shorelines Cleanup Day" activities had been organized by EPD with over 2 700 participants. To promote the message of preventing marine pollution caused by refuse, EPD had organized various types of public education and public engagement activities as detailed in her above letter. EPD had also coordinated the implementation of the

measures taken by members of the then Inter-departmental Working Group on Clean Shorelines to prevent refuse from entering the sea.

76. At the request of the Committee, **Director of Environmental Protection** provided the statistics on beach cleanliness in her letter dated 25 March 2021 (*Appendix 7*). According to Director of Environmental Protection, the cleanliness of the priority coastal sites had improved significantly since 2015. Currently, under the five-level Shoreline Cleanliness Grading System, 97% of the priority sites had an average cleanliness grading ranging from "Grade 1 – Clean" to "Grade 3 – Fair", and none of them was found with a "Grade 5 – Poor" condition during regular inspections.

77. With reference to paragraph 4.15 of the Audit Report, the Committee enquired about measures of MD and EPD to ensure the accuracy and timely update of the information relating to marine refuse cleansing work provided on the "Clean Shorelines" Website, and MD's mechanism for the update and management of information under its purview on the website.

78. **Assistant Director (Water Policy), EPD** responded at the public hearing and **Director of Marine** advised in her letters dated 4 January and 25 March 2021 (*Appendices 8 and 9 respectively*) that the website was managed by EPD. MD would review and update quarterly the information related to MD on the website as required by EPD. After reviewing the MD-related information on the website, MD provided the latest information to EPD for updating the website on 16 September 2020. Whenever there were material changes to MD-related work, MD would proactively examine if corresponding amendments to the relevant content on the website were needed.

79. Referring to paragraph 4.17(b) of the Audit Report, the Committee enquired about the latest progress of the trial run of float booms to tackle marine refuse and the change in the estimated expenditure on the trial run. **Director of Marine** advised at the public hearing and supplemented in her letters dated 4 January and 25 March 2021 (*Appendices 8 and 9 respectively*) that in June 2020, MD conducted trial run for the two sets of newly procured floating booms in the Government Dockyard, and then conducted further testing in the Western District Public Cargo Working Area in mid-October 2020, which, however, showed that the location was not suitable for the installation of floating booms because of its higher occurrence of wave and swell. MD then placed the floating booms in the Kwun Tong Typhoon

Shelter in late November 2020 to test the effectiveness of intercepting marine refuse in different waters. The test result showed that floating booms could effectively intercept floating refuse in calm and sheltered waters. MD would thus install floating booms in the Kwun Tong Typhoon Shelter in end-March 2021. The expenditure of the trial run had been included in the overall budget of the Pollution Control Unit of MD.

## **E. Conclusions and recommendations**

<b>Overall comments</b>
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80. The Committee:

- stresses that:

- (a) performance indicators in Controlling Officer's Reports ("CORs") are important factors in formulating strategies and priorities by the Administration. They are also the key factors for Legislative Council Members in considering the Administration's funding applications. As such, performance indicators must be reasonably accurate and be able to truly reflect the performance of the bureau/department concerned; and
- (b) although outsourcing is considered by the Administration as an effective means of service delivery to the community in meeting the rising public demand for better services, it is incumbent upon procuring departments to closely monitor contractors' performance and regularly review the effectiveness of the outsourced services, so as to achieve value for money and to ensure quality service delivery;

### Reporting of the quantity of marine refuse collected

- expresses serious concern that the Marine Department ("MD") has failed to ensure that the quantity of marine refuse collected, which is included in its CORs as an important performance indicator of its work in tackling marine refuse, is reasonably accurate and can truly reflect its performance in tackling marine refuse, as evidenced by the following:

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- (a) the quantity of marine refuse collected under MD's marine refuse cleansing and disposal services contracts<sup>10</sup> was previously estimated in terms of volume (instead of the actual weight) and then converted to tonnes for reporting to MD and subsequent inclusion in MD's CORs;
  - (b) from 2012 to 2019, there were significant discrepancies between the quantity of municipal solid waste disposed of by MD's contractor at landfills and refuse transfer stations as per the Environmental Protection Department ("EPD")'s records and the quantity of marine refuse collected as reported by MD in its CORs. Overall, the former represented only 19.9% (ranging from 16.9% in 2019 to 25% in 2014) of the latter. Moreover, the former might include other municipal solid waste in addition to marine refuse;
  - (c) MD's recurrent expenditure on its work in tackling marine refuse has increased significantly by 150% from \$40.79 million in 2016-2017 to the estimated \$101.95 million in 2020-2021, but the quantity of marine refuse collected by MD has remained steady at around 15 000 to 16 000 tonnes per annum over the past decade; and
  - (d) MD had not verified the accuracy of the statistics provided by the contractor on the quantity of marine refuse collected;
- notes that:
- (a) starting from 1 January 2021, MD has instructed the contractor to measure the actual quantity of marine refuse collected in cubic metre with designated containers instead of following the past practice of "estimating" the weight based on the number of bags of refuse collected.<sup>11</sup> In addition, MD has been conducting monthly surprise checks on the refuse handling procedures adopted by the contractor to ensure the accuracy of the relevant statistics provided by the contractor;

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<sup>10</sup> MD has outsourced all the marine refuse cleansing and disposal services since July 2005.

<sup>11</sup> According to MD, one tonne is equivalent to approximately 55 "large garbage bags" (each with the dimension of approximately 1.0 metre x 0.9 metre, or 220 "bags" (each with the dimension of approximately 0.8 metre x 0.5 metre).



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- (b) MD has included remarks in its CORs to qualify the measurement unit used in the estimation of marine refuse collected, and periodically cross-check the quantity of marine refuse disposed of and that reported by the contractor; and
  - (c) before considering the next tendering exercise for marine refuse cleansing and disposal services contract for the whole of Hong Kong waters, MD will conduct a review to examine ways to include other quantitative indicators to monitor the performance of the contractor more effectively, and explore other suitable performance indicators to be included in MD's CORs to reflect its performance in tackling marine refuse;
- recommends that:
- (a) as all marine refuse collected by MD's contractor will be disposed of at EPD's disposal facilities, MD should consider using the actual weight of marine refuse disposed of by MD's contractor as per EPD's records for reporting in MD's CORs, with a view to reporting the quantity of marine refuse collected in a more accurate and consistent manner;
  - (b) MD should further review whether it is effective and meaningful to merely rely on the performance indicator on "the quantity of marine refuse collected" for stakeholders to evaluate MD's cost-effectiveness in deploying resources to collect and remove marine refuse; and
  - (c) MD should explore other quantitative performance indicators, such as level of water cleanliness, attendance of marine refuse transportation vehicle, frequency of patrol visits and the average time taken to respond to a complaint/service request referred by MD, which are more effective in assessing the contractor's performance;

Management of outsourcing contracts

- expresses grave concern about MD's ineffectiveness in managing its contracts for marine refuse cleansing and disposal services to achieve the best value for money and ensure compliance with the terms of the contracts by the contractor, as evidenced by the following:

- (a) MD has outsourced all the marine refuse cleansing and disposal services since July 2005, and reformed the outsourcing arrangement in October 2011 by bundling the previous two contracts into one contract to cover the whole of Hong Kong waters. In October 2018, MD entered into an additional contract with the same contractor for marine refuse cleansing and disposal services in Tai Po District, under which the service areas, services provided and resources deployed by the contractor overlap with those of the contract for the whole of Hong Kong waters;
- (b) prior to entering into an additional contract for Tai Po District, MD had not conducted cost analysis to compare the relative costs of making variations to the existing contract for the whole of Hong Kong waters to include the special service requirements for Tai Po District and issuing an additional contract for Tai Po District;
- (c) without obtaining MD's prior written approval as required by the contracts, the contractor had sub-contracted the daily transportation of marine refuse under the two contracts for the whole of Hong Kong waters and Tai Po District to the same sub-contractor for the whole contract periods. The contractor had not informed MD of the sub-contracting arrangements until March 2020 for the former contract (i.e. 29 months after the commencement of the sub-contracting arrangement) and August 2020 for the latter contract (i.e. 22 months after the commencement of the sub-contracting arrangement and two months before the end of the contract);
- (d) in dealing with the aforesaid unauthorized sub-contracting arrangements, MD has only reminded the contractor to strictly follow the terms and conditions in the contracts in future, but has not enforced the penalty provisions, such as issuance of Performance Default Notice and deduction of payments, under the contracts against the contractor for non-compliance;
- (e) while the contract for Tai Po District specifies that the Government's approval of the sub-contracting of services will normally only be granted in case of an emergency or under special circumstances, MD has not shown that there are any sound justifications (other than that the services to be provided would

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not be affected) in granting covering approval of the sub-contracting arrangement; and

- (f) MD has not, in accordance with the relevant contract provisions, taken any follow-up actions in respect of the contractor's failures to perform its marine refuse cleansing work at a number of typhoon shelters and promenades,<sup>12</sup> and to operate the four marine refuse collection points ("MRCPs") as per the requirements stipulated in the contract for the whole of Hong Kong waters;

- notes that:

- (a) before the expiry of the current contract for Tai Po District in September 2022, MD will conduct a review on the contract arrangements for marine refuse cleansing and disposal services for Tai Po District and the whole of Hong Kong waters;
- (b) since the aforesaid sub-contracting arrangements have neither affected the quality of service provided nor caused any loss or damage to the Government, MD would not impose penalties against the contractor. Nevertheless, MD has admitted that it is undesirable to rectify the incidents by giving covering approvals. If the contractor fails to observe the requirement again, MD will take actions and consider imposing penalties for further breaches of contract provisions by the contractor; and
- (c) MD will examine the penalty/termination provisions contained in the contract when reviewing the marine refuse cleansing and disposal services to enhance deterrence against further non-compliance with the contractual requirements by the contractor in the future; and

- urges that:

- (a) before the expiry of the two contracts for the whole of Hong Kong waters and Tai Po District in September 2022, MD should conduct cost analysis to compare the relative costs of adding special service requirements for Tai Po District in the contract for the

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<sup>12</sup> Please refer to paragraph 3.13 of the Director of Audit's Report ("Audit Report") for details.

whole of Hong Kong waters and issuing an additional contract for Tai Po District;

- (b) in view of the upsurge in the recurrent expenditure on the outsourcing of marine refuse cleansing and disposal services, MD should conduct a comprehensive review on the content of the current contract for the whole of Hong Kong waters before it expires in September 2022, including the contract duration, service specifications such as the size of fleet required and the operation of the four MRCPs, in order to identify ways to reduce the contract price;
- (c) MD should review the effectiveness of its marine refuse cleansing and disposal services on a regular basis with a view to achieving value for money and ensuring quality service delivery;
- (d) MD should step up the monitoring of the performance of the contractor and exercise its right under the two contracts to impose penalties against the contractor as and when appropriate, with a view to deterring further non-compliance with the terms of the contracts;
- (e) MD should require its staff to provide and document justifications properly for cases where imposing penalties for the breaches of conditions by the contractor is not recommended; and
- (f) MD should explore the wider use of information technology to facilitate its work in tackling marine refuse, particularly in respect of the submission of marine refuse collection records by the contractor, referral of service requests/complaints to the contractor for follow-up and the monitoring of daily cleanliness patrols conducted by patrol officers of MD.

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<b>Specific comments</b>
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81. The Committee:

Administration of marine refuse cleansing and disposal contracts

- expresses grave concern that:
  - (a) the two contracts for marine refuse cleansing and disposal services in the whole of Hong Kong waters and Tai Po District have been awarded to the same contractor, who has been the sole contractor for the provision of such services since July 2005;
  - (b) the number of tenders received for the recent three tender exercises of the contract for the whole of Hong Kong waters had been on a decreasing trend from four in 2011 to two in 2017, and there was a notable increase (135.6%) in the contract sum from \$189.9 million in 2011 to \$447.4 million in 2017;
  - (c) while the tender documents of the current contract for the whole of Hong Kong waters (from October 2017 to September 2022) have not stated that charges incurred in refuse disposal at refuse transfer stations would be borne by the Government, MD continued the arrangement of reimbursing the contractor for such charges (since the South East New Territories Landfill commonly used by the contractor ceased receiving municipal solid waste in January 2016). Such practice might give rise to unfairness and jeopardize the integrity of the tendering exercise;
  - (d) since the commencement of the previous contract for Tai Po District in October 2018, MD has reimbursed the contractor for the disposal charges charged by refuse transfer stations despite the fact that such charges should be borne by the contractor in accordance with the contract provisions;
  - (e) the contractor has failed to maintain attendance records and daily log books on the deployment of vehicles and their work for inspection by MD in accordance with the requirements of the two contracts for the whole of Hong Kong waters and Tai Po District; and

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- (f) there was no contract requirement stipulating that vehicles stated in tender submissions must be used exclusively for performing services under MD's contracts;
- notes that:
  - (a) MD has been inviting tenders for the contracts of marine refuse cleansing and disposal services in accordance with the tendering procedures as stipulated in the Stores and Procurement Regulations. There was no bias towards the current contractor;
  - (b) MD will review the existing practice before considering the next tendering exercise by taking into account the recommendations of the Central Tender Board in 2017 as stated in paragraph 2.24 of the Director of Audit's Report ("Audit Report"), including allowing a longer tender period, shortening the contract period and allowing a longer gearing up period for successful tenderers, with a view to refining the procedure and attracting more tenderers to bid for the contracts;
  - (c) in September 2020, MD successfully recovered from the contractor of the Tai Po District contract the overpaid disposal charges at refuse transfer stations with a total sum of \$2,234; and
  - (d) Director of Marine has agreed with Audit's recommendations relating to reimbursement of disposal charges to contractor, with details stated in paragraph 2.15 of the Audit Report;
- recommends that:
  - (a) to avoid over-reliance on single contractor for the provision of marine refuse cleansing and disposal services, MD should explore further measures to enhance the competition in the coming tendering exercise for the services; and
  - (b) in the long run, MD should explore various channels to attract new blood, in particular young people, to the marine refuse cleansing industry, in order to have more options in terms of contractors which can provide the relevant services;

Monitoring of marine refuse cleansing and disposal services

- expresses serious concern that:
  - (a) in 2019, in 3 of the 12 patrol areas, namely Area 4 (Sai Kung), Area 8 (Lantau South) and Area 9 (Lantau West), the required frequency for conducting daily cleanliness patrols of at least once in a month in accordance with MD's guidelines could not be met. The numbers of months recording no daily cleanliness patrols ranged from one to six, but the numbers of service requests received was far more than the numbers of patrol visits for these three areas;
  - (b) while there were a large number of service requests received from the public each year (ranging from 568 to 691 requests), MD's guidelines only state that the number of complaints received from the public should match with the frequency of patrol visits but do not mention that the number of service requests received should also be taken into account in selecting patrol areas for conducting daily cleanliness patrols;
  - (c) there were cases at typhoon shelters and promenades which failed to meet the service requirement that a "Good" level of cleanliness shall be re-established within the specified time limit if the level of cleanliness of any part of Hong Kong waters falls below the "Good" level during the service hours. MD has failed to closely monitor the contractor's compliance with such requirement and to provide appropriate support to facilitate the contractor's marine cleansing work at typhoon shelters;
  - (d) MD's contractor has deployed four Class IV vessels (i.e. pleasure vessels), which should be used exclusively for pleasure purposes according to the Merchant Shipping (Local Vessels) (Certification and Licensing) Regulation (Cap. 548D), for marine refuse cleansing work;
  - (e) no daily transportation of marine refuse to disposal sites was arranged for MRCs in Tuen Mun and Ap Lei Chau as required by the contract notwithstanding that there was marine refuse unloaded to the above two MRCs;

- (f) MRCPs in both Cha Kwo Ling and Ap Lei Chau were not manned by any contractor's staff. Cha Kwo Ling MRCP was not kept at satisfactory level of hygiene and security with a lifting appliance left unrepaired. The replacement of the lifting appliance in Ap Lei Chau MRCP, which has been out of order since October 2017, cannot be made until November 2021; and
  - (g) same irregularities in the operation of MRCPs, including failures to remove all marine refuse from MRCPs daily and to provide sufficient staff at MRCPs, as well as the low utilization of some MRCPs, were identified in the Audit review conducted in 2004;<sup>13</sup>
- notes that:
- (a) MD has strengthened the monitoring of its daily cleanliness patrols from November 2020 onwards, and will review the frequency of patrols conducted for each patrol area during the middle of each month;
  - (b) MD has reminded the contractor to keep it informed in case of difficulties or inability to complete the cleansing work within the specified time limit, and to continue to follow up until the cleansing work is completed;
  - (c) MD will, during the review of marine refuse cleansing and disposal services, examine the cleansing arrangements for typhoon shelters and promenades in order to further enhance the cleansing requirements of the locations in future;
  - (d) MD has issued Performance Default Notices to the contractor in respect of the use of non-compliant vessels in conducting marine refuse cleansing work. According to the legal advice sought from the Department of Justice, there was insufficient evidence to initiate a prosecution;
  - (e) from January 2021 onwards, MD has strengthened the monitoring of the contractor's management of MRCPs and increased the number of surprise checks to MRCPs to ensure compliance with the relevant operation requirements by the contractor;

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<sup>13</sup> Chapter 9 of the Director of Audit's Report No. 43 of October 2004 – "Provision of marine scavenging service".



*Collection and removal of marine refuse by the Marine Department*

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- (f) Cha Kwo Ling MRCP will be relocated in future, and therefore it is considered not cost-effective to repair the lifting appliance which will be demolished shortly. The contractor has arranged refuse collection vessels with lifting appliance for unloading refuse at Cha Kwo Ling MRCP; and
- (g) Director of Marine has agreed with Audit's recommendations on monitoring of the marine refuse cleansing work as stated in paragraphs 3.19 and 3.28 of the Audit Report;
- urges MD to make more efforts to ensure strict compliance with the contractual requirements on the operation of MRCPs by the contractor, and conduct a review to assess the genuine need to retain MRCPs given their low utilization;

Other related issues

- expresses concern that:
  - (a) even though in 2016 and 2017, the Chairman of the then Inter-departmental Working Group on Clean Shorelines invited MD to consider arranging officers in plain clothes to take enforcement actions in future enforcement operations with a view to increasing the deterrent effect, 270 (96%) of the 280 anti-marine littering operations conducted by MD in 2019 were still conducted during the daily cleanliness patrols by MD's officers in uniform; and
  - (b) while MD informed the Legislative Council in May 2019 that a trial run of floating booms for intercepting floating refuse in waters causing no obstruction to vessel traffic was planned to commence in 2019-2020, MD had not yet commenced the trial run up to August 2020; and
- notes that:
  - (a) MD has arranged about 30% of the anti-marine littering operations to be conducted by officers in plain clothes since 2021;
  - (b) in view of the satisfactory test result, MD has commenced the installation of floating booms at Kwun Tong Typhoon Shelter in end of March 2021 to intercept floating refuse; and

- (c) Director of Marine has agreed with Audit's recommendations on enforcement against marine littering (paragraph 4.9 of the Audit Report), dissemination of information on website (paragraph 4.14 of the Audit Report) and new initiatives in tackling marine refuse (paragraph 4.21 of the Audit Report).

<b>Follow-up action</b>
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82. The Committee:

- requests MD to revert to the Committee the outcomes of its review on the marine refuse cleansing and disposal services; and
- wishes to be kept informed of the progress made in implementing the various recommendations of the Committee and Audit.

## **A. Introduction**

The Audit Commission ("Audit") conducted a review to examine the Government's efforts in tackling shoreline refuse.

### Background

2. Floating refuse (i.e. marine refuse<sup>1</sup> floating on sea surface) may be washed ashore and accumulated near the coastline as shoreline refuse. While floating refuse is collected by the Marine Department ("MD"),<sup>2</sup> shoreline refuse is collected by the Agriculture, Fisheries and Conservation Department ("AFCD"), the Food and Environmental Hygiene Department ("FEHD") and the Leisure and Cultural Services Department ("LCSD") according to the locations of which they are in charge.<sup>3</sup> In 2019, 3 856 tonnes of shoreline refuse were collected by AFCD, FEHD and LCSD.

3. The Environment Bureau coordinated the establishment of the Inter-departmental Working Group on Clean Shorelines in 2012 (revamped and renamed as the Inter-departmental Working Group on Marine Environmental Management in January 2018) ("the Working Group") to enhance the collaborative efforts among relevant departments in tackling marine refuse. The Working Group is chaired by Permanent Secretary for the Environment, with the Environmental Protection Department ("EPD") as the secretariat.<sup>4</sup> EPD is responsible for coordinating and strengthening member departments' efforts in addressing marine refuse problems. EPD also carries out community education and public engagement to enhance the public awareness of keeping the shorelines clean.

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<sup>1</sup> According to the report of a Marine Refuse Study completed by the Environmental Protection Department ("EPD") in 2015, marine refuse refers to any solid waste, discarded or lost material, resulting from human activities, that has entered the marine environment irrespective of the sources.

<sup>2</sup> Please refer to Chapter 1 of Part 4 of this report on collection and removal of marine refuse by MD.

<sup>3</sup> AFCD is responsible for the cleanliness of six Marine Parks, one Marine Reserve, and shorelines of 24 country parks and 11 designated special areas outside the country parks. LCSD is responsible for the cleanliness of 41 gazetted beaches. FEHD is responsible for the cleanliness of ungazetted beaches and coastal areas that are not under other departments' purview.

<sup>4</sup> The Working Group's membership also includes representatives from MD, AFCD, LCSD, FEHD, the Drainage Services Department, the Fire Services Department, the Home Affairs Department and the Hong Kong Observatory.

4. The Committee held two public hearings on 12 and 27 March 2021 to receive evidence on the findings and observations of the Director of Audit's Report ("Audit Report").

#### The Committee's Report

5. The Committee's Report sets out the evidence gathered from witnesses. The Report is divided into the following parts:

- Introduction (Part A) (paragraphs 1 to 8);
- Monitoring of shoreline cleanliness by Environmental Protection Department (Part B) (paragraphs 9 to 17);
- Clean-up operations by Agriculture, Fisheries and Conservation Department (Part C) (paragraphs 18 to 35);
- Clean-up operations by Leisure and Cultural Services Department (Part D) (paragraphs 36 to 39);
- Clean-up operations by Food and Environmental Hygiene Department (Part E) (paragraphs 40 to 51);
- Other related issues (Part F) (paragraphs 52 to 62); and
- Conclusions and recommendations (Part G) (paragraphs 63 to 65).

#### Opening remarks

6. **Mr John CHU Nai-cheung, Director of Audit**, gave a brief account of the Audit Report at the beginning of the Committee's public hearing held on 12 March 2021. The full text of his speech is in *Appendix 11*.

7. **Mr WONG Kam-sing, Secretary for the Environment, Ms Maisie CHENG Mei-sze, Director of Environmental Protection, and Mr Vincent LIU Ming-kwong, Director of Leisure and Cultural Services**, made opening statements respectively at the Committee's public hearings held on 12 and 27 March 2021. **Miss Diane WONG Shuk-han, Director of Food and Environmental Hygiene (Acting)**, made a powerpoint presentation at the Committee's public hearing held on

27 March 2021. The full text of their opening statements as well as the powerpoint presentation materials are in *Appendices 12 to 15* respectively.

#### Performance target and timetable

8. Noting from the public hearings that the Working Group had not set any performance target or timetable for improving the cleanliness of shorelines, the Committee enquired how the Administration could evaluate the cost-effectiveness of its measures in tackling marine refuse. **Director of Environmental Protection** explained at the public hearings and in her letters dated 1 March and 31 March 2021 (*Appendices 16 and 17* respectively) that:

- the Working Group had not set a target or a timetable for reducing the amount of refuse entering the sea for a number of reasons, some of which were uncontrollable. For example, refuse entered the sea through multiple channels, locations and means, and the overall quantity could not be measured accurately. The quantity of marine refuse also had close links with changes in season, weather and wind direction, etc.;
- the Working Group evaluated the clean-up effectiveness based on cleanliness conditions and devised a cleanliness grading system<sup>5</sup> for monitoring the specific coastal sites. The Working Group had been regularly reviewing the cleanliness grading of the priority sites;
- as government departments had strengthened their efforts to clean up marine refuse, the shoreline environment had improved notably. The quantity of shoreline refuse had decreased by about 13% from 2015 to 2020. All 29 priority sites had an average cleanliness grading ranging from "Grade 1 – Clean" to "Grade 3 – Fair" in 2020; and
- the Environment Bureau was open to having discussion with relevant departments at the platform of the Working Group with a view to examining the approach of evaluating the clean-up results and effectiveness based on cleanliness conditions of the coastal areas.

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<sup>5</sup> The system was devised by EPD to assess and evaluate the cleanliness conditions of coastal sites, but AFCD, LCSD and FEHD are not using the system to assess the cleanliness conditions of their respective service locations. Please refer to Figure 5 in paragraph 2.4 of the Audit Report for details of the system.

**B. Monitoring of shoreline cleanliness by Environmental Protection Department**

9. In response to the Committee's enquiry about the establishment, strength and division of roles of the staff working in EPD responsible for taking forward measures relating to shoreline cleanliness, **Director of Environmental Protection** said at the public hearings and advised in her letter dated 31 March 2021 (*Appendix 17*) that the current staff establishment of EPD for maintaining shoreline cleanliness was 15, including two Senior Environmental Protection Officers (one of them also covered other duties), five Environmental Protection Officers/Assistant Environmental Protection Officers, two Senior Environmental Protection Inspectors and six Environmental Protection Inspectors. Details of the roles and responsibilities of these staff were provided in the above letter.

10. Referring to paragraphs 2.7 and 2.9(b) of the Audit Report regarding the use of on-site inspections, unmanned aircraft systems ("UAS") and helicopter for shoreline surveillance, the Committee sought information on the merits, limitations and cost-effectiveness of these methods and how EPD would make effective use of these methods to better monitor the cleanliness conditions of shorelines.

11. **Director of Environmental Protection** and **Mr CHEN Che-kong, Assistant Director (Water Policy), EPD** said at the public hearings and **Director of Environmental Protection** supplemented in her letter dated 31 March 2021 (*Appendix 17*) that:

- on-site inspections allowed EPD to observe the coastal sites at close range and obtain clearer and more accurate data. The overall cost of on-site inspections was lower than using helicopters, but more inspection time was required as monitoring staff had to walk along shorelines. In addition, on-site inspections could not be carried out at some remote areas which were not accessible by vehicles/vessels;
- the flight paths, flying altitude, filming locations and angles of UAS could be repeated accurately, thus increasing the efficiency of the inspection work. However, UAS were subject to strict privacy and safety control, and the operation of UAS was easily affected by weather conditions. Furthermore, UAS could not be used for emergency or ad hoc inspections as an application had to be submitted to the Civil Aviation Department before the proposed date of flight. The cost of using UAS was currently lower than helicopters but higher

than on-site inspections. With advances in technologies, the cost of using UAS might drop in future;

- helicopter surveillance enabled EPD to quickly examine the distribution of marine and shoreline refuse over an extensive area in a short time. It was suitable to deploy helicopters in marine emergency incidents, marine refuse surges after inclement weather and marine incidents that aroused grave public concern. However, helicopter surveillance could not make an accurate assessment on the cleanliness grading for the inspection sites and the cost was very expensive; and
- upon expiry of the UAS contract in May 2021, EPD would conduct an in-depth comparison study between UAS inspection and on-site inspection.

12. According to paragraph 2.9 of the Audit Report, Audit analysis of the 691 inspections found that 24 re-inspections were conducted with deviations from the planned timeframe<sup>6</sup> (up to a delay of 106 days in one case), and EPD only made short-term rescheduling<sup>7</sup> for 8 of the 24 re-inspections. The Committee asked why the remaining 16 re-inspections were not conducted within the planned timeframe. **Director of Environmental Protection** said at the public hearings and supplemented in her letter dated 31 March 2021 (*Appendix 17*) that 9 out of the 16 re-inspections were conducted by helicopter surveillance flights. The remaining seven re-inspections were conducted 10 to 31 days after the planned timeframe as necessary temporary deployment had to be made due to manpower shortage.

13. With reference to paragraph 2.17 of the Audit Report, the Committee enquired why EPD considered there was no need to duplicate efforts to review the priority sites as conducted in 2017. The Committee further asked whether EPD would regularly update the list of priority sites as well as their coverage and inspection frequency. **Director of Environmental Protection** and **Assistant Director (Water Policy), EPD** said at the public hearings and

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<sup>6</sup> According to EPD's monitoring regime, it was planned that priority sites would be re-inspected within one to six months based on the cleanliness grading in the previous inspection.

<sup>7</sup> According to EPD, short-term rescheduling within one week due to sudden change of weather conditions or logistics arrangement, reprioritization of work duty and resources in response to ad hoc urgent tasks, marine emergency incidents or marine refuse surge after inclement weather was considered acceptable.

**Director of Environmental Protection** supplemented in her letter dated 31 March 2021 (*Appendix 17*) that:

- EPD first drew up the list of priority sites in 2015 so that the Working Group could pool resources for various departments to clean up coastal sites that were of great concerns at that time and where the cleanliness conditions were poorer;
- as the cleanliness conditions of many coastal sites had improved quickly within two years after the formulation of the list, EPD conducted a comprehensive review and updated the list of priority sites in November 2017, covering 14 newly added sites and 15 existing ones;
- based on experience and observations accumulated, it was most appropriate to review the inspection list and frequency according to the cleanliness conditions of the sites. A large-scale review similar to the one conducted in 2017 was not required for the time being; and
- since the outsourcing of the on-site inspection in 2020, EPD had incorporated the 29 priority sites into the list of locations for conducting monthly inspections and added 90 other sites for conducting quarterly inspections under the contract. When renewing the contract, EPD would, having regard to the cleanliness conditions of the inspection locations in the past year, review and update the list of inspection locations and adjust the inspection frequencies.

14. With reference to paragraphs 2.17(a) and 2.19(a) of the Audit Report, the Committee asked about the mechanism/measure(s) in place to monitor the contractor's performance and ensure its compliance with EPD's specified requirements on site coverage and inspection frequency as stipulated in the contract. **Director of Environmental Protection** and **Assistant Director (Water Policy)**, **EPD** said at the public hearings and **Director of Environmental Protection** supplemented in her letter dated 31 March 2021 (*Appendix 17*) that:

- after awarding the contract, EPD held a kick-off meeting with the contractor to provide the latter with basic knowledge and background on shoreline cleanliness monitoring;
- EPD conducted joint inspections with the contractor to provide the latter with training and guidance in the field; and



- upon completion of each coastal inspection, the service contractor was required to submit an inspection report, photos taken, etc., within the specified time period. EPD staff would also conduct surprise checks at the inspection locations from time to time.

15. With reference to paragraph 2.19(b) of the Audit Report, the Committee asked how EPD would further enhance the provision of information on cleanliness conditions of coastal sites in the Clean Shorelines website for public inspection. **Director of Environmental Protection and Assistant Director (Water Policy), EPD** replied at the public hearings and **Director of Environmental Protection** supplemented in her letter dated 31 March 2021 (*Appendix 17*) that EPD would upload the updated information and photos of shoreline clean-up activities provided by the public onto the website on a weekly basis, and upload the updated annual average cleanliness grading for each of the 29 priority sites onto the website regularly (e.g. on a quarterly basis) starting from the second quarter of 2021.

16. Referring to paragraphs 2.22 to 2.25 of the Audit Report regarding the pork hocks found on the beaches in Tuen Mun and Tsuen Wan Districts in July 2020, the Committee noted that as pork hocks did not meet the broad classification of marine refuse, EPD had not activated the protocol for handling surge of marine refuse in Hong Kong ("the Protocol").<sup>8</sup> The Committee asked about the follow-up actions taken by the Administration on the incident and the lessons learnt from the incident on the handling of large quantity of marine refuse in future.

17. **Director of Environmental Protection and Assistant Director (Water Policy), EPD** replied at the public hearings and **Director of Environmental Protection** supplemented in her letter dated 31 March 2021 (*Appendix 17*) that:

- upon receipt of sighting report on 13 July 2020, EPD promptly requested relevant departments to arrange for clean-up operations as

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<sup>8</sup> EPD and the authorities in Guangdong Province launched a regional notification and alert mechanism in May 2017 allowing one side to notify the other of heavy rain or significant environmental incidents. EPD has also compiled a protocol for handling surge of marine refuse in Hong Kong due to typhoon, heavy rainfalls, or significant environmental incidents. For the purpose of the Protocol, marine refuse referred to solid waste resulting from human activities, with unidentifiable owner(s) in general, that had entered the marine environment. Marine refuse under consideration largely resembled municipal solid waste and could be broadly classified into materials including plastics, metal, glass, processed timber, paper, porcelain, rubber and cloth.

soon as possible. On the same and subsequent few days, EPD conducted inspections at various sites, and notified the relevant departments immediately about where pork hocks had been found. EPD also collected water samples at the affected beaches for examination, and the results revealed that the beach water quality had not been affected;

- EPD liaised with the Department of Ecology and Environment of Guangdong Province on 13 July 2020 to understand the situation. According to the latter's reply, the investigations conducted by the relevant authorities of Guangdong Province could not identify the origin of the pork hocks;
- in February 2021, EPD updated the Protocol to include a new activation condition, so as to cover other possible scenarios of unusual objects arising on sea surfaces or at shores and beaches; and
- EPD would continue to enhance communication with the Mainland authorities on various regional marine environmental matters.

**Director of Environmental Protection** further provided a chronology of the follow-up actions taken by EPD for the pork hock incident in the above letter.

**C. Clean-up operations by Agriculture, Fisheries and Conservation Department**

18. Noting from paragraph 3.2 of the Audit Report that as at 1 July 2020, the cleansing work of the six Marine Parks and one Marine Reserve under AFCD's purview was outsourced to three contractors under five recurrent contracts, the Committee enquired about AFCD's manpower in monitoring the contractors' operations.

19. **Director of Agriculture, Fisheries and Conservation** advised in his letters dated 1 and 26 March 2021 (*Appendices 18 and 19* respectively) that:

- the supervision of cleansing service contractors for Marine Parks and Marine Reserve was mainly conducted by the patrol staff and supervisory staff of AFCD's Marine Parks (West) Section and Marine Parks (East) Section. The establishment mainly consisted of

three Fisheries Officer grade staff, nine Fisheries Supervisor grade staff and 39 Field Assistant and Artisan grade staff; and

- AFCD had been monitoring the work of cleansing contractors through spot checks. Patrol staff would conduct regular site inspections and record the conditions of the cleansing services. Supervisory staff would cross-check the cleansing service information submitted by contractors, and follow up specific findings observed during site inspections by patrol staff.

20. According to paragraphs 3.3 and 3.4 of the Audit Report, AFCD staff were required to complete an inspection form after each site inspection. However, Audit noted that three different inspection forms were used with different inspection reporting requirements. Besides, AFCD's staff were not required to provide important information, such as departure time of contractors' staff, in all these inspection forms. The Committee enquired about the reasons for the occurrence of the above problems.

21. **Dr LEUNG Siu-fai, Director of Agriculture, Fisheries and Conservation** and **Dr Jackie YIP Yin, Assistant Director (Country and Marine Parks) (Acting)**, AFCD said at the public hearings and **Director of Agriculture, Fisheries and Conservation** supplemented in his letter dated 26 March 2021 (*Appendix 19*) that AFCD had been using three types of inspection forms having regard to various site characteristics and modes of operation of different Marine Parks and Marine Reserve.<sup>9</sup> As AFCD patrol staff would not stay at the sites until the completion of cleansing services, it would not be practical for them to record the departure time of contractors' staff.

22. As revealed in paragraph 3.5 of the Audit Report, of the 772 inspection records of four Marine Parks from 1 April 2019 to 31 March 2020 examined by Audit, the inspection forms of 18 site inspections showed that AFCD staff either did not see the contractors' staff on site, or found that contractors' staff had left early.

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<sup>9</sup> For example, Sha Chau and Lung Kwu Chau Marine Park was relatively large (about 1 200 hectares) and each cleansing service day could normally cover part of either Sha Chau or Lung Kwu Chau. Therefore the inspection form had included two columns for recording the locations of work. Moreover, due to poor network coverage and unstable reception in Sha Chau and Lung Kwu Chau, the cleansing contractor would call AFCD when their staff were setting off for these areas for cleansing work. As such, the time of call would be recorded in the inspection form.

However, AFCD had only required the contractors to provide services on another day<sup>10</sup> for 6 of these 18 cases. The Committee sought details of these 18 cases and the follow-up actions taken by AFCD. The Committee further asked whether there was penalty clause in the current cleansing contracts to deter contractors from breaching the terms of the contracts.

23. **Director of Agriculture, Fisheries and Conservation** and **Assistant Director (Country and Marine Parks) (Acting)**, AFCD said at the public hearings and **Director of Agriculture, Fisheries and Conservation** supplemented in his letter dated 26 March 2021 (*Appendix 19*) that:

- some patrol staff had put down "did not see the vessel" if they did not see the cleaners at the time of patrol, but this did not mean "suspected absence" because the cleaners might be working at other locations in the Marine Park and could not be seen by patrol staff at the sea due to the terrain;
- in some cases, patrol staff had put down "leave early" if they observed the cleaners leaving the Marine Park earlier than usual. As some Marine Parks were located far away from land, cleaners might need to leave the park earlier when the weather was unstable and the sea was rough. AFCD's supervisory staff would follow up the above irregular site findings with the management team of the cleansing contractors;
- in those six cases in which AFCD had arranged cleansing services on another day, one of them showed irregularities in contractor's monthly attendance record (i.e. showing full service on the scheduled service day on which AFCD's inspection form marked "did not see", and an additional half-day service on the replacement day). Nevertheless, no additional payment was made to the contractor. In the remaining 12 cases, after further follow-up with the contractors and review of monthly attendance records, other patrol records, etc., AFCD found no evidence of non-provision of service by the contractors; and

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<sup>10</sup> According to AFCD's cleansing contracts, contractors should ensure that the number of cleaners deployed to perform a cleansing operation and the number of working hours are not less than that stipulated in the contracts. For any absence of cleaners from duty, the contractor should provide prompt replacement, and failure to comply with the requirement may result in reasonable sums being deducted from the monthly payments payable to the contractor.

- there was no penalty clause in the current cleansing contracts. Nevertheless, AFCD would consider introducing such clauses in future cleansing contracts to deter contractors from breaching the terms of the contracts.

24. At the Committee's request, **Director of Agriculture, Fisheries and Conservation** provided in his letter dated 9 April 2021 (*Appendix 20*) the investigation results of the aforesaid 18 cases as well as the details of a case where an amount was deducted by AFCD from the monthly payments payable to a cleansing contractor for absence of cleaners from duty.

25. The Committee noted from paragraph 3.7 of the Audit Report that for the five recurrent AFCD cleansing contracts (in force as of August 2020), only one contract specified that the contractor should submit digital images before and after completion of services, and the contract provisions of five Marine Parks and the Marine Reserve did not require the contractors to report the arrival and departure times of their staff. The Committee enquired how AFCD could ensure that the contractors had provided satisfactory services in the absence of digital images of the sites before and after services as well as the records of arrival and departure times of cleaners.

26. **Director of Agriculture, Fisheries and Conservation** said at the public hearings and supplemented in his letter dated 26 March 2021 (*Appendix 19*) that the inspection rate on the cleansing services during the period audited was over 70%. Patrol staff would observe the work of the contractors and record their performance and any irregular findings on an inspection form. Supervisory staff would follow up the irregular findings with the contractors and review other records provided by the contractors, including contractors' staff attendance records and other relevant records (e.g. photos and videos), for ensuring satisfactory performance of services.

27. In response to the Committee's enquiry on the measures taken by AFCD to enhance its monitoring of the performance of cleansing contractors, **Director of Agriculture, Fisheries and Conservation** and **Assistant Director (Country and Marine Parks) (Acting)**, AFCD said at the public hearings and **Director of Agriculture, Fisheries and Conservation** supplemented in his letters dated 26 March and 9 April 2021 (*Appendices 19* and *20* respectively) that:

- a new Guideline for Monitoring of Cleansing Services for Marine Parks and Marine Reserve (in *Appendix 18*) had been formulated including, among others, a standardized inspection form which required the recording of arrival and departure times of the patrol staff at a particular park, individual findings related to cleansing services and the relevant specific follow-up actions taken/to be taken by AFCD;
- guidance and training had been provided to relevant AFCD staff;
- AFCD had added a requirement in new cleansing contracts that contractors had to report the arrival and departure times of their staff, keep daily attendance records of the cleaners and provide photos or video clips before and after completion of services for checking by AFCD; and
- to enhance deterrent effect against possible provision of false attendance record by contractors, AFCD was considering adding a condition to the contracts specifying that wilful provision of false attendance record by contractors might result in a breach of the terms of the contracts.

28. Referring to paragraphs 3.11 to 3.14 of the Audit Report regarding the pipe structures washed ashore to Sha Chau and Lung Kwu Chau Marine Park, the Committee noted with concern that the structures were first found in December 2019, but AFCD took seven months to remove them on 29 July 2020 with the assistance from MD. The Committee enquired about the reasons for the long time taken to remove the structures and the lessons learnt from the incident on the handling of large objects washed ashore in future.

29. **Director of Agriculture, Fisheries and Conservation** said at the public hearings and supplemented in his letter dated 26 March 2021 (*Appendix 19*) that:

- from conservation perspective, the structures had no immediate direct impact on Sha Chau and Lung Kwu Chau Marine Park;
- AFCD tried as quickly as possible to engage cleansing service companies for arranging removal of the structures, but the removal was affected by the Coronavirus Disease 2019 outbreak and not considered urgent or essential at that time. AFCD was required to handle tasks of higher priorities e.g. arrangement of supplies and services for

combating the Coronavirus Disease 2019. Field work was also affected by the work-from-home arrangement. In addition, the companies contacted at that time were unable to arrange staff and vessel for site inspection. It was only until June 2020 that a few contractors had been able to arrange staff and vessels for inspecting the site and proposing means of removal; and

- the matter was discussed at a meeting of the Working Group in January 2021, and MD agreed to render assistance as appropriate when AFCD encountered difficulties in removing large floating objects found in Marine Parks and Marine Reserve in future.

**Director of Agriculture, Fisheries and Conservation** further provided a chronology of key events in respect of the handling of the incident in the above letter.

30. As revealed in paragraphs 3.15 to 3.18 of the Audit Report, Audit's site visits on 18 June, 24 July and 24 August 2020 found a large quantity of refuse at the areas beyond high water mark (i.e. back-of-beach area) of Sha Chau and Lung Kwu Chau. However, the cleansing contract of the Marine Park only covered areas near the high water mark and the edge of the sea on beaches, as well as all floating refuse within the Marine Park boundary, and AFCD was only responsible for clean-up of marine refuse within the boundary of the Marine Park, excluding the back-of-beach area. Under these circumstances, the Committee asked which department was responsible for cleaning up the back-of-beach area of Sha Chau and Lung Kwu Chau.

31. **Director of Agriculture, Fisheries and Conservation** said at the public hearings and supplemented in his letter dated 26 March 2021 (*Appendix 19*) that:

- as the landward boundary of Sha Chau and Lung Kwu Chau Marine Park was delineated by the high water mark along the coastline, general marine refuse cleansing work in the Marine Park under AFCD's responsibility only covered waters below the high water mark;
- refuse accumulated above the high water mark were found under very specific conditions, for example in relation to topography, vegetation, tidal action, wind direction, occasional typhoon or spring tides. In view of the complicated causes for accumulation of refuse and great disparity in the level of accumulation, as well as difficulty in removing the large-sized refuse manually by general cleaners, it would be more

efficient and cost-effective to handle this through focused and special in-depth cleansing operation. In recent years, all such special operations were co-organized by the Working Group and conducted by AFCD's cleansing contractors; and

- it was agreed at the Working Group meeting on 29 January 2021 that AFCD would conduct clean-up operation on the slope at the back-of-beach area of Lung Kwu Chau once a year during the dry season. In view of the level of refuse accumulation on site in recent years and very few visitors there, such arrangement was considered appropriate and cost-effective.

32. Noting from the public hearings that the cleanliness of some areas along Hong Kong shorelines, such as the back-of-beach area, did not fall within the purview of any bureaux/departments ("B/Ds"), the Committee asked whether EPD would take any measures to proactively improve the cleanliness of such areas.

33. **Director of the Environmental Protection** said at the public hearings and supplemented in her letter dated 31 March 2021 (*Appendix 17*) that:

- Hong Kong had very long shorelines and many small outlying islands. Many remote places were inaccessible by public transport and were thus rarely visited. It was difficult for the Administration to allocate resources for engaging contractors to conduct routine clean-up operations in these places as this would entail a huge contractual expenditure and was not cost-effective; and
- conducting targeted in-depth clean-up operations through special arrangement at the back-of-beach areas was applicable. In recent years, the Working Group had resolved the refuse accumulation problems at several back-of-beach areas with different solutions after discussion and co-ordination.

34. The Committee noted from paragraphs 3.19 to 3.20 of the Audit Report that according to the cleansing contract of the Brothers Marine Park, the contractor should clean West Brother and East Brother each once a month. However, Audit's site visits on 24 July and 24 August 2020 found a large quantity of refuse accumulated along the shorelines of the Marine Park. The Committee questioned if



the performance of the contractor was considered satisfactory and whether AFCD would increase the cleansing frequency of the Marine Park.

35. **Director of Agriculture, Fisheries and Conservation** and **Assistant Director (Country and Marine Parks) (Acting)**, AFCD explained at the public hearings and **Director of Agriculture, Fisheries and Conservation** supplemented in his letter dated 26 March 2021 (*Appendix 19*) that:

- in view of the large area of the Brothers Marine Park (970 hectares) and long coastline (three kilometres), the cleansing contractor could only be able to clean up a portion of the shoreline in a single working day, given its manpower specified in the cleansing contract (i.e. three cleaners);
- use of heavy machinery for refuse collection was not practicable on the islands due to lack of access roads and pier facilities;
- large amount of refuse was often washed ashore after heavy rains and typhoons during the wet season; and
- due to the above reasons, the cleaners might have difficulties in removing all accumulated wastes on the two islands in a prompt manner. In this connection, AFCD had increased the cleansing frequency of the Marine Park since November 2020 and would monitor the situation and consider further increase the cleansing frequency if necessary.

**Director of Agriculture, Fisheries and Conservation** provided photos (in *Appendix 21*) showing the condition of the Marine Park upon increasing the cleansing frequency.

#### **D. Clean-up operations by Leisure and Cultural Services Department**

36. According to paragraphs 4.13 to 4.14 of the Audit Report, detailed manpower requirements for each gazetted beach under LCSD's purview were laid down in the cleansing contracts taking into account the fluctuations in workload, but there might be ad hoc needs for additional cleansing workers. The Committee asked about the assessment criteria to ascertain the need of deploying additional cleansing workers to gazetted beaches.

37. **Director of Leisure and Cultural Services** and **Mr Horman CHAN Ming-cheong, Assistant Director (Leisure Services)**<sup>1</sup>, **LCS**D said at the public hearing and **Director of Leisure and Cultural Services** supplemented in his letter dated 1 March 2021 (*Appendix 22*) that:

- the aim of deploying additional cleansing workers to carry out cleansing operations at venue was mainly to clear or clean up a large amount of refuse or dirty environment owing to special circumstances, such as holiday celebrations or a sudden surge of refuse after typhoons or rainstorms, within a short time;
- according to **LCS**D's Guidelines on Management of Public Beaches (in *Appendix 22*), which was an in-house guidelines for staff to deal with a large amount of sea-borne refuse, additional manpower should be deployed for clearance if unusually large quantity of shoreline refused were identified at any gazetted beaches; and
- **LCS**D's Contract Management Manual had stipulated the matters requiring attention from venue management staff when requesting contractors to provide additional services under the contract, including the justifications for such requests and record of certification by supervisor. **LCS**D had also reminded the management staff of beaches to manage requests of providing additional cleansing workers in accordance with the established contract management mechanism.

38. With reference to paragraph 4.14(b) of the Audit Report, the Committee enquired about the justifications for requesting additional cleansing workers in Rocky Bay Beach from June 2018 to March 2020, in particular that the Beach was not open to the public for swimming during the period and did not have any related facilities (i.e. toilets, changing rooms and barbeque sites).

39. **Director of Leisure and Cultural Services** said at the public hearing and supplemented in his letter dated 9 April 2021 (*Appendix 23*) that:

- Rocky Bay Beach was unsuitable for swimming given its geographical condition and ancillary facilities (e.g. toilets and changing rooms) were therefore not provided. However, members of the public would go to the beach as it was situated in Shek O picnic area and adjacent to Shek O Beach; and

- additional cleansing workers were required to provide services for both Rocky Bay Beach and Shek O Beach. In view of the increase in the number of visitors to the two beaches during summer and weekends, additional cleansing workers were deployed to work on the two beaches every alternate Friday to ensure a hygienic environment. Besides, as the two beaches were adjacent to each other while Rocky Bay Beach was not provided with a beach building, the venue-based cleansing workers (including the additional cleansing workers) of Rocky Bay Beach would continue providing services at Shek O Beach after finishing their daily work, so as to assist in coping with the heavy cleaning workload at Shek O Beach.

#### **E. Clean-up operations by Food and Environmental Hygiene Department**

40. With reference to paragraph 5.3 of the Audit Report, the Committee asked about the staff establishment and strength of FEHD's Environmental Hygiene Branch responsible for monitoring the clean-up operations carried out by contractor at ungazetted beaches and coastal areas under FEHD's purview.

41. **Director of Food and Environmental Hygiene** advised in her letter dated 22 December 2020 (*Appendix 24*) that FEHD's Environmental Hygiene Branch monitored the clean-up operations of shoreline refuse and other outsourced public cleansing services (e.g. street cleansing and waste collection services) through the District Cleansing Section in 19 District Environmental Hygiene Offices. Each District Cleansing Section was supported by a number of officers, namely Senior Health Inspectors ("SHIs"), Health Inspectors ("HIs"), Overseers and Senior Foremen ("SF"). The staff establishment and strength of the District Cleansing Section for contract monitoring were provided in the above letter, but breakdown specifically for monitoring clean-up operations of shoreline refuse was not available.

42. With reference to paragraph 5.6(a) of the Audit Report, the Committee enquired about the measures in place to ensure that SF would inspect at least 50% of the scheduled work sites on the day the service was provided.<sup>11</sup> **Director of Food and Environmental Hygiene (Acting)** said at the public hearing and supplemented

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<sup>11</sup> FEHD's Operational Manual for Management of Public Cleansing Contracts ("Operational Manual") stated that SF should inspect at least 50% of the scheduled work sites on the day the service was provided. However, according to paragraph 5.7(a) of the Audit Report, in three samples provided by the Islands District Environmental Hygiene Office, the work sites inspected had not been recorded on SF's Daily Inspection Reports.

in her letters dated 1 March and 10 April 2021 (*Appendices 25 and 26* respectively) that:

- in December 2020, FEHD had updated the inspection guidelines of the Operational Manual for Management of Public Cleansing Contracts ("Operational Manual") regarding the documentation of inspection frequency. SHIs in districts might exercise discretion to determine the most appropriate minimum number of inspections to be conducted at work sites in remote areas, and the relevant decisions were required to be properly documented; and
- district management had been advised to devise an inspection programme relating to SF inspection of at least 50% of the scheduled work sites on the day of providing the services.

43. Referring to paragraph 5.6(b) of the Audit Report, the Committee was concerned that there were cases of HIs and SHIs of FEHD not making use of the Contract Management System ("CMS")<sup>12</sup> to conduct checking on the Daily Inspection Reports submitted by SF at least twice and once a week respectively.<sup>13</sup> **Director of Food and Environmental Hygiene (Acting)** and **Mr TSE Ki-cheong, Senior Superintendent (Cleansing and Pest Control)**<sup>1</sup>, FEHD said at the public hearing and **Director of Food and Environmental Hygiene (Acting)** supplemented in her letter dated 10 April 2021 (*Appendix 26*) that:

- in addition to Daily Inspection Reports, SHIs and HIs could use other means to assess the contractor's performance and the supervision work of SF, including paper records, contractor's webpage with geo-tagged photographs/videos taken by the contractor to show the conditions of each work site before, during and after clean-up operation, and a separate page on "Key Inspection Report" in CMS containing locations and time of inspection and photos uploaded by SF; and
- FEHD was enhancing CMS to facilitate its supervisory staff in complying with the monitoring requirements as stated in the

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<sup>12</sup> FEHD implemented CMS in 2002 for managing the performance of public cleansing contracts. CMS contains a database of inspection records and default notices issued to contractors.

<sup>13</sup> The Operational Manual specified that HIs and SHIs should conduct checking on the Daily Inspection Reports submitted by SF, by making use of CMS of FEHD, twice and once a week respectively. However, according to paragraph 5.7(b) of the Audit Report, Audit examination on the Daily Inspection Log Reports of two District Environmental Hygiene Offices revealed that such requirement had not been fully complied with.

Operational Manual. A function would be developed to assist the district management in checking compliance of SF with inspection rate. An enhanced feature would also be added to provide log records of viewing information under the separate page on "Key Inspection Report".

44. Regarding the suspected false declaration in tender submission by Contractor X in Case 1 in paragraph 5.18 of the Audit Report, the Committee noted with concern that FEHD allowed 3 out of the 11 contracts which had been awarded to Contractor X during the period concerned to continue until expiry. The Committee asked whether FEHD had sought legal advice from the Department of Justice ("DoJ") on the follow-up actions taken against Contractor X, and how FEHD would draw on the experience for better handling of similar cases in future.

45. **Director of Food and Environmental Hygiene (Acting)** explained at the public hearing and in her letter dated 10 April 2021 (*Appendix 26*) that:

- FEHD was notified by the Immigration Department ("ImmD") on 22 October 2019 that Contractor X had one conviction record. FEHD immediately liaised with ImmD to check that they were on the same page in terms of relevant contracts involved. FEHD referred the case to the Police on 5 November 2019 for investigation and actions on the suspected false declaration made by Contractor X. A separate need for FEHD to seek legal advice had thus not arisen;
- apart from Contract D,<sup>14</sup> Contractor X was also awarded 10 contracts<sup>15</sup> under FEHD from April 2017 to October 2019. Contract D had expired in May 2019. Among the 10 contracts, three contracts had already expired by 22 October 2019 (hence no follow-up action could be taken by FEHD);
- given the lead time required for obtaining DoJ's advice on terminating the contracts concerned and the fact that seven months or so was required for completing open tender exercises for appointing new contractors, FEHD had allowed the three contracts which were due to

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<sup>14</sup> Contract D was the contract for provision of clean-up (and waste removal) services for the ungazetted beaches and coastal areas and other territorial sites under FEHD's purview for the period from 1 June 2018 to 31 May 2019.

<sup>15</sup> Director of Food and Environmental Hygiene (Acting) advised at the public hearing that these 10 contracts were street cleansing/pest control service contracts for various districts.

expire by end of April and June 2020 respectively to continue until expiry;

- FEHD had terminated the remaining four contracts before their expiry and Contractor X was not allowed to bid for non-skilled worker contracts for five years from the date of its conviction under the Immigration Ordinance (Cap. 115); and
- FEHD had followed up with ImmD and the Labour Department on the issue. In August 2020, the Labour Department provided a standardized proforma for conviction record checking for use by B/Ds.

46. Noting from Case 1 in paragraph 5.18 of the Audit Report that ImmD had inaccurately informed FEHD during the appeal period that Contractor X had no conviction under the Immigration Ordinance, the Committee asked ImmD about the follow-up actions taken to strengthen the checking procedures of conviction records and prevent recurrence of similar cases in future. **Director of Immigration** advised in his letter dated 12 April 2021 (*Appendix 27*) that in the case concerned, ImmD noticed that its officer had not updated the conviction record of the relevant contractor until the conclusion of the criminal appeal proceedings, which was not consistent with the requirement set out in the relevant Financial Circular.<sup>16</sup> To ensure comprehensive understanding of the requirements in the relevant Financial Circular, ImmD had briefed the staff concerned at once whilst a new instruction was issued to all staff concerned for compliance. At the same time, ImmD had also strengthened the internal checking procedures to ensure that all replies were given accurately.

47. The Committee noted from paragraph 5.19 of the Audit Report that the Central Tender Board had commented that the over-reliance on a single contractor was undesirable from the risk management perspective in May 2018. In addition, it was stated in the Financial Services and the Treasury Bureau Circular Memorandum No. 4/2019 "Concentration Risk in relation to Cleansing and Security Service Contracts" ("Financial Circular No. 4/2019") that B/Ds were encouraged to, among others, restrict the number of contracts to be awarded to the same tenderer if a tender involved more than one contract. The Committee sought explanation as to why FEHD had not imposed any restriction on awarding the clean-up service for Districts Groups I and II under Contract E to Contractor Y.

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<sup>16</sup> Please refer to paragraph 5.18 of the Audit Report for details.

48. **Director of Food and Environmental Hygiene (Acting)** explained at the public hearing and in her letter dated 10 April 2021 (*Appendix 26*) that:

- the Central Tender Board advised in May 2018 in the context of Contract D (involving a one year contract from 1 June 2018 to 31 May 2019 covering all districts) that as Government's over-reliance on a single contractor was undesirable from the risk management perspective, FEHD should explore whether there would be better options, other than combining the three District Groups Contracts into one territory-wide Contract;
- in processing the tender exercise for Contract E since July 2018, FEHD had split the Contract into two District Groups Contracts (Groups I and II) having regard to its operational needs;
- decision on Contract E had already been made by the Central Tender Board before Financial Circular No. 4/2019 was issued. The Circular in force at the time of processing the tender for Contract E did not mention anything about restriction on the number of contracts to be awarded to the same tenderer if a tenderer was involved in more than one contract; and
- FEHD was about to renew the contracts for the clean-up service for Districts Groups I and II and would impose a restriction to the effect that the contracts could not be awarded to a single contractor.

49. The Committee further asked whether FEHD had taken due consideration of the prevailing market conditions and struck a balance between competition and efficiency when imposing the aforesaid restriction. **Director of Food and Environmental Hygiene (Acting)** said at the public hearing and supplemented in her letter dated 10 April 2021 (*Appendix 26*) that:

- with a view to promoting competition as required in Financial Circular No. 4/2019, FEHD had imposed tender clauses for the clean-up service for Districts Groups I and II from 1 June 2021 to 31 May 2023 ("the future Contract F") to restrict the number of contracts to be awarded to the same tenderer if a tenderer was involved in more than one contract;
- in considering the imposition of the restriction, FEHD had to strike a fine balance to all relevant factors. The restriction would help

manage the concentration risk of over-reliance on a single contractor. Other relevant factors included the feasibility of imposing the restriction in terms of the availability of service providers in the market, tender response rates, the terms of services obtained and the issue of fairness as perceived by tenderers; and

- to pre-empt any risk of tenderers challenging the restriction imposed, FEHD had obtained clearance from DoJ by justifying the restriction from the perspectives of safeguarding public interest or protecting public safety or health.

50. Noting from paragraph 5.23 of the Audit Report that the actual hours of service provided by the cleansing contractor for Islands and Sai Kung Districts from June 2019 to May 2020 were significantly less than the estimated hours included in the contract (38.3% of the estimated hours of service for Islands District and 53.3% for Sai Kung District), the Committee enquired how FEHD could come up with a more realistic estimation on the hours for completing the clean-up service in Contract F.

51. **Director of Food and Environmental Hygiene (Acting)** said at the public hearing and supplemented in her letter dated 10 April 2021 (*Appendix 26*) that FEHD had taken into consideration the actual hours of service provided by the contractor under Contract E and the information of refuse washed ashore at priority sites gathered by the 360-degree camera system to work out a more realistic estimation of hours of service in the future Contract F. The total estimated hours for clean-up service in the future Contract F were 157 358 (17.94% less than that in Contract E).

## **F. Other related issues**

### Publicity and public engagement efforts in promoting shoreline cleanliness

52. With reference to paragraphs 6.2 to 6.12 of the Audit Report, the Committee sought information on EPD's publicity and educational work on promoting shoreline cleanliness and the expenditure incurred. **Director of the Environmental Protection** and **Assistant Director (Water Policy), EPD** said at the public hearings and **Director of the Environmental Protection** supplemented in her letter dated 9 April 2021 (*Appendix 28*) that EPD had been promoting the message to the public through the Clean Shorelines thematic website, social media pages and on-site publicity and educational activities organized in collaboration with other departments.



The expenditures on the promotional and educational work conducted in the financial years from 2018-2019 to 2020-2021 were \$452,000, \$1,077,000 and \$1,062,000 respectively.

53. Referring to paragraph 6.3 of the Audit Report, the Committee asked about the details of the Clean Shorelines Liaison Platform ("the Platform"). **Assistant Director (Water Policy), EPD** said at the public hearings and **Director of the Environmental Protection** supplemented in her letter dated 9 April 2021 (*Appendix 28*) that:

- EPD had kept in contact with over 600 green groups, community organizations, individuals, schools, companies and other units through the Platform. The Platform comprised a thematic website, social media pages, a designated hotline and an e-mail box;
- the thematic website introduced the Administration's strategies and measures on marine refuse management, statistics, cleanliness gradings of priority sites, etc. and provided information required for organizing coastal clean-up activities, including support available from B/Ds, etc.; and
- EPD used the interactive functions of social media pages to make new public appeals and solicit feedback. For instance, EPD was producing promotional video clips on different topics about clean shorelines from multiple perspectives for posting on the social media pages.

54. Noting from paragraph 6.7 of the Audit Report that EPD had outsourced the maintenance of two Clean Shorelines social media pages to a contractor, the Committee enquired about the contractor's duties and the contract sum. **Assistant Director (Water Policy), EPD** said at the public hearings and **Director of the Environmental Protection** supplemented in her letter dated 9 April 2021 (*Appendix 28*) that the main duties of the contractor included the design and management of the social media pages, development of the social media plan/strategy, shooting and production of promotional video clips, interacting with the public, etc. The contract sum was \$1,190,000 for a period of 15 months.

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Using 360-degree camera system to monitor remote coastal sites

55. With reference to paragraphs 6.14 to 6.17 of the Audit Report, the Committee enquired about the causes of malfunctioning of 360-degree cameras,<sup>17</sup> the remedial actions taken by FEHD and the contractor, and the penalty measures instigated on the contractor in this regard. **Director of Food and Environmental Hygiene (Acting)** and **Senior Superintendent (Cleansing and Pest Control)**<sup>1</sup>, **FEHD** said at the public hearing and **Director of Food and Environmental Hygiene (Acting)** supplemented in her letter dated 10 April 2021 (*Appendix 26*) that:

- the application of the 360-degree camera system for monitoring remote and hard-to-reach coastal sites was a trial scheme. Teething problems encountered in pioneering an innovative venture were inevitable. Successful data transmission of the captured photos from the camera system presented great challenges. Other causes of malfunctioning of the camera system included delicate devices of the system were susceptible to the high salty and humid environment, the deposit of salt on the camera cover affected the capture of images, the camera was stolen, etc.;
- FEHD had deducted about \$364,000 of service charge upon detection of malfunctioned services provided by the contractor;
- the technical problems on the on-line data transmission were subsequently rectified. The contractor also carried out proactive improvements, e.g. using double water-proof casing to protect devices and installing remote control water sprayers to clear the salt deposit on the camera covers to capture better images;
- FEHD had sought advice from the Office of the Communications Authority to deal with weak mobile signals at some remote locations. The camera system worked well from January to March 2021;
- under the new contract (from 1 May 2021 to 30 April 2023), default notice might be issued in respect of substandard contractor's performance (e.g. failing to provide images) with deduction of service charge in the form of liquidated damages; and

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<sup>17</sup> FEHD extended the trial scheme of hiring 360-degree cameras at remote areas to cover 15 priority sites from March 2020 to February 2021. For the data received from the camera system from 1 March to 31 May 2020, no images were received from 10 (67%) of the 15 priority sites for a period of 31 to 91 days, and for the six cameras installed in the Islands District, there was a total of 301 camera-days without image received.

- FEHD had reminded its staff to keep proper record on the causes of malfunctioning of the camera system and the follow-up actions taken.

56. On the Committee's enquiry about the effectiveness of the 360-degree camera system in the monitoring of shoreline refuse in the 15 priority sites and whether FEHD would extend the camera system to cover other priority sites under FEHD's purview in future, **Director of Food and Environmental Hygiene (Acting)** said at the public hearing and supplemented in her letters dated 1 March and 10 April 2021 (*Appendices 25 and 26* respectively) that:

- the 15 priority sites were mostly located in remote areas that were not readily accessible. The use of 360-degree cameras enabled real-time monitoring by FEHD without having to travel for long time to these locations for site inspections. Monitoring work and the arrangement for clean-up operations could hence be expedited. The images could also assist in monitoring the contractor's clean-up performance;
- between March 2020 and January 2021, there were nine occasions in which FEHD found abnormal increase in the accumulation of shoreline refuse by reviewing the images captured by 360-degree cameras. Clean-up services were arranged to the relevant locations; and
- the 360-degree camera system could be extended to cover other priority sites under FEHD's purview if the situation warranted. The 15 priority sites in the contract had been reviewed with some changes.

57. Noting from Note 40 to paragraph 6.14 of the Audit Report that the 360-degree camera system would blur the face of any individuals in images captured to an unrecognizable level for privacy protection, the Committee enquired whether FEHD would consider seeking advice from DoJ on the feasibility of using the camera system to facilitate enforcement actions against marine or nearshore littering.

58. **Director of Food and Environmental Hygiene (Acting)** said at the public hearing and supplemented in her letter dated 10 April 2021 (*Appendix 26*) that images obtained from the 360-degree camera system were insufficient to serve as evidence for enforcement actions against littering offences. At present, FEHD had no plan to seek advice from DoJ or the Office of the Privacy Commissioner for Personal Data on using the camera system to facilitate the enforcement actions against shoreline littering.

Provision of more water dispensers at gazetted beaches

59. The Committee noted with concern that as revealed in Case 2 in paragraph 6.28 of the Audit Report, LCSD took more than four years to complete the installation of water dispensers in Tong Fuk Beach. The Committee asked for the reasons for the long time taken to install the water dispensers and the expenditure incurred.

60. **Director of Leisure and Cultural Services** and **Assistant Director (Leisure Services)**<sup>1</sup>, LCSD explained at the public hearing and **Director of Leisure and Cultural Services** supplemented in his letter dated 9 April 2021 (*Appendix 23*) that:

- based on past experience, it normally took about two years to install water dispensers at LCSD's outdoor land-based venues (e.g. parks) served with a full range of infrastructure. As the ancillary facilities of beaches were generally not comparable with those of land-based venues, installation works at beaches usually took about three years;
- Tong Fuk Beach was relatively remote and lacked ancillary infrastructure, the works departments needed more time to carry out the preparatory work for the installation of water dispensers, such as assessment of implications to existing plumbing, drainage and electrical systems; exploration of design alternatives to cope with site constraints and the seeking of approval from the Water Services Department for the design proposal;
- LCSD proposed to the Architectural Services Department ("ArchSD") to increase the number of water dispensers to be installed at Tong Fuk Beach from one to two during the course of the preparatory work. As a result, ArchSD had to revise the proposal and submit revised drawings to the Water Services Department. Learning from the experience of this case, LCSD would avoid requesting for change of details of works after commencement of the project except when necessary; and
- the total expenditure for the installation of water dispensers at Tong Fuk Beach was \$240,000, including the works cost paid to ArchSD and the Electrical and Mechanical Services Department.

61. The Committee further sought information on the water dispensers installed at gazetted beaches in the past three years, including the time taken for installing the water dispensers and the expenditure involved. The Committee also asked about the timetable and latest progress of installing water dispensers in gazetted beaches and the measures to be taken by LCSD to expedite the progress.

62. **Director of Leisure and Cultural Services** advised in his letter dated 9 April 2021 (*Appendix 23*) that:

- LCSD provided water dispenser facilities at nine gazetted beaches over the past three years, involving a total of 19 water dispensers. The expenditure for each water dispenser ranged from \$50,000 to \$120,000 and installation took 23 to 56 months;
- as at 31 March 2021, 29 of 41 beaches of LCSD were provided with water dispensers;
- among the 12 beaches not yet provided with water dispensers, the installation works at two beaches (i.e. Ting Kau Beach and Hoi Mei Wan Beach) would be completed within 2021, and the installation at six beaches (i.e. Gemini Beaches, Kwun Yam Beach, Cheung Chau Tung Wan Beach, Silver Mine Bay Beach, Anglers' Beach and Trio Beach) were expected to be completed in 2022 and 2023. Casam Beach, Kiu Tsui Beach and Hap Mun Bay Beach could not be provided with water dispensers due to the lack of infrastructure, such as water supply or sewage disposal system. Regarding Rocky Bay Beach which was not provided with a beach building, associated ancillary facilities and lifesaving service, LCSD would assess whether there was a need to provide water dispenser facilities there as soon as possible;
- LCSD would enhance liaison with relevant works departments so as to speed up installation of water dispensers as far as practicable and explore the feasibility of applying innovative technology in future; and
- progress of any new installation of water dispensers at LCSD's venues had to be reported periodically to district management staff for the purposes of monitoring and escalating the issue to management staff for discussion with relevant works departments when necessary.

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**G. Conclusions and recommendations**

<p><b>Overall comments</b></p>
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63. The Committee:

- notes that the Environment Bureau ("ENB") coordinated the establishment of the Inter-departmental Working Group on Clean Shorelines in 2012 (revamped and renamed as the Inter-departmental Working Group on Marine Environmental Management in 2018) (the "Working Group") to enhance the collaborative efforts among relevant departments<sup>18</sup> in tackling marine refuse. The Working Group is chaired by Permanent Secretary for the Environment, with the Environmental Protection Department ("EPD") as the secretariat;<sup>19</sup>
- stresses that:
  - (a) a specific and measurable performance target and timetable for improving the cleanliness of shorelines are integral to creating a shared vision among member departments of the Working Group and enabling effective monitoring of the progress of the collaborative efforts in tackling marine refuse; and
  - (b) as the Agriculture, Fisheries and Conservation Department ("AFCD"), the Leisure and Cultural Services Department ("LCSD") and the Food and Environmental Hygiene Department ("FEHD") are all responsible for cleaning up shoreline refuse at the respective locations within their purviews,<sup>20</sup> their adoption and consistent use of a common set of criteria for assessing the cleanliness conditions of their respective service locations is of

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<sup>18</sup> While floating refuse is collected by the Marine Department, shoreline refuse is collected by the Agriculture, Fisheries and Conservation Department ("AFCD"), the Leisure and Cultural Services Department ("LCSD") and the Food and Environmental Hygiene Department ("FEHD"). Please refer to Chapter 1 of Part 4 of this report on collection and removal of marine refuse by the Marine Department.

<sup>19</sup> The Working Group's membership also includes representatives from the four departments involved in collection of marine refuse, namely the Marine Department, AFCD, LCSD and FEHD, and four other departments, namely the Drainage Services Department, the Fire Services Department, the Home Affairs Department and the Hong Kong Observatory.

<sup>20</sup> The shoreline clean-up work of AFCD, LCSD and FEHD is mainly outsourced to contractors.

fundamental importance in achieving the common target of improving the cleanliness of shorelines;

Inter-departmental Working Group on Marine Environmental Management

- expresses concern that ENB has not demonstrated that it had exerted its best efforts to steer the Working Group towards maximizing the collaborative efforts made by member departments in tackling shoreline refuse, as evidenced by the following:
  - (a) no performance target nor timetable has been set by the Working Group for improving the cleanliness of shorelines; and
  - (b) there are some areas along Hong Kong shorelines which do not fall within the purview of any government bureaux/departments (e.g. the back-of-beach area of Lung Kwu Chau). Such an arrangement is not conducive to maintaining the cleanliness of such areas;
- urges that ENB should:
  - (a) set specific measurable performance target and timetable for improving shoreline cleanliness, for example, set a target and timetable for achieving "Grade 1 - Clean" of the Shoreline Cleanliness Grading System ("the System") devised by EPD<sup>21</sup> in more coastal sites;
  - (b) assign a department to take up the responsibility to ensure the cleanliness of the shoreline areas which do not fall within the purview of any bureaux/departments; and
  - (c) explore the wider use of information technology to facilitate member departments' work in tackling shoreline refuse;
- expresses concern that AFCD, LCSD and FEHD are not using the System to assess the cleanliness conditions of their respective service locations, which is not conducive to achieving a common target of improving the cleanliness of shorelines;

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<sup>21</sup> The System was devised by EPD to assess and evaluate the cleanliness conditions of coastal sites. Please refer to Figure 5 in paragraph 2.4 of the Director of Audit's Report ("Audit Report") for details.

- notes that AFCD has formulated a new guideline which requires its staff to assess the cleanliness conditions of the service locations by making reference to the System. LCSD will incorporate the performance standards on cleanliness conditions of gazetted beaches in future tenders with reference to the System. FEHD will update its guidelines to set out a benchmark on the level of cleanliness for the contractor to achieve in the next contract;
- urges that ENB should require AFCD, LCSD and FEHD to adopt the same standard in the System in assessing the cleanliness conditions of their respective service locations;

Handling of surge of marine refuse by the Environmental Protection Department

- expresses concern about EPD's ineffectiveness in handling surge of marine refuse in Hong Kong, as evidenced by the pork hock incident revealed in the Director of Audit's Report ("Audit Report").<sup>22</sup> As pork hocks did not meet the broad classification of marine refuse (i.e. plastics, metal, glass, processed timber, paper, porcelain, rubber and cloth), EPD had not activated the protocol for handling surge of marine refuse in Hong Kong ("the Protocol");<sup>23</sup>
- notes that EPD has updated the Protocol in February 2021 to include a new activation condition, so as to cover other possible scenarios of unusual objects arising on sea surfaces or at shores and beaches;
- urges that EPD should:
  - (a) be alert to significant environmental incidents in neighbouring regions and implement the Protocol with flexibility and in a more vigilant and sensible manner; and

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<sup>22</sup> Some pork hocks were found on the beaches in Tuen Mun and Tsuen Wan Districts a few days after a large quantity of pork hocks had been found on the beaches in Humen, Dongguan, Guangdong Province in July 2020. Please refer to paragraphs 2.21 to 2.27 of the Audit Report for details.

<sup>23</sup> EPD and the authorities in Guangdong Province launched a regional notification and alert mechanism in May 2017 allowing one side to notify the other of heavy rain or significant environmental incidents. EPD has also compiled a protocol for handling surge of marine refuse in Hong Kong due to typhoon, heavy rainfalls, or significant environmental incidents.



- (b) improve collaboration with the Mainland authority under the existing regional notification and alert mechanism for better handling of similar incidents in future;

Handling of large floating objects by the Agriculture, Fisheries and Conservation Department

- expresses serious concern and disappointment that AFCD has taken seven months to remove two large pipe structures found at Sha Chau and Lung Kwu Chau Marine Park.<sup>24</sup> Such large floating objects may endanger the navigational safety of vessels;
- notes that the Marine Department has agreed to render assistance as appropriate when AFCD encounters difficulties in removing large floating objects in Marine Parks/Marine Reserve in future;
- urges that AFCD should develop a mechanism for better handling of large floating objects found in Marine Parks/Marine Reserve in future;

Requests for additional cleansing workers at gazetted beaches by the Leisure and Cultural Services Department

- expresses concern that LCSD staff had not documented justifications for the requests for additional cleansing workers. Moreover, the provision of four additional cleansing workers in Rocky Bay Beach from June 2018 to March 2020 did not appear to be justified as the beach was not open to the public for swimming and did not have any related facilities (i.e. toilets, changing rooms and barbeque sites);<sup>25</sup>
- notes that:
  - (a) members of the public may visit Rocky Bay Beach, which is situated in Shek O picnic area and adjacent to Shek O Beach. In view of the increase in the number of visitors to the two beaches during summer and weekends, additional cleansing workers were deployed to work on the two beaches to ensure a hygienic environment; and

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<sup>24</sup> Please refer to paragraphs 3.11 to 3.14 of the Audit Report for details.

<sup>25</sup> Please refer to paragraph 4.14 of the Audit Report for details.

- (b) LCSD has reminded its management staff of gazetted beaches to manage requests of providing additional cleansing workers in accordance with the established contract management mechanism, and document the justifications for and the approval of the requests;
- urges LCSD to strengthen the controls on the provision of additional workers and ensure that the requests for additional cleansing workers are fully justified, with justifications being properly documented and authorized;

Tendering of cleansing services by the Food and Environmental Hygiene Department

- expresses concern that while the Central Tender Board had commented that the over-reliance on a single contractor was undesirable from the risk management perspective in May 2018, FEHD had not imposed any restriction in the tender of the clean-up service contracts for the ungazetted beaches and coastal areas and other territorial sites under its purview in 2019, resulting in the award of the contracts to the same contractor;
- notes that FEHD has, upon obtaining clearance from the Department of Justice ("DoJ"), taken follow-up actions on imposing restriction to the effect that its next clean-up service contracts cannot be awarded to a single contractor; and
- urges that although awarding more than one contract to a single contractor is undesirable from the perspectives of risk management and promotion of competition, FEHD should also take due consideration of the prevailing market conditions and strike a balance between competition and efficiency when deciding whether to impose the above restriction in future.

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<b>Specific comments</b>
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64. The Committee:

Monitoring of shoreline cleanliness by the Environmental Protection Department

- expresses concern that there were inadequacies in the monitoring of shoreline cleanliness by EPD as evidenced by the following:
  - (a) the Audit Commission ("Audit") examined the inspection records of EPD between November 2017 and December 2019 and found deviations from the planned timeframe<sup>26</sup> in 24 re-inspections (up to a delay of 106 days in one case);<sup>27</sup>
  - (b) EPD had not reported the monitoring records and statistics of priority sites from November 2017 to December 2019 to the Working Group;
  - (c) EPD had not regularly promulgated in the public domain the cleanliness conditions of coastal sites from April 2015 to August 2020; and
  - (d) while the cleanliness conditions of the 29 priority sites (updated in November 2017) generally improved from January 2018 to mid August 2020 and some non-priority sites (e.g. the Brothers Marine Park) attained worse cleanliness gradings as compared with the priority sites, EPD had not conducted another review of the priority sites;
- notes that:
  - (a) since mid January 2020, EPD has ceased deploying its staff to conduct routine inspections and engaged a contractor to conduct on-site inspections of the 29 priority sites monthly and 90 other

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<sup>26</sup> According to EPD's monitoring regime, it was planned that priority sites would be re-inspected within one to six months based on the cleanliness grading in the previous inspection.

<sup>27</sup> Please refer to paragraph 2.9 of the Audit Report for details.

coastal sites quarterly.<sup>28</sup> When renewing the contract, EPD will, having regard to the cleanliness conditions of the inspection locations in the past year, review and update the list of inspection locations and adjust the inspection frequencies;

- (b) EPD has also engaged another contractor to deploy unmanned aircraft systems ("UAS") for shoreline surveillance since May 2020 under a trial project;
  - (c) upon expiry of the UAS contract in May 2021, EPD will conduct an in-depth comparison study between UAS inspection and on-site inspection;
  - (d) EPD will report the monitoring results of coastal sites to the Working Group in due course;
  - (e) EPD has uploaded the annual average cleanliness grading for each of the 29 priority sites onto the Clean Shorelines thematic website in February 2021 for public inspection; and
  - (f) Director of Environmental Protection has agreed with Audit's recommendation that it should draw on the experience of the in-house inspections in monitoring contractors' inspections of coastal sites and reporting of inspection results;
- recommends EPD to:
- (a) make effective use of UAS inspection and helicopter aerial surveillance to supplement on-site inspection so as to better monitor the cleanliness conditions of shorelines; and
  - (b) upload the updated photos of the 119 coastal sites onto the Clean Shorelines website for public inspection more frequently;

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<sup>28</sup> In the 2018 Policy Address, the Government pledged to put in more efforts in enhancing the shoreline surveillance and clean-up programme to a territorial scale. The shoreline cleanliness monitoring programme was scaled up to cover 119 coastal sites (i.e. 29 priority sites and 90 non-priority sites) from January 2020.

Clean-up operations by the Agriculture, Fisheries and Conservation Department

- expresses serious concern about the inadequacies in the clean-up operations of AFCD as evidenced by the following:
  - (a) Audit examination of 772 inspection records of AFCD from 1 April 2019 to 31 March 2020 revealed that AFCD staff had not taken adequate follow-up actions on 12 cases of suspected absence from duty of contractors' staff;<sup>29</sup>
  - (b) the inspection forms used by AFCD patrol staff were not standardized and some important information (such as departure time of the contractors' staff) was missing in the inspection forms;
  - (c) the contract provisions of five Marine Parks and the Marine Reserve<sup>30</sup> did not require the contractors to report the arrival and departure times of their staff, and only one cleansing contract specified that the contractor should submit digital images of the sites before and after completion of services;
  - (d) a large quantity of refuse was accumulated along the shorelines of the Brothers Marine Park as found in Audit's site visits on 24 July and 24 August 2020;<sup>31</sup> and
  - (e) there is no penalty clause in the current cleansing contracts to deter contractors from breaching the terms of the contracts;
- notes that:
  - (a) AFCD has subsequently followed up the 12 cases of suspected absence from duty of contractors' staff and found no evidence of non-provision of service by contractors;
  - (b) AFCD has required contractors to report the arrival and departure times of their staff and provide photos/video clips before and after completion of services in new cleansing contracts. AFCD has

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<sup>29</sup> Please refer to paragraph 3.5(a)(i) of the Audit Report for details.

<sup>30</sup> AFCD is responsible for the cleanliness of six Marine Parks, one Marine Reserve, and shorelines of 24 country parks and 11 designated special areas outside the country parks in Hong Kong.

<sup>31</sup> Please refer to paragraphs 3.19 to 3.21 of the Audit Report for details.

also formulated a new guideline which requires its patrol staff to record findings of abnormalities related to cleansing services and the follow-up actions taken;

- (c) AFCD has increased the cleansing frequency of the Brothers Marine Park since November 2020;
  - (d) AFCD is considering adding a condition to the contracts specifying that wilful provision of false attendance record by contractors may result in a breach of the terms of the contracts; and
  - (e) Director of Agriculture, Fisheries and Conservation has agreed with Audit's recommendations relating to the monitoring of clean-up operations by AFCD and the cleanliness conditions of Marine Parks and Marine Reserve in paragraphs 3.8 and 3.22 of the Audit Report;
- recommends that AFCD should:
- (a) consider introducing penalty clauses in future cleansing contracts to deter contractors from breaching the terms of the contracts;
  - (b) ensure that its staff will closely monitor the performance of cleansing contractors and take effective follow-up actions against non-compliance with contract requirements by contractors; and
  - (c) consider further increasing the cleaning frequency of Marine Parks and Marine Reserve if necessary to ensure cleanliness of such areas;

#### Clean-up operations by the Leisure and Cultural Services Department

- expresses concern that there were inadequacies in the collection of shoreline refuse data by LCSD as evidenced by the following:
- (a) LCSD had not laid down procedures in contracts/guidelines on how to classify, count and weigh refuse collected;
  - (b) no record was available showing when and how LCSD determined the estimated weight for each bag/bin of refuse and whether LCSD had regularly calibrated the estimated weight.

Variations were found in the estimation of refuse weight in different beaches; and

- (c) no record was available showing that LCSD had monitored the fluctuations in shoreline refuse data collected and investigated any abnormal fluctuations;
- notes that:
  - (a) LCSD will review and standardize the classification of shoreline refuse in bathing beaches, review the method of estimating refuse weight and pay attention to checking the shoreline refuse data accuracy; and
  - (b) Director of Leisure and Cultural Services has agreed with Audit's recommendations relating to the collection and removal of shoreline refuse at gazetted beaches in paragraph 4.16 of the Audit Report;

Clean-up operations by the Food and Environmental Hygiene Department

- expresses serious concern that there were inadequacies in the clean-up operations by FEHD as evidenced by the following:
  - (a) there were cases of work sites inspected by Senior Foremen of FEHD not recorded on their Daily Inspection Reports;<sup>32</sup>
  - (b) there were cases of Health Inspectors and Senior Health Inspectors of FEHD not making use of the Contract Management System to conduct checking on the Daily Inspection Reports submitted by Senior Foremen at least twice and once a week respectively,<sup>33</sup> contrary to the requirement of FEHD's Operational Manual for Management of Public Cleansing Contracts;
  - (c) FEHD had not laid down procedures in the contract on how to estimate the quantity of shoreline refuse collected;

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<sup>32</sup> Without such information, Audit could not ascertain whether the 50% target inspection rate for Senior Foremen as stipulated in FEHD's Operational Manual for Management of Public Cleansing Contracts had been achieved. Please refer to paragraph 5.7(a) of the Audit Report for details.

<sup>33</sup> Please refer to paragraph 5.7(b) of the Audit Report for details.

- (d) a large quantity of refuse was found along the shoreline of Ting Kok Road and Shui Hau by Audit in June and August 2020 respectively, which had not yet been fully cleaned up by the contractor up to mid September 2020; and
  - (e) the actual hours of service provided by the cleansing contractor for Islands and Sai Kung Districts from June 2019 to May 2020 were significantly less than the estimated hours included in the contract (38.3% of the estimated hours of service for Islands District and 53.3% for Sai Kung District);
- notes that:
  - (a) FEHD will lay down procedures for estimating the quantity of the shoreline refuse collected in the renewed contract in June 2021;
  - (b) FEHD has taken into consideration the actual hours of service provided by the contractor under the current contract, as well as the information of refuse washed ashore at priority sites gathered by the 360-degree camera system to work out a more realistic estimation of hours of service for future clean-up service contracts; and
  - (c) Director of Food and Environmental Hygiene has agreed with Audit's recommendations relating to the monitoring of clean-up operations, cleanliness of priority sites, supervision of contractor's work and tendering of clean-up services in paragraphs 5.10, 5.14 and 5.24 of the Audit Report;
- expresses grave concern and disappointment that regarding the suspected false declaration in tender submission by Contractor X in Case 1 in paragraph 5.18 of the Audit Report, FEHD had not sought legal advice from DoJ on the follow-up actions to be taken against Contractor X, but instead allowed 3 out of the 11 contracts which had been awarded to Contractor X during the period concerned to continue until expiry;
- notes that:
  - (a) given the lead time required for obtaining DoJ's advice on terminating the contracts concerned and the fact that seven months or so was required for completing open tender exercises for



appointing new contractors, FEHD had, in late 2019, allowed the three contracts which were due to expire by end of April and June 2020 respectively to continue until expiry; and

(b) FEHD has referred the case of suspected false declaration made by Contractor X to the Police for investigation, terminated 4 out of the 11 contracts which had been awarded to Contractor X, and Contractor X was not allowed to bid for non-skilled worker contracts for five years from the date of its conviction under the Immigration Ordinance (Cap. 115);

- urges FEHD to consult DoJ for better handling of cases similar to Case 1 in future;

#### Other related issues

##### *Publicity and public engagement efforts in promoting shoreline cleanliness by EPD*

- expresses concern that there were a number of errors in the figures reported in the monthly analytical reports submitted by the contractor of two Clean Shorelines social media pages,<sup>34</sup> and EPD had cancelled a planned survey in 2016 to gauge the public impression on shoreline cleanliness;
- notes that Director of Environmental Protection has agreed with Audit's recommendations relating to the publicity and public engagement efforts in promoting shoreline cleanliness in paragraph 6.11 of the Audit Report;
- urges EPD to enhance its educational and promotion work to increase the public awareness of reducing marine refuse;

##### *Using 360-degree camera system to monitor remote coastal sites by FEHD*

- expresses concern about FEHD's inadequacies in using the 360-degree camera system to monitor the cleanliness conditions of remote coastal sites, as evidenced by the following:

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<sup>34</sup> Please refer to paragraph 6.8 of the Audit Report for details.

- (a) from 1 March to 31 May 2020 (92 days), no images were received from 10 of the 15 priority sites for a period of 31 to 91 days. For the six cameras installed in the Islands District, there was a total of 301 camera-days without image received; and
  - (b) no follow-up actions on malfunctioning cameras were recorded by FEHD staff, rendering it difficult to ascertain whether the contractor complied with the contract requirement of 24-hour response time;
- notes that:
  - (a) FEHD has deducted about \$364,000 of service charge upon detection of malfunctioned services provided by the contractor;
  - (b) the contractor has taken remedial actions to solve the connectivity problems. FEHD has sought advice from the Office of the Communications Authority on finding solutions to deal with weak mobile signals at some remote locations;
  - (c) FEHD has incorporated punitive clauses in the future two-year contract (from 1 May 2021 to 30 April 2023) which provide that default notice may be issued in respect of substandard contractor's performance (e.g. failing to provide images) with deduction of service charge in the form of liquidated damages; and
  - (d) FEHD has reminded its staff to keep proper record on the causes of malfunctioning of the camera system and the follow-up actions taken;
- urges FEHD to step up the monitoring of the performance of the contractor and impose penalties against the contractor as and when appropriate, with a view to deterring non-compliance with the terms of the contract;
- recommends FEHD to seek advice from DoJ or the Office of the Privacy Commissioner for Personal Data on using the 360-degree camera system to facilitate the enforcement actions against shoreline littering;

*Enforcement against marine littering*

- expresses grave concern and disappointment that from 2010 to 2019, AFCD only took enforcement actions on eight marine littering cases in 3 of the 10 years (2010, 2011 and 2014), and LCSD only gave verbal advice without taking any prosecution action;
- notes that Director of Agriculture, Fisheries and Conservation and Director of Leisure and Cultural Services have agreed with Audit's recommendation on stepping up enforcement actions against marine littering as stated in paragraph 6.23 of the Audit Report;

*Provision of water dispensers at gazetted beaches by LCSD*

- is surprised and expresses serious concern that as at 31 March 2021, water dispensers were only provided in 29 (71%) of 41 gazetted beaches and the time taken to install water dispensers in some beaches was long (it took more than four years to complete the installation of water dispensers in Tong Fuk Beach);
- notes that LCSD will enhance liaison with the relevant works departments so as to speed up installation of water dispensers as far as practicable and explore the feasibility of applying innovative technology in future; and
- urges LCSD to conduct a cost and benefit analysis for the installation of water dispensers at gazetted beaches and explore more effective measures to expedite the installation progress and lower the cost of installation.

<b>Follow-up action</b>
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65. The Committee wishes to be kept informed of the progress made in implementing the various recommendations made by the Committee and Audit.

## **A. Introduction**

The Audit Commission ("Audit") conducted a review to examine the efforts of the Home Affairs Department ("HAD") in facilitating building management.

2. Hon Paul TSE Wai-chun declared that he served as legal adviser for a number of owners' corporations ("OCs"). Hon SHIU Ka-fai declared that he was unremunerated honorary or honorary adviser/member to some non-governmental organizations or trade associations. Hon Tony TSE Wai-chuen declared that he was the Chairperson of the Property Management Services Authority.

### Background

3. The Administration's policy is to encourage and assist property owners to form appropriate owners' organizations, such as OCs, for effective building management and to assist owners to discharge their management responsibilities. The Building Management Ordinance (Cap. 344) ("BMO") provides a legal framework to facilitate the incorporation of owners and provides for matters connected with building management.

4. The Secretary for Home Affairs is the authority of BMO. HAD, being the executive arm of the Home Affairs Bureau ("HAB"), assists owners of private buildings to form owners' organizations and deal with building management matters through various support services. Apart from a dedicated division in its Headquarters responsible for coordinating building management matters, HAD has set up District Building Management Liaison Teams ("DBMLTs") comprising Liaison Officers ("LOs") in the 18 District Offices ("DOs") to provide relevant support services at the district level. In 2020-2021, there were 145 LOs in HAD's Headquarters and DBMLTs engaged in building management duties.

5. The Committee held one public hearing on 10 March 2021 to receive evidence on the findings and observations of the Director of Audit's Report ("Audit Report").

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The Committee's Report

6. The Committee's Report sets out the evidence gathered from witnesses. The Report is divided into the following parts:

- Introduction (Part A) (paragraphs 1 to 12);
- Support services for the formation of owners' corporations (Part B) (paragraphs 13 to 40);
- Support services on other building management matters (Part C) (paragraphs 41 to 57);
- Other administrative matters (Part D) (paragraphs 58 to 62); and
- Conclusions and recommendations (Part E) (paragraphs 63 to 65).

Opening remarks

7. **Mr John CHU Nai-cheung, Director of Audit**, gave a brief account of the Audit Report at the beginning of the Committee's public hearing held on 10 March 2021. The full text of his speech is in *Appendix 29*.

8. **Mr Caspar TSUI Ying-wai, Secretary for Home Affairs**, made an opening statement at the beginning of the Committee's public hearing held on 10 March 2021. The full text of his opening statement is in *Appendix 30*.

Performance indicators on facilitating building management

9. With reference to paragraph 1.17 of the Audit Report, the Committee asked whether HAD would consider including in its Controlling Officer's Reports the performance indicators on "Visits to buildings with owners' corporations/mutual aid committees/owners' committees/residents' organizations" and "Visits to buildings without any form of management", which were replaced in 2017 by another indicator on "Liaison with owners/management bodies of private buildings".

10. **Miss Janice TSE Siu-wa, Director of Home Affairs** responded at the public hearing and further explained in her letter dated 30 March 2021 (*Appendix 31*)

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that such change was to recognize the closer and more frequent liaison of DBMLTs with owners/management bodies by electronic means, in addition to the traditional means of conducting physical visits. The actual number of liaisons conducted since 2017 was 57 926 (2017), 62 147 (2018) and 58 855 (2019) respectively. In 2020, HAD conducted 77 094 times of liaison, which were attributable to the increase in liaison work arising from the pandemic as well as ad hoc requests from other bureaux/departments ("B/Ds") for promotion of various Government subsidy schemes.

11. The Committee further asked whether HAD would adjust upward the estimates for the two indicators on "Liaison with owners/management bodies of private buildings" and "Building management educational and publicity programmes", which remained largely unchanged from 2017 to 2020.

12. **Director of Home Affairs** responded in her letter dated 30 March 2021 (*Appendix 31*) that the estimated target for the indicator on "Liaison with owners/management bodies of private buildings" was already adjusted upward by 18% from 60 000 in 2020 to 71 000 in 2021. As for the indicator on "Building management educational and publicity programmes", in view of the continuation of the pandemic and the possible impact of social distancing measures on the implementation of the programmes, an estimated target similar to those in previous years had been adopted. HAD would review the targets and make adjustment where necessary.

**B. Support services for the formation of owners' corporations**

13. With reference to paragraph 2.2 of the Audit Report, the Committee sought details about the free advisory services provided under the Building Management Professional Advisory Service Scheme ("BMPASS")<sup>1</sup> for owners of targeted buildings before the successful formation of OCs. The Committee was concerned whether such free support services would reduce the incentive of owners to set up OCs, and whether there were any further mandatory measures that could be taken by the Administration to incentivize owners to set up OCs and enhance their compliance with BMO.

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<sup>1</sup> BMPASS aims at assisting owners of aged buildings (in particular those of "three-nil" buildings) in the formation of OCs with a view to improving building management. HAD has implemented three phases of BMPASS since 2011 and commissioned two contractors to implement the scheme.

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14. **Secretary for Home Affairs** and **Director of Home Affairs** responded at the public hearing, and **Director of Home Affairs** advised in her letter dated 30 March 2021 (*Appendix 31*) that:

- the advisory services provided under BMPASS before the formation of OCs included conducting household visits and contacting owners directly, producing building management audit reports on common parts, recruiting Resident Liaison Ambassadors ("RLAs")<sup>2</sup> and assisting in the formation of OCs or the reactivation of operation of OCs. These services mainly served to build up a liaison network and lay a foundation for the formation of OCs, and hence would not reduce the incentive of owners to form OCs; and
- while it had been the Administration's policy to encourage owners to organize themselves and form suitable residents' organizations, OC was not the only option and there were other forms of residents' organizations. Owners could decide whether, and if so, which form of residents' organization should be formed, having regard to their own needs, the buildings' conditions, the relevant terms of the Deeds of Mutual Covenant ("DMC"), etc. It might not be appropriate to introduce any mandatory measures for the formation of OCs.

15. Referring to paragraphs 2.2 and 2.10 of the Audit Report, the Committee asked why the contract cost of BMPASS had increased by 34% over the three phases (from \$38 million in Phase 1 to \$51 million in Phase 3) while the number of buildings approached by the two contractors remained steady during the period (from about 1 200 to 1 300 in Phase 1 to Phase 3 (up to March 2020)).

16. **Director of Home Affairs** explained in her letter dated 30 March 2021 (*Appendix 31*) that the increase in contract cost was primarily attributable to the enhanced scope of services to include the recruitment of RLAs and procurement of third party risks insurance for OCs since Phase 2, and the increase in the number of target buildings by over 10% in Phase 3. The changes in the prevailing market price had also been reflected in the contract cost for each phase.

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<sup>2</sup> In 2011, HAD rolled out the Resident Liaison Ambassador Scheme ("the RLA Scheme"), which seeks to establish a resident liaison network for promoting the message of effective building management by recruiting owners or tenants who live in "three-nil" buildings as RLAs.

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17. The Committee noted from paragraph 2.6 of the Audit Report that HAD did not have readily available information on the number of buildings eligible for BMPASS.<sup>3</sup> The Committee asked whether HAD would consider maintaining a proper database on the number of buildings eligible for BMPASS and other related statistics, so as to facilitate the resource planning and improve the effectiveness of BMPASS implementation.

18. **Secretary for Home Affairs** and **Miss Vega WONG Sau-wai, Deputy Director of Home Affairs (2)** responded at the public hearing, and **Director of Home Affairs** supplemented in her letter dated 30 March 2021 (*Appendix 31*) that with a view to ascertaining the number of buildings with defunct or inactive management committees ("MCs"), HAD would develop guidelines to help DBMLTs identify buildings with MCs which were defunct or inactive, and to remind DBMLTs to suitably record information about such MCs identified during their daily liaison and report the information to HAD's Headquarters regularly. As for other types of buildings that were unable to form OCs under BMO (e.g. those under single ownership or being town house development), HAD would require DBMLTs to regularly compile information on such buildings known to them in the course of their daily liaison work. These measures would be implemented in the second quarter of 2021.

19. With reference to paragraph 2.7 and Table 2 of the Audit Report regarding the number of target buildings under the three phases of BMPASS, the Committee sought explanations for the variance<sup>4</sup> in the planned and actual numbers of target buildings ranging from -75 to 75 for individual geographical areas, and the measures to address the issue.

20. **Director of Home Affairs** explained in her letter dated 4 January 2021 (*Appendix 32*) that:

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<sup>3</sup> Apart from "three-nil" buildings, BMPASS also covered buildings with OCs but management committees ("MCs") of which were defunct or inactive. However, according to HAD, while the number of "three-nil" buildings was readily available, there were no readily available statistics about buildings with defunct MCs.

<sup>4</sup> "Variance" is defined as the actual number of target buildings in a geographical area under BMPASS minus the planned number of target buildings.



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- during the preparation for BMPASS Phase 3 in 2016, all those "three-nil" buildings<sup>5</sup> (about 1 400) in HAD's records that had not been approached previously were included. Targets were also set for individual geographical areas. However, in the course of assessing the eligibility of individual buildings after the launch of BMPASS Phase 3, HAD noted that some of those buildings were no longer eligible (e.g. under single ownership). HAD then replaced such buildings by those with defunct MCs, which might be located in other districts, and hence the variance arose. Nevertheless, in overall terms, there was no significant difference between the total planned and actual numbers of target buildings. Such variance in individual districts was only the result of HAD's efforts to ensure optimal use of resources; and
- the experience of the previous BMPASS revealed that the status of a building might change from time to time (e.g. a building had come under single ownership as a result of acquisition, or might be demolished and redeveloped). To address the variance for individual geographical areas arising from the changing status of buildings, HAD would only set an overall planned number of target buildings under the regularized BMPASS.<sup>6</sup>

21. According to paragraphs 2.10 and 2.11 of the Audit Report, in the nine years of BMPASS implementation from 2011 to 2020 (up to March 2020), only 536 (14%) OCs had been successfully formed/reactivated among the 3 820 buildings approached by the two contractors. With reference to paragraph 2.15 of the Audit Report, the Committee asked why HAD still considered the achievement of BMPASS reasonable and the two contractors' performance satisfactory having regard to such a low success rate in forming/reactivating OCs. The Committee also asked whether HAD had reviewed the cost-effectiveness of implementing BMPASS (including the commissioning of contractors) from the perspective of value for money.

22. **Secretary for Home Affairs, Director of Home Affairs and Deputy Director of Home Affairs (2)** explained at the public hearing, and **Director of**

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<sup>5</sup> "Three-nil" buildings refer to those buildings which do not have OCs or any form of residents' organizations, nor engage any property management companies.

<sup>6</sup> The Government announced in the 2019 Policy Address the regularization of BMPASS. HAD aims to launch the regularized scheme within 2021.

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**Home Affairs** supplemented in her letters dated 4 January and 30 March 2021 (*Appendices 32 and 31* respectively) that:

- "three-nil" buildings were often fraught with inherent problems and practical issues which made the formation of OCs difficult. Examples included buildings with most of the occupants being tenants rather than owners and buildings with the existence of multiple DMCs leading to complications in ownership and management responsibilities. These inherent difficulties posed considerable hurdles to the BMPASS contractors in assisting owners to form/reactivate OCs;
- HAD had set performance indicators for the past three phases of BMPASS, including the targeted number of OC formation/activation. According to the targets set for and the actual performance achieved by the BMPASS contractors as shown in the above letter, they had in total formed/reactivated 536 OCs, over and above the contractual target of 303 OCs. Given the inherent difficulties in OC formation mentioned above, HAD considered their performance reasonable; and
- other than the formation/reactivation of OCs, the BMPASS contractors also assisted in the recruitment of RLAs, the application for various loan and subsidy schemes for maintenance works, the procurement of third party risks insurance, etc. Hence, the success rate of forming/reactivating OCs should not be taken as the sole indicator for assessing the performance of BMPASS. Nevertheless, HAB and HAD agreed that there was room for improvements, and would strive to enhance the outputs in the regularized BMPASS.

23. The Committee further asked how HAB had come up with the decision to regularize BMPASS, and whether HAB considered it appropriate to regularize BMPASS before the above inherent problems and practical difficulties with "three-nil" buildings could be fully addressed.

24. **Director of Home Affairs** explained in her letter dated 30 March 2021 (*Appendix 31*) that the inherent problems and practical difficulties associated with "three-nil" buildings suggested that the formation of OC had never been easy, and would be increasingly difficult for the remainder of such buildings after three phases of BMPASS. In view of the outcome of the past three phases of BMPASS and the positive feedback from service users and other local personalities, HAB and HAD considered it advisable to regularize BMPASS for the benefit of owners of "three-nil"

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buildings who wished to improve building management through OC formation. To enhance the success rate for the regularized scheme, HAD would require the contractors to step up the recruitment of RLAs as recommended in paragraph 2.34(a) of the Audit Report, in order to increase the chance of OC formation. HAD would also invite tenderers to submit other innovative suggestions to encourage owners to form OCs.

25. In response to the Committee's enquiry about the latest progress of the regularization of BMPASS and the estimated contract price for the regularized BMPASS, **Secretary for Home Affairs** advised at the public hearing and **Director of Home Affairs** supplemented in her letter dated 30 March 2021 (*Appendix 31*) that HAD was working out the details of the regularized BMPASS, taking into account the experience of the past three phases of the scheme, the Audit recommendations and the comments of the Committee. HAD aimed to launch the regularized scheme within 2021. The contract price of the awarded tender would be published upon completion of the tender exercise.

26. In light of the difficulties mentioned in paragraph 22, the Committee enquired about the measures that could be taken by HAD to improve the success rate of forming/reactivating OCs under BMPASS. **Director of Home Affairs** advised in her letter dated 4 January 2021 (*Appendix 32*) that HAD had since 2011 implemented the Resident Liaison Ambassador Scheme ("the RLA Scheme") to recruit owners or tenants living in "three-nil" buildings of 30 years or above as RLAs. The experience of the previous BMPASS indicated that the RLA Scheme was conducive to facilitating the formation of OCs. HAD would step up efforts in recruiting and engaging RLAs under the regularized BMPASS as recommended in paragraph 2.34 of the Audit Report, with a view to increasing the rate of success in OC formation.

27. Referring to paragraph 2.12 and Table 4 of the Audit Report about the large percentage of unsuccessful household visits conducted by a BMPASS contractor in District A (73% for Phase 2 and 81% for Phase 3 (up to March 2020)), the Committee asked whether HAD had identified the reasons for the low completion rate of household visits. The Committee also enquired about the measures to be taken by HAD to increase the completion rate of household visits under the regularized BMPASS.

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28. **Secretary for Home Affairs** and **Director of Home Affairs** responded at the public hearing, and **Director of Home Affairs** further explained in her letter dated 30 March 2021 (*Appendix 31*) that:

- according to HAD's observations and understanding from the BMPASS contractors, common reasons for the low success rate of household visits included the unwillingness of occupants who were tenants to participate in building management, prevalence of vacant units (e.g. for buildings under acquisition), aged owners who were not interested in forming OCs or were reluctant to answer the door when strangers called, etc.;
- to enhance the success rate of household visits, the BMPASS contractors would be required to conduct another round of visits at different times of a day. The BMPASS contractors would, where necessary, conduct further rounds of household visits, particularly to buildings where the participation of just a few more owners would be sufficient for forming OCs;
- the BMPASS contractors were required to re-visit all buildings with low success rate nine months before expiry of the scheme. After the visits, an appeal letter would be issued to encourage households which did not answer the door to contact the BMPASS contractors; and
- under the regularized BMPASS, HAD would explore other channels to reach out to owners of "three-nil" buildings, for instance, setting up mobile counters in the evening at the building entrance to approach owners/residents when they returned home. Other incentives such as the distribution of souvenirs to households visited might also be adopted. Besides, HAD would require tenderers for the regularized BMPASS to suggest innovative measures to enhance the success rate of the outreach work.

29. The Committee further asked how HAD verified the statistics on household visits provided by the BMPASS contractors, and how HAD monitored the work of BMPASS contractors to ensure that they had conducted door-to-door household visits to all target buildings. **Director of Home Affairs** explained at the public hearing and supplemented in her letter dated 30 March 2021 (*Appendix 31*) that the BMPASS contractors were required to provide HAD with the schedules of household visits. The relevant DOs would conduct bi-monthly record checks, including the records on household visits and staff attendance. Besides, the progress of

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household visits would also be reported at the quarterly review meetings with HAD's management at Headquarters' level.

30. Referring to paragraphs 2.17 and 2.18 of the Audit Report about the persistent over-achievement in the output targets set for the three phases of BMPASS, the Committee enquired how the level of such targets for each phase was determined, and whether HAD would re-adjust these targets for the regularized BMPASS to better reflect the contractors' performance and the extent to which BMPASS had achieved its objective.

31. **Secretary for Home Affairs, Director of Home Affairs and Deputy Director of Home Affairs (2)** responded at the public hearing, and **Director of Home Affairs** further advised in her letter dated 30 March 2021 (*Appendix 31*) that:

- various targets as shown in Table 5 in paragraph 2.17 of the Audit Report were set for the BMPASS contractors under the respective contracts. HAD had adopted a prudent approach in setting the target on the number of OCs formed/reactivated given the inherent problems of "three-nil" buildings. The relevant target had already been adjusted upward for Phase 3 in light of the experience of the past two phases;
- as HAD intended to require the BMPASS contractors to recruit at least one RLA for each target building under Phases 2 and 3 (the recruitment of RLAs was not a contract requirement for Phase 1), the target on the number of RLAs recruited corresponded to the number of target buildings. Given that services relating to application for loan/subsidy, engagement with consultants/contractors and procurement of third party risks insurance would only be applicable to buildings with OCs successfully formed/activated, the relevant targets were set with reference to the target on the number of OCs formed/reactivated; and
- HAD agreed that there was room for adjusting the targets upward, and would take this into account in drawing up the details of the regularized scheme. The revised targets would be set out in the tender documents.

32. According to paragraph 2.19 of the Audit Report, the BMPASS contractors should convene users' advisory meetings comprising representatives of users to collect views on BMPASS and their performance half-yearly in each of the

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geographical areas. The Committee sought explanations for the small number of attendees (averaging 22 at each meeting and 26% of the meetings with fewer than 10 attendees) at these meetings.

33. **Director of Home Affairs** explained in her letter dated 4 January 2021 (*Appendix 32*) that:

- some common reasons for the apparently low attendance rate included meeting venues being outside the vicinity of the place of residence of the service users, meeting dates not fit their schedules and insufficient incentives for them to attend the meetings;
- despite the apparently low attendance rate, it should be noted that as gauged from the returns received in the users' satisfaction surveys, respondents were satisfied with the performance of the BMPASS contractors and considered BMPASS helpful in assisting the formation of OCs; and
- HAD would consider measures to further step up publicity to encourage attendance at users' advisory meetings as well as the desirability/feasibility of providing more incentives for service users to attend such meetings under the regularized BMPASS. This would be stipulated as a requirement in the tender documents for the service.

34. Referring to paragraph 2.22 of the Audit Report about the users' satisfaction surveys conducted for the three phases of BMPASS, the Committee expressed concern about the overall decrease of 56% in the number of survey questionnaires distributed and the low response rate with an average percentage of 2.2% only. The Committee asked whether HAD would explore other more effective ways to gauge users' views on BMPASS.

35. **Secretary for Home Affairs, Director of Home Affairs** and **Mr Alfred LEE Koon-yan, Assistant Director (5), HAD** responded at the public hearing, and **Director of Home Affairs** further advised in her letter dated 30 March 2021 (*Appendix 31*) that:

- the survey was conducted twice in each phase of BMPASS. The number of questionnaires distributed in Phase 1, Phase 2 and Phase 3 was 32 434, 17 601 and 14 349 respectively. HAD issued

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questionnaires to RLAs, representatives of OCs, or in the absence of RLAs and OCs, owners/residents of individual flats of the target buildings through different means, including distributing the questionnaires in person during visits and depositing the questionnaires into the letter boxes. As the number of RLAs recruited and OCs formed increased with the implementation of BMPASS, the need for distributing the questionnaires to individual owners/residents reduced and hence the number of questionnaires distributed was decreasing; and

- to gauge users' feedback more effectively, HAD was exploring measures to enhance service evaluation, which included engaging professional polling firms to conduct opinion surveys, designing different sets of questionnaire for different target groups, adopting other means of collecting feedback (e.g. conducting telephone interviews), etc. HAD also planned to invite tenderers to propose measures to step up publicity and encourage users' feedback. These enhanced measures would be implemented under the regularized scheme.

At the request of the Committee, **Director of Home Affairs** provided in her above letter a sample of the questionnaire.

36. The Committee asked whether HAD had conducted any review of BMPASS before proceeding to the subsequent phases of the scheme, or conducted any mid-term review to assess the achievement of the objective and targets by BMPASS. **Secretary for Home Affairs** responded at the public hearing and **Director of Home Affairs** supplemented in her letter dated 30 March 2021 (*Appendix 31*) that a review overseen and endorsed by directorate officers of HAD was conducted towards the end of both Phase 1 and Phase 2 of BMPASS respectively, which showed that the scheme had been conducive to assisting owners of old buildings to improve building management, and had been well-received by the community and owners of target buildings.

37. In response to the Committee's enquiry as to whether HAD had conducted any contractor performance reviews during the nine years of implementation of BMPASS, **Secretary for Home Affairs**, **Director of Home Affairs** and **Deputy Director of Home Affairs (2)** advised at the public hearing, and **Director of Home Affairs** supplemented in her letter dated 30 March 2021 (*Appendix 31*) that the management team of HAD led by a directorate officer had been meeting with the BMPASS contractors quarterly to monitor the overall progress and to share their

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experience and difficulties. HAD staff at both the Headquarters and district levels also monitored the work progress and attended meetings of OCs/owners, performed the audit of office records, etc. The BMPASS contractors' performance was constantly reviewed and necessary action would be taken to ensure their compliance with contract terms. For example, in 2018, HAD issued a warning letter to one of the BMPASS contractors for failure to achieve some of the output targets by the date specified in the contract. The issue was subsequently rectified.

38. According to paragraph 2.33 of the Audit Report, the percentage of "three-nil" buildings aged 30 years or above with incumbent RLAs ranged from 22% to 35%. The Committee asked whether HAD considered such a low percentage unsatisfactory. **Director of Home Affairs** responded in her letter dated 4 January 2021 (*Appendix 32*) that RLAs' participation was entirely voluntary. The generally low level of willingness of the owners/residents to participate in the management of their buildings in "three-nil" buildings posed further challenges to the recruitment of RLAs.

39. The Committee further sought the reasons for the drop in the number of RLAs recruited from its peak in 2017 to 2019 by 59%, and in the total number of OCs formed from its peak in 2018 to 2019 by 44%. **Deputy Director of Home Affairs (2)** explained at the public hearing and **Director of Home Affairs** supplemented in her letter dated 30 March 2021 (*Appendix 31*) that:

- the fluctuation in the number of RLAs recruited was associated with the commencement of each phase of BMPASS. Upon the commencement of each phase of BMPASS (e.g. in 2017 for Phase 3), the BMPASS contractors would conduct household visits and recruit RLAs as a first step. As such, there would be a higher number of RLAs recruited in that particular year. While the BMPASS contractors would continue to recruit RLAs in subsequent years, fewer number of RLAs would be recruited; and
- the number of OCs formed covered OCs formed by owners' initiative or through HAD's support services such as BMPASS. In fact, the number remained steady ranging from 200 to 250 over the years. The number of OCs formed each year might fluctuate due to various reasons and HAD did not have information about the reasons for such decrease in 2019, which might be partly due to the social incidents in the second half of the year.



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40. With reference to paragraphs 2.34 and 2.35 of the Audit Report, the Committee sought details about HAD's measures to step up efforts in recruiting RLAs and to enhance publicity of the RLA Scheme. **Secretary for Home Affairs** responded at the public hearing and **Director of Home Affairs** further advised in her letter dated 30 March 2021 (*Appendix 31*) that:

- HAD produced a set of newly designed poster and application form in January 2021 to promote the recruitment of RLAs. In addition to distributing the new forms to owners/residents through daily liaison, the forms would also be made available on other occasions, such as during the provision of one-off cleaning service to "three-nil" buildings; and
- HAD would set a higher RLA recruitment target for the future contractors of the regularized BMPASS, such that there would be at least two RLAs for each "three-nil" building. HAD also planned to require the BMPASS contractors to organize training for RLAs to strengthen their knowledge and role in building management.

**C. Support services on other building management matters**

41. The Committee asked whether there were any measures to improve the safety and hygiene environment of those buildings that were unable to form/reactivate OCs under BMPASS. **Director of Home Affairs** advised in her letter dated 4 January 2021 (*Appendix 32*) that:

- HAD had since September 2018 launched the Central Platform on Building Management to regularly organize one-stop briefing sessions, at which representatives from various government departments and organizations introduced their services and schemes on building management and maintenance, including those relating to building safety and environmental hygiene; and
- DOs had also been providing other assistance to "three-nil" buildings, such as one-off cleaning service through the District-led Actions Scheme, with a view to demonstrating the effectiveness of good building management. Such initiatives could help incentivize residents' participation in building management.

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42. For "three-nil" buildings with severe building safety, fire safety or environmental hygiene problems, the Committee asked whether HAD would consider intervening in and tackling these problems, and then recovering the related costs from the owners. **Secretary for Home Affairs** responded at the public hearing and **Director of Home Affairs** advised in her letter dated 13 January 2021 (*Appendix 33*) that:

- it was the responsibility of private owners to manage their buildings. HAD's policy on building management was to assume the role of a facilitator to encourage and assist owners in forming suitable residents' organizations through a multi-pronged approach, including providing a legal framework for buildings to form OCs under BMO and offering suitable support to assist owners in discharging their building management responsibilities;
- building management involved various elements such as building safety, fire safety, environmental hygiene, electrical safety and lift safety, which were regulated by different B/Ds in accordance with the relevant Ordinances. HAD would continue to offer assistance to owners of "three-nil" buildings through the regularization of BMPASS and the provision of one-off free cleaning service; and
- as regards the actions initiated by the Administration to resolve building safety and fire safety problems on behalf of building owners, since HAD was not the department in charge of the relevant policy areas and legislation, HAD did not have the relevant information.

43. The Committee further asked whether HAD had any role to play in the issues relating to building safety, fire safety or environmental hygiene of "three-nil" buildings though these matters were not under the purview of HAD. **Secretary for Home Affairs** responded at the public hearing and **Director of Home Affairs** further explained in her letter dated 30 March 2021 (*Appendix 31*) that:

- while different B/Ds in charge of the respective policy portfolio (e.g. building and fire safety) would take enforcement actions in accordance with relevant legislation and provide various financial subsidies/technical assistance, HAD would closely work with the B/Ds concerned and play a supportive/facilitating role to help owners form OCs or other forms of owners' organizations, and apply for relevant support services; and

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- as regards environmental hygiene, to demonstrate good building management, HAD had been providing one-off cleaning service to old buildings in need, including "three-nil" buildings, having regard to actual circumstances. From 1 December 2019 to 28 February 2021, around 4 900 times of cleaning service had been provided to over 2 300 "three-nil" buildings. As the pandemic persisted, some buildings (including "three-nil" buildings) had reported confirmed cases or been subject to compulsory testing. HAD had since 25 January 2021 been providing one-off enhanced cleaning service to buildings in need. As at 28 February 2021, HAD had provided enhanced cleaning service to over 220 buildings (including 80 "three-nil" buildings).

44. With reference to Figure 1 in paragraph 3.3 and Table 9 in paragraph 3.13 of the Audit Report, the Committee asked why the number of private buildings visited by DBMLTs decreased by 13% from 2016 to 2019 while the staff establishment and expenditure of LOs in DBMLTs increased by 20% from 2015-2016 to 2019-2020.

45. **Secretary for Home Affairs, Director of Home Affairs and Deputy Director of Home Affairs (2)** explained at the public hearing, and **Director of Home Affairs** supplemented in her letter dated 30 March 2021 (*Appendix 31*) that:

- with the revision of the indicators in 2017,<sup>7</sup> physical visit was no longer regarded as the only means of performing building management liaison work. In fact, there had been an increase in the number of liaison over the years, from 57 926 in 2017 to 77 094 in 2020, representing an overall increase of 33%; and
- in the past few years, LOs were heavily engaged in providing/promoting new services launched by HAD, such as Pre-meeting Advisory Service for Owners' Corporations and Building Management Dispute Resolution Service, as well as promoting the revised Code of Practice issued under BMO, the Best Practices on Building Management, etc.

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<sup>7</sup> The performance indicators on "Visits to buildings with owners' corporations/mutual aid committees/owners' committees/residents' organizations" and "Visits to buildings without any form of management" were replaced in 2017 by another indicator on "Liaison with owners/management bodies of private buildings".

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At the request of the Committee, **Director of Home Affairs** provided in her above letter the general distribution of duties among different ranks of LOs engaged in building management duties.

46. According to paragraphs 3.4, 3.6 and 3.8 of the Audit Report, the Pre-meeting Advisory Service for Owners' Corporations had been launched to strengthen support to OCs for more effective building management. HAD had requested DOs to keep proper records of the services provided under the Pre-meeting Advisory Service for Owners' Corporations. However, one DO could not provide the records of services for three out of the 10 OCs (30%) examined by Audit. The Committee sought explanations for this case and the improvement measures to prevent recurrence of similar problems.

47. **Director of Home Affairs** explained in her letters dated 4 January and 30 March 2021 (*Appendices 32 and 31* respectively) that under the Pre-meeting Advisory Service for Owners' Corporations, DOs might provide services to OCs through various modes, including face-to-face meetings, correspondence exchanges, telephone communication, instant messaging, etc. Due to the diverse modes of service delivery, individual DOs might have difficulties in fully documenting their work and retrieving the records subsequently. Taking into account Audit's recommendations, HAD had drawn up new guidelines for DBMLTs on record-keeping to remind them about the importance of maintaining proper records of the services provided.

48. According to paragraph 3.16 of the Audit Report, the purposes of visits to buildings were to keep in touch with the owners and to ensure that the buildings were well managed continuously. The Committee asked whether HAD had considered any alternative method in facilitating face-to-face communication with owners of buildings.

49. **Director of Home Affairs** responded in her letter dated 4 January 2021 (*Appendix 32*) that HAB and HAD agreed that physical visits and face-to-face communication were conducive to understanding the needs of the owners and observing the conditions of the buildings. Therefore, DBMLTs would continue to conduct visits to private buildings alongside other modes of liaison.

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50. Referring to Case 1 in paragraph 3.18 of the Audit Report about the repeated failures to visit a private building by a DBMLT between 2015 and 2019, the Committee sought explanations for the repeated unsuccessful visits in this case and the mechanism in place to monitor the performance of DBMLTs, in particular those DBMLTs with persistent underperformance.

51. **Secretary for Home Affairs** responded at the public hearing and **Director of Home Affairs** further explained in her letter dated 30 March 2021 (*Appendix 31*) that:

- DBMLTs might experience difficulties in reaching out to the target buildings prior to the visits, particularly those with defunct or inactive MCs, and repeated visits might occur as a result. HAD had looked into Case 1 and approached the officers involved in the case. While one subject officer had resigned, another subject officer had been reminded of the appropriate procedures for conducting visits; and
- in response to Audit's comments, HAD issued guidelines in February 2021 to DBMLTs on the procedures for conducting visits. Under the guidelines, LOs in DBMLTs were required to complete a report for each visit conducted and submit it for endorsement by supervisor, who would take this into account in assessing the LOs' performance. The visit report in prescribed format could facilitate monitoring and proper record-keeping.

52. Referring to Table 11 in paragraph 3.21 of the Audit Report about the training on building management for LOs, the Committee asked why the total number of training hours of LOs had increased by 45% from 96 hours in 2015-2016 to 139 hours in 2019-2020 while the total number of attendees had decreased by 14% from 329 to 282 in the same period, and whether there were compulsory training programmes provided for LOs to ensure that they were equipped with sufficient and latest knowledge and skills required for their duties.

53. **Secretary for Home Affairs**, **Director of Home Affairs** and **Deputy Director of Home Affairs (2)** explained at the public hearing, and **Director of Home Affairs** supplemented in her letter dated 30 March 2021 (*Appendix 31*) that:

- the number of training hours and attendees might vary each year depending on the nature of training programmes organized.

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For example, with respect to mediation training, HAD organized in 2015-2016 a 2.5-hour briefing on Pilot Scheme on Free Mediation Service for Building Management with an attendance of 42 LOs. On the other hand, HAD organized in 2019-2020 a 40-hour General Mediator Training Course for Building Management with attendance of 24 LOs due to the constraint in class size;

- HAD had been providing training programmes and briefing sessions to LOs on a regular and need basis. For newly recruited LOs, HAD provided induction courses on the principles and practices of building management, such as induction training on building management provided for 53 LOs in 2018-2019. Similar training would be provided to newly recruited LOs reporting duty in 2021-2022; and
- for more experienced LOs, HAD organized workshops and theme-talks on the provisions of BMO and judgments of related court cases. A tertiary institute had also been engaged to provide 39-hour training course for LOs responsible for building management duties, with a focus on the legal aspect of multi-storey building management. From 2015-2016 to 2019-2020, over 120 LOs attended this training course.

54. With reference to Table 12 in paragraph 3.22 of the Audit Report, the Committee asked whether HAD would consider providing DBMLTs with dedicated training courses on some of the new services launched, including Pre-meeting Advisory Service for Owners' Corporation, Building Management Dispute Resolution Service and Free Outreach Legal Advice Service on Building Management. **Director of Home Affairs** responded in her letter dated 30 March 2021 (*Appendix 31*) that the three services mentioned above had been covered by the training courses on building management provided for LOs on an on-going basis. All support services had also been introduced in the induction training for all newly appointed officers.

55. In response to the Committee's enquiry about the mechanism put in place by HAD to evaluate the professional competencies of LOs on a regular basis, **Director of Home Affairs** advised in her letter dated 30 March 2021 (*Appendix 31*) that LOs were departmental grade officers of HAD responsible for planning and carrying out different initiatives/activities at the territory and district level to achieve the HAD's goals in serving the community. LOs would be posted to take up various duties in different districts. There was an established mechanism to evaluate the required core competencies of LOs through the annual appraisal system.

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56. With reference to paragraphs 3.25, 3.26, 3.28(b) and 3.29 of the Audit Report, the Committee enquired about the latest progress of updating the "Operational Manual on Building Management for Liaison Officers" ("Operational Manual") to include the pilot services and to revise the requirement for the frequency of visits to private buildings by DBMLTs. **Director of Home Affairs** advised in her letter dated 4 January 2021 (*Appendix 32*) that as frequent changes to the Operational Manual might not be desirable, it had been HAD's plan to update the Operational Manual in one go when all the pilot services were regularized. In updating the Operational Manual, HAD would also consider setting different requirements on the frequency of visits/liaison for buildings with management bodies and "three-nil" buildings, and include the new guidelines on record-keeping and procedures for conducting visits. HAD had already started the updating exercise which was expected to be completed in around mid-2021.

57. Referring to paragraph 3.41 of the Audit Report, the Committee enquired about HAD's measures to encourage participants of the LEAD/Advanced LEAD Programmes to attend all the training sessions. **Secretary for Home Affairs** responded at the public hearing and **Director of Home Affairs** supplemented in her letter dated 30 March 2021 (*Appendix 31*) that as shown in Table 14 of paragraph 3.41 of the Audit Report, 88% and 87% of the attendees for the LEAD Programme and Advanced LEAD Programme respectively had an attendance rate of over 70%. Given that the attendees of the two programmes were mostly MC members serving on a voluntary basis, HAD considered the attendance rate satisfactory. Nonetheless, to further increase the attendance rate, HAD would explore measures, such as online learning, to better serve the needs of participants. HAD would also take on board Audit's recommendation of setting the possession of a Statement of Attendance in the LEAD Programme as a prerequisite for enrolling in the Advanced LEAD Programme.

**D. Other administrative matters**

58. Referring to Table 16 in paragraph 4.6 of the Audit Report showing the achievement on the target number of liaisons by seven DOs from 2017 to 2019, the Committee sought explanations for the great variance in the percentages of achievement among the seven DOs, which ranged from 8.0% for DO C in 2019 to 99.1% for DO H in 2017, as well as the follow-up actions by HAD against those DOs with persistently low rates of achievement on the target throughout the period.

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59. **Secretary for Home Affairs** and **Director of Home Affairs** responded at the public hearing, and **Director of Home Affairs** supplemented in her letter dated 30 March 2021 (*Appendix 31*) that HAD issued guidelines to DBMLTs in February 2021 on proper record-keeping and enhanced monitoring mechanism to ensure that the target number of liaisons would be met. Specifically, DBMLTs were required to keep a copy of every written liaison on file. For liaison conducted by non-written means (e.g. visits or telephone calls), it should be recorded in a template provided and filed accordingly. The guidelines also required District Officers to assign an officer not lower than the rank of Senior Liaison Officer to conduct regular random inspection to ensure the maintenance of proper records on the liaison conducted. District Officers were reminded to monitor the progress closely to ensure that the annual targets were met. HAD's Headquarters would review the liaison conducted by DBMLTs on a quarterly basis and would require respective District Officers to provide explanation for any failure to achieve the targets.

60. Referring to paragraph 4.14 of the Audit Report about the double counting of the same programmes by HAD's Headquarters and DOs in reporting their outputs under the performance indicator on "Building management educational and publicity programmes", the Committee was concerned that HAD had not set out a clear definition on "programme" for performance measurement purpose, particularly for some programmes of a recurring/repetitive nature. For example, a television advertisement broadcast during a six-day period was counted as 60 "programmes". The Committee enquired about the follow-up actions taken by HAD to address the above issue.

61. **Director of Home Affairs** responded in her letter dated 4 January 2021 (*Appendix 32*) that the basis for the counting of educational and publicity programmes adopted by HAD sought to accurately reflect the extent of outreach to the target audiences concerned, which might vary depending on the nature of the programmes. For example, for television advertisement broadcast, the counting basis corresponded to the frequency of the broadcast during prime time and reflected the efforts in reaching out to target audience as well as the costs involved. In considering the future targets, HAD would set out the counting basis for different types of programmes in the internal guidelines to ensure that a consistent approach would be adopted among Headquarters and DOs for each type of programmes.

62. With reference to paragraphs 4.21 and 4.22 of the Audit Report, the Committee asked about the monitoring efforts that could be made by HAD to ensure the proper input and timely update of data in the Building Management Information



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System by LOs. **Director of Home Affairs** advised at the public hearing and supplemented in her letter dated 30 March 2021 (*Appendix 31*) that according to the new guidelines issued to DBMLTs in February 2021, LOs were required to complete a standard report after completion of their liaison work. They had to indicate in the report whether updates to the Database of Private Buildings in Hong Kong were required. To enhance the accuracy of the database, HAD also planned to obtain relevant information (e.g. "year built") from the B/Ds concerned for cross-checking the information contained in the database.

**E. Conclusions and recommendations**

<b>Overall comments</b>
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63. The Committee:

- notes that it is the Administration's policy to assist property owners in discharging their management responsibilities through various measures. The Home Affairs Department ("HAD") is tasked with assisting owners of private buildings to form owners' corporations ("OCs"), and assisting them in dealing with building management matters and the operation of OCs;
- emphasizes that:
  - (a) building management involves a wide range of complex issues, such as building safety, fire safety, environmental hygiene and electrical safety, all of which are under the portfolios of various government bureaux/departments ("B/Ds"). It is therefore incumbent upon HAD to take a leading role in coordinating the efforts of these B/Ds in providing adequate support services to owners of private buildings to deal with building management matters; and
  - (b) a lack of proper management and maintenance in "three-nil" buildings<sup>8</sup> might pose serious threats to public health, building safety and fire safety. Provision of effective and timely assistance to the owners of these buildings are vital in helping

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<sup>8</sup> "Three-nil" buildings refer to those buildings which do not have OCs or any form of residents' organizations, nor engage any property management companies.

*Efforts of the Home Affairs Department in facilitating building management*

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them manage and maintain their buildings, in particular amidst the Coronavirus Disease 2019 epidemic;

HAD's role in coordinating the efforts of B/Ds

- expresses serious concern that:
  - (a) in its reply to the Committee's question regarding the actions initiated by the Administration to resolve building safety and fire safety problems on behalf of owners of private buildings, HAD advised that, among others, since it was not the department in charge of the relevant policy areas and legislation, it did not have the relevant information;<sup>9</sup> and
  - (b) HAD's aforesaid reply has reflected its lack of initiative in coordinating the efforts of various B/Ds in providing support services to owners of private buildings to deal with building management matters, which may not be conducive to facilitating owners in managing their buildings in an effective manner;
- notes that:
  - (a) to demonstrate good building management, HAD has been providing one-off cleaning service to aged buildings in need, including "three-nil" buildings, having regard to actual circumstances. From 1 December 2019 to 28 February 2021, around 4 900 times of cleaning service had been provided to over 2 300 "three-nil" buildings; and
  - (b) HAD will work closely with the B/Ds in charge of the respective policy portfolios (e.g. building safety and fire safety) and play a supportive/facilitating role by helping owners form OCs or other forms of owners' organizations, and apply for relevant support services;
- urges:
  - (a) the Administration to consider vesting the Home Affairs Bureau ("HAB") with greater authority in coordinating via HAD the

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<sup>9</sup> Please refer to the letter dated 13 January 2021 from Director of Home Affairs in *Appendix 33* for details.

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efforts of various B/Ds to provide adequate support services to owners of private buildings in dealing with building management matters; and

- (b) HAD to be more proactive and take a leading role in coordinating the efforts of various B/Ds to promptly and effectively assist owners of private buildings in dealing with building management matters;

Implementation of Building Management Professional Advisory Service Scheme

- is surprised and expresses serious concern about HAD's failure in taking forward the Building Management Professional Advisory Service Scheme ("BMPASS")<sup>10</sup> in an effective manner so as to assist owners of "three-nil" buildings to form OCs, as evidenced by the following:
  - (a) HAD did not have readily available information on the number of buildings eligible for BMPASS;<sup>11</sup>
  - (b) up to March 2020 (i.e. nine years since BMPASS was launched), only 536 OCs had been formed/reactivated out of 3 820 buildings approached by the two BMPASS contractors. While the total contract cost for the three phases of BMPASS amounted to \$137 million, the overall success rate of the formation/reactivation of OCs under the scheme was only 14%;
  - (c) the completion rate of household visits conducted by the BMPASS contractors was very low (for example, 27% for Phase 2 and 19% for Phase 3 (up to March 2020) in District A);<sup>12</sup>

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<sup>10</sup> BMPASS aims at assisting owners of aged buildings (in particular those of "three-nil" buildings) in the formation of OCs with a view to improving building management. HAD has implemented three phases of BMPASS since 2011 and commissioned two contractors to implement the scheme.

<sup>11</sup> Apart from "three-nil" buildings, BMPASS also covered buildings with OCs but the management committees ("MCs") of which were defunct or inactive. However, according to HAD, while the number of "three-nil" buildings was readily available, there were no readily available statistics about buildings with defunct MCs.

<sup>12</sup> Please refer to paragraphs 2.12 and 2.13 of the Director of Audit's Report ("Audit Report") for details.

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- (d) there was no documentary evidence showing that HAD had enquired about the difficulties encountered by the BMPASS contractors when helping owners to form/reactivate OCs, so as to formulate effective measures to address the difficulties;
  - (e) while the overall success rate of the formation/reactivation of OCs under BMPASS was only 14%, many of the output targets set by HAD for the two BMPASS contractors had been persistently over-achieved throughout the three phases of the scheme in nine years (for example, overall achievement rate of 177% for the number of OCs formed/reactivated). During the nine-year period, HAD had not reviewed the level of output targets, which has rendered the performance measurement system unable to reflect realistically the contractors' efficacy in achieving the scheme's objectives and to drive the contractors to improve their performance; and
  - (f) while six rounds of users' satisfaction surveys had been conducted and 64 384 survey questionnaires had been distributed up to March 2020, only 1 434 survey questionnaires had been returned (average response rate of 2.2%);
- notes that:
- (a) HAD will develop guidelines to assist the District Building Management Liaison Teams ("DBMLTs")<sup>13</sup> in identifying buildings with defunct or inactive management committees ("MCs"), and to remind DBMLTs to suitably record information on such MCs identified during their daily liaison and report the information to HAD's Headquarters regularly. HAD will also compile updated information on a regular basis on buildings that are unable to form OCs under the Building Management Ordinance (Cap. 344). These measures will be implemented in the second quarter of 2021;
  - (b) the inherent problems of "three-nil" buildings pose considerable hurdles to the BMPASS contractors in assisting owners to form/reactivate OCs. HAB will continue to render full support

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<sup>13</sup> HAD has set up DBMLTs comprising Liaison Officers ("LOs") in the 18 District Offices ("DOs") to provide support services on building management matters at the district level.

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to HAD in enhancing the success rate of the formation/reactivation of OCs under the regularized scheme;<sup>14</sup>

- (c) HAD will explore other effective channels to reach out to the owners of "three-nil" buildings and require tenderers of the regularized BMPASS to suggest innovative measures to enhance the success rate for the outreach work; and
- (d) HAD will consider adjusting the output targets upward when drawing up the details of the regularized BMPASS. The revised output targets will be set out in the tender documents; and
- urges HAB and HAD to step up their efforts in taking forward BMPASS by:
  - (a) engaging community organizations, which have established an extensive network with local residents, in reaching out to the owners/residents of "three-nil" buildings;
  - (b) exploring various means, including mandatory and non-mandatory means, to drive and encourage the formation of OCs by owners of "three-nil" buildings;
  - (c) setting attainable but reasonably challenging output targets for the regularized BMPASS with a view to improving the performance of the BMPASS contractors;
  - (d) maintaining a proper database on the number of buildings that should be covered under BMPASS and other related statistics for effective implementation of the scheme;
  - (e) further exploring more effective ways to gauge users' views on BMPASS, particularly in respect of the questionnaire distribution method of the users' satisfaction survey on the scheme; and
  - (f) conducting a comprehensive review for mapping out the way forward of BMPASS by drawing lessons from the experience gained from the three phases of the scheme as recommended in paragraph 2.26 of the Director of Audit's Report ("Audit Report").

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<sup>14</sup> The Government announced in the 2019 Policy Address the regularization of BMPASS. HAD aims to launch the regularized scheme within 2021.

<b>Specific comments</b>
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64. The Committee:

Support services for the formation of owners' corporations

- is surprised and expresses serious concern that:
  - (a) the contract cost of BMPASS was increasing over the three phases from \$38 million (Phase 1) to \$51 million (Phase 3) by 34% while the number of buildings approached by the contractors remained largely the same (ranging from 1 200 to 1 367) throughout the three phases of the scheme;
  - (b) while the overall variance<sup>15</sup> between the planned and actual numbers of target buildings under BMPASS was -33(-1%), the variance for individual geographical areas covered under the scheme ranged from -75(-9%) to 75(20%);
  - (c) up to March 2020, the two contractors had held 93 users' advisory meetings<sup>16</sup> for all geographical areas under the three phases of BMPASS. While the users' feedbacks on these meetings were generally positive, the numbers of attendees ranged from 5 to 53, with an average of 22 at each meeting only, and 24 (26%) out of the 93 meetings had fewer than 10 attendees; and
  - (d) while the percentage of OCs formed through the Resident Liaison Ambassador Scheme ("the RLA Scheme")<sup>17</sup> to the total number of OCs formed had doubled from 33% in 2015 to 66% in 2019, the number of Resident Liaison Ambassadors ("RLAs") recruited decreased by 24%, and the percentage of "three-nil" buildings

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<sup>15</sup> "Variance" is defined as the actual number of target buildings in a geographical area under BMPASS minus the planned number of target buildings.

<sup>16</sup> The BMPASS contractors shall convene users' advisory meetings comprising representatives of users (e.g. OCs, owners/residents and Resident Liaison Ambassadors ("RLAs")) and DOs' staff to collect views on BMPASS and their performance half-yearly in each of the geographical areas.

<sup>17</sup> The RLA Scheme aims at facilitating residents of aged buildings to enhance building management by recruiting owners or tenants in "three-nil" buildings as RLAs.

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aged 30 years or above with incumbent RLAs ranged from 22% to 35% only during the period;

- notes that:
  - (a) the increase in the contract cost of BMPASS was primarily attributable to the enhanced scope of services, which included the recruitment of RLAs and procurement of third party risks insurance for OCs since Phase 2 of the scheme, and the increase in the number of target buildings by over 10% in Phase 3;
  - (b) instead of setting a planned number of target buildings for each geographical area, HAD will only set an overall planned number of target buildings for the regularized BMPASS having regard to the past experience of the previous BMPASS showing that the changing status of an individual building may affect its eligibility for the scheme;
  - (c) HAD has put in place at operation level a host of monitoring measures to keep track of the performance of the BMPASS contractors. Among these, the management team of HAD led by a directorate officer has been meeting with the BMPASS contractors quarterly to monitor the overall progress and to share experience and difficulties encountered in implementing the scheme;
  - (d) HAD produced a set of newly designed poster and application form in January 2021 to promote the recruitment of RLAs, and will also set a higher RLA recruitment target for the future contractors of the regularized BMPASS, such that there will be at least two RLAs for each "three-nil" building; and
  - (e) Director of Home Affairs has agreed with Audit's recommendations on the implementation of BMPASS and the RLA Scheme in paragraphs 2.27 and 2.34 of the Audit Report;

Support services on other building management matters

- expresses grave concern that:
  - (a) some District Offices ("DOs") have not kept proper records of the services provided under the Pre-meeting Advisory Service for

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Owners' Corporations<sup>18</sup> as requested by HAD's Headquarters, and the record-keeping practices vary among DOs;

- (b) the number of private buildings visited by DBMLTs in the 18 DOs decreased by 13% from 2016 to 2019 while the staff establishment and expenditure of Liaison Officers ("LOs") in DBMLTs increased by 20% from 2015-2016 to 2019-2020;
- (c) while HAD's "Operational Manual on Building Management for Liaison Officers" ("Operational Manual") states that each and every private building will be visited by LOs at least once a year, such requirement was not met during the period from 2016 to 2019. For each year in the period, the percentage of private buildings not visited by DBMLTs ranged from 47% to 54%;
- (d) from 2015-2016 to 2019-2020, the total number of attendees to the training on building management provided for LOs decreased by 14%. HAD has not set any training requirements for LOs;
- (e) the Operational Manual has not been kept up to date with the changes in the daily workflow of LOs and the introduction of new services;
- (f) of the 28 briefing sessions held/planned in the period from 2018 to 2020 under the Central Platform on Building Management,<sup>19</sup> no briefings were held/planned in 6 out of the 18 districts;
- (g) in 2019, the number of educational and publicity programmes organized in each of the 18 DOs ranged from 1 to 37, and no target has been set by HAD for the number of such programmes organized by each DO; and

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<sup>18</sup> HAD launched in April 2017 the Pre-meeting Advisory Service for Owners' Corporations under which DBMLTs brief MC members on meeting procedures and provide them with relevant information before OC meetings to ensure compliance with the Building Management Ordinance and the Codes of Practice issued under the Ordinance.

<sup>19</sup> To better assist owners of old buildings in building management, HAD launched in September 2018 the Central Platform on Building Management under which regular briefings on building management and maintenance are organized.



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- (h) for the training provided to the office-bearers of OCs,<sup>20</sup> 12% of the participants of the LEAD Programme and 13% of those of the Advanced LEAD Programme had an attendance rate of less than 70%,<sup>21</sup> including 4% with zero attendance in each of the programmes;
- notes that:
  - (a) with the revision of the performance indicators included in HAD's Controlling Officer's Report in 2017,<sup>22</sup> service focus had been placed on liaison between DBMLTs and OCs through electronic means, such as emails, phone calls and mobile applications, instead of traditional means of conducting physical visits to buildings. As such, the number of physical visits to buildings had decreased;
  - (b) HAD issued guidelines in February 2021 to require LOs in DBMLTs to complete a report in a prescribed format for each visit conducted and submit it to supervisors for endorsement. HAD will also draw up guidelines to facilitate identification of buildings with defunct/inactive MCs by DBMLTs, which can help improve the effectiveness of visits to private buildings;
  - (c) HAD plans to update the Operational Manual in one go when all the new support services are regularized, and aims to complete the updating exercise in mid-2021;

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<sup>20</sup> Since 2011, HAD has engaged tertiary institutions to provide structured training on building management to MC members free of charge, namely the LEAD Programme, and graduates of the LEAD Programme can attend the Advanced LEAD Programme.

<sup>21</sup> Participants with an attendance rate of over 70% will be awarded with a Statement of Attendance.

<sup>22</sup> In recognition of technological advancement and to better reflect the work of HAD in building management, the performance indicators on "Visits to buildings with owners' corporations/mutual aid committees/owners' committees/residents' organisations" and "Visits to buildings without any form of management" in HAD's Controlling Officer's Reports were replaced in 2017 by a new indicator "Liaison with owners/management bodies of private buildings".

*Efforts of the Home Affairs Department in facilitating building management*

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- (d) briefing sessions under the Central Platform on Building Management are organized by making reference and giving priority to districts with a greater number of buildings receiving notices or repair orders issued by government departments; and
  - (e) Director of Home Affairs has agreed with Audit's recommendations in paragraphs 3.28 and 3.43 of the Audit Report relating to the work and training of LOs and the organization of building management educational and publicity programmes;
- recommends that:
- (a) HAD should put in place a stringent mechanism to monitor the work performance of DBMLTs, and provide timely and appropriate advice to those persistently under-performing DBMLTs;
  - (b) HAD should ensure timely update of the Operational Manual, which serves as a guidebook for LOs to perform their duties correctly and properly, to reflect any changes in work procedures and requirements;
  - (c) HAD should consider setting out training requirements for LOs to ensure that they are equipped with sufficient and latest knowledge and skills required for performing their duties;
  - (d) HAD should enhance the provision of dedicated training to LOs on the new services launched, in particular the mediation service for building management, which can better equip LOs with the necessary skills for quality service delivery; and
  - (e) if resources are available, HAD should consider uploading the training materials on building management, particularly in relation to legal aspect, such as provisions of the Building Management Ordinance, and study of court cases, to its website to facilitate better understanding of the relevant issues by stakeholders;

Other administrative matters

- expresses serious concern that:
  - (a) regarding the achievement of performance targets on "Liaison with owners and management bodies of private buildings"<sup>23</sup> by 18 DOs and HAD's Headquarters in 2019, 14 DOs and HAD's Headquarters did not meet their targets for the total number of liaisons; 13 DOs and HAD's Headquarters did not meet their targets on the number of visits to management bodies and "three-nil" buildings; and 13 DOs did not meet their targets on the number of other forms of liaison;
  - (b) out of the 18 DOs, seven (39%) persistently failed to achieve the allocated target numbers of liaisons for three consecutive years from 2017 to 2019, and the variance in the percentages of achievement among the above seven DOs ranged from 8.0% to 99.1%;
  - (c) for the performance indicator on "Building management educational and publicity programmes", there was double counting on the same programmes (i.e. briefing sessions of the Central Platform on Building Management) by HAD's Headquarters and four DOs;
  - (d) there was no clear definition on what constitutes a "programme"<sup>24</sup> for HAD's performance measurement purpose. Some of the educational and publicity programmes are of a recurring/repetitive nature, and the methodologies used in counting the number of programmes varied;

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<sup>23</sup> Under the performance indicator on "Liaison with owners/management bodies of private buildings", HAD sets target numbers for different forms of liaison, which comprise: (a) visits conducted in person to management bodies of private buildings and "three-nil" buildings; and (b) other forms of liaison (e.g. emails and telephone contacts) with owners/management bodies. The target numbers of liaisons set for HAD's Headquarters refer to the liaisons under other support services (e.g. BMPASS).

<sup>24</sup> Building management educational and publicity programmes include: (a) Training courses; (b) Seminars/talks; (c) Appeal letters to owners/owners' organizations; (d) Television/radio advertisement/Announcements in Public Interest; (e) Activities related to fire safety; (f) Homepage/mobile applications updates and promotion; (g) Production of leaflets/posters; and (h) Others (e.g. press release).

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- (e) of 40 944 buildings with data kept in the Building Management Information System ("BMIS") of HAD<sup>25</sup> as at 31 March 2020, data of "year built" was not available for 7 099 (17%) buildings, and data of "storeys" or "number of units" was not available for 957 (2%) buildings; and
  - (f) of 111 visit reports for the period from 2016 to 2019 in the 30 building files selected by Audit for examination, data of 24 (22%) reports (involving 15 (50%) buildings) was not input into BMIS for updating; and
- notes that:
- (a) HAD issued guidelines to DBMLTs in February 2021 on proper record-keeping of their liaison work. District Officers are reminded to monitor the progress closely to ensure that the annual targets on liaison work are met. HAD's Headquarters will review the liaison conducted by DBMLTs on a quarterly basis and will require respective District Officers to provide explanation for any failure to achieve the targets;
  - (b) HAD plans to obtain the relevant information (e.g. "year built") from the B/Ds concerned for cross-checking with the information contained in BMIS. Since February 2021, LOs have been required to complete a report on their liaison work, which includes, among others, the updating of data in BMIS; and
  - (c) Director of Home Affairs has agreed with Audit's recommendations in paragraphs 4.9, 4.17 and 4.24 of the Audit Report relating to the performance management of HAD's liaison and publicity work on building management and the maintenance of its database of private buildings.

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<sup>25</sup> BMIS provides basic information on private buildings in all districts, such as number of units and storeys, year built, and information on management organizations of the buildings.

<b>Follow-up action</b>
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65. The Committee:

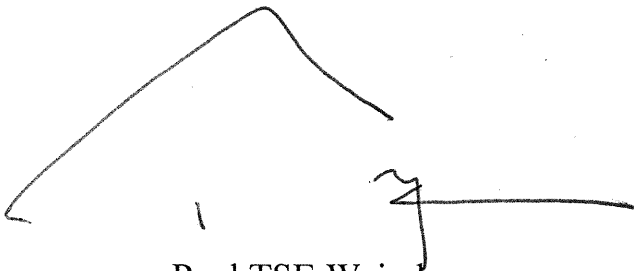
- requests HAD to report to the Committee the progress on the regularization of BMPASS; and
- wishes to be kept informed of the progress made in implementing the various recommendations of the Committee and Audit.

**SIGNATURES OF THE CHAIRMAN,  
DEPUTY CHAIRMAN AND MEMBERS OF THE COMMITTEE**

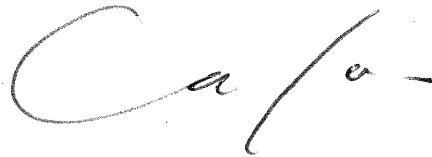
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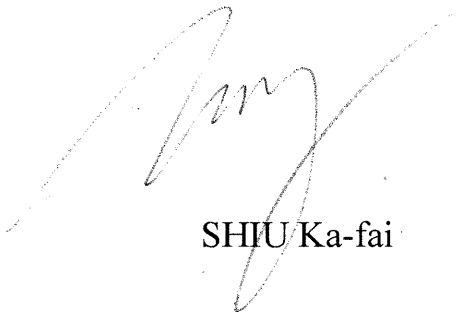
Abraham SHEK Lai-him  
(Chairman)




Paul TSE Wai-chun  
(Deputy Chairman)



Steven HO Chun-yin



SHIU Ka-fai



YUNG Hoi-yan



LAU Kwok-fan



Tony TSE Wai-chuen

21 April 2021

**CHAPTERS IN THE DIRECTOR OF AUDIT'S REPORT NO. 75  
DEALT WITH IN THE PUBLIC ACCOUNTS COMMITTEE'S SUPPLEMENTAL REPORT**

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<b>Director of Audit's Report No. 75</b>		<b>P.A.C. Report No. 75A</b>
<b><u>Chapter</u></b>	<b><u>Subject</u></b>	<b><u>Chapter</u></b>
1	Collection and removal of marine refuse by the Marine Department	1
2	Government's efforts in tackling shoreline refuse	2
4	Efforts of the Home Affairs Department in facilitating building management	3

**RULES OF PROCEDURE OF  
THE LEGISLATIVE COUNCIL OF  
THE HONG KONG SPECIAL ADMINISTRATIVE REGION**

**72. Public Accounts Committee**

(1) There shall be a standing committee, to be called the Public Accounts Committee, to consider reports of the Director of Audit –

- (a) on the accounts of the Government;
- (b) on such other accounts required to be laid before the Council as the committee may think fit; and
- (c) on any matter incidental to the performance of his duties or the exercise of his powers as the committee may think fit.

(2) The committee shall also consider any report of the Director of Audit laid on the Table of the Council which deals with examinations (value for money audit) carried out by the Director relating to the economy, efficiency and effectiveness of any Government department or public body or any organization to which his functions as Director of Audit extend by virtue of any Ordinance or which receives public moneys by way of subvention.

(3) The committee shall consist of a chairman, deputy chairman and 5 members who shall be Members appointed by the President in accordance with an election procedure determined by the House Committee. *(L.N. 214 of 2005)*

(3A) The chairman and 2 other members shall constitute a quorum of the committee. *(L.N. 214 of 2005)*

(3B) In the event of the temporary absence of the chairman and deputy chairman, the committee may elect a chairman to act during such absence. *(L.N. 214 of 2005)*

(3C) All matters before the committee shall be decided by a majority of the members voting. Neither the chairman nor any other member presiding shall vote, unless the votes of the other members are equally divided, in which case he shall give a casting vote. *(L.N. 214 of 2005)*

(4) A report mentioned in subrules (1) and (2) shall be deemed to have been referred by the Council to the committee when it is laid on the Table of the Council.



(5) Unless the chairman otherwise orders, members of the press and of the public shall be admitted as spectators at meetings of the committee attended by any person invited by the committee under subrule (8).

(6) The committee shall meet at the time and the place determined by the chairman. Written notice of every meeting shall be given to the members and to any person invited to attend a meeting at least 5 clear days before the day of the meeting but shorter notice may be given in any case where the chairman so directs.

(7) *(Repealed L.N. 214 of 2005)*

(8) The chairman or the committee may invite any public officer, or, in the case of a report on the accounts of or relating to a non-government body or organization, any member or employee of that body or organization, to give information or any explanation or to produce any records or documents which the committee may require in the performance of its duties; and the committee may also invite any other person to assist the committee in relation to any such information, explanation, records or documents.

(9) The committee shall make their report upon the report of the Director of Audit on the accounts of the Government within 3 months (or such longer period as may be determined under section 12 of the Audit Ordinance (Cap. 122)) of the date on which the Director's report is laid on the Table of the Council.

(10) The committee shall make their report upon the report of the Director of Audit mentioned in subrule (2) within 3 months (or such longer period as may be determined by the Council) of the date on which the Director's report is laid on the Table of the Council.

(11) Subject to these Rules of Procedure, the practice and procedure of the committee shall be determined by the committee.

**Paper presented to the Provisional Legislative Council  
by the Chairman of the Public Accounts Committee  
at the meeting on 11 February 1998 on  
Scope of Government Audit in the  
Hong Kong Special Administrative Region -  
'Value for Money Audits'**

**SCOPE OF WORK**

1. The Director of Audit may carry out examinations into the economy, efficiency and effectiveness with which any bureau, department, agency, other public body, public office, or audited organisation has discharged its functions.
2. The term "audited organisation" shall include -
  - (i) any person, body corporate or other body whose accounts the Director of Audit is empowered under any Ordinance to audit;
  - (ii) any organisation which receives more than half its income from public moneys (this should not preclude the Director from carrying out similar examinations in any organisation which receives less than half its income from public moneys by virtue of an agreement made as a condition of subvention); and
  - (iii) any organisation the accounts and records of which the Director is authorised in writing by the Chief Executive to audit in the public interest under section 15 of the Audit Ordinance (Cap. 122).
3. This definition of scope of work shall not be construed as entitling the Director of Audit to question the merits of the policy objectives of any bureau, department, agency, other public body, public office, or audited organisation in respect of which an examination is being carried out or, subject to the following Guidelines, the methods by which such policy objectives have been sought, but he may question the economy, efficiency and effectiveness of the means used to achieve them.

## GUIDELINES

4. The Director of Audit should have great freedom in presenting his reports to the Legislative Council. He may draw attention to any circumstance which comes to his knowledge in the course of audit, and point out its financial implications. Subject to these Guidelines, he will not comment on policy decisions of the Executive Council and the Legislative Council, save from the point of view of their effect on the public purse.

5. In the event that the Director of Audit, during the course of carrying out an examination into the implementation of policy objectives, reasonably believes that at the time policy objectives were set and decisions made there may have been a lack of sufficient, relevant and reliable financial and other data available upon which to set such policy objectives or to make such decisions, and that critical underlying assumptions may not have been made explicit, he may carry out an investigation as to whether that belief is well founded. If it appears to be so, he should bring the matter to the attention of the Legislative Council with a view to further inquiry by the Public Accounts Committee. As such an investigation may involve consideration of the methods by which policy objectives have been sought, the Director should, in his report to the Legislative Council on the matter in question, not make any judgement on the issue, but rather present facts upon which the Public Accounts Committee may make inquiry.

6. The Director of Audit may also -

- (i) consider as to whether policy objectives have been determined, and policy decisions taken, with appropriate authority;
- (ii) consider whether there are satisfactory arrangements for considering alternative options in the implementation of policy, including the identification, selection and evaluation of such options;
- (iii) consider as to whether established policy aims and objectives have been clearly set out; whether subsequent decisions on the implementation of policy are consistent with the approved aims and objectives, and have been taken with proper authority at the appropriate level; and whether the resultant instructions to staff accord with the approved policy aims and decisions and are clearly understood by those concerned;

- (iv) consider as to whether there is conflict or potential conflict between different policy aims or objectives, or between the means chosen to implement them;
- (v) consider how far, and how effectively, policy aims and objectives have been translated into operational targets and measures of performance and whether the costs of alternative levels of service and other relevant factors have been considered, and are reviewed as costs change; and
- (vi) be entitled to exercise the powers given to him under section 9 of the Audit Ordinance (Cap. 122).

## **PROCEDURES**

7. The Director of Audit shall report his findings on value for money audits in the Legislative Council twice each year. The first report shall be submitted to the President of the Legislative Council within seven months of the end of the financial year, or such longer period as the Chief Executive may determine. Within one month, or such longer period as the President may determine, copies shall be laid before the Legislative Council. The second report shall be submitted to the President of the Legislative Council by the 7th of April each year, or such date as the Chief Executive may determine. By the 30th April, or such date as the President may determine, copies shall be laid before the Legislative Council.

8. The Director's report shall be referred to the Public Accounts Committee for consideration when it is laid on the table of the Legislative Council. The Public Accounts Committee shall follow the rules governing the procedures of the Legislative Council in considering the Director's reports.

9. A Government minute commenting on the action Government proposes to take in respect of the Public Accounts Committee's report shall be laid on the table of the Legislative Council within three months of the laying of the report of the Committee to which it relates.

10. In this paper, reference to the Legislative Council shall, during the existence of the Provisional Legislative Council, be construed as the Provisional Legislative Council.

**Witnesses who appeared before the Committee  
(in order of appearance)**

Mr WONG Kam-sing	Secretary for the Environment
Dr Samuel CHUI Ho-kwong	Deputy Director of Environmental Protection (1)
Mr CHEN Che-kong	Assistant Director (Water Policy) Environmental Protection Department
Ms Carol YUEN Siu-wai	Director of Marine
Mr Raymond SY	Deputy Director of Marine (2)
Mr Tony CHAN Cheuk-sang	Assistant Director/Planning and Services Marine Department
Mr Warren LI Kin-pong	General Manager/Services Marine Department
Mr Caspar TSUI Ying-wai	Secretary for Home Affairs
Miss Janice TSE Siu-wa	Director of Home Affairs
Miss Vega WONG Sau-wai	Deputy Director of Home Affairs (2)
Mr Alfred LEE Koon-yan	Assistant Director (5) Home Affairs Department
Ms Maisie CHENG Mei-sze	Director of Environmental Protection
Dr LEUNG Siu-fai	Director of Agriculture, Fisheries and Conservation
Dr Jackie YIP Yin	Assistant Director (Country and Marine Parks) (Acting) Agriculture, Fisheries and Conservation Department
Miss Diane WONG Shuk-han	Director of Food and Environmental Hygiene (Acting)
Mr TSE Yu-cheung	Assistant Director (Operations) <sup>3</sup> (Acting) Food and Environmental Hygiene Department

Mr TSE Ki-cheong	Senior Superintendent (Cleansing and Pest Control) <sup>1</sup> Food and Environmental Hygiene Department
Mr Vincent LIU Ming-kwong	Director of Leisure and Cultural Services
Mr Horman CHAN Ming-cheong	Assistant Director (Leisure Services) <sup>1</sup> Leisure and Cultural Services Department

**A brief account of Chapter 1 of Report No. 75**  
**“Collection and removal of marine refuse by the Marine Department”**  
**by the Director of Audit**  
**at the Public Hearing of the Public Accounts Committee**  
**of the Legislative Council on Wednesday, 3 March 2021**

Mr. Chairman,

Thank you for inviting me here to give a brief account of Chapter 1 of Report No. 75 of the Director of Audit, entitled “Collection and removal of marine refuse by the Marine Department”.

This Audit Report comprises four PARTs.

**PART 1 of the Report, namely “Introduction”, describes the background of the audit.**

The work of the Marine Department (MD) in tackling marine refuse includes collecting vessel-generated refuse and scavenging floating refuse, conducting publicity campaigns, performing daily patrols in Hong Kong waters and conducting enforcement against marine littering. In 2020-21, its estimated annual recurrent expenditure on such work is \$102 million, of which \$95 million (93%) is related to the outsourcing of marine refuse cleansing and disposal services.

**PART 2 of the Report examines the administration of marine refuse cleansing and disposal contracts by MD.**

MD has outsourced marine refuse cleansing and disposal services to a contractor through 2 contracts. The Audit Commission (Audit) found that from 2012 to 2019, there were significant discrepancies between the quantities of municipal solid waste disposed of by the contractor as per records of the Environmental Protection Department (EPD) and the quantities of marine refuse collected as reported in MD’s Controlling Officer’s Reports. Overall, the quantities per EPD records represented only about 20% of the quantities reported by MD.

The contractor has disposed of the bulk of marine refuse collected at EPD’s refuse transfer stations with disposal charges reimbursed by MD, but the reimbursement arrangement had not been mentioned in the tender documents. In addition, contrary to the provisions set out in the tender documents, the contractor has sub-contracted the daily transportation of marine refuse under the 2 contracts without obtaining MD’s prior approval, and only informed MD 29 and 22 months respectively thereafter. For the recent 4 tender

exercises of the contract for the whole of Hong Kong waters conducted from 2004 to 2017, the number of tenders received had decreased and there had been a notable increase in the contract expenditure.

**PART 3 of the Report examines the monitoring of the marine refuse cleansing and disposal services by MD.**

According to MD's guidelines, the whole of Hong Kong waters is divided into 12 patrol areas, and each should be covered in MD's daily cleanliness patrols at least once a month. However, in 2019, the required frequency was not met in 3 of the patrol areas, and the number of months recording no patrols ranged from 1 to 6. Furthermore, while the contract provides that if the level of cleanliness of any part of Hong Kong waters falls below the "Good" level" during the service hours, a "Good" level shall be re-established within the specified time limit, Audit found instances that the provision was not met.

During site inspections conducted in June and July 2020, Audit noted that the contractor deployed pleasure vessels for marine refuse cleansing work, which might have contravened the relevant legislation.

There are currently four marine refuse collection points (MRCPs) in Hong Kong for temporary storage of floating refuse and domestic refuse collected from boats and ships for subsequent conveyance to and disposal at disposal sites. Audit's site inspections in July and August 2020 found that there was no daily transportation of marine refuse from 2 MRCPs to disposal sites, and another MRCP was not in operation with its lifting appliance for unloading marine refuse found to be out of order.

**PART 4 of the Report examines other issues relating to the tackling of marine refuse.**

In November 2012, the then Inter-departmental Working Group on Clean Shorelines was set up to enhance the collaboration among relevant government departments to address marine refuse problem. In May 2016 and January 2017, the Chairman of the Working Group invited MD to consider arranging officers to take enforcement actions in plain clothes to increase the deterrent effect. However, of the 280 anti-marine littering operations in 2019, 270 (96%) were conducted by MD's officers in uniform.

In May 2019, MD informed the Legislative Council that a trial run of floating booms was planned to commence in 2019-20 to tackle the issue of marine refuse by intercepting floating refuse in waters causing no obstruction to vessel traffic. However, up to August 2020, MD had not yet commenced the trial run.



In the light of the above audit findings, Audit has made recommendations to MD accordingly.

Our views and recommendations were agreed by MD. I would like to take this opportunity to acknowledge with gratitude the full cooperation, assistance and positive response of the staff of MD during the course of the audit review amid the coronavirus disease (COVID-19) epidemic.

Thank you, Mr. Chairman.

(Translation)

**Public Accounts Committee of the Legislative Council  
Public Hearing on the Director of Audit's Report No. 75**

**Chapter 1: Collection and Removal of Marine Refuse by the Marine  
Department**

**Opening Remarks by the Secretary for the Environment**

Mr Chairman,

I would like to thank the Audit Commission for its comprehensive audit work and valuable comments with regard to the collection and removal of marine refuse by the Marine Department. We accept the various recommendations made by the Audit Commission in the Director of Audit's Report (the Audit Report). The Marine Department is actively following up on the implementation of the related measures. I will now briefly introduce the Government's policies on the collection and removal of marine refuse and the follow-up actions taken by the Marine Department in response to the recommendations made in the Audit Report.

**Government's policy on marine refuse collection and removal**

2. The Government has all along attached great importance to the marine refuse problem. To improve the cleanliness of our waters and shorelines, a three-pronged strategy has been adopted over the past few years. The strategy includes reducing waste generation at source; reducing the amount of refuse entering the marine environment; and removing refuse from the marine environment. In order to focus on the discussion and handling of the relevant work areas, and to strengthen the inter-departmental cooperation on tackling marine refuse and marine environmental incidents, in January 2018, the

Environment Bureau revamped the Inter-departmental Working Group on Clean Shorelines set up in November 2012 and renamed it as the Inter-departmental Working Group on Marine Environmental Management (the Working Group), with member departments including the Marine Department and the Environmental Protection Department which have sent representatives to attend today's hearing.

3. The Environment Bureau has all along been providing support at the policy level to the Marine Department. The Environment Bureau conducts regular meetings with the management of the Marine Department through the Working Group to learn about and monitor the progress of various work duties, with a view to ensuring their alignment with the relevant targets and policy directions. We will continue to maintain close contact with the Marine Department through the Working Group and daily work, and supervise the work of the Marine Department on the collection and removal of marine refuse.

### **Recommendations in the Audit Report**

4. I am going to briefly introduce the series of follow-up actions taken by the Marine Department in response to the Audit Report's recommendations.

5. The Audit Report pointed out that there were significant discrepancies between the quantities of marine refuse collected as reported in the Marine Department's Controlling Officer's Reports and the quantities of municipal solid waste disposed of by the contractor as per the records from landfills and refuse transfer stations. The "discrepancies" arose were due to the different measurement approaches adopted for the two sets of figures. The Marine Department's estimation was based on the quantities of marine refuse collected by the contractor, whereas the records from landfills and refuse transfer stations were based on the actual weight of refuse received. We understand that such practice may give rise to ambiguities and cause misunderstandings

by the public easily. We have already reviewed the relevant practice. In order to clarify the unit used for measuring the quantities of refuse collected, with effect from 1 January 2021, the Marine Department has adopted the volume unit of “cubic metre” for measuring the quantities of refuse collected at sea and from vessels. This practice is also in line with that adopted by the International Maritime Organisation, i.e. measuring the quantities of refuse in “cubic metre”.

6. The Audit Report pointed out that the Marine Department should clearly specify the arrangement for charges incurred in refuse disposal at refuse transfer stations for tender exercise in future. The Marine Department will specify clearly in future tender documents of the contract for the whole of Hong Kong waters that the contractor has to bear all the costs of marine refuse disposal. Besides, the Marine Department will take due consideration of the recommendations of the Central Tender Board when drafting tender documents in future, with a view to attracting more contractors to bid for contracts of marine refuse cleansing to enhance tender competition.

7. The Marine Department will continue to strengthen the monitoring work over the collection and removal of marine refuse by the contractor, and to ensure that the required frequency of daily cleanliness patrols for each patrol area is met. Upon receipt of reports on marine refuse, the Marine Department will notify the contractor to perform cleansing work in the relevant area, and will re-check the cleanliness at sea after the contractor has performed marine refuse cleansing work as directed. The Marine Department will also deploy patrol officers to conduct surprise checks on priority areas and marine refuse collection points to monitor the performance of the contractor.

8. Regarding new initiatives on marine refuse cleansing, the Marine Department has procured two sets of floating booms for trials of intercepting floating refuse at suitable waters which will not interfere with vessel navigation.

The Marine Department conducted trials in the Western District Public Cargo Working Area and Kwun Tong Typhoon Shelter in mid-October 2020 and late November 2020 respectively. The results show that floating booms can effectively intercept floating refuse in calm and sheltered waters. In view of this, the Marine Department will start with the installation of floating booms in Kwun Tong Typhoon Shelter to intercept floating refuse.

9. Apart from the above measures, the Environmental Protection Department and the Marine Department will step up publicity and collaborate with relevant organisations and groups and government departments in conducting joint cleansing operations to clean up marine refuse in the foreshore areas.

10. I am grateful to the Director of Audit and his colleagues for the value-for-money audit review. The Marine Department accepts the recommendations in the Audit Report. The Environment Bureau will continue to closely monitor the implementation progress of the various measures at policy level, so as to ensure that the recommendations are effectively implemented.

11. Mr Chairman, I hope this brief explanation can give Members a general picture of the work of the Marine Department on the collection and removal of marine refuse and the follow-up measures. As for details of the measures, the Director of Marine and her colleagues are happy to answer Members' questions later. Thank you.

-End-

**Public Accounts Committee of the Legislative Council  
Public Hearing on the Director of Audit's Report No. 75**

**Chapter 1: Collection and Removal of Marine Refuse by the Marine  
Department**

**Speaking Notes of the Director of Marine**

**Speaking Notes**

- Thank you, Chairman.
- The Audit Commission has put forward various recommendations for improving the administration of marine refuse cleansing by the Marine Department in its Audit's Report No. 75 (the Audit Report) published on 25 November 2020. We accept the recommendations made by the Audit Commission in the Audit Report. We are actively implementing relevant measures.
- As the Secretary just mentioned, the Marine Department has already taken measures to ensure that the quantity of marine refuse collected is properly reported, and has also enhanced the management of the contractor. We will also follow up on the relevant recommendations of the Audit Commission when preparing for the next tendering exercise.
- My colleagues and I would be pleased to answer Members' questions and listen to their opinions.
- Thank you, Chairman.

本署檔號  
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EP CR80/AUDIT/2/4(2020)  
來函檔號  
YOUR REF : CB4/PAC/R75  
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**Environmental Protection  
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**環境保護署總部**

香港添馬  
添美道二號  
政府總部東翼  
十五及十六樓

25 March 2021

Ms. Wendy JAN  
Clerk to the Public Accounts Committee,  
Legislative Council,  
Legislative Council Complex,  
1 Legislative Council Road,  
Central, Hong Kong

Dear Ms. JAN,

**Public Accounts Committee  
Consideration of Chapter 1 of the Director of Audit's Report No. 75  
Collection and Removal of Marine Refuse by the Marine Department**

I refer to your letter dated 9 March 2021 under ref: CB4/PAC/R75 concerning the above subject. Please find the requested information set out below.

Part 1: Introduction

**(a) The roles of the Environment Bureau (ENB), the Environmental Protection Department (EPD) and the Marine Department (MD) in tackling marine refuse, and whether ENB has a monitoring role in MD's work on this front; if yes, how ENB performs its role to oversee the work of MD, such as ensuring the accuracy of statistics on the quantities of marine refuse collected as reported in MD's Controlling Officer's Reports;**

**Reply:** The Government has all along attached great importance to tackling the marine refuse problem. To improve the cleanliness of our waters and shorelines, a three-pronged strategy has been adopted over the past few years. The strategy includes reducing waste generation at source; reducing the amount of refuse entering the marine environment; and removing refuse from the marine environment. Regarding the handling of marine refuse, ENB plays the role as the policy bureau responsible for formulating policies

and providing policy steer. In order to focus the discussion and handling of the relevant work areas, and to strengthen the inter-departmental co-operation on tackling marine refuse and marine environmental incidents, in January 2018, ENB revamped the Inter-departmental Working Group on Clean Shorelines set up in November 2012 and renamed it as Inter-departmental Working Group on Marine Environmental Management (the Working Group), with member departments including MD and EPD. ENB has regular meetings with the management of the departments through the Working Group, so as to understand and monitor the progress of various work areas, thereby ensuring their compliance with the related targets and policy directions. EPD is responsible for supporting the implementation of the relevant policies of ENB, and performing tasks assigned by the Working Group, such as monitoring the cleanliness condition of coastal areas and beaches, as well as conducting public education and publicity on the message of clean shorelines. As for the routine marine cleansing work, including collecting and reporting the quantities of marine refuse, as well as ensuring the accuracy of the statistics, it is undertaken and monitored by MD.

## Part 2: Administration of marine refuse cleansing and disposal contracts

- (b) With reference to paragraph 2.4 of the Audit Report, please advise how the Administration could resolve the significant discrepancies between the quantities of municipal solid waste disposed of by the contractor as per EPD's records and the quantities of marine refuse collected as reported in MD's Controlling Officer's Reports, so as to reflect the Administration's work in tackling marine refuse as a whole in a consistent manner;**

**Reply:** On this issue, ENB notes that MD has explained the reasons and solution for the "discrepancies" in its reply to Question (a) (i) and (ii) from Public Accounts Committee (PAC) and, in its reply to Question (e), MD promises to review the relevant performance indicators in the Controlling Officer's Reports, including the consideration of including additional performance indicators so as to evaluate the relevant work more effectively. ENB agrees with MD's reply and has no further supplement.

**\*Note by Clerk, PAC:** See Appendix 9 of this Report for the reply from Director of Marine.



Part 4: Other related issues (c)

**(c) According to Table 10 in paragraph 4.7 of the Audit Report, the Marine Refuse Study commissioned by EPD and released in April 2015 revealed that shoreline and recreational activities and ocean/waterway activities represented about 89% of marine refuse in Hong Kong. Please advise whether EPD and MD have taken into account the above findings of the study in planning their enforcement operations, such as arranging officers to take enforcement actions in plain clothes, and enhanced public education and publicity campaigns to curb source activities of marine refuse;**

**Reply:** Making reference to the findings of the Marine Refuse Study, EPD has been taking the reduction of the amount of refuse entering the marine environment as one of the objectives of its work and achieving it by enhancing public education / promotion activities as well as coordinating other measures, and actively encouraging community groups and volunteers to participate in the clean shorelines work. Since 2015, EPD has coordinated the efforts of other government departments in supporting volunteer groups to organise up to 1 600 shoreline cleanup activities, while 78 “Shorelines Cleanup Day” activities have been organised by EPD with over 2 700 participants. Apart from the shoreline cleanup activities, EPD has also organised various types of public education and public engagement activities to promote the message of preventing marine pollution caused by refuse, including:

- organising competitions such as those on shoreline cleanup slogans, comics, video filming, publicity posters, etc.;
- organising roving exhibitions on clean shorelines in the 18 districts;
- producing TV Announcements in the Public Interest;
- holding public engagement sessions;
- subsidising clean shorelines projects through the Environment and Conservation Fund (43 projects have been approved since 2017, with a total subsidy of about \$22 million);
- setting up the Clean Shorelines Liaison Platform (including thematic website, Facebook page, Instagram and YouTube channel);
- organising the “World Environment Day and World Oceans Day 2019 – Plastic-free Fun Fair” cum “Clean Shorelines Heroes”

Award Presentation Ceremony;

- distributing flyers to restaurant/food stall owners; and
- implementing the Student Environmental Protection Ambassador Scheme — Marine Conservation, Cleaner and Greener Shorelines programme, and organising instructor training courses jointly with the Scout Association of Hong Kong.

In addition, EPD has coordinated the implementation of the following measures taken by members of the Inter-departmental Working Group on Clean Shorelines to prevent refuse from entering the sea:

- providing additional drinking water facilities at coastal activity sites, and imposing a ban on the sale of bottled drinking water through vending machines;
- installing floating booms at drainage outlets, and conducting trials of refuse interception technologies at river channels;
- providing additional litter bins and recycling bins at the public piers and landing steps, or moving them closer; and
- conducting joint enforcement operations at the Aberdeen Typhoon Shelter and Aberdeen Fish Market, and formulating practice guides to avoid foam plastics from entering the sea.

As for the relevant work of MD, please refer to its reply to Question (bb) from PAC.

- (d) With reference to paragraph 4.15 of the Audit Report, please advise the follow-up actions taken/to be taken by EPD and MD to ensure the accuracy and timely update of the information relating to marine refuse cleansing work provided on the "Clean Shorelines" Website;**

**Reply:** On this issue, ENB notes that MD has elaborated on its follow-up actions in its reply to Question (cc) from PAC. ENB agrees with MD's reply and has reminded EPD and MD to keep close liaison to ensure that the information relating to marine refuse cleansing work provided on the "Clean Shorelines" Website is accurate and up-to-date.

- (e) It was mentioned in the public hearing that the cleanliness of beaches has improved since 2015. Please provide relevant statistics on beach cleanliness from 2010 to 2020.**

***\*Note by Clerk, PAC:*** See Appendix 9 of this Report for the reply from Director of Marine.

**Reply:** In April 2015, EPD started to monitor the cleanliness condition of the priority sites. A five-level cleanliness grading system: “Grade 1 – Clean”; “Grade 2 – Satisfactory”; “Grade 3 – Fair”; “Grade 4 – Unsatisfactory” and “Grade 5 – Poor”, is also devised to gauge the cleaning efforts.

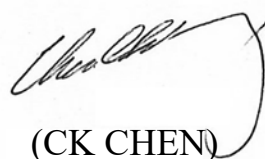
The cleanliness of the priority sites has improved significantly since 2015 (see Table 1 for the details). Currently, 97% of the priority sites have an average cleanliness grading ranging from “Grade 1 – Clean” to “Grade 3 – Fair” and none of them was found with a “Grade 5 – Poor” condition during regular inspections.

**Table 1 Average cleanliness gradings of priority sites from 2015 to 2020**

Year	Average cleanliness grading				Total
	1 to <2	2 to <3	3 to <4	4 to ≤5	
2015	17 (63%)		7 (26%)	3 (11%)	27
2016	23 (85%)		3 (11%)	1 (4%)	27
2017	23 (85%)		2 (7.5%)	2 (7.5%)	27
2018	27 (93%)		0	2 (7%)	29
2019	25 (86%)		4 (14%)	0	29
2020	28 (97%)		1 (3%)	0	29

Note: EPD conducted a review in 2017 to update the list of priority sites. The new list comprises 29 sites, among which 14 are newly added.

Yours sincerely,



(CK CHEN)

for Director of Environmental Protection

c.c.

Director of Marine (email: carolswyuen@mardep.gov.hk)

Director of Agriculture, Fisheries and Conservation  
(email: dafcoffice@afcd.gov.hk)

Director of Environmental Protection (email: dep@epd.gov.hk)

Director of Food and Environmental Hygiene (email: dfehooffice@fehd.gov.hk)

Director of Leisure and Cultural Services (email: dlcsoffice@lcsd.gov.hk)

Secretary for Financial Services and the Treasury (email: sfst@fstb.gov.hk)

Director of Audit (email: john\_nc\_chu@aud.gov.hk)

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## APPENDIX 8 MARINE DEPARTMENT

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38 PIER ROAD  
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HONG KONG

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本處檔號 OUR REF.: MD-PCU-A04-035-03B-003  
電話號碼 TEL. NO.: 2852 4403  
傳真號碼 FAX NO.: 3101 0914

4 January 2021

Public Accounts Committee  
Legislative Council  
Legislative Council Complex  
1 Legislative Council Road  
Central  
Hong Kong  
(Attn: Ms Wendy JAN)

Dear Ms JAN,

### Public Accounts Committee

#### Consideration of Chapter 1 of the Director of Audit's Report No. 75 Collection and removal of marine refuse by the Marine Department

Thank you for your letter dated 23 December 2020. Our replies to the questions raised by the Public Accounts Committee are set out at **Annex**.

Yours sincerely,

(Tony C.S. CHAN)  
for Director of Marine

Encl.

c.c. Secretary for the Environment (email: [sen@enb.gov.hk](mailto:sen@enb.gov.hk))  
Secretary for Financial Services and the Treasury (email: [sfst@fstb.gov.hk](mailto:sfst@fstb.gov.hk))  
Director of Audit (email: [john\\_nc\\_chu@aud.gov.hk](mailto:john_nc_chu@aud.gov.hk))

**Replies to questions raised in PAC's letter of 23 December 2020**

**Part 1: Introduction**

- (1) With regard to the recurrent expenditure on the work of the Marine Department ("MD") in tackling marine refuse as mentioned in Table 2 of paragraph 1.9, please provide in tabular form the respective annual expenditures for collection and removal of marine refuse over the past ten years from 2011-2012 to 2020-2021, and the current establishment and actual number of staff responsible for various related duties.

**Reply:** The recurrent expenditure of the Pollution Control Unit of MD in tackling marine refuse over the past ten years is at **Appendix A**.

MD's marine refuse cleansing and disposal services have been fully outsourced since July 2005. The Pollution Control Unit of MD is primarily responsible for monitoring the collection and removal of marine refuse by contractors, and patrolling the sea to monitor its cleanliness. The establishment and strength of the Unit are 23 and 20 respectively. For details, please refer to **Appendix B**.

**Part 2: Administration of marine refuse cleansing and disposal contracts**

- (2) With regard to the tender process for the marine refuse cleansing and disposal services contracts administered by MD as mentioned in paragraph 2.6(c), will the Administration advise on the composition of the officers responsible in tender evaluation; the time when the tender evaluation mechanism started to be used; the time when the mechanism was last revised? Prior to a new round of tendering exercise, whether MD would conduct a thorough review of the outsourcing services as a whole before devising a new tender document; if yes, what are the mechanism and procedural guidelines?

**Reply:** Since the marine refuse cleansing and disposal services have been fully outsourced in 2005, MD has conducted open tender exercises for outsourced services in accordance with the tendering procedures as stipulated in the Stores and Procurement Regulations.

For the contracts for the whole of Hong Kong waters, they were approved by the Central Tender Board (“CTB”) in accordance with the tender procedures as stipulated in the Stores and Procurement Regulations. Tenders received would first be evaluated by the tender assessment panel (comprising five officers from MD and the Environment Bureau and chaired by an MD officer at Directorate Pay Scale Point 2) in accordance with the assessment criteria approved by the CTB. Assessment results and the tender recommended to be accepted would be submitted to the CTB for consideration and approval.

As for the contracts for Tai Po District, according to the tender process stipulated in the Stores and Procurement Regulations, depending on the value of contract, they would be approved by the Government Logistics Department Tender Board (“GLDTB”) or the Departmental Tender Committee (chaired by the Deputy Director of Marine). Tenders received would first be evaluated by the tender assessment panel (comprising three officers of MD and chaired by an officer at Directorate Pay Scale Point 1) according to the Stores and Procurement Regulations and tender requirements. Assessment results and the tender recommended to be accepted would be submitted to GLDTB or the Departmental Tender Committee (depending on the value) for consideration and approval.

MD has been monitoring the effectiveness and efficiency of the contractor’s performance as well as identifying areas for improvement through reviewing various returns and reports submitted by the contractor and conducting monthly contract management committee meetings with the contractor. In addition, MD will examine the arrangements under the existing contract and consider improvement measures prior to the conduct of the next round of tender exercise. For example, prior to the tender exercise for the whole of Hong Kong waters in 2011, MD reviewed the cost

effectiveness of maintaining two marine refuse cleansing and disposal contracts and came to the view that the two contracts should be combined to enhance the economy of scale in terms of operation and to encourage investment in more innovative service delivery approaches. Subsequently, the contracts for the Eastern area of the Hong Kong waters and the Western area of the Hong Kong waters were combined in the 2011 tender exercise. Moreover, MD also introduced a fuel price fluctuation adjustment mechanism so that the contractor and the Government would share the risk when there are huge fluctuations in fuel prices in the market. This mechanism would help promote competitive bidding and achieve better value for money.

Before conducting the tender exercise for the whole of Hong Kong waters in 2017, MD had reviewed the coverage of the marine cleansing and disposal services. With a view to enhancing the cleanliness of the Hong Kong waters, the number of priority areas was increased from 36 to 43 in the tender document for the 2017 tender exercise. In addition, a requirement that the contractor should provide not less than 60 scavenging and supporting vessels for the core services was also added in the said tender document to ensure that the successful bidder would possess the necessary fleet size to deliver the services. Furthermore, the number of cleansing teams to enhance scavenging floating refuse along the foreshore was also increased from two to three.

**Part 3: Monitoring of marine refuse cleansing and disposal services**

- (3) According to paragraph 3.13, the Audit Commission noted that there is room for improvement in marine refuse cleansing work of the contractor. Has MD set up monitoring mechanism for the services provided by the contractor as well as its performance; if yes, what are the mechanism and manpower involved in monitoring?

**Reply:** MD monitors the contractor's performance mainly by conducting daily cleanliness patrols on a surprise basis, reviewing the various returns and reports submitted by the contractor and conducting monthly meetings with the contractor.

With regard to the daily monitoring of the contractor's marine refuse cleansing work, MD will instruct the contractor to clean up the area concerned upon receipt of report of marine refuse, and inspect the cleanliness conditions of the waters again after completion of cleansing work by the contractor. In case of unsatisfactory cleanliness conditions after cleansing, MD will instruct the contractor to deploy resources and manpower to step up the cleansing work until the cleanliness conditions are up to the requirements.

In addition, MD will also conduct surprise checks at the "priority areas" during patrols in order to ensure their cleanliness conditions are up to the requirements.

The establishment and strength of the Pollution Control Unit of MD are 23 and 20 respectively.

**Part 4: Other related issues**

- (4) With reference to paragraph 4.12, the Audit Commission noted that the information relating to the MD's marine refuse cleansing work on the "Clean Shorelines" website was not entirely accurate. While the website was managed by the Environmental Protection Department ("EPD"), what is MD's mechanism for the update and management of information under its purview on the website?

**Reply:** The "Clean Shorelines" website is maintained by EPD, which regularly collects and uploads information such as marine refuse collected at different locations from various government departments onto the website for reference by the public. After noting that update of certain information on the "Clean Shorelines" website was required, MD provided latest information to EPD and the information was updated onto the website on 16 September 2020. MD will work with EPD and review and update the website regularly to provide the public with the latest information.



- (5) With reference to paragraph 4.17, MD informed the Legislative Council in May 2019 that a trial run of floating booms was planned to commence in 2019-2020. Will the Administration advise on the latest progress, the expected earliest completion date and any change in the estimated expenditure of the trial run?

**Reply:** The trial run aims to place floating booms in suitable waters which will not cause obstruction to vessel traffic to intercept floating refuse. The two sets of floating booms newly procured were received in May 2020. MD has placed the floating booms in Western District Public Cargo Working Area and Kwun Tong Typhoon Shelter in mid-October 2020 and late November 2020 respectively to test the effectiveness of intercepting marine refuse in different waters. It is expected that a more comprehensive assessment on its effectiveness will be available in late January 2021. The expenditure of the trial run has been included in the overall budget of the Pollution Control Unit.

- (6) With regard to paragraph 4.19 concerning the development of innovation and technology in tackling marine refuse, will MD advise on the number of projects incorporating innovation and technology in tackling marine refuse in recent years; the technological applications primarily involved in the respective projects, overall effectiveness, savings in expenditure and manpower, as well as innovative technologies to be introduced in the future and their related implementation schedules?

**Reply:** Apart from intercepting marine refuse with floating booms on a trial basis, MD has also acquired two drones to strengthen the monitoring of the cleanliness at sea. The drones are currently under trial run, and are expected to commence service in the second quarter of 2021. We will review the effectiveness of the drones half a year after the commencement of the service.

海事處污染控制小組應對海上垃圾工作的經常開支 (2011-12 至 2020-21 年度)  
Recurrent Expenditure of the Pollution Control Unit of Marine Department in Tackling Marine Refuse (from 2011-12 to 2020-21)

性質 Nature	經常開支 (百萬元) Recurrent expenditure (\$ million)									
	實際 Actual									預算 Estimate
	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
外判海上垃圾 清理及處置服務 Outsourcing of marine refuse cleansing and disposal services	34.43	36.27	37.30	38.08	39.90	39.95	58.40	84.14	90.56	94.98
租賃小輪 Hire of launches	0.63	0.85	0.87	0.95	0.95	0.84	1.88	4.97	6.05	6.97
總計 Total	35.06	37.12	38.17	39.03	40.85	40.79	60.28	89.11	96.61	101.95

海事處污染控制小組編制和實際人員

(截至 2020 年 12 月 31 日)

Establishment and Strength in Pollution Control Unit of Marine Department

(As of 31 December 2020)

職級 Rank	編制 Establishment	實際人員 Strength
海事主任 / 助理海事主任 Marine Officer / Assistant Marine Officer	2	2
高級助理船務主任 Senior Assistant Shipping Master	2	2
一級海事督察 Marine Inspector I	3	3
二級海事督察 Marine Inspector II	10	10
助理文書主任 Assistant Clerical Officer	1	1
文書助理 Clerical Assistant	1	1
技工 Artisan	2	0
二級工人 Workman II	2	1
總數 Total	23	20

## 海 事 處

香港統一碼頭道 38 號  
海港政府大樓

香港郵政總局信箱 4155 號



## APPENDIX 9 MARINE DEPARTMENT

HARBOUR BUILDING  
38 PIER ROAD  
HONG KONG

G.P.O. BOX 4155  
HONG KONG

網站 WEB SITE: <http://www.mardep.gov.hk>  
本處檔號 OUR REF.: MD-PCU-A04-035-03B-003  
電話號碼 TEL. NO.: 2852 4403  
傳真號碼 FAX NO.: 3101 0914

25 March 2021

Public Accounts Committee  
Legislative Council  
Legislative Council Complex  
1 Legislative Council Road  
Central  
Hong Kong  
(Attn: Ms Wendy JAN)

Dear Ms JAN,

### Public Accounts Committee

#### Consideration of Chapter 1 of the Director of Audit's Report No. 75 Collection and removal of marine refuse by the Marine Department

Thank you for your letter dated 9 March 2021. Our replies to the questions raised by the Public Accounts Committee are set out at **Annex**.

Yours sincerely,

(Tony C.S. CHAN)  
for Director of Marine

Encl.

c.c. Secretary for the Environment (email: [sen@enb.gov.hk](mailto:sen@enb.gov.hk))  
Secretary for Financial Services and the Treasury (email: [sfst@fstb.gov.hk](mailto:sfst@fstb.gov.hk))  
Director of Audit (email: [john\\_nc\\_chu@aud.gov.hk](mailto:john_nc_chu@aud.gov.hk))

**Public Accounts Committee  
Chapter 1 of the Director of Audit's Report No. 75  
Collection and removal of marine refuse by the Marine Department**

**Part 1: Introduction**

- (a) With reference to paragraphs 1.6 and 2.2 of the Audit Report about the measurement and reporting of the quantity of marine refuse collected by the Marine Department ("MD"), the Secretary for the Environment mentioned in his opening remarks at the public hearing that with effect from 1 January 2021, MD had adopted the approach of measuring the quantity of marine refuse in cubic metre ("the new approach"). Please advise/explain:
- (i) the methodology (please provide a photo of the specific measuring container mentioned at the public hearing) and procedure for measuring the quantity of marine refuse collected under the new approach, and a copy of the daily record submitted by Contractor A for reporting to MD the quantity of marine refuse collected;
  - (ii) why MD considers cubic metre an appropriate measurement unit for marine refuse, and how the new approach could ensure the accuracy of the statistics provided by the contractor on the quantities of marine refuse collected;

Reply: Following the recommendation stated in paragraph 2.7(a) of the Audit Report, MD has investigated the reasons for the "discrepancies" between the record of MD and that of landfills and refuse transfer stations. The "discrepancies" arose because the two sets of figures were derived from different measurement methods. MD's long established practice was to estimate the quantities of marine refuse collected, while actual weight of refuse was measured at landfills and refuse transfer stations.

After reviewing, MD has sought consent from the Environment Bureau ("ENB") that starting from 1 January 2021, the quantity of refuse collected from the sea and vessels would be measured by volume in cubic metres. This is in line with the measurement unit of volume in cubic metres adopted in the Consolidated Guidance for Port Reception Facility Providers and Users (see **Appendix A**) of the International Maritime Organization.

MD has instructed the contractor to measure the actual quantity of refuse collected in cubic metres starting from 1 January 2021, instead of following the past practice of "estimating" the weight based on the number of bags of refuse collected. To ensure the accuracy of the statistics, MD has been conducting monthly surprise checks on the refuse handling procedures adopted by the contractor since 1 January 2021 to monitor the performance of the contractor in reporting the

quantity of refuse collected. The contractor has submitted to MD the specification list of designated containers for carrying marine refuse at each marine refuse collection point (“MRCP”) and their respective capacity (ranging from 1 m<sup>3</sup> to 5 m<sup>3</sup>) (see **Appendix B**). During the surprise checks on the quantity of refuse collected at the four MRCPs, officers of MD will check if the staff of the contractor have used the containers designated in the specification list to carry marine refuse and confirm if the frontline staff have recorded the quantity of marine refuse collected according to the actual situation. A copy of the daily record submitted by the contractor for reporting to MD the quantity of marine refuse collected is shown in **Appendix C**.

- (iii) the manpower required and frequency of inspection conducted by MD to verify the relevant statistics provided by the contractor under the new approach, and whether the new approach would incur extra expenditure;

Reply: At present, there are mainly ten Marine Inspector IIs and four patrol launches responsible for the inspection of sea water cleanliness across the territory and for monitoring the performance of the marine scavenging services contractor; and MD will redeploy resources in accordance with the actual needs to address the floating refuse problems in various districts. We will increase the surprise checks to eight to ten times a month at the four MRCPs to monitor the performance of the contractor in reporting the quantity of refuse collected. The new measure will be undertaken by the staff of the existing establishment and will not incur extra expenditure.

- (iv) the roles of the Environment Bureau (“ENB”), the Environmental Protection Department (“EPD”) and MD in tackling marine refuse, and whether ENB has a monitoring role in MD’s work on this front; if yes, how ENB performs its role to oversee the work of MD, such as ensuring the accuracy of statistics on the quantities of marine refuse collected as reported in MD’s Controlling Officer’s Reports (“CORs”);

Reply: MD understands that ENB has provided reply for an identical question. MD has nothing further to supplement.

- (b) with reference to Table 1 in paragraph 1.8 and Table 2 in paragraph 1.9 of the Audit Report, please advise/explain:

- (i) the reasons for the significant increase of 150% in the recurrent expenditure on the outsourcing of marine refuse cleansing and disposal services from \$40.79 million in 2016-2017 to the estimated \$101.95 million in 2020-2021 while the quantities of marine refuse collected by MD had remained steady over the past decade;

**\*Note by Clerk, PAC:** See Appendix 7 of this Report for the reply from Director of Environmental Protection.

- (ii) whether there was a significant policy change in tackling marine refuse from 2016-2017 to 2020-2021 that had led to such substantial rise in expenditure in (i);

Reply: The increase in the recurrent expenditure on MD's work in tackling marine refuse can be divided into two parts. The first part is the expenditure on the outsourcing of marine refuse cleansing and disposal services. The existing five-year contract commenced in October 2017. Since 2017-18, there has been a relatively significant rise in the expenditure. Compared with the last contract, the existing contract requires the contractor to provide at least 60 vessels. Besides, the number of foreshore cleansing team members has increased from two teams of 24 members to three teams of 36 members in total. The number of priority areas in the contract has also increased from 36 to 43. Due to the above reasons, coupled with factors such as rising costs in hiring work boats, inflation and wage increase, the total price of the contract for the whole of Hong Kong waters has increased from \$189 million to \$447 million. Furthermore, MD awarded an additional contract for Tai Po District in October 2018 with a total contract value of \$9.48 million.

Apart from the expenditure on outsourcing of marine refuse cleansing and disposal services, the recurrent expenditure in tackling marine refuse also includes the expenditure on the hire of launches for patrolling. MD hired two launches for patrolling in 2016-17, one more in 2017-18 and another one in 2018-19 (i.e. four patrol launches in total). Apart from hiring additional patrol launches, MD has also extended the working hours of some of the launches. After the new contract came into effect in June 2020, two of the launches hired have also provided services on Sundays and public holidays. One of the launches has also increased one working hour every day. As a result, the increase in the number of vessels as well as in the number of working days and working hours have led to a corresponding rise in MD's expenditure on hire of launches.

- (iii) why MD's work in tackling marine refuse has shown no remarkable progress from 2017 to 2019 as reflected by the three performance indicators expressed in terms of the quantity of marine refuse collected while MD has stepped up its inspection of sea water cleanliness and monitoring of the work performance of the contractor by increasing the number of launches hired from two to four since 2017-2018;

Reply: The reason for increasing the number of patrol launches is to strengthen monitoring, with the goal to remove floating refuse promptly to keep the sea clean. Since 2005, MD has adopted objective-based specifications in the contract, requiring the contractor to re-establish the waters to a "Good" level as soon as possible. Specifically, the contractor shall maintain the waters of Hong Kong at "Good" level during the service hours (i.e. between 8:00 am and 6:00 pm). If the sea water cleanliness is found to fall below the "Good" level, the contractor shall re-establish a

“Good” level within 30 minutes, 60 minutes and 120 minutes for Zone 1, Zone 2 and Zone 3 respectively.

As the quantity of marine refuse is affected by factors such as weather, current, geographical location, population density and vessel density, the quantity varies daily. In view of this, MD does not require the contractor to collect a specified quantity or weight of refuse every day, nor does it use the quantity or weight of marine refuse collected as an indicator to measure the effectiveness of the contractor. Increasing the number of patrol launches is only to strengthen monitoring, with the goal to restore promptly Hong Kong waters to a clean condition.

- (iv) in view of (i) to (iii), whether MD, from the perspective of value for money, considers the current outsourcing arrangement cost-effective. Please provide details with the support of statistical data where appropriate;

Reply: As the Audit Commission stated in its Audit Report No. 43 in 2004, the cost of collecting marine refuse by MD’s scavenging vessels was much higher, about 16 times that of the contractors’ scavenging vessels. After reviewing, MD agreed that the cost-effectiveness of collecting marine refuse by government vessels was relatively low. Hence, since 2005, MD has fully outsourced the marine refuse cleansing and disposal services.

Since 2005, it has been MD’s policy goal to remove floating refuse promptly to keep the sea clean. In respect of monitoring the work and effectiveness of marine scavenging contractors, MD adopts an objective-based approach and requires the contractor to maintain the waters of Hong Kong at “Good” level within a certain time period.

In response to the recommendations made by the Public Accounts Committee (“PAC”), MD will conduct a review before considering the next tendering exercise for the contract for marine refuse cleansing and disposal services. The review will include analysis of cost-effectiveness and adoption of additional service performance indicators so as to examine the effectiveness of the arrangements.

- (v) the basis for increasing the number of launches hired from two to four since 2017-2018. Please provide details with the support of statistical data where appropriate; and

Reply: ENB appointed a consultant in 2012 to conduct a study of the sources, fates, distribution and movement of marine refuse in Hong Kong waters. The study aimed to review the existing measures and formulate strategic policies to prevent and reduce marine refuse. The results of the study were announced in April 2015. In the report, five recommendations were made to improve the cleanliness of the shorelines, including enhancing efforts to remove refuse from the marine



environment. Therefore, MD submitted an application in 2016 and funding was approved for hiring one more vessel in 2017 to step up patrol in Hong Kong waters targeting marine refuse accumulation and to step up monitoring of contractor's performance.

Later, to enhance district administration, the Chief Executive initiated a series of improvement measures in the 2017 Policy Address, including cleaning hygiene blackspots in all districts more frequently, and conducting large-scale clean-up operations regularly at coastal areas and typhoon shelters. According to the public hygiene blackspots in various districts of Hong Kong as listed by the Home Affairs Bureau at the meeting of Steering Committee on District Administration in September 2017, 12 blackspots in the foreshore water areas of Tai Po District are under the purview of MD (waters adjacent to Ko Lau Wan, Sha Lan, Sam Mun Tsai, Chan Uk Tsuen, Pak Shek Kok, Ma Shi Chau, Tong Kai Tseng, Yim Tin Tsai, Tseng Tau Tsuen, Sai Keng Tsuen, North Nai Chung Tsuen and Yung Shue O).

As more hygiene blackspots were identified in Tai Po District and the waters cover a large area, it is necessary to deploy additional patrol launches in Tai Po District to reduce travelling time and enhance patrol efficiency. Therefore, in 2018, MD hired an additional launch when tendering for the marine refuse collection contract for Tai Po District to strengthen patrolling work in the district.

- (vi) the respective number of ships and locally-licensed and river trade vessels mentioned in Table 1 of paragraph 1.8 in each year from 2016 to 2020;

Reply: The numbers of different types of vessels from 2016 to 2020 are set out in **Appendix D**.

- (c) according to paragraph 1.11 of the Audit Report, MD has fully outsourced the marine refuse cleansing and disposal services since July 2005, and reformed the outsourcing arrangement in October 2011 by bundling previous two contracts into one contract to cover the whole of Hong Kong waters. In view of the increasing recurrent expenditure of MD on the outsourcing of such services as shown in Table 2 in paragraph 1.9, please advise:

- (i) whether MD would conduct a comprehensive review of the content of the current contract for the whole of Hong Kong waters before its expiry in September 2022, including the contract duration, service specifications such as the size of fleet required and operation of the four marine refuse collection points ("MRCPs"); and

Reply: In response to the recommendations made in the Audit Report and by the PAC, MD will conduct a review before considering the next tendering exercise for the contract for marine refuse cleansing and disposal services for the whole of Hong Kong

waters. Factors such as contract duration, service specifications, number of vessels required and operation of the MRCPs will be examined.

- (ii) whether MD would consider using in-house vessels to perform the scavenging work;

Reply: In response to the Audit Report published in 2004, MD has reviewed the cost-effectiveness of scavenging services provided by government vessels. MD agreed that the cost-effectiveness of government operation was relatively low. As a result, since 2005, MD has fully outsourced the marine refuse collection and removal services. As the services have been fully outsourced, MD has chartered three government vessels originally used for marine scavenging to the marine scavenging service contractor at nominal rent for daily operation and maintenance.

- (d) according to paragraphs 1.12 to 1.14 of the Audit Report, apart from the five-year contract for marine refuse cleansing and disposal services covering the whole of Hong Kong waters, MD has since October 2018 entered into an additional two-year contract with the same contractor (i.e. Contractor A) for marine refuse cleansing and disposal services in Tai Po District. Given that the service areas, services provided and resources deployed under the two contracts overlap with each other, please provide/advise:

- (i) the justifications for MD to go for an additional contract for Tai Po District;

Reply: To enhance district administration, the Chief Executive initiated a series of improvement measures in the 2017 Policy Address, including cleaning hygiene blackspots in all districts more frequently, and conducting large-scale clean-up operations regularly at coastal areas and typhoon shelters. According to the public hygiene blackspots in various districts of Hong Kong as listed by the Home Affairs Bureau at the meeting of Steering Committee on District Administration in September 2017, 12 blackspots in the foreshore water areas of Tai Po District are under the purview of MD (waters adjacent to Ko Lau Wan, Sha Lan, Sam Mun Tsai, Chan Uk Tsuen, Pak Shek Kok, Ma Shi Chau, Tong Kai Tseng, Yim Tin Tsai, Tseng Tau Tsuen, Sai Keng Tsuen, North Nai Chung Tsuen and Yung Shue O).

As more hygiene blackspots were identified in Tai Po District and the waters cover a large area, MD invited tenders in 2018 for the contract of marine refuse collection in Tai Po District, with emphasis on cleansing the hygiene blackspots in the foreshore water areas of Tai Po District. Under the contract, the contractor shall provide one fast response boat, one refuse collection boat and a foreshore cleansing team comprising 12 workers. The cleansing frequency at those blackspots shall increase from once to four times per month in order to improve the cleanliness condition of the district.

As such, with the contract for Tai Po District, additional cleansing services to foreshore water areas are provided. These are on top of the services covered by the contract for the whole of Hong Kong waters.

- (ii) whether MD has considered varying the existing contract for the whole of Hong Kong waters to include the special service requirements for Tai Po District, and whether MD has conducted cost analysis to compare the relative costs of making such variations to the existing contract for the whole of Hong Kong waters and issuing an additional contract for Tai Po District; if yes, the results; if no, the reasons;

Reply: In 2018, MD was of the view that there was a need for additional services in Tai Po District. The marine refuse cleansing and disposal services in Tai Po District with a two-year term by way of open tendering would allow more flexibility. At that time, varying the existing contract for the whole of Hong Kong waters to cover the improvement measures in the Tai Po District was not considered.

- (iii) whether MD would review the need to renew the contract for Tai Po District before the expiry of the current contract in September 2022; and

Reply: Before the expiry of the contract for Tai Po District, MD will conduct a review on its arrangements together with the marine refuse cleansing and disposal contract for the whole of Hong Kong waters.

- (iv) the quantities of marine refuse collected in Tai Po District each year from 2017 to 2020 with the percentages over the total quantities of marine refuse collected in the whole of Hong Kong waters;

Reply: The percentages of the quantities of marine refuse collected in Tai Po District over the total quantities of that in the whole of Hong Kong waters from 2017 to 2020 are set out in **Appendix E**.

## Part 2: Administration of marine refuse cleansing and disposal contracts

- (e) referring to paragraphs 2.2 and 2.6 of the Audit Report about the reporting of the quantity of marine refuse collected, please advise/explain:
  - (i) why MD has adopted "the quantity of marine refuse collected" as one of the performance indicators in its CORs, and whether MD considers "the quantity of marine refuse collected" an appropriate performance indicator which can effectively and accurately reflect its work in tackling marine refuse;

- (ii) why MD does not verify the accuracy of the statistics provided by the contractor on the quantities of marine refuse collected, despite that these would be included in its CORs as one of the important performance indicators to evaluate the work of MD in tackling marine refuse;

Reply: MD has been listing “the quantity of marine refuse collected” in its CORs for several decades. While it is now impossible to find out the reasons for adopting “the quantity of marine refuse collected” as a performance indicator, it was likely used for reference. In fact, MD had stated in the COR of 1989 that “Performance is difficult to quantify because of the disposition, quantity and concentration of refuse”.

In order to record the numbers more accurately in the future, MD has been conducting surprise checks on the contractor’s refuse handling procedures each month since 1 January 2021, so as to ensure the accuracy of the quantity of marine refuse collected, and to monitor the contractor’s performance in reporting the quantity of refuse collected more effectively.

MD will examine the current performance indicators and consider the inclusion of other indicators to better reflect the relevant work.

- (iii) how MD monitors and reviews the effectiveness of the outsourcing arrangement without verifying the accuracy of such statistics; and

Reply: MD has all along conducted daily patrols to inspect the sea water cleanliness in different districts and monitor the contractor’s work performance through different means. MD has been monitoring the contractor’s service performance by reviewing various returns and reports submitted by the contractor, and by holding Contract Management Committee meetings with the contractor each month. The contractor is required to submit a Vessel Operation Schedule to MD one day before cleansing is conducted, and a Daily Situation Report after completion of services. MD inspects and reviews the reports submitted by the contractor, and instructs the contractor to redeploy vessels and the foreshore cleansing team when necessary to accommodate the service requests received. During Contract Management Committee meetings chaired by the Marine Officer/Pollution Control Unit with the contractor each month, MD and the contractor would also examine the trends in quantity of marine refuse collected in various districts, and identify marine refuse blackspots for following up as well as areas for improvement.

- (iv) apart from "the quantity of marine refuse collected", whether MD would consider adopting other performance indicators, such as cleanliness condition of the waters of Hong Kong, in its CORs to better reflect its work in tackling marine refuse;

Reply: Before considering the next tendering exercise for marine refuse cleansing and disposal service contract, MD will examine relevant service indicators for contractors and explore other suitable performance indicators in its CORs.

- (f) referring to paragraph 2.3 of the Audit Report about the transportation of marine refuse to disposal sites, please advise how MD would address the issue of the shared use of the same vehicle (i.e. Vehicle 1) by Contractor A under the two respective contracts for the whole of Hong Kong waters and Tai Po District, and the follow-up actions taken/to be taken by MD in respect of the Contractor A's failure to maintain attendance records and daily log books on the deployment of vehicles and their work for inspection by MD in accordance with the requirements of the two contracts;

Reply: Under the current cleansing service contract, the contractor is only required to empty the refuse stored in temporary storage containers at MRCs every day. Under the terms of the contracts for the whole of Hong Kong waters and Tai Po District, there is no requirement that vehicles provided by the contractor can only be used to transport marine refuse collected under a particular contract, and the contractor is also not required to use a specified number of vehicles to transport marine refuse every day. Hence the provision of the same vehicle for the two contracts does not constitute a violation of contract terms.

Besides, MD has requested the contractor to comply with the requirement of maintaining attendance records and daily logs from August 2020 onwards. Since transaction record receipts issued at landfills are printed on thermal paper that is prone to fading, MD has requested the contractor to photocopy the receipts, which are then scanned and stored on computers to ensure proper records are maintained. MD will request the contractor to provide records for inspection at any time to ensure that the latter has complied with the relevant requirements.

- (g) with reference to paragraph 2.6(a) of the Audit Report, please explain/advise:

- (i) how the performance of the contractor could be effectively and accurately measured if MD does not assess the contractor's work based on the quantity of marine refuse collected; and

Reply: As stated in paragraph e(iii) above, MD has all along conducted daily patrols to inspect the sea water cleanliness in different districts and monitor the contractor's work performance. MD has been monitoring the contractor's service performance by reviewing various returns and reports submitted by the contractor, and by holding Contract Management Committee meetings with the contractor each month. The contractor is required to submit a Vessel Operation Schedule to MD one day before cleansing is conducted, and a Daily Situation Report after completion of services. MD inspects and reviews the reports submitted by the contractor, and instructs the contractor to redeploy vessels and the foreshore cleansing team when necessary to

accommodate the service requests received. During Contract Management Committee meetings chaired by the Marine Officer/Pollution Control Unit with the contractor each month, MD and the contractor would also examine the trends in quantity of marine refuse collected in various districts, and identify marine refuse blackspots for following up as well as areas for improvement.

- (ii) whether there are any other quantitative indicators, such as level of water cleanliness, attendance of marine refuse transportation vehicle, frequency of patrol visits and the average time taken to respond to a complaint/service request referred by MD, which could help MD evaluate the contractor's performance in an effective manner;

Reply: MD has currently adopted objective-based specifications in the contract. The contractor is required to maintain cleanliness condition of Hong Kong waters at "Good" level during service hours (i.e. between 8:00 am and 6:00 pm). Upon identifying areas with cleanliness condition below "Good" level, the contractor shall re-establish the cleanliness condition to "Good" level within 30, 60 and 120 minutes for Zone 1, Zone 2 and Zone 3 respectively. MD welcomes and agrees with the recommendations of the PAC. A review will be conducted before considering the next tender exercise for the marine refuse cleansing and disposal service contract for the whole of Hong Kong waters; and ways to include other quantitative indicators to monitor the performance of the contractor more effectively will also be examined.

- (h) with reference to paragraph 2.14(a) of the Audit Report, please advise the progress of recovering from Contractor A the overpayment on disposal charges arising from the Tai Po District contract and the amount involved;

Reply: In September 2020, MD successfully recovered the overpaid disposal charges at refuse transfer stations under the contract for Tai Po District from the contractor with a total sum of \$2,234.

- (i) with reference to paragraphs 2.15 and 2.16 of the Audit Report, please advise the progress of implementing the Audit Commission's recommendations by MD, and whether MD has requested Contractor A to make any written declaration/confirmation to ensure that Vehicle 1 will not be used for purposes other than transporting marine refuse;

Reply: With reference to paragraph 2.15 (a), when inviting tenders for the contract for Tai Po District in 2018, MD clearly stipulated in the relevant tender documents that all costs related to marine refuse disposal were to be borne by the contractor. In future tender documents of the contract for the whole of Hong Kong waters, MD will also include a term which clearly states that marine refuse disposal costs will be borne by the contractor.

With reference to paragraph 2.15 (b), MD has already requested the contractor to comply with the requirement of maintaining attendance records and daily logs from August 2020 onwards. Since transaction record receipts issued at landfills are printed on thermal paper that is prone to fading, MD has requested the contractor to photocopy the receipts, which are then scanned and stored on computers to ensure proper records are maintained. MD will request the contractor to provide records for inspection at any time to ensure that the latter has complied with the relevant requirements.

With reference to paragraph 2.15 (c), in February 2021, MD received written confirmation from the contractor that Vehicle 1 will not be used for purposes other than transporting marine refuse.

- (j) with reference to paragraph (c)(iii) of your letter dated 29 December 2020, please advise the consequences of the contractor for non-compliance with the "Performance Default Notice" issued by MD;

Reply: According to Clause 36.3(ii) of the contract for the whole of Hong Kong waters and Clause 36.3(b) of the contract for Tai Po District in 2020, in the event that the contractor fails to comply with a Performance Default Notice served upon it pursuant to Clause 36.2 or the breach is such that remedy is not possible, the Government shall be entitled to deduct from payments due to the contractor such reasonable sum or sums as the Government considers appropriate to reflect the actual loss to the Government resulting from the breach including administrative charges such sum or sums to be calculated by reference to the rates in the Price Proposal.

While the clauses above allow MD to take further action, since the contractor has implemented remedial measures, MD did not trigger the above clauses.

- (k) according to the sub-contracting service agreements for the transportation of collected marine refuse in Appendices D to F to Annex to your letter dated 29 December 2020, the sub-contractor was required to collect marine refuse daily from the marine refuse collection points to disposal sites. Please advise how MD could ensure that the sub-contractor had provided the service required given that only one vehicle (i.e. Vehicle 1) was provided under the contracts;

Reply: Under the current practice, marine refuse collected in eastern waters under the contract for the whole of Hong Kong waters and marine refuse collected under the contract for Tai Po District will be transported by sea to Cha Kwo Ling MRCP for temporary storage, which will then be collected by Vehicle 1 and transported to disposal sites. Refuse collected under the contract for Tai Po District only accounts for a very small amount of refuse collected from the whole of Hong Kong waters. Please refer to **Appendix E** for relevant information. As refuse collected in Tai Po District only accounts for roughly 2.9% of the total amount of refuse collected on

**\*Note by Clerk, PAC:** See Appendix 10 of this Report for the reply dated 29 December 2020 from Director of Marine.

average over the past few years, the amount of refuse collected under the contract for Tai Po District will not affect the provision of services by the contractor under the contract for the whole of Hong Kong waters. Nonetheless, MD has stepped up efforts in monitoring the loading records of relevant refuse collecting vehicles from August 2020 onwards, so as to monitor whether the contractor has complied with the relevant contract requirements. MD has begun conducting surprise checks on MRCs from January 2021 onwards to monitor the compliance of relevant requirements.

- (l) with reference to Appendix G to Annex to your letter dated 29 December 2020 about the handling of the unauthorized sub-contracting arrangement under the contract for the whole of Hong Kong waters, please advise whether MD has given due consideration to relevant factors (other than that the services to be provided would not be affected) in granting the covering approval; if yes, please provide the factors considered and/or justifications for granting such approval; if no, why not;

Reply: The sub-contracting arrangement concerned involves the hire of vehicle by the contractor to provide land transport for the marine refuse collected. Other than failing to seek prior approval from MD, the contractor has been using the hired vehicle to fulfill its contract requirements, and no additional expenses or material effects have been suffered by MD as a result of the contractor transporting marine refuse with hired vehicle. Given the above considerations, MD approved the contractor's sub-contracting arrangements under the contract for the whole of Hong Kong waters in July 2020. However, MD agrees that the incident was undesirable, and has reminded the contractor to comply with contract terms and conditions in the future. Should the contractor breach the relevant requirements again, MD will take further action.

- (m) under Clause 18.2 of the contract for Tai Po District, the Government's approval of the sub-contracting of services will normally only be granted in case of an emergency or under special circumstances (referred to in MD's letter to Contractor A dated 14 August 2020). However, no factors for consideration and/or justifications (other than that the services to be provided would not be affected) were provided in the minutes seeking covering approval of the sub-contracting arrangement made under the contract for Tai Po District. Please explain/advise:

- (i) whether in granting the covering approval, due consideration was given to the relevant factors (in particular whether there was an emergency or special circumstances) and if so, please provide the factors considered and/or justifications for granting such approval; and

**\*Note by Clerk, PAC:** See Appendix 10 of this Report for the reply dated 29 December 2020 from Director of Marine, and letter dated 14 August 2020 from Director of Marine to Contractor A not attached.



- (ii) whether you agree that giving covering approvals to rectify the unauthorized sub-contracting arrangements is undesirable; if yes, please advise whether there are any measures/mechanism put in place by MD to prevent recurrence of similar incidents in future;

Reply: As stated in paragraph (l) above, the sub-contracting arrangement concerned involves the hire of vehicle by the contractor to provide land transport for the marine refuse collected. Other than failing to seek prior approval from MD, the contractor has been using the hired vehicle to fulfill its contract requirements, and no additional expenses or material effects have been suffered by MD as a result of the contractor transporting marine refuse with hired vehicle. In terms of the contract for Tai Po District, it was close to ending at the material time. Due to such special circumstances, MD approved the contractor's sub-contracting arrangements under the contract for Tai Po District in August 2020. However, MD agrees that the incident was undesirable, and has reminded the contractor to comply with contract terms and conditions in the future. Should the contractor breach the relevant requirements again, MD will take further action.

- (n) according to Table 5 in paragraph 2.23 of the Audit Report, there was a notable increase in the price of the contract for the whole of Hong Kong waters from 2004 to 2017. Please provide the breakdown on staff resources and the average cost per head for each contract awarded during the period;

Reply: The current contract requires the contractor to provide at least 60 vessels, while the number of foreshore cleansing team members has also increased from two teams of 24 members to three teams of 36 members in total. The number of priority areas in the contract has also increased from 36 to 43. Coupled with factors such as rising costs in hiring work boats, inflation and wage increase, the total price of the contract has risen accordingly.

Since the overall contract cost includes the staffing, expenditure and number of vessels involved in cleaning up floating refuse, collecting domestic refuse from ocean-going vessels, river trade vessels and locally-licensed vessels in typhoon shelters, there is no separate breakdown for per-capita costs within the contract. However, the contractor provided the breakdown for manpower involved in marine refuse cleansing service contracts for the whole of Hong Kong waters between 2004 and 2017, which is listed in **Appendix F**.

[\*Appendix F consists of internal documents regarding the contract with the contractor, which contains commercially sensitive information and should not be disclosed to the public. The document concerned should only serve as reference for members of the PAC.]

**\*Note by Clerk, PAC:** *Appendix F not attached.*

- (o) with reference to paragraphs 2.26 and 2.27 of the Audit Report, do you agree that the existing outsourcing arrangements for marine refuse cleansing and disposal services might have given advantage to Contractor A, and have led to over-reliance on a single contractor for the provision of services, which is considered undesirable; if yes, please advise the measures taken/to be taken by MD to enhance the tender competition; if no, the reasons;

Reply: MD has been inviting tenders for the marine refuse cleansing contracts in accordance with the tendering procedures as stipulated in the Stores and Procurement Regulations. Among which, for the contract for the whole of Hong Kong waters, since the tender submissions received in the tender exercises were of value exceeding \$30 million, the tenders were approved by the Central Tender Board (“CTB”). There was no bias towards the existing contractor.

Nevertheless, MD will review the existing practice before considering the next tendering exercise by taking into account the recommendations of the CTB in 2017, in order to refine the procedure and attract more tenderers to bid for the marine refuse cleansing contract, which in turn enhances tender competition.

### Part 3: Monitoring of marine refuse cleansing and disposal services

- (p) according to 3.3(c) of the Audit Report, the contractor is required to restore the level of cleanliness of any part of the Hong Kong waters to "Good" level within the timeframe specified for a particular service area. Please provide the relevant record/statistics in 2020 on the respective number of cases meeting and not meeting the specified time limit by the contractor, with breakdown by zone;

Reply: During daily patrols, in case the sea water cleanliness falls below the “Good” level and there is no contractor performing cleaning up work at the scene, MD patrol officers will instruct the contractor to clean up the water area concerned as soon as possible to re-establish the sea water cleanliness to “Good” level. Patrol officers will, after giving instructions to the contractor, re-inspect the area concerned in order to ensure that the contractor has provided cleansing services as instructed. However, since patrol officers are still required to perform other routine and patrolling duties after giving the contractor instructions, they may not be able to confirm whether the cleanliness condition of the area concerned has been re-established to a “Good” level within the specified time limit. Nonetheless, the patrol officers will arrange for inspections of the cleanliness condition of the area concerned at the earliest possible time. Whenever the contractor is unable to complete the cleansing work within the specified time limit under exceptional circumstances, such as taking time to deploy a foreshore cleansing team for cleansing work or requiring additional time to clean up enormous amount of floating refuse, the patrol officers will discuss with the contractor to come up with a recommendation for tackling the issue. Please refer to **Appendix G** for relevant information.

- (q) with reference to paragraphs 3.3(d) and 3.3(e) of the Audit Report, please advise how MD can ensure that at least 50% of the contractor's scavenging/collection fleet are in operation during service hours and the contractor provides foreshore cleansing services every day for nine continuous working hours between 8:00 am and 7:00 pm in accordance with the requirements of the contract for the whole of Hong Kong waters;

Reply: In terms of daily operation, the contractor will submit a Daily Vessel Operation Schedule to MD before each working day. A Daily Situation Report is submitted to MD for inspection and recordkeeping after service completion. According to past records, the contractor has provided at least 60 vessels for marine refuse cleansing services in the Daily Vessel Operation Schedule. During its daily patrol, MD will also inspect whether the contractor has provided the vessels as listed in the Daily Vessel Operation Schedule for service within the specified timeframe.

- (r) referring to Table 6 in paragraph 3.8 of the Audit Report about the numbers of daily cleanliness patrols and helicopter surveillance conducted by MD in 12 patrol areas in 2019, please explain/advise:
- (i) why the required frequency for conducting daily cleanliness patrols of at least once a month could not be met in three of the 12 patrol areas, namely Area 4 (Sai Kung), Area 8 (Lantau South) and Area 9 (Lantau West), and how the patrol frequency for each of the 12 patrol areas is determined;
  - (ii) why Area 4 (Sai Kung) and Area 9 (Lantau West) were not inspected by either MD's daily cleanliness patrol or helicopter surveillance at least once a month;

Reply: MD conducts harbour patrol in the 12 patrol areas with its four existing patrol launches. Regular helicopter surveillance will also be conducted. It is stipulated in the internal guidelines that each patrol area should meet the required frequency for conducting daily cleanliness patrols of at least once a month. However, the patrol routes will be altered in accordance with the actual operations and needs as necessary, for instance, the weather conditions and emergency marine incidents, etc. Under these circumstances, MD will be required to deploy patrol launches to deal with emergency situations, which may lead to a failure in meeting the required frequency for conducting daily cleanliness patrols of at least once in that particular month in some patrol areas. MD has strengthened its monitoring work from November 2020 onwards, and will review the frequency of patrols conducted for each patrol area during middle of the month. Whenever an area has not been patrolled by any patrol officer, manpower will be deployed subsequently for conducting patrols in the areas concerned at the earliest possible time. In addition, Area 9 has been included in the helicopter surveillance route since October 2020.

- (iii) according to paragraph 3.7(d) of the Audit Report and Appendix B to Annex to your letter dated 4 January 2021, there were ten Marine Inspectors II (in full strength position) serving as the patrol officers in the Pollution Control Unit of MD as at 31 December 2020. Please advise whether the current staff establishment of the rank of Marine Inspector II in the Pollution Control Unit is sufficient for performing the patrol duty at the required frequency;

Reply: MD's Pollution Control Unit has a current establishment of ten Marine Inspectors II and four patrol launches for the inspection of sea water cleanliness across the territory and monitoring the performance of the marine scavenging services contractor. The manpower deployed for patrolling can largely meet the required frequency for conducting daily cleanliness patrols of at least once a month as stipulated in the guidelines except when there are marine oil spillage and related incidents.

- (iv) measures taken/to be taken by MD to ensure that the required frequency of daily cleanliness patrols for each patrol area is met;

Reply: MD has strengthened its monitoring work from November 2020 onwards, in order to ensure that daily cleanliness patrols are conducted at least once a month in each patrol area. Upon the implementation of the new measure, MD will review the frequency of patrols conducted for each patrol area during middle of the month. Whenever an area has not been patrolled by any patrol officer, manpower will be deployed subsequently for conducting patrols in the areas concerned at the earliest possible time.

- (v) whether MD would explore the use of information technology to facilitate its work in tackling marine refuse, including submission of marine refuse collection records by the contractor, referral of service requests/complaints to the contractor and the monitoring of daily cleanliness patrols conducted by patrol officers of MD; and

Reply: The contractor reports to MD on the duty records of its frontline staff and replies on the latest situation of referrals of service requests/complaints via email and facsimile. MD will explore with the contractor further use of information technology in order to facilitate the daily management and monitoring of marine refuse collection and disposal services.

Besides, MD will also explore the use of applicable information technology in order to step up the monitoring of frontline patrol officers in conducting daily sea water cleanliness patrols.

**\*Note by Clerk, PAC:** *See Appendix 8 of this Report for the reply dated 4 January 2021 from Director of Marine.*

MD has already acquired two drones which are currently under testing. We expect that the drones can be deployed to assist in monitoring the sea water cleanliness starting from the second quarter of 2021.

- (vi) the numbers of daily cleanliness patrols and helicopter surveillance conducted in the 12 patrol areas in 2020;

Reply: Please refer to **Appendix H** for relevant information.

- (s) with reference to paragraph 3.9(b) of the Audit Report, please explain why two of the 12 patrol areas, namely Area 9 (Lantau West) and Area 10 (Sha Chau and New Territories North), were not covered by any of the six routes of helicopter surveillance and advise the follow-up actions taken/to be taken by MD in this regard;

Reply: Apart from daily sea water cleanliness patrols, MD officers are also deployed to conduct helicopter surveillance on the cleanliness condition of Hong Kong waters at height regularly by taking helicopters, and follow up on the cleansing work as needed. In designing the routes of helicopter surveillance, the key considerations of MD include locations with past records of frequent accumulation of refuse, districts receiving more complaints and the flight time required for the surveillance route, etc. Patrol Areas 9 and 10 were hence not included in past helicopter surveillance routes.

MD has recently reviewed the situation. Having considered that the service requests received cover water areas over the entire territory, MD has liaised with relevant department to work out new routes of helicopter surveillance. Patrol Areas 9 and 10 have been included starting from October 2020 onwards.

- (t) with reference to paragraph 3.10 of the Audit Report, please explain the procedure for handling service requests/complaints relating to marine refuse by MD;

Reply: Upon receipt of marine refuse reports, MD will notify the contractor to clean up the water area concerned. According to the requirements of the contract for the whole of Hong Kong waters, the contractor is required to re-establish the cleanliness condition to a “Good” level within 30, 60 and 120 minutes for Zone 1, Zone 2 and Zone 3 respectively after the receipt of notification from MD. The contractor will notify MD upon completion of the marine refuse cleansing work as instructed. MD will deploy officers where possible to inspect the cleanliness condition of the water area concerned again. In case the sea water cleanliness is still unsatisfactory after the cleansing work, MD officers will instruct the contractor to redeploy resources and manpower to strengthen the cleansing work until the cleanliness condition is up to the standard. MD will then reply the persons/units concerned.

- (u) according to Figure 3 in paragraph 3.11 of the Audit Report, the number of patrol visits in three of the 12 patrol areas, namely Area 4 (Sai Kung), Area 8 (Lantau South) and Area 9 (Lantau West) was relatively small, but the number of service requests received was more than the number of patrol visits for these three areas. Please advise whether MD would consider deploying patrol resources to these three areas from other areas where the number of patrol visits largely exceeded the number of service requests/complaints; if yes, details of the implementation plan; if no, why not;

Reply: MD conducts harbour patrol in the 12 patrol areas with its four existing patrol launches. It is stipulated in the internal guidelines that each patrol area should meet the required frequency for conducting daily cleanliness patrols of at least once a month. However, the patrol routes will be altered in accordance with the actual operations as necessary, for instance, the weather conditions and emergency marine incidents, etc. Under these circumstances, MD will be required to deploy patrol launches to deal with emergency situations, which may lead to a failure in meeting the required frequency for conducting daily cleanliness patrols of at least once in that particular month in some patrol areas. MD has strengthened its monitoring work from November 2020 onwards, in order to ensure daily cleanliness patrols are conducted at least once a month in each patrol area. MD will also make reference to the nature and numbers of service requests/complaints received by a particular patrol area in planning for the deployment.

- (v) referring to paragraph 3.13 of the Audit Report about the contractor's marine refuse cleansing work at typhoon shelters and promenades, please advise:

- (i) the efforts made by MD in the past three years to monitor the contractor's marine refuse cleansing work at typhoon shelters and promenades;

Reply: MD monitors the contractor's performance mainly by conducting daily patrols on a surprise basis, in water areas including typhoon shelters and promenades, and reviewing the various operational returns and reports submitted by the contractor as well as conducting Contract Management Committee meetings with the contractor each month.

As for the daily monitoring of the contractor's marine refuse cleansing work, upon receiving marine refuse reports including those coming from typhoon shelters and promenades, MD will instruct the contractor to clean up the areas concerned. Upon the contractor's completion of the cleansing work, MD will deploy officers where possible to inspect the cleanliness condition of the water areas concerned again. In case the sea water cleanliness is still unsatisfactory after the cleansing work, MD officers will instruct the contractor to redeploy resources and manpower to strengthen the cleansing work until the cleanliness condition is up to the standard.

In addition, MD will also inspect the priority areas on a surprise basis during patrols,

including but not limited to Cheung Chau Typhoon Shelter, Sam Ka Tsuen Typhoon Shelter, Tuen Mun Typhoon Shelter and Kwun Tong Typhoon Shelter, so as to ensure the sea water cleanliness is up to the standard. MD will inform the contractor to clean up any water areas of unsatisfactory cleanliness condition.

MD will place floating booms at the Kwun Tong Typhoon Shelter to intercept floating refuse in end-March 2021, and has also acquired two drones which are currently under testing. We expect that the drones can be deployed to assist in the monitoring of the sea water cleanliness starting from the second quarter of 2021.

- (ii) it was advised at the public hearing that the contractor encountered operational difficulties in collecting and removing marine refuse at typhoon shelters which were always occupied by vessels. Please advise whether MD has taken any measures to facilitate the contractor's marine refuse cleansing work at typhoon shelters; if yes, the details and the effectiveness of such measures; if no, why not; and

Reply: Under certain circumstances, for instance, after typhoons and rainstorms, or when floating refuse is accumulated between mooring vessels where it is difficult or impossible to be reached, the contractor may need a longer time than the timeframe as stated in the contract to re-establish the sea water cleanliness. MD has already reminded the contractor to keep us informed in case of difficulties and being unable to complete the cleansing work within the specified time limit, and continue to follow up until the cleansing work is completed. MD will instruct the contractor to redeploy vessels and foreshore cleansing team as needed to assist in cleaning up water areas normally unreachable by work boats, and will also contact the vessel owners concerned to move their vessels away from the berthing area to facilitate the contractor's cleansing work.

- (iii) the short-term and long-term measures that would be taken by MD to tackle the marine refuse in typhoon shelters and promenades;

Reply: The short-term measures are set out in paragraph (v)(ii) above. Regarding the long-term measures, MD will, during the review of marine refuse cleansing and disposal services, examine the cleansing arrangements concerned, in order to further enhance the cleansing requirements of the locations in the future.

- (w) with reference to paragraph 3.20 of the Audit Report, please advise the latest development of the issue relating to the deployment of pleasure vessels by the contractor for marine refuse cleansing work, the total number of Performance Default Notices issued by MD to the contractor arising from the issue, and the enforcement actions taken by MD. Please also provide a copy of the Performance Default Notices issued;

Reply: The Audit Report identified the use of non-compliant vessels by the contractor in conducting marine refuse cleansing work. MD showed serious concern for the situation, and instructed the contractor immediately after receiving the report to stop using non-compliant vessels in conducting marine refuse cleansing work. After further investigation, MD issued to the contractor two Performance Default Notices under the contract for the whole of Hong Kong waters in 2017 and one Performance Default Notice under the contract for Tai Po District in 2018. The contractor undertook not to use non-compliant vessels in conducting marine refuse cleansing work in the future. MD has also sought the Department of Justice's legal advice on the contractor's use of non-compliant vessels in conducting marine refuse cleansing work, and was advised that there was insufficient evidence to initiate a prosecution.

The Performance Default Notices issued by MD are set out in **Appendix I**.

[\*Appendix I is an internal document under the contract between MD and the contractor which contains commercially sensitive information and should not be disclosed to the public. The document concerned should be restricted only to PAC members for reference.]

- (x) with reference to paragraph 3.24 of the Audit Report regarding the management of the four MRCs, please advise:
- (i) the monitoring work of MD on the operations of MRCs, and whether MD has conducted any regular/surprise inspections to MRCs; if yes, the frequency of inspections; if no, why not;
  - (ii) the follow-up measures taken/to be taken by MD to ensure the proper management of MRCs and to enhance the monitoring of their operations;

Reply: When patrolling various areas, MD officers will inspect from time to time the conditions of MRCs, including whether the refuse is properly stored in covered temporary storage containers and whether the MRCs are tidy and clean.

From January 2021 onwards, MD has increased the frequency of conducting surprise checks to eight to ten times at different MRCs every month, in order to ensure the contractor's compliance of requirements on clearing the contents of temporary storage containers at the MRCs every day. MD officers will check the following items in conducting surprise checks:

- (a) whether the supervisor on duty is present;
- (b) overall cleanliness condition of MRCs;
- (c) whether gates are locked;
- (d) whether warning signs are placed in prominent locations;
- (e) whether rat prevention measures are implemented; and
- (f) whether the contents of temporary storage containers are emptied.

**\*Note by Clerk, PAC:** *Appendix I not attached.*



- (iii) whether MD has imposed any penalty on the contractor for failure to operate MRCPs in Cha Kwo Ling and Ap Lei Chau in accordance with the requirements of the contract; if yes, the details; if no, why not; and

Reply: Regarding the undesirable hygiene conditions of Cha Kwo Ling MRCP, MD has already required the contractor to improve its cleansing work. As regards the absence of staff stationing at Ap Lei Chau MRCP, MD has also required the contractor to arrange an on-site supervisor. MD has not imposed penalties on the contractor as it arranged an on-site supervisor and took immediate follow-up actions, including improving the hygiene conditions of the MRCPs, placing rodenticides and trapping devices at the MRCPs, emptying the contents of temporary storage containers in MRCPs every day and submitting the loading and unloading records of refuse collection vehicles to MD for inspection regularly. MD agreed that the contractor's management of the MRCPs in the past was undesirable. As stated above, from January 2021 onwards, MD has strengthened monitoring of the contractor's performance and increased the number of surprise checks to ensure that the relevant requirements have been complied with.

- (iv) whether MD would examine the need to retain the Cha Kwo Ling and Ap Lei Chau MRCPs given their low utilization; if yes, details of the review; if no, why not;

Reply: The Cha Kwo Ling MRCP is mainly used for handling marine refuse collected from the eastern waters of Hong Kong. The Cha Kwo Ling MRCP has been in use since 1995. It has to be retained at this stage as 20 to 30% of marine refuse was transported from Cha Kwo Ling MRCP to disposal sites for disposal every year.

Ap Lei Chau MRCP is mainly used for handling marine refuse collected from the southern waters of Hong Kong. About 30 to 40% of marine refuse was transported from Ap Lei Chau MRCP to disposal sites for disposal every year. During typhoon season, this MRCP will also provide support to the cleansing work of the southern waters of Hong Kong and the Aberdeen Typhoon Shelter. The work boats may save time required for travelling to other MRCPs. Hence, this MRCP has to be retained as well.

- (y) with reference to paragraphs 3.26, 3.28(b) and 3.29(b) of the Audit Report, it was advised at the public hearing that the replacement of the lifting appliance in Ap Lei Chau MRCP, which had been out of order since October 2017, could not be made until November 2021. Please advise why it has taken MD such a long time to arrange the repair/replacement, how the contractor unloads marine refuse from vessels to Ap Lei Chau MRCP without the lifting appliance in the meantime, and whether MD has completed the review on the need for lifting appliances in MRCPs in Cha Kwo Ling and Ap Lei Chau; if yes, the results; if no, the progress of the review;

Reply: Regarding the replacement of the lifting appliance in Ap Lei Chau MRCP, it took time for MD to coordinate with the Electrical and Mechanical Services Department (“EMSD”) to plan for the funding application for the replacement of the lifting appliance. After the funding was granted, the tender invitation was conducted by the EMSD on behalf of MD. MD originally planned to complete the procurement procedures in the first half of 2020. However, the procurement procedures were delayed due to the COVID-19 pandemic. MD and EMSD have now finalised the arrangements with a view to completing the replacement of the lifting appliance in November 2021. Before the replacement, the contractor will arrange refuse collection vessels with lifting appliance for unloading refuse to the temporary storage containers.

Cha Kwo Ling MRCP has to be relocated in future to cope with the development plan of the district. It will not be cost-effective if the lifting appliance is to be demolished shortly after the repair. As the contractor has arranged refuse collection vessels with lifting appliance for unloading refuse to the temporary storage containers, MD will not repair the lifting appliance concerned for the time being.

#### Part 4: Other related issues

- (z) according to Table 9 in paragraph 4.4 of the Audit Report, the number of enforcement cases in relation to marine littering has remained small (ranging from 13 to 17 cases during the period from 2015 to 2019). Please explain the reasons behind and advise whether it suggests inadequate enforcement efforts made by MD;
- (aa) with reference to paragraph 4.6 of the Audit Report, please advise the follow-up actions taken/to be taken by MD in respect of the Audit’s recommendation of arranging more anti-marine littering operations by officers in plain clothes;

Reply: MD will arrange launches to perform daily patrols in Hong Kong waters against marine littering at sea every day and prosecute those who commit marine littering. Prosecution against marine littering is not easy since uniformed enforcement officers of MD on board patrol boats can easily be seen and people usually will not litter when seeing enforcement officers at the scene.

To enhance the enforcement work, MD has arranged about 30% of the anti-marine littering operations to be conducted by officers in plain clothes since 2021. During the operations, enforcement officers in plain clothes will patrol along coastal area and conduct law enforcement actions against marine littering.

- (bb) according to Table 10 in paragraph 4.7 of the Audit Report, the Marine Refuse Study commissioned by EPD and released in April 2015 revealed that shoreline and recreational activities and ocean/waterway activities represented about 89% of marine

refuse in Hong Kong. Please advise whether MD and EPD have taken into account the above findings of the study in planning their enforcement operations, such as arranging officers to take enforcement actions in plain clothes, and enhanced public education and publicity campaigns to curb source activities of marine refuse;

Reply: ENB appointed a consultant in 2012 to conduct a study of the sources, fates, distribution and movement of marine refuse in Hong Kong waters. The study aimed to review the existing measures and formulate strategic policies to prevent and reduce marine refuse. The results of the study were announced in April 2015. In the report, five recommendations were made to improve the cleanliness of the shorelines, including conducting publicity campaigns to engage the community to contribute and participate and enhancing efforts to remove refuse from the marine environment. Under the co-ordination of EPD, from time to time, MD works together with green groups to clean up marine refuse accumulated at foreshore areas which are inaccessible by land and assists them to dispose of the refuse collected after the coastal clean-up. In 2020, under the coordination of EPD, MD participated a total of nine joint clean-up operations with green groups.

In addition, MD will from time to time conduct joint clean-up operations with other government departments. Among which, MD regularly conducts joint clean-up operations with the Food and Environmental Hygiene Department (“FEHD”). If the land refuse collected by FEHD from coastal locations are unable to transport by land, MD’s contractor will transport them via the sea route to disposal sites for disposal. Besides, MD and Agriculture, Fisheries and Conservation Department (“AFCD”) will conduct joint operation in the waters near the Aberdeen Wholesale Fish Market to tackle illegal marine littering. In 2020, MD and AFCD conducted three enforcement actions against marine littering.

Besides, MD will conduct publicity and education activities from time to time, such as distributing leaflets to vessels and stakeholders of marine operations to raise public awareness of keeping the sea clean and reduce marine littering at source. Before Lunar New Year and fish moratorium, MD will also organize typhoon shelter management meetings with the stakeholders to promote the message of keeping the sea clean and distribute promotional leaflets in a bid to remind members of the industry and vessels to keep the sea clean and place their domestic waste and items properly to prevent them from falling into the sea. With reference to the above marine refuse study, we agree that it is important to enhance promotional activities, especially on curbing of disposing cigarette butts in Hong Kong waters and shorelines. In the leaflet “We are one in keeping our harbour clean” which has been distributed to the public since 2021, MD has incorporated into it the message of not disposing cigarette butts to sea.

MD has arranged about 30% of the anti-marine littering operations to be conducted by officers in plain clothes since 2021. We will include operations targeting the refuse at source when planning anti-marine littering actions.

- (cc) with reference to paragraph 4.15 of the Audit Report, please advise the follow-up actions taken/to be taken by MD and EPD to ensure the accuracy and timely update of the information relating to marine refuse cleansing work provided on the "Clean Shorelines" Website;

Reply: MD has taken actions accordingly. The "Clean Shorelines" Website is managed by EPD. MD will follow with EPD's requirement by reviewing and updating information related to MD in the website quarterly. When there are material changes to the work concerned, MD will proactively review the content of the website to examine if the content has to be amended accordingly so as to provide the latest information to the public.

- (dd) with reference to paragraph 4.17(b) of the Audit Report, please advise the progress of the trial run of float booms to tackle marine refuse; and

Reply: The two sets of floating booms newly procured were duly received in May 2020. The floating booms will be placed in suitable waters causing no obstruction to vessel traffic to intercept floating refuse. In June 2020, MD conducted trial run of these newly-procured floating booms in the Government Dockyard and afterwards placed them in the Western District Public Cargo Working Area ("WDPCWA") in mid-October 2020 to conduct further testing. However, the test result showed that floating booms are not suitable for the WDPCWA which has higher occurrence of wave and swell. MD later placed the floating booms in the Kwun Tong Typhoon Shelter in late November 2020 to test the effectiveness of intercepting marine refuse in different waters. The test result showed that floating booms can effectively intercept floating refuse in calm and sheltered waters. In light of this, MD will install floating booms in the Kwun Tong Typhoon Shelter in end-March 2021 to intercept floating refuse.

- (ee) you have mentioned at the public hearing that MD could terminate the contracts with Contractor A only after the latter had been served with five Performance Default Notices in five consecutive weeks. However, according to the two contracts for marine refuse cleansing and disposal services for the whole of Hong Kong waters and Tai Po District respectively, the Government may exercise the rights contained in Clause 38.2, such as suspension of payment to the Contractor (Clause 38.2(i) in the contract for the whole of Hong Kong waters and Clause 38.2(a) in the contract for Tai Po District) and terminating the contracts (Clause 38.2(v) in the contract for the whole of Hong Kong waters and Clause 38.2(e) in the contract for Tai Po District), under any of the circumstances referred to in Clause 38.1, such as where there is any substantial breach of the conditions of the contract (Clause 38.1(iii) in the contract for the whole of Hong Kong waters and Clause 38.1(ii) in the contract for Tai Po District) or if the contractor sub-contracts its rights or obligations without the prior written consent of the Government Representative (Clause 38.1(xvii) in the contract for the whole of Hong Kong waters and Clause 38.1(xvi) in the contract for Tai Po

District). Under Clause 25.1 of the contract for the whole of Hong Kong waters and Clause 18.2 of the contract for Tai Po District, which are conditions of contract, a contractor may not enter into any sub-contracting arrangement without the prior written consent of the Government. Please provide/advise:

- (i) the number of Performance Default Notices served on Contractor A in the past five years, with details of each Performance Default Notice served and remedial actions taken by Contractor A;

Reply: Three Performance Default Notices were served on Contractor A in the past five years. The details are shown at **Appendix I**.

[\*Appendix I is an internal document under the contract between MD and the contractor which contains commercially sensitive information and should not be disclosed to the public. The document concerned should be restricted only to PAC members for reference.]

- (ii) whether MD had exercised its right under Clause 38.2 of the two contracts to impose penalties, if any, against Contractor A pursuant to Clause 38.1; if yes, please provide details of such penalties and circumstances; and
- (iii) whether MD would exercise its right under Clause 38.2 of the two contracts to impose penalties against Contractor A (including terminating the contract by notice in writing having immediate effect) pursuant to Clause 38.1, with a view to deterring further non-compliance with the terms of the contracts.

Reply: Since the contractor has made rectifications following the issue of the above three Performance Default Notices, MD did not impose further penalties against the contractor. Regarding the sub-contracting arrangement, MD granted a covering approval to the contractor in August 2020. MD has then strengthened its monitoring to avoid similar incidents. Hence, MD would not impose further penalties against the contractor. Nevertheless, MD has reminded the contractor to comply with the terms and conditions of the contracts for the whole of Hong Kong waters and Tai Po District. If the contractor breaches the conditions of the contracts again in the future, MD will take actions and consider imposing penalties against the contractor.

Besides, MD will examine the penalties concerned in the review on marine refuse collection and disposal service so as to enhance the deterrent effect.

**\*Note by Clerk, PAC:** *Appendix I not attached.*



**E**

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MEPC.1/Circ.834/Rev.1  
1 March 2018

## **CONSOLIDATED GUIDANCE FOR PORT RECEPTION FACILITY PROVIDERS AND USERS**

1 In view of the need to tackle the long-standing problem of the inadequacy of port reception facilities, the Marine Environment Protection Committee (the Committee), having received valuable input from the Industry Port Reception Facilities Forum, adopted, at its fifty-fifth session (October 2006), the Action Plan on Tackling the Inadequacy of Port Reception Facilities and instructed the Sub-Committee on Flag State Implementation (FSI) to progress the Plan's work items.

2 The Guide to good practice for port reception facility providers and users was developed as one of the work items of the Action Plan as a practical users' guide for ships' crew who seek to deliver MARPOL wastes/residues ashore and for port reception facility providers who seek to provide timely and efficient port reception services to ships.

3 The Committee, at its fifty-ninth session (July 2009), considered and approved the *Guide to good practice for port reception facility providers and users* (MEPC.1/Circ.671).

4 The Committee, at its sixty-fifth session (May 2013), agreed to the recommendation made by the FSI Sub-Committee, at its twenty-first session (March 2013), to revise MEPC.1/Circ.671, including the necessary consequential amendments following the entry into force of the revised MARPOL Annex V on 1 January 2013; the designation of the Baltic Sea as a Special Area under MARPOL Annex IV; and the designation of the North American and United States Caribbean Sea emission control areas under MARPOL Annex VI.

5 The Committee, at its sixty-sixth session (April 2014), approved the *Consolidated guidance for port reception facility providers and users* (MEPC.1/Circ.834), consolidating in a single document the *Guide to good practice for port reception facility providers and users* (MEPC.1/Circ.671/Rev.1) and four other circulars related to port reception facilities (MEPC.1/Circ.469/Rev.2, MEPC.1/Circ.644/Rev.1, MEPC.1/Circ.645/Rev.1 and MEPC.1/Circ.470/Rev.1).

6 The Committee, at its seventieth session (November 2016), having adopted, by resolution MEPC.277(70), amendments to MARPOL Annex V introducing new categorizations of garbage, agreed to revise the Consolidated Guidance, and requested the Secretariat to issue the revision following the entry into force of the amendments on 1 March 2018. The revised Consolidated Guidance is set out in the annex.

7 Member Governments and Parties to the MARPOL Convention are invited to bring the revised Consolidated Guidance to the attention of all parties concerned. In particular, port States are invited to make it available at port reception facilities and flag States are invited to make it available to shipowners and masters. An electronic copy can be downloaded from the GISIS website of the Organization\*.

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\* <http://gisis.imo.org> (click on Port Reception Facilities but note that new users will need to register first).

## **ANNEX**

### **CONSOLIDATED GUIDANCE FOR PORT RECEPTION FACILITY PROVIDERS AND USERS**

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## INTRODUCTION

1 The use and provision of port reception facilities (PRFs) is fundamental to the overall success of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the 1978 and 1997 Protocols (MARPOL) in its objective of reducing and ultimately eliminating intentional pollution of the marine environment by ships. Considerable efforts by Party States and the industry have resulted in an improvement in the availability and adequacy of PRFs.

2 However, recent work by the Organization suggests that there are still barriers to the efficient delivery of MARPOL wastes/residues ashore. One such barrier has been identified as the lack of clear, easy-to-use guidance that outlines how the shipping community and reception facility providers can best conduct their operations in order to comply with MARPOL and to facilitate efficient, environmentally responsible disposal of MARPOL wastes/residues.

3 This Consolidated Guidance is intended to be a practical users' guide for ships' crew who seek to deliver MARPOL wastes/residues ashore and for port reception facility providers who seek to provide timely, efficient port reception services to ships. It provides a basis for establishing best practice procedures, with an eye towards improving the integration of PRFs into a more comprehensive waste management scheme in which final disposal of MARPOL wastes/residues occurs in a manner that protects the environment, with due regard for the health and safety of workers and the general population. It is based on the fundamental requirements established in MARPOL and the guidance provided in the Organization's Manual *Port Reception Facilities – How to do it* (2016) (the Manual) and the *Guidelines for ensuring the adequacy of port waste reception facilities* (resolution MEPC.83(44)). Building on the Manual and the Guidelines, this Guidance suggests how modern environmental management systems and procedures can assist with the improvement of MARPOL wastes/residues delivery ashore. Procedures recommended by the Organization include communication and reporting procedures and the use of standardized forms.

4 This Guidance is not intended to provide guidance to Party State authorities and Governments who wish to implement reception facilities under MARPOL. The *Port Reception Facilities – How to do it* (2016) Manual and the *Guidelines for ensuring the adequacy of port waste reception facilities*, as noted above and previously published by IMO, should be referred to for these purposes.

## TERMS USED IN THIS GUIDANCE

5 This Guidance has been written with the aim of enabling shipowners/operators and PRF operators to comply with MARPOL. As such, plain language has been used wherever possible. However, it is important that the terms used in this guidance be interpreted consistently and in the appropriate context. The following definitions set out some basic terminology in the context of this Guidance. For complete legal definitions, applicability and exceptions, reference should be made directly to MARPOL and its Annexes.

6 *Adequacy* as used in the MARPOL Annexes means that PRFs meet the needs of ships using the ports without causing undue delay. PRF operators and users may refer to the *Guidelines for ensuring the adequacy of port waste reception facilities* (resolution MEPC.83(44)), section 3 (How to Achieve Adequacy), or section 2.3.1 of the Manual *Port Reception Facilities – How to do it* (2016), for further information. Section 3.2 of the Guidelines further states that "adequate facilities can be defined as those which: mariners use; fully meet the needs of the ships regularly using them; do not provide mariners with a disincentive to use them; and contribute to the improvement of the marine environment". Additionally, section 3.3 of the Guidelines specifies that the reception facilities must "... allow for the ultimate disposal of ships' waste to take place in an environmentally appropriate way".

7 *Discharge* is defined in MARPOL as any release, however caused, from a ship and includes any escape, disposal, spilling, leaking, pumping, emitting or emptying. In this guidance, the term "discharge" refers generally to the types of discharge regulated under MARPOL.

8 *Garbage*, as defined in MARPOL Annex V, means all kind of food wastes, domestic wastes and operational wastes, all plastics, cargo residues, incinerator ashes, cooking oil, fishing gear and animal carcasses generated during the normal operation of the ship and liable to be disposed of continuously or periodically, except those substances which are defined or listed in other Annexes to the Convention. Garbage does not include fresh fish and parts thereof generated as a result of fishing activities undertaken during the voyage, or as a result of aquaculture activities which involve the transport of fish including shellfish for placement in the aquaculture facility and the transport of harvested fish, including shellfish, from such facilities to shore for processing.

9 *MARPOL wastes/residues* is used throughout this Guidance to refer collectively to all waste streams that are generated on board ships during normal operations and during cargo operations and are governed by MARPOL, including the following:

- .1 MARPOL Annex I: oily bilge water; oily residues (sludge); oily tank washings (slops); dirty ballast water; and scale and sludge from tank cleaning;
- .2 MARPOL Annex II: cargo residues containing noxious liquid substances (NLS) as defined in MARPOL Annex II; or ballast water, tank washings or other mixtures containing such substances;
- .3 MARPOL Annex IV: sewage;
- .4 MARPOL Annex V: garbage as defined in MARPOL Annex V (see paragraph 8), including plastics, food wastes, domestic wastes, cooking oil, incinerator ashes, operational wastes, animal carcasses, fishing gear, E-waste, cargo residues not harmful to the marine environment (non-HME) and cargo residues harmful to the marine environment (HME); and
- .5 MARPOL Annex VI: ozone-depleting substances and equipment containing such substances, and exhaust gas cleaning residues.

**Note:** Although some Annex I and II residues are technically cargo residues (i.e. substances which remain for disposal after the loading or unloading of cargo), the term "cargo residues" has only been defined by IMO in the context of Annex V. MARPOL Annex V defines cargo residues as "the remnants of any cargo which are not covered by other Annexes to the present Convention and which remain on the deck or in holds following loading or unloading, including loading and unloading excess or spillage, whether in wet or dry condition or entrained in washwater but does not include cargo dust remaining on the deck after sweeping or dust on the external surfaces of the ship". In the context of Annex V, "cargo residues" refers to cargo residues that are not governed by Annex I or II (i.e. dry/bulk cargo residues). For complete definitions and exceptions, please refer to relevant MARPOL Annexes.

Unless otherwise qualified, the terms "waste" and "residue" in this Guidance can be inferred to mean "MARPOL waste" and "MARPOL residue," i.e. waste streams that are generated on board ships and are governed by MARPOL.

10 *Quarantine waste* refers to waste that requires segregation and special handling due to its potential to spread diseases or plant and animal pests.

11 *Reception facility* refers to any fixed, floating or mobile facility capable of receiving MARPOL wastes/residues from ships and fit for that purpose.

## **LAYOUT OF GUIDANCE**

12 This Guidance has been developed for use by shipmasters/owners/operators/agents and port authorities/port reception facility operators, to provide a summary of the main considerations which should be taken into account when delivering and receiving MARPOL wastes/residues. It begins with a basic overview of the basis for the use of PRFs. The remainder of the guidance is divided into two sections: one outlining good practices for ships and the other focusing on good practices for reception facilities. Sources of useful supplementary information are referenced at the end of the guidance. Additionally, in the appendices, standardized formats are provided: the Format for reporting alleged inadequacies of port reception facilities; an Advance Notification Form (ANF) for shipmasters/owners/operators to notify port operators of their MARPOL wastes/residues disposal needs; and a recommended Waste Delivery Receipt (WDR) format for PRF operators. Appendix 4 contains an overview of the waste reception facility reporting requirements for both port States and flag States, the full and effective implementation of which is of paramount importance for the identification and implementation of the necessary actions to be taken towards the provision of adequate reception facilities in many ports worldwide.

## **CORPORATE AND SOCIAL RESPONSIBILITY**

13 Since the adoption of MARPOL, global environmental and societal awareness has grown and developed. This development has introduced new concepts on how to manage operations in an environmentally sensitive and responsible way. Many shipping companies and port authorities have implemented environmental management systems which ensure that their operations are conducted in an environmentally sound manner. Frequently, environmental objectives are set in order to facilitate the ongoing improvement, year on year, in terms of a company's environmental impact. Coupled with this is a growing desire to incorporate the principles of sustainability alongside that of corporate and social responsibility.

14 This Guidance therefore brings into consideration the need for shipping companies and reception facility providers to apply the principles of corporate and social responsibility; to fulfil the obligations relating to all aspects of a company's operation as frequently found within company environmental management systems; and to realize the desire of modern companies to continually improve their environmental performance.

## **OBLIGATIONS OF SHIPS AND OF PORT OPERATORS**

15 Keeping the seas and oceans clean should be seen as the overriding obligation for the use and provision of PRFs. MARPOL includes regulations aimed at preventing and minimizing pollution from ships – both accidental pollution and that from routine operations. The basis for providing and using PRFs is incorporated in the Annexes of MARPOL and implementing laws and regulations of State Parties. The following summarizes the basic obligations under MARPOL and includes other considerations that ship and port operators should take into account. For specific legal requirements, users of this Guidance should refer directly to MARPOL and its Annexes or implementing regulations of individual States Party to the Convention.

16 To complement wastes/residues minimization and management practices on board the ship (see paragraphs 27 to 34), the shipping industry needs access to adequate PRFs to enable compliance with the provisions of MARPOL. Therefore, MARPOL places an obligation on State Parties to provide adequate reception facilities in their ports. The following regulations stipulate this requirement for each type of MARPOL wastes/residues identified:

- .1 regulation 38 of Annex I;
- .2 regulation 18 of Annex II;
- .3 regulations 12 and 13 of Annex IV;
- .4 regulation 8 of Annex V; and
- .5 regulation 17 of Annex VI.

17 In addition to the basic rules in the MARPOL Annexes, ships' operators should be aware that individual port States have implemented national and regional requirements which may mandate that ships discharge certain types of MARPOL wastes/residues to PRFs. Individual port States may also specify the means of disposal to meet quarantine and other regulatory requirements. Operators should therefore ensure they have a complete and up-to-date overview of national and regional requirements relating to PRFs. Such information may be gained directly from the port State authorities, or via agents in the port, or trade associations representing the shipping and/or port industries.

18 General obligations under each of the regulations listed above also state that Parties should communicate information on their PRFs to the Organization. To this end, the Organization has established the Port Reception Facilities Database (PRFD) within its Global Integrated Ship Information System (GISIS)<sup>1</sup>. The PRFD relies on up-to-date information being provided by port States. Port State authorities are encouraged to regularly seek accurate and up-to-date information from reception facility operators and port authorities and to maintain entries on the PRFD. Reception facility operators and port authorities should also be proactive in communicating updated information to port State authorities. This two-way communication will facilitate the dissemination of PRF information to the shipping industry.

19 Shipmasters/owners/operators can use the PRFD on the GISIS website to obtain information on specific PRFs. PRF operators are encouraged to maintain and update on regular basis current and accurate information regarding their facilities and to provide such information to authorities so as to ensure the accuracy of information on the PRFD and that current information is available to shipmasters and shipowners/operators. Ships' agents, acting on behalf of owners/operators, may also access the public GISIS website for PRF information.

### **Special Areas and Emission Control Areas**

20 Of particular importance in the ultimate elimination of marine pollution from ships are the more restrictive requirements in force in Special Areas and Emission Control Areas (ECAs) as defined in MARPOL. The following is a list of Special Areas/ECAs to date as adopted within MARPOL (MEPC.1/Circ.778/Rev.2)<sup>2</sup>:

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<sup>1</sup> <https://gisis.imo.org/>

<sup>2</sup> An up-to-date list can also be found at: <http://www.imo.org> (click on Marine Environment, then Special Areas under MARPOL).

#### **Annex I: Oil**

Mediterranean Sea  
Baltic Sea  
Black Sea  
Red Sea (see paragraph 21)  
"Gulfs" Area  
Gulf of Aden (see paragraph 21)  
Antarctic Area  
North West European Waters  
Oman Area of the Arabian Sea (see paragraph 21)  
Southern South African Waters

#### **Annex IV: Sewage**

Baltic Sea (to be effective from 1 June 2019)

#### **Annex V: Garbage**

Mediterranean Sea  
Baltic Sea  
Black Sea (see paragraph 21)  
Red Sea (see paragraph 21)  
"Gulfs" Area  
North Sea  
Antarctic Area (south of latitude 60 degrees South)  
Wider Caribbean region including the Gulf of Mexico and the Caribbean Sea

#### **Annex VI: Air Pollution – Emission Control Areas (ECA)**

North Sea (SO<sub>x</sub> and NO<sub>x</sub>)  
Baltic Sea area (SO<sub>x</sub> and NO<sub>x</sub>)  
North American area (SO<sub>x</sub>, NO<sub>x</sub> and PM)  
United States Caribbean Sea area (SO<sub>x</sub>, NO<sub>x</sub> and PM)

**Note:** Requirements may vary for each Special Area and ECA; therefore mariners should consult the relevant MARPOL Annex or IMO circular<sup>3</sup> for specific details.

21 The Special Area requirements for several of these areas have not yet taken effect because of lack of notifications from MARPOL Parties whose coastlines border the relevant Special Areas on the existence of adequate reception facilities (regulations 38.6 of Annex I and regulation 8.2 of Annex V). While this remains the case, the shipping and port industry should endeavour to meet the requirements as if the Special Area status of those areas had taken effect, in the spirit of MARPOL.

22 Shipowners/operators and port operators should be conscious that more stringent restrictions in Special Areas and ECAs further emphasize the importance of the general obligations to provide adequate reception facilities for MARPOL wastes/residues. In all cases where shipping companies encounter inadequate reception facilities, this should be reported accurately and in a timely manner via the ship's flag State to the Organization and to the appropriate port State authorities or port operators, using the suggested format for reporting (see appendix 1).

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<sup>3</sup> MEPC.1/Circ.778/Rev.2

## **GOOD PRACTICES FOR SHIPMASTERS, SHIPOWNERS AND OPERATORS**

### **Considerations prior to delivery of MARPOL wastes/residues ashore**

23 Efficient delivery of MARPOL wastes/residues ashore relies on advance planning. The following sections outline ways in which considerations for delivery of MARPOL wastes/residues ashore can be integrated into a ship's operating procedures in order to minimize delays and unexpected costs and improve environmental management practices. Good waste management strategies should be incorporated into voyage planning.

### **Logistical and commercial arrangements**

24 Consideration should be given to the logistical and commercial arrangements which may be specified in shipping contracts (charter party agreements) between ship operators and cargo owners. Such arrangements should take into account the need to discharge MARPOL wastes/residues ashore to reception facilities and should not compromise, but rather facilitate, the ship operator's ability to comply with obligations under MARPOL. Examples of logistical and commercial considerations might include allowing sufficient time in port to complete transfer of MARPOL wastes/residues and ensuring that disposal costs are accounted for in charter agreements when appropriate. Such considerations are especially important when cargo tank pre-washes are required for certain Annex II residues and when charter agreements specify tank or cargo hold cleaning after discharging cargoes.

### **Minimization and management of ship-generated wastes/residues**

25 Although not a direct requirement of MARPOL, minimizing the wastes/residues generated on board ships represents an environmental best practice, and should be considered in a ship's overall waste management practices.

26 The most effective way of reducing ship-generated wastes/residues is to reduce materials that become waste at the source. Efforts should be made to minimize packaging from ship stores, for example, by establishing an agreement with the supplier to accept the return of the packaging upon delivery, or to reduce the amount of packaging.

27 Developing an agreement with suppliers and manufacturers is not only important for more general waste categories such as plastics, but essential for other maritime specific wastes such as time expired pyrotechnics; used ropes, tails and wires; time expired medicine; and batteries. The supplier and/or manufacturer should be able to provide the specialist facilities for treatment or disposal of these products and materials.

28 Onboard waste management will also assist in minimizing ship-generated wastes/residues. Ship operators and shipbuilders should consider further the design of new ships to enhance waste treatment on board and consider introducing operational measures which can improve efficiency for existing ships. Further information on shipboard garbage handling and storage procedures and minimizing the amount of potential garbage is provided in the *2017 Guidelines for the implementation of MARPOL Annex V* (resolution MEPC.295(71)). In addition, an ISO standard for the management and handling of shipboard garbage (ISO 21070:2011) has been developed. For ships of 100 gross tonnage and above, and ships which are certified to carry 15 persons or more, information with regard to onboard management of garbage will also be included in the *Garbage Management Plan (2012 Guidelines for the Development of Garbage Management Plans* (resolution MEPC.220(63))).

29 In relation to the minimization of oily waste, an increased familiarity with the ship's engine-room treatment systems coupled with the crew's training in oily waste management and recording will assist in reducing the amount of waste produced and improve the overall on-board management of oily waste. The use of an Integrated Bilge Water Treatment System (IBTS) will facilitate segregation of oily waste, allowing for the storage of oil sludge, oil-water mixtures and clean water separately.

30 Ships' crew need to understand the correct use of, and entries to, the Oil Record Book, the Cargo Record Book and the Garbage Record Book. This will help to ensure that any management system implemented can be easily monitored and audited. Industry associations such as INTERTANKO and ICS may provide useful guidance on the correct use of such record books. Reference should also be made to the *Guidance for the recording of operations in the Oil Record Book Part I – machinery space operations (all ships)* (MEPC.1/Circ.736/Rev.2).

31 If space permits, onboard waste management plans should take into account the possibility of being able to recycle certain garbage types. The segregation of garbage according to the requirements of MARPOL Annex V (e.g. plastics; food wastes; domestic wastes; cooking oil; incinerator ashes; operational wastes; cargo residues; animal carcasses; fishing gear) should also allow for the delivery of garbage in certain recyclable categories.

32 To facilitate the landing of recyclable residues/waste, ship operators should consider establishing contracts with facilities in ports that are visited on a regular basis. This will fulfil both the need to use a reputable supplier as per most environmental management systems and facilitate the discharge of segregated waste ashore on each port visit. Where appropriate reception facilities for segregated and/or recyclable wastes are not provided in a port, shipowners/operators are encouraged to request that such facilities are developed in conjunction with the recycling capability of the locality or region.

### **Communication and advance notification**

33 Individual ports may need to comply with varying local requirements for specialized handling (such as quarantine) of certain types of MARPOL wastes/residues, such as animal, plant and food wastes generated on board the ship. Therefore, ship operators should check with local agents, port authorities, harbour masters or reception facility providers for port-specific requirements prior to arrival in order to plan for and accommodate any special handling requirements for that particular port, including any additional segregation that may need to take place on board well in advance of arrival. This information should be incorporated into the company's environmental management plan and should be taken into consideration in voyage planning.

34 As noted in paragraph 18, IMO's PRF Database, accessible online through the GISIS website, can be a good source of information about the reception facilities available at ports worldwide. Users are required to first register by creating a username and password.

35 In some ports, for logistical reasons, the providers of port reception facilities may require advance notification from the ship of its intention to use the facilities. Further information on this requirement is provided in section 4 of the *Guidelines for ensuring the adequacy of port waste reception facilities* (resolution MEPC.83(44)). Providing advance notification to the reception facility of the type and quantity of MARPOL wastes/residues on board and the type and quantity intended to be delivered will greatly assist the reception facility operator in receiving the materials while minimizing any delay to the ship's normal port operation. General recommended practice is to provide at least 24 hours' notice, although specific requirements may vary by reception facility. If a ship visits a port on a regular basis, a standing arrangement with the PRF may prove to be most efficient. Shipmasters are recommended to

use the standardized Advance Notification Form developed by the Organization (see appendix 2). Port authorities, agents and facility operators are urged to accept the standardized format; however, some operators may require an alternate form.

### **Considerations during MARPOL wastes/residues delivery**

36 During delivery of MARPOL wastes/residues, appropriate procedures as drawn up in the ship's Safety Management System (SMS, see ISM Code) should be followed.

37 Following delivery, the master should request a Waste Delivery Receipt to document the type and quantity of MARPOL wastes/residues actually received by the facility. IMO has standardized the format of this document to facilitate its use and application and in order to provide uniformity of records throughout the world (appendix 3). Corresponding records, receipts or certificates of the delivery shall be kept in the Garbage Record Book (for a minimum of two years) and the Oil Record Book (part I for all ship types and part II for oil tankers) and the Cargo Record Book for chemical tankers.

38 Ship operators play a critical role in assisting port States with their obligation to provide adequate PRFs for ships. Since the possibility for improving reception facilities is dependent, at least partly, on the receipt of adequate information about alleged inadequacies, shipping companies should be encouraged to include the provisions for reporting alleged inadequacies of port reception facilities in their procedures for shipboard operations required under section 7 of the ISM Code. As part of the ship's SMS, the master should be required to complete a report on encountering an inadequate PRFs. The format for such a report is provided in appendix 1, which is also available through the Port Reception Facility section of the GISIS website. Completed reports should be forwarded to the flag Administration and, if possible, to the Authorities of the port State.

39 Flag States are requested to distribute the format in appendix 1 to ships and urge masters to use it to report alleged inadequacies of port reception facilities to the Administration of the flag State and, if possible, to the Authorities of the port State. Flag States are also required to notify IMO, for transmission to the Parties concerned, of any case where facilities are alleged to be inadequate, and to inform the port State of the alleged inadequacies.

40 Notification should be made as soon as possible following the completion of the alleged inadequacies reporting format and should include a copy of the master's report, together with any supporting documentation.

41 Port States should ensure the provision of proper arrangements to consider and respond appropriately and effectively to reports of inadequacies, informing IMO and the reporting flag State of the outcome of their investigation.

42 The alleged inadequacy report together with the follow-up action received from the port State will be published in the GISIS PRF Database.

## **GOOD PRACTICES FOR PORT RECEPTION FACILITY OPERATORS**

### **Communication**

43 In order to provide efficient PRF services that meet the needs of ships calling at a port without causing undue delay, port authorities should prepare a Port Waste Management Plan and should ensure that relevant information about the reception services available and associated costs are communicated to ship operators well in advance of the ship's arrival.



44 It is useful for ship operating companies to be able to plan the delivery of MARPOL wastes/residues well in advance of the ship's next port call, especially if the port has more stringent requirements that might necessitate additional segregation of waste on board prior to arrival, such as quarantine segregation. As noted above, to facilitate ships' planning, port authorities or PRF providers are urged to communicate to their country focal points accurate and up-to-date information about the reception facilities available at the port. This information can then be communicated to the shipping industry via the GISIS PRF Database.

45 At a minimum, the information uploaded and made available in the PRFD should include type of facilities, capacity of the facilities and the contact point. Additional information that would facilitate ships' planning might include contact details for the port authority or harbour master, a link to the port website, a link to the Port Waste Management Plan, and information relating to fees/cost to use facilities. A good example is the information provided in material published by the Port of Rotterdam (available at: [www.portofrotterdam.com](http://www.portofrotterdam.com)). Such additional information may be downloaded electronically as required, and could provide further instruction to ships regarding procedures for using the facilities (including, for example, specific local requirements for quarantine waste).

46 Port authorities and reception facility providers should request shipmasters to provide advance notice of MARPOL wastes/residues delivery in order to ensure that the necessary receptacles and vehicles are prepared for receipt of the material. To facilitate the notification process, port authorities and reception facilities should accept the standardized Advance Notification Form (appendix 2). Use of the standardized form will allow the shipmaster and operator to prepare in advance a system for generating such forms and avoid having to complete a different form for each port or facility visited.

### **Port reception practices**

47 Although legal requirements for PRFs will vary depending on the port State's implementing legislation, good practices for PRFs should include procedures that facilitate better integration with shipboard and landside wastes/residues management practices. Such integration and cooperation with inland waste disposal operations should allow ultimate disposal of ship-generated wastes/residues to take place in an environmentally appropriate manner.

48 The reception facility should be adequately prepared to receive MARPOL Annex V wastes/residues as segregated on board and should supply suitable receptacles to facilitate the landing of segregated waste for recycling. Procedures for reception of segregated wastes/residues should parallel the standards for the Management and Handling of Shipboard Garbage as specified in ISO 21070:2011. PRF operators and port authorities within State Parties should work with national and local government officials, regional administrators, commercial interests, and local waste disposal infrastructure managers to develop landside waste disposal strategies, including waste segregation, that encourage reduction, reuse and recycling of ship-generated wastes/residues landed ashore at PRFs. Reception facility providers should seek out resale/recycling options for reusable/recyclable waste when not prohibited by local laws.

49 In the case of oil, noxious liquid substances and other dangerous goods or harmful or hazardous substances, port and reception facility operators should adhere to the guidance provided in relevant publications such as the International Safety Guide for Oil Tankers and Terminals (ISGOTT), or the International Maritime Dangerous Goods (IMDG) Code.

50 The reception facility should also be adequately prepared to receive MARPOL wastes/residues in accordance with any local quarantine requirements, for example by providing suitably sealed receptacles and ensuring that MARPOL wastes/residues can be transported and disposed of in accordance with regulations. Port State authorities should also be aware of the need for appropriate treatment and disposal sites and should seek to ensure that these are available through public or private arrangements.

51 The necessary connection arrangements for the discharge of machinery oily bilge water and oil residues (sludge) are provided for in regulation 13 of MARPOL Annex I. These standard dimensions for flanges and discharge connections apply to all ships and should therefore allow the reception facility to standardize its own connection pipes accordingly.

52 Following delivery, the reception facility should provide the master with a Waste Delivery Receipt (WDR). IMO has standardized the format of the WDR to facilitate its use and application, as set out in appendix 3.

53 Although the port structure in a State Party may or may not accommodate cost/pricing schemes and/or other incentives for MARPOL wastes/residues delivery ashore, reception facility services should be provided at a reasonable cost. The *Guidelines for ensuring the adequacy of port waste reception facilities* (resolution MEPC.83(44)) (section 3.2) define "adequate" facilities as those which "do not provide mariners with a disincentive to use them", and further stress that unreasonably high costs may deter use of PRFs (section 5.2).

## SOURCES OF ADDITIONAL INFORMATION

Global Integrated Shipping Information System (GISIS) website: <http://gisis.imo.org/Public/>

MARPOL Consolidated Edition – includes all Articles, Protocols, Annexes, and Unified Interpretations - available to purchase at:  
<http://www.imo.org/en/Publications/Pages/Home.aspx>

Guidelines for the implementation of MARPOL Annex V (2017) – available to purchase at:  
<http://www.imo.org/en/Publications/Pages/Home.aspx>

Port Reception Facilities - How to do it (2016) – available to purchase at:  
<http://www.imo.org/en/Publications/Pages/Home.aspx>

Guidelines for ensuring the adequacy of port waste reception facilities (resolution MEPC.83(44)) – available at  
[http://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Marine-Environment-Protection-Committee-\(MEPC\)/Documents/MEPC.83\(44\).pdf](http://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Marine-Environment-Protection-Committee-(MEPC)/Documents/MEPC.83(44).pdf)

Guidelines for reception facilities under MARPOL Annex VI (2011) (resolution MEPC.199(62)) – available at  
[http://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Marine-Environment-Protection-Committee-\(MEPC\)/Documents/MEPC.199\(62\).pdf](http://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Marine-Environment-Protection-Committee-(MEPC)/Documents/MEPC.199(62).pdf)

## APPENDIX 1

### FORMAT FOR REPORTING ALLEGED INADEQUACIES OF PORT RECEPTION FACILITIES<sup>1</sup>

The master of a ship having encountered difficulties in discharging waste to reception facilities should forward the information below, together with any supporting documentation, to the Administration of the flag State and, if possible, to the competent Authorities in the port State. The flag State shall notify IMO and the port State of the occurrence. The port State should consider the report and respond appropriately informing IMO and the reporting flag State of the outcome of its investigation.

#### 1 SHIP'S PARTICULARS

- 1.1 Name of ship: \_\_\_\_\_
- 1.2 Owner or operator: \_\_\_\_\_
- 1.3 Distinctive number or letters: \_\_\_\_\_
- 1.4 IMO Number<sup>2</sup>: \_\_\_\_\_
- 1.5 Gross tonnage: \_\_\_\_\_
- 1.6 Port of registry: \_\_\_\_\_
- 1.7 Flag State<sup>3</sup>: \_\_\_\_\_
- 1.8 Type of ship:
- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Oil tanker       | <input type="checkbox"/> Chemical tanker | <input type="checkbox"/> Bulk carrier          |
| <input type="checkbox"/> Other cargo ship | <input type="checkbox"/> Passenger ship  | <input type="checkbox"/> Other (specify) _____ |

#### 2 PORT PARTICULARS

- 2.1 Country: \_\_\_\_\_
- 2.2 Name of port or area: \_\_\_\_\_
- 2.3 Location/terminal name: \_\_\_\_\_  
(e.g. berth/terminal/jetty)
- 2.4 Name of company operating  
the reception facility (if applicable): \_\_\_\_\_
- 2.5 Type of port operation:
- |  |                                       |                                   |
|--|---------------------------------------|-----------------------------------|
| <input type="checkbox"/> Unloading port        | <input type="checkbox"/> Loading port | <input type="checkbox"/> Shipyard |
| <input type="checkbox"/> Other (specify) _____ |                                       |                                   |
- 2.6 Date of arrival: \_\_\_\_/\_\_\_\_/\_\_\_\_ (dd/mm/yyyy)
- 2.7 Date of occurrence: \_\_\_\_/\_\_\_\_/\_\_\_\_ (dd/mm/yyyy)
- 2.8 Date of departure: \_\_\_\_/\_\_\_\_/\_\_\_\_ (dd/mm/yyyy)

<sup>1</sup> This format was approved by MEPC 53.

<sup>2</sup> In accordance with the *IMO ship identification number scheme*, adopted by the Organization by Assembly resolution A.1117(30).

<sup>3</sup> The name of the State whose flag the ship is entitled to fly.

### 3 INADEQUACY OF FACILITIES

#### 3.1 Type and amount of wastes/residues for which the port reception facility was inadequate and nature of problems encountered

Type of wastes/residues	Amount for discharge (m <sup>3</sup> )	Amount <u>not</u> accepted (m <sup>3</sup> )	Problems encountered Indicate the problems encountered by using one or more of the following code letters, as appropriate. A No facility available B Undue delay C Use of facility technically not possible D Inconvenient location E Ships had to shift berth involving delay/cost F Unreasonable charges for use of facilities G Other (please specify in paragraph 3.2)
<b>MARPOL Annex I - related</b>			
Oily bilge water			
Oily residues (sludge)			
Oily tank washings (slops)			
Dirty ballast water			
Scale and sludge from tank cleaning			
Other (please specify .....)			
<b>MARPOL Annex II – related</b> Category of NLS <sup>4</sup> residue/water mixture for discharge to facility from tank washings:			
Category X substance			
Category Y substance			
Category Z substance			
<b>MARPOL Annex IV – related</b> Sewage			
<b>MARPOL Annex V – related</b>			
A. Plastics			
B. Food wastes			
C. Domestic wastes			
D. Cooking oil			
E. Incinerator ashes			
F. Operational wastes			
G. Animal carcasses			
H. Fishing gear			
I. E-waste			
J. Cargo residues (non-HME) <sup>5</sup>			
K. Cargo residues (HME) <sup>5</sup>			
<b>MARPOL Annex VI – related</b>			
Ozone-depleting substances and equipment containing such substances			
Exhaust gas-cleaning residues			

<sup>4</sup> Indicate, in paragraph 3.2, the proper shipping name of the NLS involved and whether the substance is designated as "solidifying" or "high viscosity" as per MARPOL Annex II, regulation 1, paragraphs 15.1 and 17.1 respectively.

<sup>5</sup> Indicate the proper shipping name of the dry cargo.

3.2 Additional information with regard to the problems identified in the above table.

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3.3 Did you discuss these problems or report them to the port reception facility?

☐ Yes ☐ No

If Yes, with whom (please specify)

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If Yes, what was the response of the port reception facility to your concerns?

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3.4 Did you give prior notification (in accordance with relevant port requirements) about the ship's requirements for reception facilities?

☐ Yes ☐ No ☐ Not applicable

If Yes, did you receive confirmation on the availability of reception facilities on arrival?

☐ Yes ☐ No

#### 4 ADDITIONAL REMARKS/COMMENTS

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Master's signature

Date: \_\_/\_\_/\_\_\_\_ (dd/mm/yyyy)

## APPENDIX 2

### STANDARD FORMAT OF THE ADVANCE NOTIFICATION FORM FOR WASTE DELIVERY TO PORT RECEPTION FACILITIES

**Notification of the Delivery of Wastes/Residues to:** ..... (enter name of port or terminal)  
The master of a ship should forward the information below to the designated authority at least 24 hours in advance of arrival or upon departure of the previous port if the voyage is less than 24 hours.  
This form should be retained on board the ship along with the appropriate Oil Record Book, Cargo Record Book or Garbage Record Book.

#### DELIVERY FROM SHIPS (ANF)

##### 1. SHIP PARTICULARS

1.1 Name of ship:	1.5 Owner or operator:
1.2 IMO number:	1.6 Distinctive number or letters:
1.3 Gross tonnage:	1.7 Flag State:
1.4 Type of ship: <input type="checkbox"/> Oil tanker <input type="checkbox"/> Chemical tanker <input type="checkbox"/> Bulk carrier <input type="checkbox"/> Container <input type="checkbox"/> Other cargo ship <input type="checkbox"/> Passenger ship <input type="checkbox"/> Ro-ro <input type="checkbox"/> Other (specify)	

##### 2. PORT AND VOYAGE PARTICULARS

2.1 Location/Terminal name and POC:	2.6 Last Port where wastes/residues were delivered:
2.2 Arrival Date and Time:	2.7 Date of Last Delivery:
2.3 Departure Date and Time:	2.8 Next Port of Delivery (if known):
2.4 Last Port and Country:	2.9 Person submitting this form is (if other than the master):
2.5 Next Port and Country (if known):	

##### 3. TYPE AND AMOUNT OF WASTES/RESIDUES FOR DISCHARGE TO FACILITY

MARPOL Annex I – Oil	Quantity (m <sup>3</sup> )	MARPOL Annex V – Garbage	Quantity (m <sup>3</sup> )
Oily bilge water		A. Plastics	
Oily residues (sludge)		B. Food wastes	
Oily tank washings		C. Domestic wastes	
Dirty ballast water		D. Cooking oil	
Scale and sludge from tank cleaning		E. Incinerator ashes	
Other (please specify)		F. Operational wastes	
<b>MARPOL Annex II – NLS</b>	<b>Quantity (m<sup>3</sup>) /Name<sup>1</sup></b>	G. Animal carcasses	
Category X substance		H. Fishing gear	
Category Y substance		I. E-waste	
Category Z substance		J. Cargo residues (non-HME) <sup>2</sup>	
OS – other substances		K. Cargo residues (HME) <sup>2</sup>	
<b>MARPOL Annex IV – Sewage</b>	<b>Quantity (m<sup>3</sup>)</b>	<b>MARPOL Annex VI – Air pollution</b>	<b>Quantity (m<sup>3</sup>)</b>
		Ozone-depleting substances and equipment containing such substances	
		Exhaust gas-cleaning residues	

<sup>1</sup> Indicate the proper shipping name of the NLS involved.

<sup>2</sup> Indicate the proper shipping name of the dry cargo.

Name of ship:	IMO Number:
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Please state below the approximate amount of wastes/residues remaining on board and the percentage of maximum storage capacity. If delivering all wastes/residues on board at this port please strike through this table and tick the box below. If delivering some or no waste/residue, please complete all columns.

I confirm that I am delivering all the wastes/residues held on board this vessel (as shown on page 1) at this port

Type	Maximum dedicated storage capacity (m <sup>3</sup> )	Amount of wastes/residues retained on board (m <sup>3</sup> )	Port at which remaining wastes/residues will be delivered (if known)	Estimate amount of wastes/residues to be generated between notification and next port of call (m <sup>3</sup> )
<b>MARPOL Annex I – Oil</b>				
Oily bilge water				
Oily residues (sludge)				
Oily tank washings				
Dirty ballast water				
Scale and sludge from tank cleaning				
Other (please specify)				
<b>MARPOL Annex II – NLS<sup>3</sup></b>				
Category X substance				
Category Y substance				
Category Z substance				
OS – other substances				
<b>MARPOL Annex IV – Sewage</b>				
Sewage				
<b>MARPOL Annex V – Garbage</b>				
A. Plastics				
B. Food wastes				
C. Domestic wastes				
D. Cooking oil				
E. Incinerator ashes				
F. Operational wastes				
G. Animal carcasses				
H. Fishing gear				
I. E-waste				
J. Cargo residues (non-HME) <sup>4</sup>				
K. Cargo residues (HME) <sup>4</sup>				
<b>MARPOL Annex VI – Air pollution</b>				
Ozone-depleting substances and equipment containing such substances				
Exhaust gas-cleaning residues				

Date: .....

Name and Position: .....

Time: .....

Signature: .....

<sup>3</sup> Indicate the proper shipping name of the NLS involved.

<sup>4</sup> Indicate the proper shipping name of the dry cargo.

### APPENDIX 3

#### STANDARD FORMAT FOR THE WASTE DELIVERY RECEIPT

The designated representative of the reception facility provider should provide the following form to the master of a ship that has just delivered wastes/residues.

This form shall be retained on board the ship along with the appropriate Oil Record Book, Cargo Record Book or Garbage Record Book.

#### 1. RECEPTION FACILITY AND PORT PARTICULARS

1.1 Location/Terminal name:
1.2 Reception facility provider(s)
1.3 Treatment facility provider(s) – if different from above:
1.4 Waste/residue Discharge Date and Time from: _____ to _____

#### 2. SHIP PARTICULARS

2.1 Name of ship:	2.5 Owner or operator:
2.2 IMO number:	2.6 Distinctive number or letters:
2.3 Gross tonnage:	2.7 Flag State:
2.4 Type of ship: <input type="checkbox"/> Oil tanker <input type="checkbox"/> Chemical tanker <input type="checkbox"/> Bulk carrier <input type="checkbox"/> Container <input type="checkbox"/> Other cargo ship <input type="checkbox"/> Passenger ship <input type="checkbox"/> Ro-ro <input type="checkbox"/> Other (specify)	

#### 3. TYPE AND AMOUNT OF WASTES/RESIDUES RECEIVED

MARPOL Annex I – Oil	Quantity (m <sup>3</sup> )	MARPOL Annex V – Garbage	Quantity (m <sup>3</sup> )
Oily bilge water		A. Plastics	
Oily residues (sludge)		B. Food wastes	
Oily tank washings		C. Domestic wastes	
Dirty ballast water		D. Cooking oil	
Scale and sludge from tank cleaning		E. Incinerator ashes	
Other (please specify)		F. Operational wastes	
<b>MARPOL Annex II – NLS</b>	<b>Quantity (m<sup>3</sup>)/Name<sup>1</sup></b>	G. Animal carcasses	
Category X substance		H. Fishing gear	
Category Y substance		I. E-waste	
Category Z substance		J. Cargo residues (non-HME) <sup>2</sup>	
OS – other substance		K. Cargo residues (HME) <sup>2</sup>	
<b>MARPOL Annex IV – Sewage</b>	<b>Quantity (m<sup>3</sup>)</b>	<b>MARPOL Annex VI – related</b>	<b>Quantity (m<sup>3</sup>)</b>
		Ozone-depleting substances and equipment containing such substances	
		Exhaust gas-cleaning residues	

On behalf of the port facility I confirm that the above wastes/residues were delivered.

Signature: ..... Full Name and Company Stamp: .....

<sup>1</sup> Indicate the proper shipping name of the NLS involved.

<sup>2</sup> Indicate the proper shipping name of the dry cargo.



## APPENDIX 4

### WASTE RECEPTION FACILITY REPORTING REQUIREMENTS

**Table 1: Waste reception facility reporting requirements for port States**

Reporting requirements		Reference
Reporting on the availability of reception facilities	The port State is required to communicate to the Organization a list of reception facilities in its ports including their location, capacity, available facilities and other characteristics.	Article 11(1)(d) of MARPOL
	The port State is required to upload information on new reception facilities on the Port Reception Facilities Database (GISIS) and to maintain and update the required information continuously.	Port Reception Facilities Database (PRFD) as a module of the Global Integrated Shipping Information System (GISIS); Global Integrated Shipping Information System (GISIS) (resolution A.1029(26))
Reporting on alleged inadequacies of reception facilities	The port State should ensure the provision of proper arrangements to consider and respond appropriately and effectively to reports of inadequacies, informing IMO and the reporting flag State of the outcome of their investigation.	Resolution MEPC.83(44), annex, paragraph 10.3; MEPC.1/Circ.834/Rev.1, paragraph 41
Reporting on the assessment of the port reception facilities	The port State is encouraged to make use of the assessment form appended to the <i>Guidelines for ensuring the adequacy of port waste reception facilities</i> , to conduct regular assessments of waste/residue reception facilities in its ports and advise IMO of the outcome of such assessments, including any inadequacies of port reception facilities, as well as any technical cooperation assistance that may be needed to address those inadequacies.	<i>Guidelines for ensuring the adequacy of port waste reception facilities</i> (resolution MEPC.83(44))
Consulting with IMO on regional arrangements for port reception facilities	Small island developing States participating in a regional arrangement shall consult with IMO for circulation to the MARPOL Parties: (1) how the Regional Reception Facilities Plan takes into account the Guidelines (resolution MEPC.221(63)); (2) particulars of the identified Regional Ships Waste Reception Centres; and (3) particulars of those ports with only limited facilities.	Regulations 38.4 and 38.6 of Annex I; Reg. 18.3 of Annex II; Reg. 12.2 of Annex IV; Reg. 8.3 of Annex V; Reg. 17.2 of Annex VI; <i>2012 Guidelines for the Development of a Regional Reception Facilities Plan</i> (resolution MEPC.221(63))

**Table 2: Waste reception facility reporting requirements for flag States**

Reporting requirements		Reference
Reporting on alleged inadequacies of reception facilities	The flag State is requested to distribute the Format for reporting alleged inadequacies of port reception facilities, as set out in appendix 1 of MEPC.1/Circ.834/Rev.1, to ships and urge Masters to use this format to report alleged inadequacies of port reception facilities to the Administration of the flag State and, if possible, to the authorities of the port State.	MEPC.1/Circ.834/Rev.1, paragraph 39
	The flag State is required to notify IMO, for transmission to the Parties concerned, of any case where facilities are alleged to be inadequate.	Reg. 38.8 of Annex I; Reg. 18.5 of Annex II; Reg. 12.2 of Annex IV; Reg. 8.3 of Annex V; Reg. 17.3 of Annex VI; resolution MEPC.83(44), annex, paragraph 8.3; MEPC.1/Circ.834/Rev.1, paragraph 39
	The flag State shall notify the port State of the occurrence of the alleged inadequacy of port reception facilities.	MEPC.1/Circ.834/Rev.1, paragraph 39; resolution MEPC.83(44), annex, paragraph 8.3
	Notification shall be made as soon as possible following completion of the alleged inadequacies reporting form (MEPC.1/Circ.834/Rev.1, appendix 1) and should include a copy of the master's report, together with any supporting documentation.	Resolution MEPC.83(44), annex, paragraph 8.3.1; MEPC.1/Circ.834/Rev.1, paragraph 40

## 指定容器及其容量的規格

### Specification of the specified containers and their capacities

容器種類 / 容量 (立方米) Container Type / Capacity (m3)		參考圖片 Photo for reference
1	箱 Bin / 4.98 立方米 (m <sup>3</sup> )	
2	籠 Cage / 2.2 立方米 (m <sup>3</sup> )	
3	箱 Bin / 4.8 立方米 (m <sup>3</sup> )	
4	箱 Bin / 2.6 立方米 (m <sup>3</sup> )	

5	箱 Bin / 1.5 立方米 (m <sup>3</sup> )	
6	箱 Bin / 1.2 立方米 (m <sup>3</sup> )	
7	箱 Bin / 1.0 立方米 (m <sup>3</sup> )	
8	袋 Sack / 1.45 立方米 (m <sup>3</sup> )	

# Daily record submitted by contractor for reporting to MD the quantity of marine refuse collected

Harbour West																		
2021		Wind			Yaumatei	Sham Shui Po		Western District		Central District		Tsim Sha Tsui		MOPANs Subtotal (Cubic meter)	Sea Cleaner Operation			
														Sea Cleaner 4 (Cubic meter)	Sea Cleaner 5 (Cubic meter)	Sea Cleaner 6 (Cubic meter)	(Vassels)	(Cubic meter)
February	Week	Days	Dir (Degs)	KmH														
2021-02-01			090	8		3.60	2.90	0.20	1.00	0.20	7.90				0	0		
2021-02-02			045	10		3.60	2.90	0.30	1.20	0.20	8.20				0	0		
2021-02-03			090	4		3.10	3.40	0.20	1.10	0.30	8.10				0	0		
2021-02-04			045	5		4.00	3.00	0.20	2.20	0.40	9.80				0	0		
2021-02-05			105	3		3.40	3.10	0.20	1.00	0.20	7.90				0	0		
2021-02-06			075	5		4.70	3.30	0.30	1.50	0.40	10.20				0	0		
2021-02-07	Sun		025	2		5.60	2.70	0.30	1.70	0.30	10.60				0	0		
2021-02-08			090	2		5.00	3.00	0.30	1.00	0.20	9.50				0	0		
2021-02-09			090	2		5.30	3.30	0.20	1.50	0.30	10.60				0	0		
2021-02-10			180	2		3.70	4.60	0.30	2.30	0.30	11.20				0	0		
2021-02-11			090	8		4.70	3.30	0.30	2.00	0.30	10.60				0	0		
2021-02-12	PH		090	2		2.00	1.30	0.20	0.60	0.20	4.30				0	0		
2021-02-13	PH		070	8		2.00	4.00	0.20	0.80	0.20	7.20				0	0		
2021-02-14	Sun		090	15		4.00	2.00	0.20	0.70	0.15	7.05				0	0		
2021-02-15	PH		045	12		4.70	1.30	0.20	0.70	0.20	7.10				0	0		
2021-02-16			090	5		4.30	4.00	0.20	1.50	0.20	10.20				0	0		
2021-02-17			075	1		4.30	3.30	0.40	1.80	0.90	10.70				0	0		
2021-02-18			090	7		3.30	5.30	0.26	1.43	0.26	10.55				0	0		
2021-02-19			050	6		4.00	4.00	0.20	1.20	0.40	9.80				0	0		
2021-02-20			025	2		3.80	3.50	0.20	1.30	0.20	9.00				0	0		
2021-02-21	Sun		090	2		4.30	3.00	0.19	1.37	0.26	9.12				0	0		
2021-02-22			070	3		3.70	4.60	0.26	1.17	0.26	9.99				0	0		
2021-02-23			090	7		3.70	3.30	0.25	0.90	0.20	8.35				0	0		
2021-02-24			050	6		4.00	3.30	0.25	0.90	0.20	8.65				0	0		
2021-02-25			180	8		3.70	3.30	0.20	1.20	0.25	8.65				0	0		
2021-02-26			070	2		3.30	5.00	0.30	1.30	0.20	10.10				0	0		
2021-02-27			045	10		4.30	3.30	0.20	1.30	0.20	9.30				0	0		
2021-02-28	Sun		090	12		4.00	3.30	0.30	1.40	0.30	9.30				0	0		
												0.00			0	0		
												0.00			0	0		
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Harbour West					Floating Refuse Scavenge																								
					Task Force										Join Cleansing														
2021		Wind			Team A				Team B				Team C				Team 1				Team 2				Scavenge Total				
					Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	Location	Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	Location	Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	Location	Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	Location	Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	(Cubic meter)
February	Week	Days	Dir (Degs)	KmH																									
2021-02-01			090	8				0				0						0					0				7.9		
2021-02-02			045	10				0				0						0					0				8.2		
2021-02-03			090	4				0				0						0					0				8.1		
2021-02-04			045	5				0				0						0					0				9.8		
2021-02-05			105	3				0				0						0					0				7.9		
2021-02-06			075	5				0				0						0					0				10.2		
2021-02-07	Sun		025	2				0				0						0					0				10.6		
2021-02-08			090	2				0				0		Yaumatei	0	0	0.36	0.36					0				9.86		
2021-02-09			090	2				0				0						0					0				10.6		
2021-02-10			180	2				0				0						0					0				11.2		
2021-02-11			090	8				0				0						0					0				10.6		
2021-02-12	PH		090	2				0				0						0					0				4.3		
2021-02-13	PH		070	8				0				0						0					0				7.2		
2021-02-14	Sun		090	15				0				0						0					0				7.05		
2021-02-15	PH		045	12				0				0						0					0				7.1		
2021-02-16			090	5				0				0						0					0				10.2		
2021-02-17			075	1				0				0						0					0				10.7		
2021-02-18			090	7				0				0						0					0				10.55		
2021-02-19			050	6				0				0						0					0				9.8		
2021-02-20			025	2				0				0						0					0				9		
2021-02-21	Sun		090	2				0				0						0					0				9.12		
2021-02-22			070	3				0				0						0					0				9.99		
2021-02-23			090	7				0				0		Yaumatei	0	0	0.36	0.36					0				8.71		
2021-02-24			050	6				0				0						0					0				8.65		
2021-02-25			180	8				0				0						0					0				8.65		
2021-02-26			070	2				0				0						0					0				10.1		
2021-02-27			045	10				0				0						0					0				9.3		
2021-02-28	Sun		090	12				0				0						0					0				9.3		
								0				0						0					0				0		
								0				0						0					0				0		
			080	5.7				0.00		0.00		0.00						0.00			0.00		0.00				254.68		
Title Sum:													0.00	0.00	0.00	0.00		0.00	0.00	0.72	0.72		0.00	0.00	0.00	0.00			
MOPAN Scavenge (Cubic meter):					253.96								Yaumatei	0	0	0	0		Yaumatei	0	0	0.72	0.72						
Sea Cleaner Scavenge (Cubic meter):					0.00								Sham Shui Po	0	0	0	0		Sham Shui Po	0	0	0	0						
Task Force (Cubic meter):					0.00								Western District	0	0	0	0		Western District	0	0	0	0						
Join Cleansing (Cubic meter):					0.72								Central District	0	0	0	0		Central District	0	0	0	0						
District Scavenge Subtotal:					254.68								Tsim Sha Tsui	0	0	0	0		Tsim Sha Tsui	0	0	0	0						

Harbour East				Floating Refuse Scavenge																								
2021	Wind				Hung Hom	To Kwa Wan	Kwun Tong	Sam Ka Tsuen	Chai Wan & Lei Yue Mun	Wan Chai	Causeway Bay	North Point & Quarry Bay	Shau Kei Wan	Junk Bay	MOPANs Subtotal (Cubic meter)	Sea Cleaner Operation												
	Week															Sea Cleaner 4 (Cubic meter)	Sea Cleaner 5 (Cubic meter)	Sea Cleaner 6 (Cubic meter)	(Vessels)	(Cubic meter)								
February	Days	Dir (Degs)	KmH																									
2021-02-01		180	7		0.30	0.30	0.90	0.90	1.70	0.20	0.20	0.90	2.90	0.10	8.40				0	0								
2021-02-02		050	8		0.10	0.20	0.90	0.90	1.90	0.20	0.20	0.80	3.00	0.10	8.30				0	0								
2021-02-03		090	6		0.20	0.20	0.90	0.90	2.00	0.20	0.20	0.90	2.90	0.10	8.50				0	0								
2021-02-04		045	2		0.20	0.60	1.00	1.00	1.90	0.40	0.20	0.90	2.80	0.10	9.10				0	0								
2021-02-05		070	5		0.20	0.50	0.90	1.00	1.90	0.30	0.30	0.90	3.00	0.10	9.10				0	0								
2021-02-06		070	7		0.30	0.50	0.90	0.90	1.80	0.50	0.40	0.80	2.80	0.20	9.10				0	0								
2021-02-07	Sun	045	3		0.30	0.50	0.90	0.80	1.80	0.30	0.20	0.90	2.60	0.20	8.50				0	0								
2021-02-08		180	9		0.20	0.50	1.00	1.00	1.80	0.30	0.20	0.80	2.80	0.10	8.70				0	0								
2021-02-09		045	3		0.20	0.60	1.00	1.00	1.80	0.40	0.40	0.80	2.00	0.20	8.40				0	0								
2021-02-10		090	2		0.30	0.60	0.90	0.90	1.90	0.50	0.50	0.90	2.90	0.10	9.50				0	0								
2021-02-11		045	6		0.30	0.40	0.90	0.90	1.70	0.40	0.20	0.80	2.60	0.10	8.30				0	0								
2021-02-12	PH	090	9		0.20	0.20	1.00	1.00	1.80	0.20	0.20	0.80	2.00	0.20	7.60				0	0								
2021-02-13	PH	090	7		0.20	0.20	1.00	1.00	1.80	0.30	0.20	0.80	2.00	0.20	7.70				0	0								
2021-02-14	Sun	045	2		0.15	0.20	0.90	1.00	1.90	0.10	0.30	0.80	2.00	0.20	7.55				0	0								
2021-02-15	PH	045	2		0.20	0.40	0.90	1.00	1.90	0.20	0.20	0.80	2.00	0.20	7.80				0	0								
2021-02-16		075	2		0.20	0.40	0.90	1.00	1.90	0.30	0.20	0.80	2.00	0.20	7.90				0	0								
2021-02-17		090	2		0.70	0.60	1.00	0.90	1.80	0.90	0.30	0.90	2.80	0.10	10.00				0	0								
2021-02-18		100	7		0.19	0.40	0.90	0.80	1.80	0.40	0.26	0.80	3.00	0.20	8.75				0	0								
2021-02-19		045	8		0.20	0.40	0.90	0.90	2.30	0.40	0.20	1.50	2.80	0.10	9.70				0	0								
2021-02-20		045	8		0.20	0.40	0.80	0.90	1.50	0.40	0.30	0.80	2.70	0.20	8.20				0	0								
2021-02-21	Sun	050	3		0.26	0.40	0.80	0.90	1.80	0.26	0.26	0.90	2.80	0.10	8.48				0	0								
2021-02-22		045	4		0.26	0.39	0.90	1.00	1.70	0.26	0.20	0.90	2.80	0.10	8.51				0	0								
2021-02-23		090	5		0.20	0.40	0.80	0.80	1.80	0.25	0.20	0.90	2.90	0.10	8.35				0	0								
2021-02-24		100	3		0.20	0.40	0.90	0.90	1.60	0.25	0.20	0.80	2.60	0.10	7.95				0	0								
2021-02-25		070	2		0.20	0.50	0.90	1.00	1.70	0.40	0.25	0.80	2.60	0.10	8.45				0	0								
2021-02-26		045	6		0.20	0.40	0.80	0.90	1.60	0.30	0.30	0.70	2.60	0.10	7.90				0	0								
2021-02-27		070	2		0.20	0.50	0.70	0.90	1.50	0.40	0.20	0.70	2.40	0.10	7.60				0	0								
2021-02-28	Sun	090	8		0.20	0.60	0.90	0.90	1.60	0.40	0.20	0.70	2.60	0.20	8.30				0	0								
																0.00					0	0						
																0.00					0	0						
																0.00					0	0						
075 4.9				0.00	6.56	0.00	11.69	0.00	25.20	0.00	26.00	0.00	50.20	0.00	9.42	0.00	6.97	0.00	23.80	0.00	72.90	0.00	3.90	0.00	236.64	0.00	0.00	0.00
Title Sum:					6.56		12.29		25.56		27.08		50.20		9.42		6.97		23.80		72.90		4.41				0.00	
MOPAN Scavenge (Cubic meter):				236.64																	Hung Hom		6.56					
Sea Cleaner Scavenge (Cubic meter):				0.00																	To Kwa Wan		11.69					
Task Force (Cubic meter):				1.95																	Kwun Tong		25.20					
Join Cleansing (Cubic meter):				0.60																	Sam Ka Tsuen		26.00					
District Scavenge Subtotal:				239.19																	Chai Wan & Lei Yue Mun		50.20					
																					Wan Chai		9.42					
																					Causeway Bay		6.97					
																					North Point & Quarry Bay		23.80					
																					Shau Kei Wan		72.90					
																					Junk Bay		3.90					



Harbour East																										
				Task Force												Join Cleansing										
2021		Wind			Team A				Team B				Team C				Team 1				Team 2				Scavenge Total	
					Location	Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	Location	Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	Location	Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	Location	Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	(Cubic meter)	
February	Week	Days	Dir (Degs)	KmH																						
2021-02-01			180	7				0					0					0						8.4		
2021-02-02			050	8				0					0		Wan Chai	0	0	0	0					8.3		
2021-02-03			090	6				0	Sam Ka Tsuer	0.08	0.16	0.12	0.36		0	Causeway Bay	0	0	0	0				8.86		
2021-02-04			045	2				0					0		Sam Ka Tsuer	0	0	0	0					9.1		
2021-02-05			070	5				0					0		Kwun Tong	0	0	0	0					9.1		
2021-02-06			070	7				0					0		To Kwa Wan	0	0.2	0.4	0.6					9.85		
2021-02-07	Sun		045	3				0					0					0						8.5		
2021-02-08			180	9				0					0					0						8.7		
2021-02-09			045	3				0	Sam Ka Tsuer	0.08	0.18	0.1	0.36		0			0						8.76		
2021-02-10			090	2				0	Junk Bay	0.08	0.16	0.12	0.36		0	Wan & Lei Yue	0	0	0	0				9.86		
2021-02-11			045	6				0					0					0						8.3		
2021-02-12	PH		090	9				0					0					0						7.6		
2021-02-13	PH		090	7				0					0					0						7.7		
2021-02-14	Sun		045	2				0					0					0						7.55		
2021-02-15	PH		045	2				0					0					0						7.8		
2021-02-16			075	2				0					0					0						7.9		
2021-02-17			090	2				0					0					0						10		
2021-02-18			100	7				0					0					0						8.75		
2021-02-19			045	8				0	Sam Ka Tsuer	0.08	0.16	0.12	0.36		0			0						10.06		
2021-02-20			045	8				0					0					0						8.2		
2021-02-21	Sun		050	3				0					0					0						8.48		
2021-02-22			045	4				0					0		Wan & Lei Yue	0	0	0	0					8.51		
2021-02-23			090	5				0	Kwun Tong	0.08	0.16	0.12	0.36		0			0						8.71		
2021-02-24			100	3				0					0					0						7.95		
2021-02-25			070	2				0					0					0						8.45		
2021-02-26			045	6				0					0					0						7.9		
2021-02-27			070	2				0					0					0						7.6		
2021-02-28	Sun		090	8				0					0					0						8.3		
								0					0					0						0		
								0					0					0						0		
								0					0					0						0		
			075	4.9		0.00	0.10	0.05	0.15		0.40	0.82	0.58	1.80		0.00	0.00	0.00	0.00		0.00	0.20	0.40	0.60		239.19
Title Sum:															0.40	0.92	0.63	1.95			0.00	0.20	0.40	0.60		
MOPAN Scavenge (Cubic meter):				236.64						Hung Hom				0	0	0	0	Hung Hom				0	0	0	0	
Sea Cleaner Scavenge (Cubic meter):				0.00						To Kwa Wan				0	0	0	0	To Kwa Wan				0	0.2	0.4	0.6	
Task Force (Cubic meter):				1.95						Kwun Tong				0.08	0.16	0.12	0.36	Kwun Tong				0	0	0	0	
Join Cleansing (Cubic meter):				0.60						Sam Ka Tsuen				0.24	0.5	0.34	1.08	Sam Ka Tsuen				0	0	0	0	
District Scavenge Subtotal:				239.19						Chai Wan & Lei Yue Mun				0	0	0	0	Chai Wan & Lei Yue Mun				0	0	0	0	
										Wan Chai				0	0	0	0	Wan Chai				0	0	0	0	
										Causeway Bay				0	0	0	0	Causeway Bay				0	0	0	0	
										North Point & Quarry Bay				0	0	0	0	North Point & Quarry Bay				0	0	0	0	
										Shau Kei Wan				0	0	0	0	Shau Kei Wan				0	0	0	0	
										Junk Bay				0.08	0.26	0.17	0.51	Junk Bay				0	0	0	0	



Hong Kong South																
2021		Wind			Aberdeen	Tin Wan	Stanley Bay	Deep Water & Repulse Bay	MOPANs Subtotal (Cubic meter)		Sea Cleaner Operation					
											Sea Cleaner 4 (Cubic meter)	Sea Cleaner 5 (Cubic meter)	Sea Cleaner 6 (Cubic meter)	(Vessels)	(Cubic meter)	
February	Week Days	Dir (Degs)	KmH													
2021-02-01		090	9		6.36	6.56	0.04	0.04	13.00		0.49			1	0.49	
2021-02-02		115	10		7.11	4.81	0.04	0.04	12.00		0.98			1	0.98	
2021-02-03		090	2		6.70	5.20	0.04	0.04	11.98		0.49			1	0.49	
2021-02-04		045	8		7.00	4.92	0.04	0.04	12.00		1.47			1	1.47	
2021-02-05		090	3		7.18	4.70	0.04	0.08	12.00		0.49			1	0.49	
2021-02-06		045	9		9.12	5.80	0.04	0.04	15.00		0.98			1	0.98	
2021-02-07	Sun	100	4		8.60	5.22	0.08	0.10	14.00		0.49			1	0.49	
2021-02-08		045	11		7.32	6.60	0.04	0.04	14.00		0.49			1	0.49	
2021-02-09		180	9		6.70	6.22	0.04	0.04	13.00		0.98			1	0.98	
2021-02-10		050	8		10.42	9.50	0.04	0.04	20.00		0.49			1	0.49	
2021-02-11		180	3		7.00	6.88	0.08	0.04	14.00		0.98			1	0.98	
2021-02-12	PH	090	3		3.52	4.40	0.04	0.04	8.00		0.98			1	0.98	
2021-02-13	PH	090	9		3.10	2.84	0.03	0.03	6.00		0.98			1	0.98	
2021-02-14	Sun	090	17		9.90	8.00	0.05	0.05	18.00		0.49			1	0.49	
2021-02-15	PH	045	5		8.60	7.30	0.05	0.05	16.00		0.49			1	0.49	
2021-02-16		090	9		7.70	10.10	0.08	0.12	18.00		0.98			1	0.98	
2021-02-17		135	2		8.90	8.02	0.04	0.04	17.00		0.49			1	0.49	
2021-02-18		050	2		8.80	8.12	0.04	0.04	17.00		0.98			1	0.98	
2021-02-19		045	3		8.22	8.70	0.04	0.04	17.00		0.98			1	0.98	
2021-02-20		070	7		8.62	7.30	0.04	0.04	16.00		0.98			1	0.98	
2021-02-21	Sun	090	2		8.92	8.00	0.04	0.04	17.00		0.49			1	0.49	
2021-02-22		090	9		8.72	7.15	0.04	0.09	16.00		0.98			1	0.98	
2021-02-23		050	3		8.28	7.60	0.04	0.08	16.00		0.98			1	0.98	
2021-02-24		070	11		9.30	9.60	0.05	0.05	19.00		0.49			1	0.49	
2021-02-25		045	9		9.20	8.65	0.05	0.10	18.00		1.47			1	1.47	
2021-02-26		050	2		8.90	7.95	0.05	0.10	17.00		0.49			1	0.49	
2021-02-27		270	3		8.20	7.70	0.05	0.05	16.00		0.98			1	0.98	
2021-02-28	Sun	090	2		6.40	5.47	0.03	0.10	12.00		0.49			1	0.49	
									0.00					0	0	
									0.00					0	0	
									0.00					0	0	
089 6.21				0.00	218.79	0.00	193.31	0.00	1.28	0.00	1.60	0.00	414.98	0.00	22.05	
Title Sum:					223.32		193.67		1.64		1.96				22.05	
MOPAN Scavenge (Cubic meter):				414.98					Aberdeen				218.79			
Sea Cleaner Scavenge (Cubic meter):				22.05					Tin Wan				193.31			
Task Force (Cubic meter):				3.25					Stanley Bay				1.28			
Join Cleansing (Cubic meter):				2.36					Deep Water & Repulse Bay				1.60			
District Scavenge Subtotal:				442.64												

Hong Kong South				Floating Refuse Scavenge																									
				Task Force												Join Cleansing													
2021		Wind			Team A				Team B				Team C				Team 1				Team 2				Scavenge Total				
					Location	Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	Location	Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	Location	Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	Location	Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	(Cubic meter)				
February	Week Days	Dir (Degs)	KmH																										
2021-02-01		090	9					0					0						0	Aberdeen		0	0	0	0		0	13.49	
2021-02-02		115	10					0					0						0							0	12.98		
2021-02-03		090	2					0					0						0							0	12.47		
2021-02-04		045	8					0					0						0							0	13.47		
2021-02-05		090	3					0					0						0							0	12.49		
2021-02-06		045	9					0	Aberdeen	0.08	0.16	0.12	0.36					0								0	16.34		
2021-02-07	Sun	100	4					0					0						0							0	14.49		
2021-02-08		045	11					0					0						0							0	14.49		
2021-02-09		180	9					0					0						0	Stanley Bay		0	0	0	0		0	13.98	
2021-02-10		050	8					0					0						0							0	20.49		
2021-02-11		180	3					0	Aberdeen	0.2	0.2	0.33	0.73					0	Aberdeen	0.2	0.4	0.76	1.36			0	17.07		
2021-02-12	PH	090	3					0					0						0							0	8.98		
2021-02-13	PH	090	9					0					0						0							0	6.98		
2021-02-14	Sun	090	17					0					0						0							0	18.49		
2021-02-15	PH	045	5					0					0						0							0	16.49		
2021-02-16		090	9					0					0						0	Aberdeen		0	0	0	0		0	18.98	
2021-02-17		135	2					0					0						0	Aberdeen		0	0	0	0		0	17.49	
2021-02-18		050	2					0					0						0	Tin Wan		0	0	0	0		0	17.98	
2021-02-19		045	3					0					0						0	Stanley Bay		0	0	0	0		0	17.98	
2021-02-20		070	7					0	Aberdeen	0.08	0.16	0.12	0.36					0	Stanley Bay		0	0	0	0		0	17.34		
2021-02-21	Sun	090	2					0					0						0							0	17.49		
2021-02-22		090	9					0	Tin Wan	0.08	0.16	0.12	0.36					0								0	17.34		
2021-02-23		050	3					0					0						0							0	16.98		
2021-02-24		070	11					0	Stanley Bay	0.08	0.16	0.12	0.36					0	Aberdeen	0.2	0.2	0.6	1			0	20.85		
2021-02-25		045	9					0	Water & Repul	0.08	0.16	0.12	0.36					0	Aberdeen		0	0	0	0		0	19.83		
2021-02-26		050	2					0					0						0	Aberdeen		0	0	0	0		0	17.49	
2021-02-27		270	3					0	Aberdeen	0.16	0.32	0.24	0.72					0	Tin Wan		0	0	0	0		0	17.7		
2021-02-28	Sun	090	2					0					0						0							0	12.49		
								0					0						0							0	0		
								0					0						0							0	0		
								0					0						0							0	0		
								0					0						0							0	0		
		089	6.21					0.00	0.00	0.00	0.00		0.76	1.32	1.17	3.25		0.00	0.00	0.00	0.00		0.40	0.60	1.36	2.36	0.00	0.00	442.64
Title Sum:																													
MOPAN Scavenge (Cubic meter):				414.98																									
ea Cleaner Scavenge (Cubic meter):				22.05																									
Task Force (Cubic meter):				3.25																									
Join Cleansing (Cubic meter):				2.36																									
District Scavenge Subtotal:				442.64																									

Kowloon West				Floating Platform																						
2021	Wind				Urmston Road	Castle Peak Bay	Tuen Mun	Tai Lam	Ma Wan	Tsing Yi North	Tsuen Wan	Rambler Channel	MOPANs Subtotal (Cubic meter)	Sea Cleaner Operation												
	Week													Sea Cleaner 4 (Cubic meter)	Sea Cleaner 5 (Cubic meter)	Sea Cleaner 6 (Cubic meter)	(Vessels)	(Cubic meter)								
February	Days	Dir (Degs)	KmH																							
2021-02-01		090	10		0.70	0.70	2.90	0.72	0.07	0.15	0.40	0.08	5.72			0.98	1	0.98								
2021-02-02		045	9		0.70	0.60	2.90	0.72	0.60	0.20	0.60	0.10	6.42			0	0									
2021-02-03		070	10		0.90	0.70	3.28	0.80	0.50	0.10	0.30	0.10	6.68			1.47	1	1.47								
2021-02-04		115	12		1.00	0.92	4.00	0.90	0.10	0.10	0.30	0.10	7.42			0	0									
2021-02-05		135	3		0.77	0.70	3.40	0.80	0.10	0.20	0.40	0.10	6.47			0.98	1	0.98								
2021-02-06		045	2		0.80	0.72	2.80	0.60	0.50	0.10	0.20	0.10	5.82			0	0									
2021-02-07	Sun	045	3		0.90	0.86	4.40	0.86	0.10	0.10	0.50	0.10	7.82			0.98	1	0.98								
2021-02-08		100	18		1.00	0.90	4.10	1.00	0.10	0.20	0.50	0.10	7.90			0.98	1	0.98								
2021-02-09		045	3		0.81	0.80	3.40	0.80	0.10	0.10	0.40	0.20	6.61			0	0									
2021-02-10		180	15		0.60	0.61	2.36	0.70	0.10	0.10	0.40	0.20	5.07			0.98	1	0.98								
2021-02-11		090	8		0.40	0.40	1.66	0.45	0.20	0.10	0.30	0.10	3.61			0	0									
2021-02-12	PH	070	4		0.30	0.30	0.73	0.33	0.10	0.10	0.30	0.10	2.26			1.47	1	1.47								
2021-02-13	PH	045	3		0.24	0.36	0.76	0.30	0.10	0.10	0.30	0.10	2.26			0	0									
2021-02-14	Sun	070	9		0.60	0.60	1.30	0.61	0.20	0.10	0.30	0.10	3.81			0.49	1	0.49								
2021-02-15	PH	045	2		0.41	0.60	1.60	0.50	0.10	0.10	0.40	0.10	3.81			0.98	1	0.98								
2021-02-16		135	9		0.40	0.41	2.00	0.30	0.10	0.20	0.40	0.10	3.91			0	0									
2021-02-17		150	3		0.90	1.00	3.60	0.87	0.50	0.10	0.90	0.10	7.97			1.47	1	1.47								
2021-02-18		180	3		0.65	0.60	2.62	0.60	0.17	0.08	0.26	0.09	5.07			0	0									
2021-02-19		025	9		0.80	0.92	3.60	0.90	0.10	0.20	0.50	0.10	7.12			0.98	1	0.98								
2021-02-20		100	3		0.90	0.83	3.64	1.00	0.10	0.10	0.40	0.20	7.17			0	0									
2021-02-21	Sun	090	6		0.80	0.76	3.00	0.70	0.20	0.10	0.60	0.10	6.26			0.49	1	0.49								
2021-02-22		090	9		0.82	0.90	4.10	1.00	0.20	0.10	0.30	0.10	7.52			1.47	1	1.47								
2021-02-23		090	2		1.80	1.50	6.40	1.62	0.10	0.10	0.30	0.10	11.92			0	0									
2021-02-24		070	9		1.70	1.80	6.49	1.60	0.10	0.10	0.30	0.10	12.19			1.47	1	1.47								
2021-02-25		090	3		1.40	1.50	6.50	1.52	0.20	0.10	0.30	0.10	11.62			0	0									
2021-02-26		070	9		1.40	1.62	6.40	1.50	1.00	0.10	0.30	0.10	12.42			0.98	1	0.98								
2021-02-27		050	3		1.60	1.72	6.20	1.30	0.50	0.10	0.30	0.10	11.82			0	0									
2021-02-28	Sun	050	7		1.40	1.50	6.40	1.62	0.10	0.10	0.30	0.10	11.52			1.47	1	1.47								
													0.00			0	0									
													0.00			0	0									
													0.00			0	0									
085 6.6					0.00	24.70	0.00	24.83	0.00	100.54	0.00	24.62	0.00	6.34	0.00	3.33	0.00	10.76	0.00	3.07	0.00	198.19	0.00	0.00	17.64	17.64
Title Sum:						24.70		29.33		108.63		25.87		6.59		3.33		17.01		3.07						17.64
MOPAN Scavenge (Cubic meter):				198.19															Urmston Road				24.70			
Sea Cleaner Scavenge (Cubic meter):				17.64															Castle Peak Bay				24.83			
Task Force (Cubic meter):				19.25															Tuen Mun				100.54			
Join Cleansing (Cubic meter):				1.09															Tai Lam				24.62			
District Scavenge Subtotal:				236.17															Ma Wan				6.34			
																			Tsing Yi North				3.33			
																			Tsuen Wan				10.76			
																			Rambler Channel				3.07			

Kowloon West				Refuse Scavenge																									
				Task Force												Join Cleansing													
2021		Wind		Team A				Team B				Team C				Team 1				Team 2				Scavenge Total					
				Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	Location	Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	Location	Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	Location	Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	Location	Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	(Cubic meter)	
February	Week	Days	Dir (Degs)	KmH																									
2021-02-01			090	10			0					0					0		Tuen Mun					0	0.08	0.49	0.16	0.73	7.43
2021-02-02			045	9			0					0					0						0					6.42	
2021-02-03			070	10								0	Tuen Mun	0.7	1.5	0.8	3						0					11.15	
2021-02-04			115	12			0					0					0						0					7.42	
2021-02-05			135	3			0					0					0						0					7.45	
2021-02-06			045	2			0					0					0						0					5.82	
2021-02-07	Sun		045	3			0					0					0						0					8.8	
2021-02-08			100	18								0					0						0					8.88	
2021-02-09			045	3			0					0	Jastle Peak Ba	0.7	1.8	2	4.5						0					11.11	
2021-02-10			180	15			0					0	Tuen Mun	0.08	0.12	0.05	0.25						0					6.3	
2021-02-11			090	8			0					0	Tuen Mun	0.1	0.4	0.25	0.75						0					4.36	
2021-02-12	PH		070	4			0					0					0						0					3.73	
2021-02-13	PH		045	3			0					0					0						0					2.26	
2021-02-14	Sun		070	9			0					0					0						0					4.3	
2021-02-15	PH		045	2			0					0					0						0					4.79	
2021-02-16			135	9			0					0					0						0					3.91	
2021-02-17			150	3			0					0					0						0					9.44	
2021-02-18			180	3			0					0	Tuen Mun	0.7	1.8	0.5	3						0					8.07	
2021-02-19			025	9			0					0					0						0					8.1	
2021-02-20			100	3			0					0					0						0					7.17	
2021-02-21	Sun		090	6			0					0					0						0					6.75	
2021-02-22			090	9			0					0					0		Tuen Mun	0.08	0.18	0.1	0.36					9.35	
2021-02-23			090	2			0					0	Tai Lam	0.3	0.6	0.35	1.25						0					13.17	
2021-02-24			070	9			0					0	Tsuen Wan	0.7	1.2	0.6	2.5						0					16.16	
2021-02-25			090	3			0					0	Tsuen Wan	0.7	2.4	0.65	3.75						0					15.37	
2021-02-26			070	9			0					0	Ma Wan	0.08	0.12	0.05	0.25						0					13.65	
2021-02-27			050	3			0					0					0						0					11.82	
2021-02-28	Sun		050	7			0					0					0						0					12.99	
							0					0					0						0					0	
							0					0					0						0					0	
							0					0					0						0					0	
			085	6.6			0.00	0.00	0.00	0.00		0.00	0.00	0.00	4.06	9.94	5.25	19.25		0.00	0.00	0.00	0.00		0.16	0.67	0.26	1.09	236.17
Title Sum:														4.06	9.94	5.25	19.25							0.16	0.67	0.26	1.09		
MOPAN Scavenge (Cubic meter):					198.19									Urmston Road	0	0	0	0					Urmston Road	0	0	0	0		
Sea Cleaner Scavenge (Cubic meter):					17.64								Castle Peak Bay	0.7	1.8	2	4.5					Castle Peak Bay	0	0	0	0			
Task Force (Cubic meter):					19.25								Tuen Mun	1.58	3.82	1.6	7					Tuen Mun	0.16	0.67	0.26	1.09			
Join Cleansing (Cubic meter):					1.09								Tai Lam	0.3	0.6	0.35	1.25					Tai Lam	0	0	0	0			
District Scavenge Subtotal:					236.17								Ma Wan	0.08	0.12	0.05	0.25					Ma Wan	0	0	0	0			
													Tsing Yi North	0	0	0	0					Tsing Yi North	0	0	0	0			
													Tsuen Wan	1.4	3.6	1.25	6.25					Tsuen Wan	0	0	0	0			
													Rambler Channel	0	0	0	0					Rambler Channel	0	0	0	0			

Sai Kung & Tai Po																					
2021		Wind			Sai Kung Harbour	Sai Kung Hoi	Pak Sha Wan	Tolo North		Tolo West		Tolo South		MOPANs Subtotal (Cubic meter)		Sea Cleaner Operation					
	Week															Sea Cleaner 4 (Cubic meter)	Sea Cleaner 5 (Cubic meter)	Sea Cleaner 6 (Cubic meter)	(Vessels)	(Cubic meter)	
February	Days	Dir (Degs)	KmH																		
2021-02-01		270	18		0.48	0.58	0.19	0.24	0.29	0.24	2.02								0	0	
2021-02-02		135	15		0.53	0.63	0.14	0.29	0.39	0.29	2.27								0	0	
2021-02-03		070	16		0.40	0.50	0.10	0.24	0.34	0.24	1.82								0	0	
2021-02-04		180	21		0.50	0.50	0.20	0.29	0.34	0.29	2.12								0	0	
2021-02-05		045	6		0.60	0.50	0.20	0.20	0.30	0.20	2.00								0	0	
2021-02-06		025	3		0.50	0.60	0.20	0.20	0.30	0.30	2.10								0	0	
2021-02-07	Sun	075	3		0.40	0.50	0.10	0.20	0.30	0.20	1.70								0	0	
2021-02-08		090	12		0.50	0.60	0.10	0.30	0.30	0.20	2.00								0	0	
2021-02-09		045	10		0.50	0.60	0.20	0.30	0.40	0.20	2.20								0	0	
2021-02-10		090	9		0.60	0.60	0.10	0.30	0.30	0.20	2.10								0	0	
2021-02-11		180	3		0.60	0.70	0.20	0.30	0.40	0.20	2.40								0	0	
2021-02-12	PH	090	7		0.20	0.20	0.10	0.15	0.15	0.10	0.90								0	0	
2021-02-13	PH	045	4		0.40	0.40	0.20	0.15	0.20	0.15	1.50								0	0	
2021-02-14	Sun	095	6		0.60	0.70	0.20	0.20	0.20	0.20	2.10								0	0	
2021-02-15	PH	070	4		0.60	0.60	0.20	0.30	0.30	0.20	2.20								0	0	
2021-02-16		045	2		0.50	0.60	0.10	0.30	0.30	0.20	2.00								0	0	
2021-02-17		050	4		0.70	0.60	0.20	0.30	0.40	0.20	2.40								0	0	
2021-02-18		025	9		0.60	0.60	0.20	0.24	0.39	0.34	2.37								0	0	
2021-02-19		045	6		0.70	0.60	0.20	0.20	0.40	0.40	2.50								0	0	
2021-02-20		050	3		0.60	0.60	0.20	0.30	0.30	0.30	2.30								0	0	
2021-02-21	Sun	090	3		0.60	0.50	0.20	0.20	0.30	0.30	2.10								0	0	
2021-02-22		040	5		0.70	0.60	0.20	0.20	0.40	0.30	2.40								0	0	
2021-02-23		070	2		0.80	0.70	0.30	0.20	0.30	0.30	2.60								0	0	
2021-02-24		090	5		0.80	0.70	0.30	0.20	0.30	0.40	2.70								0	0	
2021-02-25		045	7		0.70	0.70	0.20	0.20	0.40	0.30	2.50								0	0	
2021-02-26		050	2		0.70	0.70	0.30	0.20	0.20	0.30	2.40								0	0	
2021-02-27		090	5		0.70	0.80	0.20	0.20	0.30	0.30	2.50								0	0	
2021-02-28	Sun	135	7		0.70	0.70	0.20	0.20	0.20	0.20	2.20								0	0	
															0.00				0	0	
															0.00					0	0
															0.00					0	0
083		7.0			0.00	16.21	0.00	16.61	0.00	5.23	0.00	6.60	0.00	8.70	0.00	7.05	0.00	60.40	0.00	0.00	0.00
Title Sum:					16.21	18.09	5.23	12.20	9.30	8.38											0.00
MOPAN Scavenge (Cubic meter):		60.40													Sai Kung Harbour	16.21					
ea Cleaner Scavenge (Cubic meter):		0.00													Sai Kung Hoi	16.61					
Task Force (Cubic meter):		9.01													Pak Sha Wan	5.23					
Join Cleansing (Cubic meter):		0.00													Tolo North	6.60					
District Scavenge Subtotal:		69.41													Tolo West	8.70					
															Tolo South	7.05					

Sai Kung & Tai Po				Floating Refuse Scavenge																													
				Task Force												Join Cleansing																	
2021		Wind			Team A				Team B				Team C				Team 1				Team 2				Scavenge Total								
					Location	Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	Location	Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	Location	Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	Location	Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	(Cubic meter)								
February	Week Days	Dir (Degs)	KmH		Sai Kung Hoi	0.25	0.48	0	0.73				0					0						0	2.75								
2021-02-01		270	18		Sai Kung Hoi	0	0.1	0.05	0.15				0					0						0	2.42								
2021-02-02		135	15		Tolo North	0	0.1	0.05	0.15				0					0						0	1.97								
2021-02-03		070	16		Tolo North	0	0.1	0.05	0.15				0					0						0	2.27								
2021-02-04		180	21		Sai Kung Hoi	0	0.1	0.05	0.15				0					0						0	2.15								
2021-02-05		045	6						0				0					0						0	2.1								
2021-02-06		025	3						0				0					0						0	1.7								
2021-02-07	Sun	075	3						0				0					0						0	2.15								
2021-02-08		090	12		Tolo North	0	0.15	0	0.15				0					0						0	2.15								
2021-02-09		045	10		Tolo South	0	0.1	0.05	0.15				0					0						0	2.35								
2021-02-10		090	9		Sai Kung Hoi	0	0.05	0.1	0.15				0					0						0	2.25								
2021-02-11		180	3		Tolo West	0.05	0.1	0	0.15				0					0						0	2.55								
2021-02-12	PH	090	7						0				0					0						0	0.9								
2021-02-13	PH	045	4						0				0					0						0	1.5								
2021-02-14	Sun	095	6						0				0					0						0	2.1								
2021-02-15	PH	070	4						0				0					0						0	2.2								
2021-02-16		045	2		Tolo South	0	0.1	0.05	0.15				0					0						0	2.15								
2021-02-17		050	4		Tolo South	0	0.1	0.05	0.15				0					0						0	2.55								
2021-02-18		025	9		Sai Kung Hoi	0	0.15	0	0.15				0					0						0	2.52								
2021-02-19		045	6		Tolo North	0	0.1	0.05	0.15				0					0						0	2.65								
2021-02-20		050	3		Tolo South	0	0.1	0.05	0.15				0					0						0	2.45								
2021-02-21	Sun	090	3						0				0					0						0	2.1								
2021-02-22		040	5		Sai Kung Hoi	0	0.15	0	0.15				0					0						0	2.55								
2021-02-23		070	2		Tolo West	0	0.1	0.05	0.15				0					0						0	2.75								
2021-02-24		090	5		Tolo West	0	0.1	0.05	0.15				0					0						0	2.85								
2021-02-25		045	7		Tolo West	0	0.1	0.05	0.15				0					0						0	2.65								
2021-02-26		050	2		Tolo North	1	1.5	2.5	5				0					0						0	7.4								
2021-02-27		090	5		Tolo South	0	0.45	0.28	0.73				0					0						0	3.23								
2021-02-28	Sun	135	7						0				0					0						0	2.2								
									0				0					0						0	0								
									0				0					0						0	0								
									0				0					0						0	0								
		083	7.0			1.30	4.23	3.48	9.01		0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	69.41								
Title Sum:														1.30	4.23	3.48	9.01				0.00	0.00	0.00	0.00									
MOPAN Scavenge (Cubic meter):				60.40										Sai Kung Harbour	0	0	0	0			Sai Kung Harbour	0	0	0	0								
Sea Cleaner Scavenge (Cubic meter):				0.00										Sai Kung Hoi	0.25	1.03	0.2	1.48			Sai Kung Hoi	0	0	0	0								
Task Force (Cubic meter):				9.01										Pak Sha Wan	0	0	0	0			Pak Sha Wan	0	0	0	0								
Join Cleansing (Cubic meter):				0.00										Tolo North	1	1.95	2.65	5.6			Tolo North	0	0	0	0								
District Scavenge Subtotal:				69.41										Tolo West	0.05	0.4	0.15	0.6			Tolo West	0	0	0	0								
														Tolo South	0	0.85	0.48	1.33			Tolo South	0	0	0	0								

Outlying Islands													
2021	Wind			Cheung Chau	Lamma Island	Lantau East	Tai O	Chak Lap Kok	MOPANs Subtotal (Cubic meter)	Sea Cleaner Operation			
February	Week Days	Dir (Degs)	KmH							Sea Cleaner 4 (Cubic meter)	Sea Cleaner 5 (Cubic meter)	Sea Cleaner 6 (Cubic meter)	(Vessels)
2021-02-01		090	12	2.50		0.40	0.23	0.30	3.43	0.49			1
2021-02-02		180	14	3.00		0.36	0.27	0.30	3.93		0.98		1
2021-02-03		090	10	2.50	0.30	0.33	0.27	0.44	3.84	0.49			1
2021-02-04		050	18	3.50		0.40	0.23	0.35	4.48		0.49		1
2021-02-05		090	3	4.00		0.30	0.27	0.30	4.87	0.98			1
2021-02-06		045	3	2.50	0.20	0.40	0.30	0.55	3.95		1.47		1
2021-02-07	Sun	100	3	4.00		0.44	0.33	0.65	5.42	0.49			1
2021-02-08		045	2	2.50		0.40	0.30	0.42	3.62	0.49			1
2021-02-09		090	4	4.00		0.36	0.27	0.36	4.99		1.49		1
2021-02-10		045	14	2.50	0.20	0.40	0.20	0.50	3.80	0.98			1
2021-02-11		090	11	2.50		0.40	0.40	0.40	3.70		0.98		1
2021-02-12	PH	070	12	2.50		0.20	0.10	0.10	2.90	0.49			1
2021-02-13	PH	045	2	3.00	0.30	0.20	0.20	0.10	3.80		0.98		1
2021-02-14	Sun	090	4	3.00		0.40	0.20	0.20	3.80	0.49			1
2021-02-15	PH	050	21	2.00		0.40	0.30	0.20	2.90	0.98			1
2021-02-16		070	3	2.50		0.40	0.20	0.20	3.30		1.47		1
2021-02-17		090	3	3.50	0.20	0.50	0.40	0.40	5.00	0.49			1
2021-02-18		045	19	3.00		0.40	0.30	0.30	4.00		0.98		1
2021-02-19		050	2	3.50		0.40	0.30	0.40	4.60	0.49			1
2021-02-20		100	27	2.00	0.20	0.40	0.30	0.50	3.40		0.49		1
2021-02-21	Sun	045	2	2.00		0.30	0.20	0.40	2.90	0.98			1
2021-02-22		090	3	3.00		0.40	0.30	0.50	4.20	0.49			1
2021-02-23		050	3	4.00		0.40	0.30	0.30	5.00		1.47		1
2021-02-24		045	20	2.00	0.20	0.30	0.30	16.00	18.80	0.98			1
2021-02-25		070	2	2.00		0.40	0.30	0.70	3.40		0.98		1
2021-02-26		070	3	3.00		0.50	0.30	0.70	4.50	5			1
2021-02-27		045	7	2.00	0.20	0.50	0.20	0.80	3.70		1.47		1
2021-02-28	Sun	090	21	3.00		0.40	0.20	0.70	4.30	0.49			1
									0.00				0
									0.00				0
									0.00				0
	073	8.9		0.00	79.50	0.00	1.80	0.00	10.69	0.00	14.80	13.25	28.05
Title Sum:				82.22	14.84	19.66	8.72	31.64					28.05
MOPAN Scavenge (Cubic meter):				126.53				Cheung Chau	79.50				
Sea Cleaner Scavenge (Cubic meter):				28.05				Lamma Island	1.80				
Task Force (Cubic meter):				17.08				Lantau East	10.69				
Join Cleansing (Cubic meter):				13.47				Tai O	7.47				
District Scavenge Subtotal:				185.13				Chak Lap Kok	27.07				

Outlying Islands				Floating Refuse Scavenge																						
				Task Force												Join Cleansing										
2021		Wind			Team A				Team B				Team C				Team 1				Team 2				Scavenge Total	
					Location	Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	Location	Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	Location	Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	Location	Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	(Cubic meter)	
February	Week Days	Dir (Degs)	KmH					0	Lamma Island	0.08	0.16	0.12	0.36	Cheung Chau	0.08	0.12	0.8	1					0	5.28		
2021-02-01		090	12					0	Lamma Island	0.08	0.16	0.12	0.36	Cheung Chau	0.2	0.5	0.3	1		0	Chak Lap Kok	0.08	0.49	0.16	0.73	7
2021-02-02		180	14					0					0					0		0	Lamma Island	0.08	0.85	0.16	1.09	5.42
2021-02-03		090	10					0	Lamma Island	0.16	0.34	0.22	0.72	Lantau East	0.13	0.24	0.13	0.5		0	Lantau East	0.08	0.18	0.1	0.36	6.55
2021-02-04		050	18					0	Lamma Island	0.08	0.18	0.1	0.36	Lantau East	0.08	0.12	0.05	0.25		0	Cheung Chau	0.08	0.18	0.1	0.36	6.82
2021-02-05		090	3					0	Lamma Island	0.08	0.18	0.1	0.36	Lantau East	0.1	0.4	0.25	0.75		0	Lamma Island	0.3	0.85	0.3	1.45	7.98
2021-02-06		045	3					0					0					0		0				0	5.91	
2021-02-07	Sun	100	3					0	Lamma Island	0.08	0.16	0.12	0.36	Lantau East	0.08	0.12	0.05	0.25		0	Lamma Island	0.3	0.49	0.3	1.09	5.81
2021-02-08		045	2					0					0					0		0	Cheung Chau	0	0	0.36	0.36	6.84
2021-02-09		090	4					0					0					0		0				0	4.78	
2021-02-10		045	14					0					0					0		0				0	4.68	
2021-02-11		090	11					0					0					0		0				0	4.78	
2021-02-12	PH	070	12					0					0					0		0				0	4.29	
2021-02-13	PH	045	2					0					0					0		0				0	3.88	
2021-02-14	Sun	090	4					0					0					0		0				0	6.36	
2021-02-15	PH	050	21					0					0					0		0				0	8.99	
2021-02-16		070	3					0	Lamma Island	0.08	0.16	0.12	0.36	Lantau East	0	0	0.5	0.5		0	Lamma Island	0.08	0.49	0.16	0.73	6.57
2021-02-17		090	3					0	Lamma Island	0.08	0.16	0.12	0.36	Chak Lap Kok	0.9	1.35	0.5	2.75		0	Lantau East	0.1	0.19	0.1	0.39	6.32
2021-02-18		045	19					0	Lamma Island	0.08	0.16	0.12	0.36	Lantau East	0.08	0.32	0.1	0.5		0	Lantau East	0.08	0.35	0.3	0.73	5.59
2021-02-19		050	2					0					0	Lantau East	0.08	0.2	0.22	0.5		0	Lamma Island	0.08	0.49	0.16	0.73	3.88
2021-02-20		100	27					0	Lamma Island	0.08	0.16	0.12	0.36	Lantau East	0.08	0.12	0.05	0.25		0	Lamma Island	0.3	0.49	0.3	1.09	5.94
2021-02-21	Sun	045	2					0					0					0		0				0	7.56	
2021-02-22		090	3					0					0	Tai O	0.42	0.6	0.23	1.25		0				0	20.51	
2021-02-23		050	3					0					0					0		0	Chak Lap Kok	0.3	0.49	0.3	1.09	4.74
2021-02-24		045	20					0					0					0		0	Lantau East	0.15	0.38	0.2	0.73	11.31
2021-02-25		070	2					0					0					0		0	Lantau East	0	0.28	0.08	0.36	9.16
2021-02-26		070	3					0	Lamma Island	0.16	0.32	0.24	0.72					0		0	Lamma Island	0.3	0.49	0.3	1.09	4.79
2021-02-27		045	7					0					0	Lantau East	0.5	2	0.4	2.9		0	Lamma Island	0.3	0.49	0.3	1.09	0
2021-02-28	Sun	090	21					0					0					0		0				0	0	
								0					0					0		0				0	0	
								0					0					0		0				0	0	
								0					0					0		0				0	0	
								0					0					0		0				0	0	
								0					0					0		0				0	0	
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								0					0					0		0				0	0	
								0					0					0		0				0	0	
								0																		



Boat Collection				Harbour West																			
2021		Wind		New Yau Ma Tei T/S				To Kwa Wan T/S				Kwun Tong T/S				Sam Ka Tsuen T/S							
February	Week Days	Dir (Degs)	KmH	Boats Visited	Distributed (Bags)	Collected (Bags)	Collected (Cubic meter)	Boats Visited	Distributed (Bags)	Collected (Bags)	Collected (Cubic meter)	Boats Visited	Distributed (Bags)	Collected (Bags)	Collected (Cubic meter)	Boats Visited	Distributed (Bags)	Collected (Bags)	Collected (Cubic meter)				
2021-02-01	Sun			138	138	136.0	2.10	110	0	0	0.00	85	26	26	0.60	32	14	14	0.35				
2021-02-02				139	139	137.0	2.10	110	0	0	0.00	85	28	28	0.70	32	15	15	0.38				
2021-02-03				143	143	141.0	2.20	110	0	0	0.00	85	26	26	0.60	32	15	16	0.40				
2021-02-04				136	136	133.0	2.00	110	0	0	0.00	85	30	28	0.70	32	15	15	0.30				
2021-02-05				139	139	136.0	2.10	110	0	0	0.00	85	28	28	0.70	32	15	15	0.35				
2021-02-06				140	140	138.0	2.20	110	0	0	0.00	85	25	26	0.50	32	16	15	0.35				
2021-02-07				136	136	134.0	2.00	110	0	0	0.00	85	28	28	0.70	32	15	18	0.40				
2021-02-08	PH			132	132	130.0	2.00	110	0	0	0.00	85	28	28	0.70	33	16	20	0.50				
2021-02-09				133	133	130.0	2.00	110	0	0	0.00	85	29	29	0.70	32	16	17	0.40				
2021-02-10				142	142	140.0	2.30	110	0	0	0.00	85	28	28	0.70	31	18	18	0.45				
2021-02-11				149	149	147.0	2.45	110	0	0	0.00	85	27	27	0.70	30	20	20	0.50				
2021-02-12				100	100	95.0	1.50	110	0	0	0.00	85	29	29	0.70	32	10	10	0.20				
2021-02-13				80	80	75.0	1.25	110	0	0	0.00	85	30	30	0.70	32	11	12	0.30				
2021-02-14				142	142	140.0	2.30	110	0	0	0.00	85	29	29	0.70	32	16	16	0.40				
2021-02-15	PH			134	134	130.0	2.10	110	0	0	0.00	85	29	29	0.70	32	17	17	0.40				
2021-02-16	Sun			141	141	139.0	2.30	110	0	0	0.00	85	28	28	0.70	32	16	16	0.40				
2021-02-17				137	137	135.0	2.25	110	0	0	0.00	85	28	28	0.70	32	18	17	0.40				
2021-02-18				142	142	140.0	2.30	110	0	0	0.00	85	28	28	0.70	32	16	16	0.40				
2021-02-19				143	143	140.0	2.30	110	0	0	0.00	85	26	25	0.60	32	17	17	0.40				
2021-02-20				132	132	130.0	2.20	110	0	0	0.00	85	25	25	0.60	30	16	16	0.40				
2021-02-21				132	132	130.0	2.20	110	0	0	0.00	85	25	24	0.60	31	15	15	0.30				
2021-02-22				129	129	126.0	2.10	110	0	0	0.00	85	28	28	0.70	32	14	14	0.30				
2021-02-23	Sun			128	128	126.0	2.10	110	0	0	0.00	85	25	24	0.60	31	14	14	0.30				
2021-02-24				141	141	138.0	2.30	110	0	0	0.00	85	26	26	0.60	30	16	16	0.40				
2021-02-25				136	136	134.0	2.20	110	0	0	0.00	85	26	26	0.60	30	15	15	0.30				
2021-02-26				110	110	108.0	1.80	110	0	0	0.00	85	24	24	0.60	28	17	17	0.40				
2021-02-27				129	129	127.0	2.10	110	0	0	0.00	85	22	21	0.50	30	18	18	0.40				
2021-02-28				136	136.0	134.0	2.20	110	0	0	0.00	85	26	26	0.60	30	17	17	0.40				
078 7.7				3,719	3,719	3,649.0	58.95	3,080	0	0.0	0.00	2,380	757	752.0	18.20	878	438	446.0	10.48				
				3,719	3,719	3,649.0	58.95																
Total Boat Visited: 64,135																							
Total Distributed: 29,619																							
Total Boat Collection (Bags): 31,182																							
Total Boat Collection (Cubic meter): 523.61																							

Boat Collection				Harbour East																		
2021		Wind		Shau Kei Wan T/S				Causeway Bay T/S				Chai Wan				Junk Bay						
February	Week Days	Dir (Degs)	KmH	Boats Visited	Distributed (Bags)	Collected (Bags)	Collected (Cubic meter)	Boats Visited	Distributed (Bags)	Collected (Bags)	Collected (Cubic meter)	Boats Visited	Distributed (Bags)	Collected (Bags)	Collected (Cubic meter)	Boats Visited	Distributed (Bags)	Collected (Bags)	Collected (Cubic meter)			
2021-02-01	Sun			136	75	73	1.83	108	98	56	1.20	15	7	7	0.15	25	11	11	0.28			
2021-02-02				138	74	75	1.88	108	98	68	1.20	15	8	8	0.20	25	12	11	0.28			
2021-02-03				138	74	74	1.80	108	98	72	1.20	15	7	7	0.15	25	11	11	0.28			
2021-02-04				138	78	80	2.00	108	98	68	0.60	16	8	8	0.20	26	12	12	0.30			
2021-02-05				138	80	80	2.00	108	98	72	0.90	15	8	8	0.20	25	12	12	0.30			
2021-02-06				137	80	82	2.00	108	98	76	0.90	15	8	8	0.20	25	11	11	0.28			
2021-02-07				134	82	85	2.10	108	98	112	1.20	16	10	11	0.30	25	11	11	0.28			
2021-02-08				138	82	85	2.10	108	98	82	0.90	16	10	10	0.20	25	11	11	0.28			
2021-02-09				138	85	86	2.10	108	98	88	1.20	16	8	8	0.20	25	10	10	0.25			
2021-02-10				136	86	88	2.20	108	98	76	1.20	16	10	12	0.30	25	11	11	0.28			
2021-02-11	PH			134	90	92	2.30	108	98	68	0.90	16	12	12	0.30	25	11	11	0.28			
2021-02-12				138	55	55	1.30	108	96	48	0.60	16	5	5	0.10	25	11	10	0.25			
2021-02-13				136	74	75	1.80	108	98	38	0.30	16	10	12	0.30	25	11	11	0.28			
2021-02-14				137	75	76	1.90	108	96	88	0.60	16	10	10	0.20	25	11	11	0.28			
2021-02-15				138	72	72	1.80	108	96	138	1.50	16	8	8	0.20	25	10	10	0.25			
2021-02-16				138	73	73	1.80	108	98	72	0.60	16	7	7	0.20	25	10	10	0.25			
2021-02-17				135	74	74	1.80	108	98	72	1.20	15	6	6	0.15	25	11	11	0.28			
2021-02-18				138	75	75	1.80	108	98	56	0.60	15	7	7	0.18	25	11	11	0.28			
2021-02-19				136	76	76	1.90	108	98	62	0.60	15	8	8	0.20	25	12	12	0.30			
2021-02-20				134	75	76	1.90	108	98	76	0.60	16	9	9	0.20	25	11	11	0.28			
2021-02-21	Sun			136	76	78	1.90	108	98	68	0.60	15	9	9	0.20	25	11	11	0.28			
2021-02-22				134	73	73	1.80	108	98	72	0.90	15	8	8	0.20	25	11	11	0.28			
2021-02-23				135	74	74	1.80	108	98	78	0.60	15	8	8	0.20	25	12	11	0.28			
2021-02-24				132	73	73	1.80	108	98	86	1.20	15	9	9	0.20	25	11	11	0.28			
2021-02-25				128	72	72	1.80	108	98	62	0.60	15	8	8	0.20	26	12	11	0.28			
2021-02-26				128	73	73	1.80	108	98	56	0.60	15	8	9	0.20	26	11	11	0.28			
2021-02-27				125	75	75	1.80	108	98	58	0.60	15	8	8	0.20	26	12	11	0.28			
2021-02-28				128	74	74	1.80	108	98	72	1.20	15	7	7	0.15	26	11	11	0.28			
				3,781	2,125	2,144.0	52.81	3,024	2,738	2,040.0	24.30	432	231	237.0	5.68	705	312	307.0	7.78			
																14,280				6,601	5,926.0	119.25
Total Boat Visited:																						
Total Distributed:																						
Total Boat Collection (Bags):																						
Total Boat Collection (Cubic meter):																						

Boat Collection				HK South				Kowloon West														
2021		Wind		Aberdeen T/S (South & West)				Tuen Mun T/S				Rambler T/S				Tsuen Wan						
February	Week Days	Dir (Degs)	KmH	Boats Visited	Distributed (Bags)	Collected (Bags)	Collected (Cubic meter)	Boats Visited	Distributed (Bags)	Collected (Bags)	Collected (Cubic meter)	Boats Visited	Distributed (Bags)	Collected (Bags)	Collected (Cubic meter)	Boats Visited	Distributed (Bags)	Collected (Bags)	Collected (Cubic meter)			
2021-02-01	Sun			1100	250	360	5.00	270	270	265	5.30	25	10	5	0.1	50	80	75	1.50			
2021-02-02				1100	250	360	4.00	275	275	270	5.40	25	10	10	0.2	50	80	85	1.70			
2021-02-03				1100	250	330	4.00	275	275	270	5.40	25	10	5	0.10	50	80	100	2.00			
2021-02-04				1100	250	350	4.00	275	275	270	5.40	25	10	5	0.10	50	80	75	1.50			
2021-02-05				1100	250	360	4.00	275	275	270	5.40	25	10	5	0.10	50	80	80	1.60			
2021-02-06				1000	250	370	4.00	275	275	270	5.40	25	10	5	0.10	50	80	60	1.20			
2021-02-07				1000	250	400	5.00	275	275	270	5.40	25	10	5	0.10	50	80	75	1.50			
2021-02-08				1100	250	400	5.00	275	275	270	5.40	25	10	10	0.20	50	80	75	1.50			
2021-02-09				1100	260	360	4.00	270	270	275	5.40	25	10	10	0.20	50	80	75	1.50			
2021-02-10				1100	260	400	5.00	275	275	270	5.40	25	10	5	0.10	50	80	70	1.40			
2021-02-11	PH			1100	270	400	5.00	275	275	270	5.40	25	10	5	0.10	50	80	80	1.60			
2021-02-12				1100	270	280	3.00	275	275	270	5.50	25	10	5	0.10	50	80	60	1.20			
2021-02-13				1100	270	280	3.00	275	275	275	5.50	25	10	5	0.10	50	80	65	1.30			
2021-02-14				1100	260	500	5.00	275	275	275	5.50	25	10	5	0.10	50	80	70	1.40			
2021-02-15				1100	270	400	4.00	275	275	270	5.40	25	10	10	0.20	50	80	75	1.50			
2021-02-16				1100	270	350	4.00	275	275	270	5.40	25	10	10	0.20	50	80	80	1.60			
2021-02-17				1100	270	400	4.00	260	260	250	5.00	25	10	5	0.10	50	70	70	1.50			
2021-02-18				1000	260	400	4.00	250	250	240	4.80	25	5	5	0.10	50	65	65	1.30			
2021-02-19				1000	260	400	4.00	230	230	225	4.50	25	5	5	0.10	50	80	80	1.60			
2021-02-20				1000	260	400	4.00	230	230	225	4.50	25	5	5	0.10	50	65	65	1.30			
2021-02-21	Sun			1000	260	360	3.00	230	230	225	4.50	25	10	10	0.20	50	80	80	1.60			
2021-02-22				1000	260	400	4.00	230	230	225	4.50	25	10	5	0.10	50	80	65	1.30			
2021-02-23				1000	260	300	3.00	190	160	100	2.18	25	10	10	0.20	50	80	75	1.50			
2021-02-24				1000	260	300	3.00	160	135	100	2.18	25	10	5	0.10	50	80	70	1.40			
2021-02-25				1000	260	300	3.00	159	130	100	2.18	25	10	5	0.10	50	80	75	1.50			
2021-02-26				1000	260	320	4.00	150	140	100	2.18	25	10	5	0.10	50	80	60	1.20			
2021-02-27				1000	260	350	4.00	150	140	100	2.18	25	10	5	0.10	50	80	80	1.60			
2021-02-28				1000	260	360	4.00	140	130	95	1.81	25	10	5	0.10	50	80	75	1.50			
078 7.7				29,500	7,260	10,190.0	112.00	6,769	6,655	6,315.0	127.11	700	265	175.0	3.50	1,400	2,200	2,060.0	41.30			
				29,500	7,260	10,190.0	112.00									8,869	9,120	8,550.0	171.91			
Total Boat Visited:																						
Total Distributed:																						
Total Boat Collection (Bags):																						
Total Boat Collection (Cubic meter):																						

Boat Collection				Sai Kung Tai Po										Outlying Islands													
2021		Wind		Shuen Wan T/S				Yim Tin Tsai T/S				Sai Kung				Cheung Chau T/S				Hei Ling Chau T/S				Tai O			
February	Week Days	Dir (Degs)	KmH	Boats Visited	Distributed (Bags)	Collected (Bags)	Collected (Cubic meter)	Boats Visited	Distributed (Bags)	Collected (Bags)	Collected (Cubic meter)	Boats Visited	Distributed (Bags)	Collected (Bags)	Collected (Cubic meter)	Boats Visited	Distributed (Bags)	Collected (Bags)	Collected (Cubic meter)	Boats Visited	Distributed (Bags)	Collected (Bags)	Collected (Cubic meter)	Boats Visited	Distributed (Bags)	Collected (Bags)	Collected (Cubic meter)
2021-02-01				29	16	16	0.40	28	16	16	0.40	100	30	32	0.80	94	27	24	0.40	8	0	0	0	8	6	7	0.18
2021-02-02				30	18	18	0.40	28	14	14	0.30	110	35	30	0.70	90	30	28	0.50	8	0	0	0	8	7	6	0.15
2021-02-03				30	20	20	0.50	27	15	15	0.40	110	30	28	0.70	89	39	36	0.70	8	0	0	0	7	6	6	0.15
2021-02-04				30	20	21	0.50	28	15	15	0.30	110	31	29	0.70	87	41	37	0.70	8	0	0	0	7	5	6	0.15
2021-02-05				29	20	20	0.50	28	14	14	0.30	110	28	27	0.60	89	35	38	0.70	8	0	0	0	8	7	7	0.18
2021-02-06				30	22	22	0.50	28	15	16	0.40	110	28	28	0.70	92	40	35	0.80	8	0	0	0	7	6	6	0.15
2021-02-07	Sun			30	25	25	0.60	28	16	18	0.40	110	34	33	0.80	87	40	43	1.00	8	0	0	0	7	6	6	0.15
2021-02-08				30	23	24	0.60	28	16	16	0.40	110	28	26	0.60	96	45	42	1.00	8	0	0	0	8	8	10	0.20
2021-02-09				30	25	25	0.60	28	16	18	0.45	110	33	35	0.80	94	43	42	1.00	8	0	0	0	8	8	9	0.20
2021-02-10				30	25	26	0.60	28	18	18	0.45	110	32	30	0.70	103	45	40	1.00	8	0	0	0	8	7	7	0.18
2021-02-11				32	25	26	0.60	28	20	22	0.50	110	30	30	0.50	100	20	28	0.60	8	0	0	0	8	7	7	0.18
2021-02-12	PH			32	12	14	0.40	28	10	12	0.30	110	15	15	0.20	98	33	31	0.60	8	0	0	0	8	3	3	0.10
2021-02-13	PH			32	26	28	0.70	28	13	15	0.30	110	20	20	0.30	103	34	30	0.60	8	0	0	0	8	5	5	0.10
2021-02-14	Sun			32	25	26	0.60	29	17	17	0.40	110	35	36	0.60	100	30	27	0.50	8	0	0	0	8	8	8	0.20
2021-02-15	PH			32	21	20	0.50	29	17	18	0.40	110	36	38	0.70	102	31	28	0.50	8	0	0	0	8	7	7	0.18
2021-02-16				30	20	20	0.50	28	15	15	0.30	110	35	32	0.60	98	28	27	0.50	8	0	0	0	8	6	6	0.15
2021-02-17				31	18	18	0.40	28	16	16	0.40	110	32	30	0.50	97	29	26	0.50	8	0	0	0	8	5	6	0.15
2021-02-18				30	19	19	0.40	28	16	16	0.40	110	28	29	0.50	113	32	28	0.50	8	0	0	0	8	6	6	0.15
2021-02-19				30	20	20	0.50	29	17	17	0.40	110	30	28	0.50	116	34	29	0.50	8	0	0	0	8	6	6	0.15
2021-02-20				30	19	19	0.50	28	16	16	0.40	110	34	35	0.60	87	25	23	0.40	8	0	0	0	7	5	5	0.13
2021-02-21	Sun			30	20	20	0.50	28	17	17	0.40	110	35	35	0.60	83	20	20	0.40	8	0	0	0	8	7	7	0.18
2021-02-22				30	17	17	0.40	26	15	16	0.40	110	34	34	0.60	88	28	26	0.50	8	0	0	0	8	6	6	0.15
2021-02-23				29	18	18	0.40	26	17	18	0.40	110	34	35	0.60	87	26	20	0.40	8	0	0	0	8	7	7	0.18
2021-02-24				29	17	17	0.40	26	18	18	0.40	110	35	32	0.50	89	28	26	0.50	8	0	0	0	8	7	7	0.18
2021-02-25				29	18	19	0.40	26	16	17	0.40	110	30	28	0.50	86	27	24	0.40	8	0	0	0	8	6	6	0.15
2021-02-26				28	18	18	0.40	27	18	20	0.50	110	30	29	0.50	90	21	18	0.30	8	0	0	0	7	6	6	0.15
2021-02-27				30	18	18	0.40	28	17	17	0.40	110	28	27	0.40	91	20	17	0.30	8	0	0	0	8	7	7	0.18
2021-02-28	Sun			30	19	19	0.50	26	16	16	0.40	110	30	30	0.50	87	22	16	0.30	8	0	0	0	8	6	6	0.15
078 7.7				844	564	573.0	13.70	775	446	463.0	10.90	3,070	860	841.0	16.30	2,636	873	809.0	16.10	224	0	0.0	0.00	218	176	181.0	4.50
												4,689	1,870	1,877.0	40.90									3,078	1,049	990.0	20.60
Total Boat Visited:																											
Total Distributed:																											
Total Boat Collection (Bags):																											
Total Boat Collection (Cubic meter):																											

Ship Collection				Gross Tonnage in Groups								Total Ship Collection	
2021		Wind		GRT (300 - 2,000)	GRT (2,001 - 5,000)	GRT (5,001 - 10,000)	Over 10,000 GRT						
				(Cubic meter)	(Cubic meter)	(Cubic meter)			(Cubic meter)				
February	Week Days	Dir (Degs)	KmH	Ships Visited	Ships Visited	Ships Visited	Ships Visited	Ships Visited	Ships Visited	Ships Visited	Ships Visited	Ships Visited	
2021-02-01		270	5	4.43	26				8.17	19	12.6	45	
2021-02-02		50	6	4.87	28				7.7	18	12.57	46	
2021-02-03		90	7	4.47	26				8.23	19	12.7	45	
2021-02-04		100	4	4.83	28		0.5	1	7.23	17	12.56	46	
2021-02-05		50	4	4.43	26		0.76	2	7.4	17	12.59	45	
2021-02-06		45	2	4.87	28		0.26	1	7.4	17	12.53	46	
2021-02-07		Sun	25	9	6.13	35				4.7	12	10.83	47
2021-02-08		90	10	4.47	26				8.17	19	12.64	45	
2021-02-09		90	4	7.83	28				7.73	18	15.56	46	
2021-02-10		50	2	4.43	26				8.2	19	12.63	45	
2021-02-11		90	3	4.87	28		0.5	1	7.2	17	12.57	46	
2021-02-12		70	15	4.47	26		0.26	1	7.93	18	12.66	45	
2021-02-13		70	9	4.83	28		0.5	1	7.17	17	12.5	46	
2021-02-14		Sun	135	4	6.1	35		0.26	1	4.43	11	10.79	47
2021-02-15		135	2	4.47	26				8.2	19	12.67	45	
2021-02-16		70	17	4.87	28		0.5	1	7.2	17	12.57	46	
2021-02-17		70	3	4.43	26		0.26	1	7.93	18	12.62	45	
2021-02-18		45	3	4.83	28				7.67	18	12.5	46	
2021-02-19		90	3	4.47	26		0.5	1	7.67	18	12.64	45	
2021-02-20		90	6	4.87	28		0.76	2	6.93	16	12.56	46	
2021-02-21		Sun	45	15	6.13	35		0.26	1	4.43	11	10.82	47
2021-02-22		135	2	4.43	26				8.2	19	12.63	45	
2021-02-23		70	4	4.83	28				7.7	18	12.53	46	
2021-02-24		50	16	4.43	26				8.2	19	12.63	45	
2021-02-25		180	4	4.87	28				7.73	18	12.6	46	
2021-02-26		135	18	4.43	26				8.17	19	12.6	45	
2021-02-27		95	12	4.8	28				7.7	18	12.5	46	
2021-02-28		Sun	135	24	6.13	35				4.67	12	10.8	47
											0	0	
											0	0	
											0	0	
				139.02	788	0	0	5.32	14	204.06	478	348.40	1,280
Total Boats Visited: 1,280													
Total Boats Collection (Cubic meter): 348.40													

PASTR2020-02				Floating Refuse Scavenge														Domestic Refuse Collected from Boat									
2021	Wind				Sai Kung Harbour	Sai Kung Hoi	Pak Sha Wan	Tolo North	Tolo West	Tolo South	MOPANs Subtotal	Team D					Scavenge Total										
	Week										(Cubic meter)		Wood (Cubic meter)	Foam (Cubic meter)	Others (Cubic meter)	Subtotal (Cubic meter)	(Cubic meter)	Boats Visited	Distributed (Bags)	Collected (Bags)	Collected (Cubic meter)						
February	Days	Dir (Degs)	KmH									Location															
2021-02-01		270	18								0	Tolo South	0.40	0.49	0.20	1.09	1.09										
2021-02-02		135	15								0	Tolo South	0.36	0.20	0.16	0.72	0.72										
2021-02-03	off	070	16								0					0.00	0.00										
2021-02-04		180	21								0	Tolo South	0.30	0.40	0.75	1.45	1.45										
2021-02-05		045	6								0	Sai Kung Hoi	0.20	0.20	0.32	0.72	0.72										
2021-02-06		025	3								0	Tolo North	0.20	0.39	0.50	1.09	1.09										
2021-02-07	Sun	075	3								0	Sai Kung Hoi	0.20	0.20	0.32	0.72	0.72										
2021-02-08		090	12								0	Tolo West	0.20	0.20	0.32	0.72	0.72										
2021-02-09		045	10								0	Tolo West	0.50	1.20	1.20	2.90	2.90										
2021-02-10	off	090	9								0					0.00	0.00										
2021-02-11		180	3								0	Sai Kung Hoi	0.24	0.15	0.33	0.72	0.72										
2021-02-12	PH	090	7								0	Tolo South	0.30	0.75	0.40	1.45	1.45										
2021-02-13	PH	045	4								0	Tolo South	0.40	0.20	0.49	1.09	1.09										
2021-02-14	Sun	095	6								0	Tolo South	0.15	0.24	0.33	0.72	0.72										
2021-02-15	PH	070	4								0	Tolo North	0.30	0.24	0.55	1.09	1.09										
2021-02-16		045	2								0	Sai Kung Hoi	0.20	0.30	0.22	0.72	0.72										
2021-02-17	off	050	4								0					0.00	0.00										
2021-02-18		025	9								0	Tolo West	0.20	0.30	0.22	0.72	0.72										
2021-02-19		045	6								0	Tolo West	0.50	0.30	0.29	1.09	1.09										
2021-02-20		050	3								0	Tolo South	0.29	0.50	0.30	1.09	1.09										
2021-02-21	Sun	090	3								0	Tolo South	0.20	0.22	0.30	0.72	0.72										
2021-02-22		040	5								0	Tolo South	0.30	0.85	0.30	1.45	1.45										
2021-02-23		070	2								0	Sai Kung Hoi	0.30	0.22	0.20	0.72	0.72										
2021-02-24	off	090	5								0					0.00	0.00										
2021-02-25		045	7								0	Tolo North	0.20	0.22	0.30	0.72	0.72										
2021-02-26		050	2								0	Sai Kung Hoi	0.30	0.22	0.20	0.72	0.72										
2021-02-27		090	5								0	Tolo West	0.30	0.22	0.20	0.72	0.72										
2021-02-28	Sun	135	7								0	Tolo West	0.49	0.30	0.30	1.09	1.09										
												0					0.00	0.00									
												0						0.00	0.00								
												0						0.00	0.00								
083 7.0					0	0	0	0	0	0	0	0	0	0	0	0	24.24	24	0	0	0	0					
Title Sum:					0.00	4.32	0.00	2.90	7.24	9.78																	
MOPAN Scavenge (Cubic meter):					0																						
Task Force (Cubic meter):					24.24																						
District Scavenge Subtotal:					24.24																						
Small Boat Collection (Cubic meter):					0																						
Refuse Collected (Cubic meter):					24.24																						

## 2016年至2020年抵港船次

### Number of Vessel Arrivals from 2016 to 2020

年份 Year	抵港船次 Number of Vessel Arrivals		
	遠洋輪船 Ocean-going Vessels (i)	內河船隻 River Trade Vessels (ii)	總計 Total (i)+(ii)
2016	27 642	157 369	185 011
2017	26 793	158 627	185 420
2018	25 410	149 200	174 610
2019	25 388	135 864	161 252
2020	22 001	65 830	87 831

## 2016年至2020年香港領牌船隻數目

### Number of Hong Kong Licensed Vessels from 2016 to 2020

年份 Year	香港領牌船隻數目（截至年底） Number of Hong Kong Licensed Vessels (as at year end)
2016	18 540
2017	18 712
2018	18 953
2019	18 968
2020	19 631



### 2017年至2020年大埔區收集到的海上垃圾數量

#### Quantities of Marine Refuse Collected in Tai Po District from 2017 to 2020

項目 Item	收集到的海上垃圾數量 (公噸) Quantity of Marine Refuse Collected (Tonnes)				總量 Total
	2017	2018	2019	2020	
A 在全港水域合約下於大埔區收集到的海上垃圾 Marine refuse collected in Tai Po District under the contract for the whole of Hong Kong waters	314.5	382.4	313.2	255.5	1265.6
B 在大埔區合約下收集到的海上垃圾 (註) Marine refuse collected under the contract for Tai Po District (Note)	不適用 Not applicable	88	247.7	201.3	537.0
C = A + B 兩份合約在大埔區收集到的海上垃圾 Marine refuse collected in Tai Po District under both contracts	314.5	470.4	560.9	456.8	1802.6
D 在全港水域合共收集到的海上垃圾 Marine refuse collected in the whole of Hong Kong waters	16045	16084	15578	14858	62565
E = C / D x 100% 兩份合約在大埔區收集到的海上垃圾數量佔在全港水域收集到的海上垃圾總量的百分比 Percentage of quantities of marine refuse collected in Tai Po District under both contracts over the total quantities of marine refuse collected in the whole of Hong Kong waters	1.96%	2.92%	3.60%	3.07%	2.88%

註： 大埔區合約於2018年10月1日起生效。  
Note: The contract for Tai Po District took effect from 1 October 2018.

**2020 年巡邏人員發現潔淨狀況低於“良好”級別並指示承辦商進行清理的記錄**  
**Record of patrol officers found cleanliness condition below “Good” level and instructed contractor to clean-up in 2020**

巡邏人員於指定時限(註 1)內再次 檢查潔淨狀況回復至“良好”級 別的次數  Number of times that patrol officers re-inspected cleanliness condition re-established to “Good” level within specified time limited (Note 1)				巡邏人員於指定時限(註 1)後再次 檢查潔淨狀況回復至“良好”級 別的次數  Number of times that patrol officers re-inspected cleanliness condition re-established to “Good” level after specified time limited (Note 1)				因特殊情況(註 2)承辦商需額外時 間回復潔淨狀況至“良好”級別 的次數  Number of times that contractor needed additional time to re-establish cleanliness condition to “Good” level due to special circumstances (Note 2)			
第一區 Zone 1	第二區 Zone 2	第三區 Zone 3	非常規 Ad hoc	第一區 Zone 1	第二區 Zone 2	第三區 Zone 3	非常規 Ad hoc	第一區 Zone 1	第二區 Zone 2	第三區 Zone 3	非常規 Ad hoc
16	0	0	0	14	1	0	0	2	0	0	0

註 1： 承辦商須在 30 分鐘、60 分鐘及 120 分鐘內分別將第一區、第二區及第三區的清潔狀況回復至“良好”的級別。

註 2： 特殊情況包括需時調派近岸清潔小隊清理或需要額外時間清理大量漂浮垃圾。

Note 1: The contractor shall re-establish the cleanliness condition to “Good” level within 30 minutes, 60 minutes and 120 minutes in Zone 1, Zone 2 and Zone 3 respectively.

Note 2: Special circumstances include the need for time to deploy foreshore cleaning teams for cleansing work or the need for additional time to clean up large amount of floating refuse.

**Numbers of daily cleanliness patrols and  
helicopter surveillance conducted in the 12 patrol areas  
(January to December 2020)**

Month	Number of daily cleanliness patrols/helicopter surveillance conducted (Note)																									
	Area 1		Area 2		Area 3		Area 4		Area 5		Area 6		Area 7		Area 8		Area 9		Area 10		Area 11		Area 12		Total	
									Hong Kong Island East, Tung Lung and Po Toi		Hong Kong Island South and Lamma East		Cheung Chau and Lamma West		Lantau South		Lantau West		Sha Chau and New Territories North		Tuen Mun and Lantau North		Lantau East and Peng Chau			
	Harbour		Tolo Harbour		Mirs Bay		Sai Kung																			
	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)
January	29	2	30	-	24	-	5	-	21	-	15	1	7	1	1	1	4	-	3	-	20	1	4	2	163	8
February	26	-	27	-	24	-	3	-	23	-	11	-	9	-	4	-	4	-	6	-	14	-	4	-	155	-
March	31	-	31	-	28	-	4	-	24	-	16	-	8	-	5	-	5	-	6	-	15	-	4	-	177	-
April	26	1	27	-	23	-	5	-	24	1	13	1	2	-	-	-	2	-	1	-	15	-	2	-	140	3
May	30	2	30	-	27	-	6	-	27	-	12	1	7	2	2	2	5	-	8	-	5	-	4	2	163	9
June	30	2	29	-	29	-	2	-	22	-	20	1	5	1	2	1	4	-	9	-	20	1	3	2	175	8
July	31	1	29	-	20	-	5	-	27	-	19	-	9	1	2	1	6	-	12	-	21	-	10	1	191	4
August	31	-	30	-	27	-	5	-	30	-	15	-	6	-	6	-	2	-	10	-	21	-	10	-	193	-
September	30	2	26	-	30	-	6	-	28	-	15	1	10	1	1	1	3	-	4	-	18	1	2	2	173	8
October	29	2	24	-	26	-	3	-	25	1	14	2	5	1	1	1	3	1	11	1	21	1	2	1	164	11
November	30	2	28	1	28	1	4	1	30	1	20	-	10	-	2	-	4	-	16	-	16	-	3	1	191	7
December	31	1	30	-	27	-	5	-	31	-	23	-	31	-	3	-	2	-	27	-	31	1	4	1	245	3
Total	354	15	341	1	313	1	53	1	312	3	193	7	109	7	29	7	44	1	113	1	217	5	52	12	2130	61

Information Source: Daily deployment of patrol duty

Note: Columns (a) and (b) show the number of daily cleanliness patrols and the number of helicopter surveillance conducted respectively.

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**MARINE DEPARTMENT**

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29 December 2020

Public Accounts Committee  
Legislative Council  
Legislative Council Complex  
1 Legislative Council Road  
Central  
Hong Kong  
(Attn: Ms Wendy JAN)

Dear Ms JAN,

**Public Accounts Committee**

**Consideration of Chapter 1 of the Director of Audit's Report No. 75  
Collection and removal of marine refuse by the Marine Department**

Thank you for your letter dated 14 December 2020. Copies of the documents and information required are set out at **Annex**. Please be advised that only English version is available for some of the documents. In addition, some documents in the Appendices contain commercially sensitive information or internal record and should not be made available to members of the public. Relevant documents should therefore be restricted for PAC Members' reference only.

Yours sincerely,

(Tony C.S. CHAN)  
for Director of Marine

Encl.

同心協力，促進卓越海事服務  
**We are One in Promoting Excellence in Marine Services**

c.c. Secretary for the Environment (email: sen@enb.gov.hk)

Secretary for Financial Services and the Treasury (email: sfst@fstb.gov.hk)

Director of Audit (email: john\_nc\_chu@aud.gov.hk)

**Replies to questions raised in PAC's letter of 14 December 2020**

**Part 1: Introduction**

- (a) according to paragraph 1.11 of the Audit Report, the Marine Department ("MD") has since July 2005 fully outsourced the marine refuse cleansing and disposal services. Please advise whether MD has regularly reviewed the effectiveness of such outsourcing arrangement in improving the operational efficiency of the relevant services; if no, why not; if yes, please provide the details of the review(s) conducted, such as the rank(s) of the public officer(s) chairing the review(s) and the relevant minutes of meetings and reports;

**Reply:** In 2004, the Audit Commission completed a review on the marine scavenging services provided by the Marine Department ("MD") (Chapter 9 of the Director of Audit's Report No. 43 published in October 2004). The Audit recommended, among others, that the Director of Marine should review the cost-effectiveness of using MD's in-house vessels to provide scavenging service. After the review, MD's marine refuse cleansing and disposal services have been fully outsourced since July 2005.

MD has been monitoring the effectiveness and efficiency of the contractor's performance through reviewing various returns and reports submitted by the contractor and conducting monthly meetings with the contractor. According to the existing practice, the contractor is required to submit a daily vessel operation schedule to MD the day before the cleansing work is carried out; and a daily situation report after the service is completed. MD will inspect and review the reports submitted by the contractor. If necessary, MD will instruct the contractor to redeploy vessels and cleansing teams to address service requests received from time to

time. In addition, at the monthly contract management committee meetings with the contractor chaired by the Marine Officer/Pollution Control Unit, MD will examine with the contractor the trend of the quantity of marine refuse collected in different areas of Hong Kong waters with a view to identifying black spots for follow-up action and areas for improvement. A sample of the minutes of the monthly contract management committee meeting is at **Appendix A**\* for reference.

*\* Since Appendix A is the minutes of an internal meeting between MD and the contractor and operation details of the contractor are involved, it should be restricted for PAC Members' reference only.*

Apart from the aforementioned regular reviews on the contractor's performance, MD will examine the arrangements under the existing marine refuse cleansing and disposal contract and consider improvement measures prior to the conduct of the next round of tender exercise. For example, prior to the tender exercise in 2011, MD reviewed the cost effectiveness of maintaining two marine refuse cleansing and disposal contracts and came to the view that the two contracts should be combined to enhance the economy of scale in terms of operation and encourage investment in more innovative service delivery approaches. Subsequently, the contracts for the Eastern area of the Hong Kong waters and the Western area of the Hong Kong waters were combined in the 2011 tender exercise. Moreover, MD also introduced a fuel price fluctuation adjustment mechanism so that the contractor and the Government would share the risk when there are huge fluctuations in fuel prices in the market. This would help promote competitive bidding and achieve better value for money. Extract of the relevant clauses in the 2011 tender document is at **Appendix B**.

Before conducting the tender exercise in 2017, MD had reviewed the coverage of the marine cleansing and disposal services. With a view to enhancing the cleanliness of the Hong Kong waters, the number of priority areas was increased from 36 to 43 in the tender document for the 2017 tender exercise for the whole of Hong Kong waters. In addition, a requirement that the contractor should provide not less than 60 scavenging and supporting vessels for the core services was also added in the said tender document to ensure that the successful bidder would possess the necessary fleet size to deliver the services. Furthermore, the number of cleansing teams to enhance scavenging floating refuse along the foreshore was also

**\*Note by Clerk, PAC:** *Appendix A not attached.*

increased from two to three. Extract of the relevant clauses in the 2017 tender document is at **Appendix C** for reference.

MD will continue to review and monitor the effectiveness and efficiency of the marine refuse cleansing and disposal services through daily communications and monthly meetings with the contractor; and enhance the services by way of incorporating new requirements in the tender document as necessary.

## **Part 2: Administration of marine refuse cleansing and disposal contracts**

- (b) referring to paragraph 2.19 of the Audit Report about the unauthorized sub-contracting arrangements made by Contractor A, please provide/advise:
- (b)(i) a copy of sub-contract agreements (including the contract value) for the daily transportation of marine refuse made respectively under the two marine refuse cleansing and disposal contracts for the whole of Hong Kong waters from October 2017 to September 2022, and for Tai Po District from October 2018 to September 2020; and

**Reply:** The sub-contracting arrangement in question concerns the hire of a vehicle for land transportation of marine refuse collected by the contractor.

Copy of the agreement between the contractor and its sub-contractor made under the contract for the whole of Hong Kong waters (from October 2017 to September 2022) for hire of a vehicle to transport marine refuse is at **Appendix D**\* while that for the Tai Po District (from October 2018 to September 2020) is at **Appendix E**.\*

*\* Appendices D and E are agreements made between the contractor and its sub-contractor and contain commercially sensitive information. Hence, they should not be made available to members of the public. The documents should be restricted for PAC Members' reference only.*

- (b)(ii) whether there are any sub-contracting arrangements made under the new contract for marine refuse cleansing and disposal services

**\*Note by Clerk, PAC:** *Appendices D and E not attached.*



in Tai Po District for the period from October 2020 to September 2022; if yes, please provide a copy of the sub-contract agreements (including the contract values);

**Reply:** The sub-contracting arrangement in question concerns the hire of a vehicle for land transportation of marine refuse collected by the contractor.

Copy of the agreement between the contractor and its sub-contractor made under the contract for Tai Po District (from October 2020 to September 2022) for hire of a vehicle to transport marine refuse is at **Appendix F**\*.

*\* Appendix F is an agreement made between the contractor and its sub-contractor and contains commercially sensitive information. Hence, it should not be made available to members of the public. The document should be restricted for PAC Members' reference only.*

(c) referring to paragraph 2.20 of the Audit Report about the remedial actions taken by MD for the unauthorized sub-contracting arrangements, please advise/provide:

(c)(i) the approving authority for the sub-contracting arrangements made under the two contracts for the whole of Hong Kong waters (October 2017 to September 2022) and Tai Po District (October 2018 to September 2020);

**Reply:** The authority for approving the sub-contracting arrangements rests with an officer at directorate level. The sub-contracting arrangements made under the two contracts concerned were approved by the General Manager/Services of MD (an officer at D1 level).

(c)(ii) all relevant records, such as memoranda, extracts of the notes or minutes of meetings and papers seeking covering approval, relating to the handling of the aforesaid sub-contracting arrangements by MD; and

**Reply:** The relevant records relating to the handling of the sub-contracting arrangements under the contract for the whole of Hong Kong

**\*Note by Clerk, PAC:** *Appendix F not attached.*

waters (from October 2017 to September 2022), the contract for Tai Po District (from October 2018 to September 2020) and the new contract for Tai Po District (from October 2020 to September 2022) are at **Appendices G, H and I**\* respectively.

*\* Appendices G, H and I contain agreements made between the contractor and its sub-contractor which contain commercially sensitive information. Hence, they should not be made available to members of the public. The documents should be restricted for PAC Members' reference only.*

- (c)(iii) whether there were any penalty provisions stipulated in the aforesaid two contracts for the whole of Hong Kong waters and Tai Po District respectively for any breach of contractual requirements by the contractor; if no, why not; if yes, the relevant details of such provisions and why MD had not imposed any penalty on Contractor A for engaging a sub-contractor without obtaining MD's prior written approval;

**Reply:** According to Clause 36.2 of the General Conditions of the contract for the whole of Hong Kong waters and that for the Tai Po District, if the contractor has breached any of the conditions of the contract, the Government may issue the contractor with a written notice (the Performance Default Notice) giving details of the breach of conditions, the steps required by the contractor to remedy the breach (if any) and a reasonable time within which the contractor must comply with the Performance Default Notice. Extracts of the penalty provision stipulated in the contract for the whole of Hong Kong waters and the contract for Tai Po District are at **Appendices J and K** respectively.

The sub-contracting arrangement under the contracts for the whole of Hong Kong waters and the Tai Po District concerns the hire of a vehicle for land transportation of marine refuse collected by the contractor. Since the sub-contracting arrangements have not affected the quality of service provided and have not caused any loss or damage to the Government, MD did not issue Performance Default Notice to the contractor. Nevertheless, MD has reminded the contractor to strictly follow the terms and conditions in the contracts in future. Should the contractor fail to observe the requirement again, MD will issue Performance Default Notice to the contractor.

**\*Note by Clerk, PAC:** *Appendices G, H and I not attached.*

In addition to the aforementioned sub-contracting arrangements, MD received an application from the contractor on 27 November 2020 for hiring vehicles from another company to provide land transportation services for marine refuse collected by the contractor under the contract for the whole of Hong Kong waters. We are now processing the application.

### **Part 3: Monitoring of marine refuse cleansing and disposal services**

- (d) with reference to paragraph 3.23 of the Audit Report, please provide the current contract price for the marine refuse cleansing and disposal services in the whole of Hong Kong waters, together with the operating costs of each of the four marine refuse collection points included under the contract; and

**Reply:** The total contract sum for the current marine refuse cleansing and disposal services for the whole of Hong Kong waters, which is a five-year contract, amounts to \$447,386,200 (excluding fluctuation of oil prices adjustment). The operating costs of each of the four marine refuse collection points are included in the total contract sum and there is no breakdown of this cost item.

### **Part 4: Other related issues**

- (e) with reference to paragraph 4.3 of the Audit Report, please advise the procedures for enforcement actions against marine littering and provide, if any, a copy of the relevant operation manual/guidelines.

**Reply:** The procedures for enforcement action against marine littering are laid down in the guidelines at **Appendix L**\*.

*\* Appendix L is an internal document on the enforcement procedure and should not be made available to members of the public. The document should be restricted for PAC Members' reference only.*

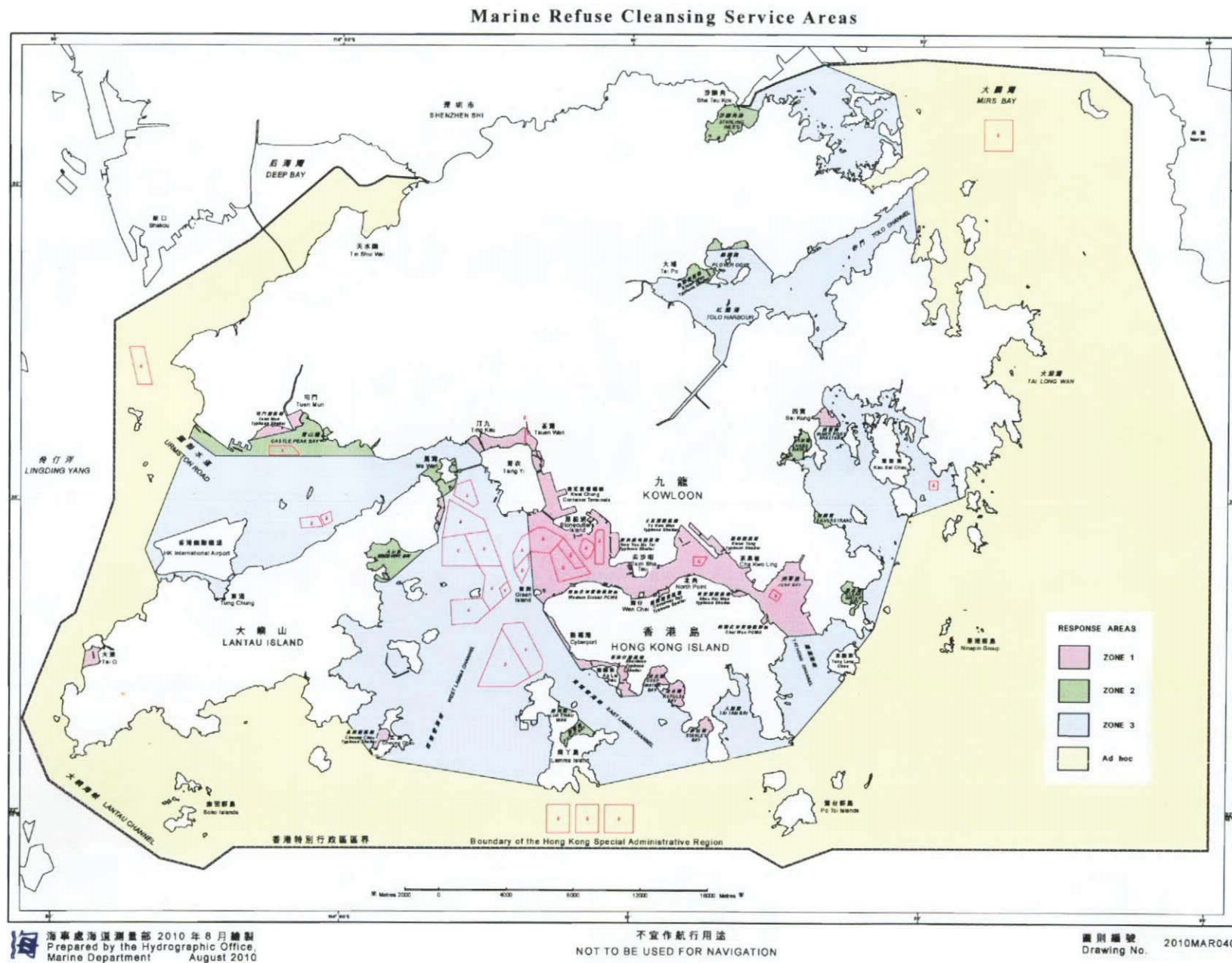
**\*Note by Clerk, PAC:** *Appendix L not attached.*

Extract of the relevant clauses in the 2011 tender document

**Part V**  
**Schedule 1**

**Marine Refuse Cleansing Service Areas**

The Marine Refuse Cleansing Service Areas are shown in the attached Drawing No 2010MAR040



## PART VII

### **Indexation Mechanism for Proportionate Sharing of the Risk of Fuel Prices Fluctuations**

#### **1 Introduction**

- 1 1 It is estimated, that fuel costs make up about 20% of the Contractor's total operating costs for provision of the Services as required by the Contract. Under this proportion, a fuel price fluctuation adjustment has been devised and incorporated in the payment structure in order to remove the tenderers' uncertainty for fuel costs at the time of the tender and to equitably share the risk of fuel price fluctuation between the Government and the Contractor.
- 1 2 The primary objective of fuel price fluctuation adjustment is to compensate the Contractor (for upside risk) or the Government (for downside risk) when there are excessive fluctuations in fuel prices.

#### **2 Structure of Service Payments**

The Monthly Rates for the provision of Marine Refuse Cleansing and Disposal Services (Contract (A)) or Marine Oil Pollution and Marine Hazardous and Noxious Substances Spillage Cleansing, Confinement and Remediation Services (Contract (B)) are made up by

- (i) Monthly Rates quoted in Table 1 (a) of Section I (Contract (A)) or Table 1 (a) of Section II Contract (B) of Schedule 3, and
- (ii) if applicable, under Clause 4 of Part VII, Monthly Fuel Price Fluctuation Adjustment.

#### **3 Adoption of Indexation Mechanism**

- 3 1 The Unit Value of Imports of Selected Oil Products (Gas Oil, Diesel Oil and Naphtha) published monthly by the Census and Statistics Department (C & S D) of the Hong Kong Government is used as the reference index for determining the monthly fuel price fluctuation adjustment. Tenderers may obtain this information in Census and Statistics Department' website [http://www.censtatd.gov.hk/hong\\_kong\\_statistics/statistical\\_tables/index.jsp?charsetID=1&subjectID=11&tableID=130](http://www.censtatd.gov.hk/hong_kong_statistics/statistical_tables/index.jsp?charsetID=1&subjectID=11&tableID=130)
- 3 2 For determining the monthly fuel price fluctuation adjustment of this Contract, the Unit Value of Imports of Selected Oil Products (Gas Oil, Diesel Oil and Naphtha) for **March 2011** is adopted as "**Base Index**". The Unit Value of Imports of Selected Oil Products (Gas Oil, Diesel Oil and Naphtha) for the



current month will be referred as “**Current Index**”

- 3 3 The unit value of Gas Oil, Diesel Oil and Naphtha for March 2010 published by C & S D was HK\$ 6 30 per litre, therefore 6 30 is adopted as the **Base Index** of this Contract. The table of Unit Value of Imports of Selected Oil Products (Gas Oil, Diesel Oil and Naphtha) showing the value of March 2011 is extracted at Annex A of this Part for Tenderers’ reference

#### 4 Fuel Price Fluctuation Adjustment

- 4 1 If the absolute value of the difference between **Current Index** and **Base Index** is 20% or less ( $\leq 20\%$ ), it is considered as normal business risk, therefore no Fuel Price Fluctuation Adjustment will be applied to the Monthly Rates. The Government will only pay the Contractor the Monthly Rates as quoted in Table 1 (a) of Section I (Contract (A)) or Table 1 (a) of Section II (Contract (B)) of Schedule 3

- 4 2 When the absolute value of the difference between **Current Index** and **Base Index** is over 20% ( $>20\%$ ), The Fuel Price Fluctuation Adjustment will be triggered and applied to the Monthly Rates. Calculation of the value of Fuel Price Fluctuation Adjustment is illustrated as follows

- (i) Percentage of Adjustment

$$\frac{\text{difference of Current Index and Base Index}}{\text{Base Index}} \times 100\% - 20\%$$

- (ii) Actual Amount of Adjustment

Result of (i)  $\times$  20% of the Monthly Rates quoted in Schedule 3

- 4 3 Application of Fuel Price Fluctuation Adjustment is only valid when the absolute value of the difference between **Current Index** and **Base Index** is over 20% ( $>20\%$ ), and the Fuel Price Fluctuation Adjustment should be

- (i) added to the Monthly Rates quoted in Table 1 (a) of Section I (Contract (A)) or Table 1 (a) of Section II (Contract (B)) of Schedule 3 if the **Base Index** is lower than the **Current Index**, or

- (ii) subtracted from the Monthly Rates quoted in Table 1 (a) of Section I (Contract (A)) or Table 1 (a) of Section II (Contract (B)) of Schedule 3 if the **Current Index** is lower than the **Base Index**

- 4 4 Examples of Fuel Price Fluctuation Adjustment calculations are demonstrated in Annex B to Part VII for Tenderers’ ease of reference

## Annex A to Part VII

**Table 130 The Unit Value of Imports of Selected Oil Products (sample)**

Table		Unit Values of Imports of Selected Oil Products				
		HK\$/litre(unless otherwise specified)				
Year	Month	Aviation gasoline and kerosene	Motor gasoline		Gas oil, diesel oil and naphtha	Fuel oil
			(Leaded petrol)	(Unleaded petrol)		
2007		4 27	-	4 58	4 13	2 78
2008		6 14	-	5 86	5 51	4 11
2009		3 44	-	3 94	3 47	2 71
2010		4 41	-	4 71	4 39	3 58
2010	Jan	4 18	-	4 61	4 15	3 67
	Feb	4 14	-	4 64	4 05	3 65
	Mar	4 18	-	4 74	4 25	3 60
	Apr	4 55	-	4 90	4 57	3 46
	May	4 55	-	4 75	4 49	3 64
	Jun	4 30	-	4 50	4 21	3 59
	July	4 20	-	4 49	4 22	3 45
	Aug	4 27	-	4 46	4 22	3 49
	Sep	4 29	-	4 46	4 29	3 45
	Oct	4 48	-	4 61	4 48	3 54
	Nov	4 68	-	4 91	4 76	3 73
	Dec	4 97	-	5 25	4 94	3 87
2011	Jan	5 19	-	5 55	5 32	4 05
	Feb	5 60	-	5 87	5 60	4 28
	Mar	6 03	-	6 38	6 30	4 77

This table is available at the Census and Statistics Department's website

[http://www.censtatd.gov.hk/hong\\_kong\\_statistics/statistical\\_tables/index.jsp?charsetID=1&tableID=130](http://www.censtatd.gov.hk/hong_kong_statistics/statistical_tables/index.jsp?charsetID=1&tableID=130)



## Annex B to Part VII

### Examples of Fuel Price Fluctuation Adjustment calculations

Assumed monthly charges for provision of Marine Refuse Cleansing and Disposal Services quoted in Table 1 (a) of Section I of Contract (A) in Schedule 3 of Part V is HK\$ 1,000,000

#### Scenarios

- (i) Assumed the **Current Index** of a particular month is 7 00, i.e. the Unit Value of Imports of Selected Oil Products (Gas Oil, Diesel Oil and Naphtha) for that month is HK\$ 7 00 per litre. The difference of **Current Index** and **Base Index** is –

$$\frac{7\ 00 - 6\ 30}{6\ 30} \times 100\% = 11\ 11\%$$

- (ii) Assumed the **Current Index** of a particular month is 5 70, i.e. the Unit Value of Imports of Selected Oil Products (Gas Oil, Diesel Oil and Naphtha) for that month is HK\$ 5 70 per litre. The difference of **Current Index** and **Base Index** is –

$$\frac{5\ 70 - 6\ 30}{6\ 30} \times 100\% = -9\ 52\%$$

For Scenario (i) and (ii), the **Fuel Price Fluctuation Adjustment** will **not** be triggered and applied to the Monthly Rate as the differences of **Current Index** and **Base Index** in both scenarios are below 20%

- (iii) Assumed the **Current Index** of a particular month is 7 70, i.e. the Unit Value of Imports of Selected Oil Products (Gas Oil, Diesel Oil and Naphtha) for that month is HK\$ 7 70 per litre. The difference between **Current Index** and **Base Index** is –

$$\frac{7\ 70 - 6\ 30}{6\ 30} \times 100\% = 22\ 22\%$$

The **Fuel Price Fluctuation Adjustment** will be calculated as below

$$(22\ 22\% - 20\%) \times 20\% \times \text{HK\$ } 1,000,000 = \text{HK\$ } 4,440$$

- (iv) Assumed the **Current Index** of a particular month is 5 00, i.e. the Unit Value of Imports of Selected Oil Products (Gas Oil, Diesel Oil and Naphtha) for that month is HK\$ 5 00 per litre. The difference between **Current Index** and **Base Index** is –

$$\frac{5\ 00 - 6\ 30}{6\ 30} \times 100\% = -20\ 63\%$$

The **Fuel Price Fluctuation Adjustment** will be calculated as below

$$(20\ 63\% - 20\%) \times 20\% \times \text{HK\$ } 1,000,000 = \text{HK\$ } 1,260$$

For Scenario (iii), **Fuel Price Fluctuation Adjustment** will be triggered and applied to the Monthly Rates of that particular month. As the **Base Index** is lower than the **Current Index**, the Government will **pay** the Contractor HK\$ 4,440 **in addition to** the Monthly Rates quoted by the Contractor in Table 1 (a) of Section I of Contract (A) in Schedule 3 of Part V.

For Scenario (iv), **Fuel Price Fluctuation Adjustment** will be triggered and applied to the Monthly Rates of that particular month. As the **Current Index** is lower than the **Base Index**, the Government will **deduct** HK\$ 1,260 from the Monthly Rates quoted by the Contractor in Table 1 (a) of Section I of Contract (A) in Schedule 3 of Part V.

**Extract of the relevant clauses in the 2017 tender document****Annex A to Part VI****Priority Areas**

<b>Harbour East</b>		<b>Harbour West</b>	
1.	Causeway Bay Typhoon Shelter	24.	Central (between Wanchai and Macau Ferry Terminal)
2.	To Kwa Wan water front and To Kwa Wan Typhoon Shelter	25.	Tsim Sha Tsui East water front
3.	Kwun Tong Typhoon Shelter	26.	China Ferry Terminal and Yau Ma Tei
4.	Wan Chai (off Convention Centre)	27.	New Yau Ma Tei Typhoon Shelter
5.	Sam Ka Chuen Typhoon Shelter	28.	Cheung Sha Wan
6.	Shau Kei Wan Typhoon Shelter	<b>Kowloon West</b>	
7.	Shau Kei Wan to North Point	29.	Rambler Channel Typhoon Shelter and Tsuen Wan
8.	North Point (between Oil Street & Healthy Street East, underneath the Island Eastern Corridor)	30.	Ma Wan, Ting Kau, and Sham Tseng
9.	Chai Wan and Heng Fa Villa	31.	Beaches along Castle Peak Road
10.	Chai Wan Public Cargo Working Area	32.	Tuen Mun Immigration Anchorage and Butterfly Beach
11.	Junk Bay	33.	Tuen Mun River Trade Terminal and its vicinity
<b>Sai Kung and Tai Po</b>		34.	Tuen Mun Typhoon Shelter
12.	Sai Kung Harbour and Hebe Haven	35.	Urmston Road
13.	Sha Tin Hoi and Pak Shek Kok	36.	Deep Bay
14.	Shuen Wan Typhoon Shelter	<b>Outlying Islands</b>	
15.	Po Toi O and Clear Water Bay	37.	Cheung Chau and Peng Chau
16.	Tolo Harbour	38.	Sok Kwu Wan
17.	Starling Inlet (Sha Tau Kok Hoi)	39.	Hung Shing Ye Wan and Yung Shu Wan
<b>Hong Kong South</b>		40.	Disneyland Park
18.	Aberdeen Typhoon Shelter	41.	Discovery Bay
19.	Tin Wan	42.	North of Chek Lap Kok
20.	Cyberport	43.	Tai O
21.	Stanley Bay		
22.	Deep Water Bay		
23.	Repulse Bay		

shall be in operation carrying out the Services or patrolling the designated service area in search for Floating Refuse.

- 5.4 The Contractor shall provide Ship Refuse Collection Services and Boat Refuse Collection Services with no more than three substantiated complaints received in any calendar month regarding the delivery of the said Services.
- 5.5 The Contractor's scavenging/collection fleet shall be cleared of Refuse and cleaned up at the end of each day. All Collection Points shall be cleared of Refuse and properly washed down at the end of each day. Refuse containers provided in the Collection Point shall be properly covered. Equipment in the Collection Points shall be properly shut down and secured.
- 5.6 After completion of the Taskforce cleansing Services, the level of cleanliness of the site that has been cleaned shall be at Good level.
- 5.7 The time required for completion of Taskforce cleansing Services and ad hoc Services shall be no longer than the pre-agreed programme, which is stated in the work order for a particular job.

## **6. Vessels, Equipment and Facilities**

- 6.1 The Contractor shall at its own expenses provide all materials, equipment and facilities necessary for proper and efficient performance of the Services. The Government shall not be liable for the loss of or damage to such materials or equipment or any facilities used by the Contractor. The Contractor shall be responsible for paying any utilities and fuel costs arising from delivery of the Services.
- 6.2 The Contractor shall at its own expenses provide not less than 60 scavenging and supporting vessels for the core services mentioned under paragraph 3.1 in sub-PART A of Part VI.
- 6.3 The Contractor shall at its own expenses provide not less than three quick response workboats to be deployed on the shallow water in response to the urgent request by the Government Representative of foreshore refuse cleansing and disposal services.
- 6.4 The Contractor shall at its own expenses to support the scavenging of marine refuse where the scavenging boats cannot gain access due to be geographical or environmental restrictions out of the available depth of water, the freedom to manoeuvre amongst congested moorings, etc. The equipment provided by the Contractor shall consist of, amongst others, suitable portable pumps, hoists, pipe-works and nozzle sets so as to enable the scavenging team to deploy the required physics of buoyancy and water flow dynamics to drive the inaccessible refuse towards a reachable sea area for the scavenging operations to be undertaken by the workboats as required under paragraph 6.3 in sub-PART A of Part VI.
- 6.5 All vessels, vehicles, equipment and facilities used for the performance of the Services shall be safe, in good order and condition, free of excessive noise,

Contractor pursuant to this Contract.

- (iv) Empty the containers at the Collection Point at the end of each working day.
- (v) Maintain the Collection Point in tidy and clean conditions to the satisfaction of the Inspecting Officer.

**3.1.5 Taskforce Cleansing Services, which shall include but not be limited to:**

- (i) **Provision of three Taskforce Cleansing Teams**, of 12 persons each, to scavenge Floating Refuse from the waters close inshore and to collect refuse along the foreshore in the littoral areas, which may or may not be assessable by land transport, within the specified service areas as instructed by the Government Representative.
- (ii) Transportation of all Refuse scavenged or collected by the Contractor for loading into temporary storage containers or directly onto a Land Transport Vehicle for subsequent conveyance to and disposal at a Disposal Site.

**3.1.6 Other Services, which shall include but not be limited to:**

- (i) Provision of ad hoc labour services at a rate as specified in the Schedule 3 to carry out extra services as and when required by the Government.
- (ii) At no extra cost to the Government, participation in education campaign or publicity organized by the MD in conjunction with other Government departments or non-Government organizations.

**3.2 Optional Services**

**3.2.1 Floating Refuse Scavenging Services by Sea Cleaner class scavenging vessels, which shall include but not be limited to:**

- (i) The three Sea Cleaner class scavenging vessels shall be bareboat chartered to the Contractor stipulated at Annex A to Part IV - Form of Charter Party Agreement. For details about the Agreement, please refer to the Annex A to Part IV.
- (ii) Maintain two of Sea Cleaner class scavenging vessels on regular and daily regional scavenging duties at the Eastern and Western waters of Hong Kong (including waters of Southern and Northern part of Lantau Island). The third Sea Cleaner class scavenging vessel should be deployed for ad hoc pollution control duties of up to 500 hours per year, subject to the Government Representative's instruction. Enable each of the Sea Cleaner class scavenging vessel to be quickly redeployed from one cleansing region into another and with contingency arrangement to redeploy the vessels from Marine Refuse Cleansing and Disposal Services onto Marine Oil and HNS Pollution Cleansing

## **Penalty Provision in the Contract for the whole of Hong Kong waters**

### **34 Independent Contractor**

For the purpose of the Services to be performed under the Contract, the Contractor is an independent contractor. The Contractor is not an agent or a partner of the Government and has no power to bind the Government to any obligation whatsoever.

### **35 Examination and Inspection by the Government**

35.1 Where the Services are carried out on the Contractor's premises or facilities such premises or facilities shall be open to inspection by the Government Representative at all reasonable times.

35.2 The Contractor shall, on the request of the Government made at any time, permit any officer authorised by the Government, including internal/external auditors, to enter upon Contractor's premises to inspect and examine the Equipment and the books and accounting records of the Contractor.

### **36 Performance Default**

36.1 In the event that the Government is of the opinion that:

- (i) the Contractor has failed to provide all or any part of the Services in accordance with the Service Specifications; or
- (ii) the Contractor has breached any of the conditions of this Contract; or
- (iii) the Contractor has acted in its performance of this Contract in a manner that is or is likely to adversely affect the image or reputation of the Government or the Marine Department, and

the Government may without prejudice to its rights and remedies under this Contract take all or any of the actions set out in Clause 36.2.

36.2 The actions the Government may take pursuant to the conditions of Clause 36.1 are as follows:

- (i) Issue the Contractor with a written notice (hereinafter called a "Performance Default Notice") giving details of the breach, the steps required by the Contractor to remedy the breach (if any) and a reasonable time within which the Contractor must comply with the Performance Default Notice.
- (ii) Without determining the Contract itself provide or procure a third party to provide that part of the Services until such time as the Contract Manager shall have demonstrated to the satisfaction of the Government Representative that the Contractor will once more be able to perform such part of the Services to the Performance Standards in which event during such period the Contractor's performance of such part of the Services and the Government's payment to the Contractor for such part



of the Services shall be suspended.

- 36.3 (i) In the event that the Contractor complies with the Performance Default Notice served upon it pursuant to Clause 36.2 to the satisfaction of the Government Representative, the Contractor will be charged the Government's administration costs resulting from the breach.
- (ii) In the event that the Contractor fails to comply with a Performance Default Notice served upon it pursuant to Clause 36.2 to the satisfaction of the Government Representative or the breach is such that remedy is not possible the Government shall be entitled to deduct from payments due to the Contractor such reasonable sum or sums as the Government considers appropriate to reflect the actual loss to the Government resulting from the breach including administrative charges such sum or sums to be calculated by reference to the rates in the Price Proposal.
- 36.4 For the purpose of Clause 36.2 (ii) the Government shall serve a notice on the Contractor setting out those parts of the Services which the Government intends to provide or procure the provision of and shall serve a notice on the Contractor that (if such be the case) the Government requires the Contractor to resume the provision of such part of the Services.
- 36.5 The Government shall be entitled to deduct from payments due to the Contractor any cost (including any administration costs) reasonably incurred by the Government in respect of the provision of any part of the Services by the Government or by a third party in the circumstances set out in Clause 36.1 (ii) to the extent that such costs exceed the payment which would otherwise have been payable to the Contractor for such part of the Services.

## **37 Intellectual Property Right**

The Contractor shall at all times during the term of the Contract exercise due diligence in software asset management and undertakes that the use of any software by the Contractor for the purpose of or otherwise in connection with the Services shall not infringe any intellectual property rights (including without limitation any patent, copyright, registered design or trademark) of any third party.

## **38 Termination of Contract**

- 38.1 The Government shall be entitled forthwith upon the happening of any of the followings to exercise the rights contained in Clause 38.2, below:
- (i) if the Contractor fails to comply fully with the proposals specified in the Implementation Plan submitted under Schedule 2;
- (ii) if the Contractor fails to commence Services on the Commencement Date
- (iii) any substantial breach of the conditions of this Contract;

## **Penalty Provision in the Contract for Tai Po District**

attend meetings with any persons, groups or associations in order to handle complaints or deal with suggestions for improvements in relation to the Services.

### **34 Independent Contractor**

For the purpose of the Services to be performed under the Contract, the Contractor is an independent contractor. The Contractor is not an agent or a partner of the Government and has no power to bind the Government to any obligation whatsoever.

### **35 Examination and Inspection by the Government**

35.1 Where the Services are carried out on the Contractor's premises or facilities such premises or facilities shall be open to inspection by the Government Representative at all reasonable times.

35.2 The Contractor shall, on the request of the Government made at any time, permit any officer authorised by the Government, including internal/external auditors, to enter upon Contractor's premises to inspect and examine the Equipment and the books and accounting records of the Contractor.

### **36 Performance Default**

36.1 In the event that the Government is of the opinion that:

- (a) the Contractor has failed to provide all or any part of the Services in accordance with the Service Specifications; or
- (b) the Contractor has breached any of the conditions of this Contract; or
- (c) the Contractor has acted in its performance of this Contract in a manner that is or is likely to adversely affect the image or reputation of the Government or the Marine Department, and

the Government may without prejudice to its rights and remedies under this Contract take all or any of the actions set out in Clause 36.2.

36.2 The actions the Government may take pursuant to the conditions of Clause 36.1 are as follows:

- (a) Issue the Contractor with a written notice (hereinafter called a "Performance Default Notice") giving details of the breach, the steps required by the Contractor to remedy the breach (if any) and a reasonable time within which the Contractor must comply with the Performance Default Notice.
- (b) Without determining the Contract itself provide or procure a third party to provide that part of the Services until such time as the Contract Manager shall have demonstrated to the satisfaction of the Government Representative that the Contractor will once more be able to perform such part of the Services to the Performance Standards in which event during such period the



Contractor's performance of such part of the Services and the Government's payment to the Contractor for such part of the Services shall be suspended.

- 36.3 (a) In the event that the Contractor complies with the Performance Default Notice served upon it pursuant to Clause 36.2 to the satisfaction of the Government Representative, the Contractor will be charged the Government's administration costs resulting from the breach.
- (b) In the event that the Contractor fails to comply with a Performance Default Notice served upon it pursuant to Clause 36.2 to the satisfaction of the Government Representative or the breach is such that remedy is not possible the Government shall be entitled to deduct from payments due to the Contractor such reasonable sum or sums as the Government considers appropriate to reflect the actual loss to the Government resulting from the breach including administrative charges such sum or sums to be calculated by reference to the rates in the Schedule 1 to Part IV.
- 36.4 For the purpose of Clause 36.2(b) the Government shall serve a notice on the Contractor setting out those parts of the Services which the Government intends to provide or procure the provision of and shall serve a notice on the Contractor that (if such be the case) the Government requires the Contractor to resume the provision of such part of the Services.
- 36.5 The Government shall be entitled to deduct from payments due to the Contractor any cost (including any administration costs) reasonably incurred by the Government in respect of the provision of any part of the Services by the Government or by a third party in the circumstances set out in Clause 36.1(b) to the extent that such costs exceed the payment which would otherwise have been payable to the Contractor for such part of the Services.

### **37 Intellectual Property Right**

The Contractor shall at all times during the term of the Contract exercise due diligence in software asset management and undertakes that the use of any software by the Contractor for the purpose of or otherwise in connection with the Services shall not infringe any intellectual property rights (including without limitation any patent, copyright, registered design or trademark) of any third party.

### **38 Termination of Contract**

- 38.1 The Government shall be entitled forthwith upon the happening of any of the followings to exercise the rights contained in Clause 38.2 below:
- (i) if the Contractor fails to commence Services on the Commencement Date unless it has applied and the Government has granted a gearing up period stipulated in Clause 3.2 of the General Conditions of Contract;
- (ii) any substantial breach of the conditions of this Contract;

**A brief account of Chapter 2 of Report No. 75**  
**“Government’s efforts in tackling shoreline refuse”**  
**by the Director of Audit**  
**at the Public Hearing of the Public Accounts Committee**  
**of the Legislative Council on Friday, 12 March 2021**

Mr. Chairman,

Thank you for inviting me here to give a brief account of Chapter 2 of Report No. 75 of the Director of Audit, entitled “Government’s efforts in tackling shoreline refuse”.

This Audit Report comprises six PARTs.

**PART 1 of the Report, namely “Introduction”, describes the background of the audit.**

Shoreline refuse is marine refuse washed ashore and accumulated near the coastline. In 2012, the Government set up an Inter-departmental Working Group (the Working Group) to coordinate and enhance efforts among the Agriculture, Fisheries and Conservation Department (AFCD), the Leisure and Cultural Services Department (LCSD), and the Food and Environmental Hygiene Department (FEHD) in tackling the marine refuse problem. In support of the Working Group, the Environmental Protection Department (EPD) completed a Marine Refuse Study in 2015, which recommended various measures to prevent and reduce marine refuse.

**PART 2 of the Report examines EPD’s work in monitoring the cleanliness of coastal sites.**

EPD conducts regular inspections at specific coastal sites which are more prone to marine refuse accumulation, and assesses the cleanliness conditions of these sites using a Shoreline Cleanliness Grading System. The Audit Commission (Audit) found room for improvement in EPD’s inspections for the period between November 2017 and December 2019, such as some re-inspections not being conducted within the planned timeframe, and inconsistencies in inspection records. In addition, EPD does not regularly promulgate in the public domain cleanliness conditions of coastal sites.

In November 2017, EPD updated the list of priority sites, which included 29 locations. However, EPD had not reviewed the priority sites despite improvement in cleanliness conditions of some priority sites from 2018 to 2020. Audit also noted room for improvement in handling surge of cross-boundary marine refuse in Hong Kong.

**PART 3 of the Report examines the clean-up operations of Marine Parks and Marine Reserve by AFCD.**

AFCD has outsourced the cleansing work of five Marine Parks and one Marine Reserve to 3 contractors under 5 recurrent contracts. Audit found that AFCD staff did not take effective follow-up actions on cases of suspected absence from duty of contractors' staff, and AFCD's internal guideline did not provide clear assessment criteria for assessing the level of satisfaction with the services provided by a contractor.

Audit also found that it took 7 months to remove two large pipe structures from the shoreline of Sha Chau and Lung Kwu Chau Marine Park, and there was a large quantity of refuse at the back-of-beach areas of this Marine Park, and along the shorelines of the Brothers Marine Park.

**PART 4 of the Report examines the clean-up operations by LCSD to collect and remove shoreline refuse at gazetted beaches.**

LCSD is responsible for the cleanliness of 41 gazetted beaches and the cleansing work is performed by contractors under three cleansing contracts covering different districts.

Audit noted that statistics of special cleansing operations were inaccurate and not timely reported to the Working Group. LCSD's controls over provision of additional workers for cleansing work at beaches were also inadequate. For instance, justifications for requiring additional workers were not documented, and additional cleansing workers had been deployed before the issue of a written service order on some occasions. In addition, without promulgation of guidelines on collection of marine refuse data, venue staff in different beaches had different interpretations on how to classify, count and weigh refuse collected.

**PART 5 of the Report examines the clean-up operations by FEHD.**

FEHD is responsible for the cleanliness of ungazetted beaches and coastal areas in Hong Kong which are not under the purview of other government departments. Most of the clean-up work has been outsourced to a contractor.

FEHD's guidelines for assessing the cleanliness level did not adopt a grading system similar to EPD's Shoreline Cleanliness Grading System, and the requirement of its Operational Manual on supervisory staff to make use of its Contract Management System to review submissions of Senior Foremen was not fully achieved. From June to mid-September 2020, Audit conducted field visits and found large quantities of refuse in two priority sites in Tai Po District and Islands Districts respectively.

In a tender exercise in 2019, FEHD had not imposed relevant restriction on avoiding over-reliance on a single contractor and thus the clean-up service contracts for both of the two Districts Groups were awarded to the same contractor. In addition, for the period from June 2019 to May 2020, the actual clean-up service hours in Islands District and Sai Kung District incurred by the contractor were only 38.3% and 53.3% respectively of the estimated hours included in the contracts.

**PART 6 of the Report examines other related issues in tackling shoreline refuse.**

From February to July 2018, FEHD launched a trial scheme on using 360-degree camera to monitor the shoreline refuse of 5 priority sites. During the 92 days from 1 March to 31 May 2020, there was a total of 301 camera-days without image received, but no follow-up actions on these malfunctioning cameras had been recorded.

While pertinent departments had been asked to step up inspections and patrols to achieve a deterrent effect and improve compliance according to the Working Group Meeting paper submitted in June 2014, the number of enforcement actions taken against marine littering by AFCD and LCSD remained low.

To reduce refuse from entering the marine environment, LCSD installs water dispensers on gazetted beaches, but progress has been slow. As of June 2020, water dispensers were only provided in 24 (59%) of 41 gazetted beaches.

In the light of the above audit findings, Audit has made recommendations to EPD, AFCD, LCSD and FEHD accordingly.

Our views and recommendations were agreed by the abovementioned departments. I would like to take this opportunity to acknowledge with gratitude the full cooperation, assistance and positive response of their staff during the course of the audit review amid the coronavirus disease (COVID-19) epidemic.

Thank you, Mr. Chairman.

(Translation)

**Director of Audit's Report No. 75**

**Chapter 2: Government's efforts in tackling shoreline refuse**

**Public Accounts Committee (Public Hearing)**

**12 March 2021**

**Opening Remarks by the Secretary for the Environment**

Mr Chairman,

First of all, I would like to thank the Audit Commission for conducting a comprehensive audit and making valuable recommendations on the Government's efforts in tackling shoreline refuse. We accept the recommendations made by the Audit Commission in the Report, and the Government is proactively implementing the relevant follow-up measures. I will now give a brief account of the Government's efforts in tackling shoreline refuse, and the Director of Environmental Protection and the Director of Agriculture, Fisheries and Conservation will then elaborate on the follow-up measures of and their implementation by the Environmental Protection Department and the Agriculture, Fisheries and Conservation Department respectively. Later in the second session of the public hearing, I will also invite the Director of Food and Environmental Hygiene and the Director of Leisure and Cultural Services to elaborate on the follow-up measures of and their implementation by the two departments.

**Environment Bureau/Environmental Protection Department**

2. In 2012, the Government set up an Inter-departmental Working Group on Clean Shorelines (now known as the Inter-departmental Working Group on Marine Environmental Management) with the Task Force on Marine Refuse and the Task Force on Emergency Response to Marine Environmental Incidents set up under it to co-ordinate efforts in tackling marine and shoreline refuse and provide steer to the work on tackling marine environmental incidents. The Environmental Protection Department, the Agriculture, Fisheries and Conservation Department, the Leisure and Cultural Services Department and the Food and Environmental Hygiene Department, which have sent representatives to attend this hearing today, are members of the Working Group.

3. Regarding the maintenance of shoreline cleanliness, the Environmental Protection Department conducts regular inspections at specific coastal sites which are more prone to marine refuse accumulation and monitors the improvement made at the priority sites. It has also devised a five-level grading system based on cleanliness conditions to assess the effectiveness of the enhanced cleaning efforts.

4. In addition, the Environmental Protection Department established a Clean Shorelines Liaison Platform in 2018 which, through different media and channels, coordinates and promotes shorelines clean-up actions, provides appropriate support and assistance to facilitate participation by community groups, shares the clean-up results, etc.

5. Now, let me give a brief introduction on the division of work among the relevant government departments on cleaning up shoreline refuse:

#### Agriculture, Fisheries and Conservation Department

6. The Agriculture, Fisheries and Conservation Department is responsible for the clean-up work at the Marine Parks, Marine Reserve, country parks and designated special areas (created mainly for the purpose of natural conservation) outside the country parks.

#### Leisure and Cultural Services Department

7. The Leisure and Cultural Services Department is responsible for the clean-up work at gazetted beaches.

#### Food and Environmental Hygiene Department

8. The Food and Environmental Hygiene Department is responsible for the clean-up work at ungazetted beaches and coastal areas (not within the jurisdiction of other government departments). The services include cleaning up the marine refuse being washed ashore (i.e. shoreline refuse), and cleaning up the refuse accumulated along the foreshores jointly with the Marine Department.

9. I will now invite the Director of Environmental Protection and the Director of Agriculture, Fisheries and Conservation to elaborate on the follow-up measures of and their implementation by the Environmental Protection Department and the Agriculture, Fisheries and Conservation Department in response to the Audit Commission's recommendations. Later in the second session of public hearing, I will invite the Director of

Food and Environmental Hygiene and the Director of Leisure and Cultural Services to elaborate on the follow-up measures of and their implementation by the two departments. Director of Environmental Protection, please.

-End-

(Translation)

**Director of Audit's Report No. 75**

**Chapter 2: Government's efforts in tackling shoreline refuse**

**Public Accounts Committee (Public Hearing)**

**12 March 2021**

**Speech by the Director of Environmental Protection**

Mr Chairman,

The Audit Report pointed out that in the 2018 Policy Address, the Government pledged to put in more efforts in enhancing shoreline surveillance and clean-up work in a territorial scale. In this connection, the Government has stepped up its efforts in shoreline surveillance and clean-up work since 2018. The Audit Report also pointed out that according to the inspection data from 2015 up to now, the cleanliness conditions of priority coastal sites have been greatly improved.

2. The Environmental Protection Department will continue to assess the effectiveness of the clean-up work of various departments using a shoreline cleanliness grading system; report the inspection results timely for follow-up by departments and the Inter-departmental Working Group on Marine Environmental Management; and consolidate the inspection experience for close supervision and monitoring of the contractors' inspection of coastal sites.

3. In response to the recommendations in the Audit Report, the Environmental Protection Department has implemented the following improvement measures.

4. Regarding the recommendation to disseminate the information on the cleanliness condition of coastal sites, the Environmental Protection Department has already uploaded the annual average cleanliness grading of the priority sites to the thematic website "Clean Shorelines".

5. As for the recommendation to update the list of coastal sites in the shoreline cleanliness monitoring programme, the Environmental Protection Department will update the surveillance list in the shoreline cleanliness monitoring programme when the on-site monitoring contract expires in April this year based on the changes in cleanliness conditions and other circumstances of individual sites.



6. Regarding the recommendation to make use of unmanned aircraft systems (UAS) inspections, the Environmental Protection Department will continue to put UAS on trial, and review the results so as to flexibly adopt on-site inspection, UAS inspection, or a hybrid approach for making continuous improvement in the cleanliness monitoring strategies of individual coastal sites.

7. As for the recommendation to update the Protocol for Handling Surge of Marine Refuse in Hong Kong (the Protocol), the Environmental Protection Department has already updated the Protocol.

8. Finally, regarding the recommendation to gauge public views on shoreline cleanliness, the Environmental Protection Department will continue to strengthen publicity and public participation efforts through the Clean Shorelines Liaison Platform which operates under a cross-media and interactive mode, with a view to gathering public views on shoreline cleanliness and other related issues. The Environmental Protection Department will also organise public engagement sessions and coastal cleanup activities again at a future opportune time, during which public views on shoreline cleanliness will be collected.

-END-

**The Legislative Council Public Accounts Committee's  
Public Hearing on Chapter 2 of  
the Director of Audit's Report No. 75 on 27 March 2021**

**Speech by Mr Vincent LIU Ming-kwong, JP,  
Director of Leisure and Cultural Services**

Chairman and Members,

First of all, I would like to thank the Audit Commission for the value for money audit and recommendations on the Government's efforts in tackling shoreline refuse, shedding light on areas which can be improved. I would also like to thank the Legislative Council Public Accounts Committee for giving us a chance to give an account of the work of the Leisure and Cultural Services Department (LCSD) on removal of shoreline refuse at gazetted beaches.

As LCSD is responsible for the management of 41 gazetted beaches, we are committed to keeping the beaches clean by deploying contractor workers to carry out cleansing work at beaches each day and closely monitoring the cleanliness condition of beaches. When extraordinary surge of marine refuse is identified at gazetted beach, we will notify the concerned departments, and deploy additional manpower for clearance as soon as practicable and minimise the inconvenience caused to beach users. Apart from maintaining the cleanliness and hygiene conditions of beaches, LCSD also provides more than 200 water dispensers at its gazetted beaches and water sports centres, etc. for members of the public to drink water after exercising. Apart from providing better recreational facilities, the provision of water dispensers can also promote environmental awareness.

LCSD is one of the members of the Inter-departmental Working Group on Marine Environmental Management, which reviews and updates strategies on a regular basis through the work of the Task Force on Marine Refuse to continuously enhance the Government's efforts on marine environmental management, including the work on tackling marine refuse problem, strengthening its capability and preparedness on emergency response to marine environmental incidents arising from and in connection with various pollution sources.

LCSD agrees with and accepts the recommendations made in Chapter 2 of the Director of Audit's Report No. 75 and will follow up on the various improvement measures. Measures implemented include incorporating into the cleansing contracts

performance standards on cleanliness condition of beaches, ensuring that the results of special cleansing operations are reported to the Inter-departmental Working Group on Marine Environmental Management and the Task Force on Marine Refuse, reviewing the method adopted for counting the number of the special cleansing operations so as to provide an accurate number of the operations, tightening controls on the provision of additional workers for cleansing work of beaches, improving the accuracy of shoreline refuse data, stepping up enforcement actions against marine littering. We will also expedite the installation of water dispensers in gazetted beaches and complete implementing the recommendations made in the Director of Audit's report as soon as practicable.

Thank you.

## 《審計署署長第75號報告書》

### 政府應對沿岸垃圾的工作

#### 第 5 部分：食物環境衛生署的清潔工作



#### 食物環境衛生署的清潔工作

- 食環署為清理沿岸垃圾的其中一個部門，負責非刊憲泳灘和沿岸地區(其他部門管轄範圍以外的地方)，通常為非常偏遠、需較長交通時間或不易到達的地點(特別是只有船隻可到的離島)。
- 面對不可預見的情況，包括天氣情況和潮汐漲退(例如冬季的風浪和夏季的颱風)，食環署員工只可在情況許可下進行巡查和安排承辦商工人進行清理。
- 食環署基於上述限制須投放額外資源加強清潔工作，並視乎需要在不同地點(包括轄下沿岸地點)巡邏和執法，以遏止亂拋垃圾的情況。



## 審計報告的意見和建議的回應

- 食環署整體上接納審計署提出的意見。
- 食環署已或正落實審計署的各項建議。有關落實建議的進展如下：



## 清理服務合約的監察

### 審計報告5.10(a)段的建議

- 應審計署建議，食環署就評估承辦商所須達致的清潔水平已完成檢討並更新指引。
- 由2020年11月23日起，就現行合約，向各分區提供照片說明承辦商所須達致的清潔水平基準。
- 自2021年6月的重訂合約中，會訂明合約規定，透過照片及文字為清潔水平訂明基準。

## 審計報告5.10(a)段的建議

訂明清潔水平基準的照片



清理行動前



清理行動後

## 清理服務合約的監察

### 審計報告5.10(b)段的建議

應審計署建議，食環署已不時提醒其督導人員要遵守食環署《公共潔淨合約管理工作守則》（《工作守則》）訂明的監察規定。

## 清理服務合約的監察

### 審計報告5.10(c)段的建議

應審計署建議，食環署已就估算收集到的沿岸垃圾數量制訂程序。

已指示現行承辦商由2020年11月25日起更準確計算海岸垃圾收集量(即使用秤盤或感重裝置進行量度)。

自2021年6月的重訂合約的規定中，訂明有關程序。



圖中顯示承辦商使用座地感重裝置進行量度收集到的沿岸垃圾數量

## 清理服務合約的監察

### 審計報告5.14段的建議

- 為加緊監察優先處理地點的清潔情況，並加強監督承辦商的工作，食環署已在《工作守則》更新部門人員監察承辦商服務表現的指引。
- 食環署有既定機制並按「風險管理」原則進行巡查，以監管外判承辦商的服務表現。食環署各分區環境衛生辦事處會與外判承辦商保持有效溝通，指示及提醒外判承辦商提供服務須注意、跟進及改善的地方。

## 審計署實地視察優先處理地點近況

### (1) 大埔區汀角路近布心排村



清理行動前



清理行動後

## 審計署實地視察優先處理地點近況

### (2) 屯門區龍鼓灘近龍仔



清理行動前



清理行動後



## 審計署實地視察優先處理地點近況

### (3) 離島區水口



清理行動前



清理行動後

## 清潔沿岸垃圾服務合約的招標工作

### 審計報告5.24(a)段的建議

- 至於清潔沿岸垃圾服務合約的招標工作的最新情況，食環署已把全港有關地點的清理服務合約分為兩個地區組別，並會在切實可行的情況下，根據經驗和運作需要，在有需要時檢討和調整地區組別。
- 食環署已徵詢律政司意見，並計及當前市場情況審慎考慮後，落實在招標文件中施加限制，使合約內各地區組別清潔服務不能由單一承辦商中標，以提升風險管理水平並使整體清潔服務更可靠。

## 清潔沿岸垃圾服務合約的招標工作

### 審計報告5.24(b)段的建議

食環署已收集並計劃採用承辦商在現行合約完成清理服務的實際時數，以便在下一份合約作出更切合實際情況的估算。

### 使用 360 度攝影機系統監察偏遠的海岸地點

- 在15個位處偏遠的優先處理地點安裝360度攝影機，以密切監察海岸垃圾的堆積情況，並按實際情況採取清理行動。
- 南區、屯門區、沙田區和西貢區各一個；大埔區5個及離島區 6個。
- 石澳垃圾灣、石排灣、三白灣、十壆、水口、大浪灣石壁、分流、龍鼓灘及龍鼓上灘、汀角、沙欄、鹽田仔及馬屎洲、塔門(東)、塔門(西)、海星灣、東龍洲。



## 15個優先地點安裝360 度攝影機系統監察位置



## 使用360度攝影機系統監察偏遠的海岸地點

### 審計報告6.18(a)段的建議

- 應審計署建議，食環署已提醒員工妥善記錄360度攝影機系統失靈的原因，以及所採取的跟進行動。
- 食環署分區辦事處通過360 度攝影機系統每日查看最新實地情況，並以訂明的視察表格呈報結果。食環署已發布攝影機系統的每日監察程序指引，其人員會在發現系統失靈時立即通知承辦商。
- 經承辦商已採取補救行動，在2021年1月及2月並沒有發現360度攝影機系統失靈的情況。

## 使用360度攝影機系統監察偏遠的海岸地點

### 使用360度攝影機系統監察偏遠的海岸地點

- 如發現外判承辦商違返合約條款，食環署會向承辦商發出口頭警告、書面警告或各類的「失責通知書」並扣減服務月費。
- 就為沿岸地點提供360度攝影機系統和相關服務合約，在2021年5月的重訂合約中，會增加就失靈情況發出「失責通知書」的合約條款。

多謝

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



**Environmental Protection  
Department  
Headquarters**

15/F & 16/F, East Wing,  
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Tamar, Hong Kong.

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1 March 2021

Ms Wendy JAN  
Clerk, Public Accounts Committee  
Legislative Council  
Legislative Council Complex,  
1 Legislative Council Road  
Central, Hong Kong

Dear Ms JAN,

**Public Accounts Committee  
Consideration of Chapter 2 of the Director of Audit's Report No. 75**

**Government's Efforts in Tackling Shoreline Refuse**

I refer to your letter dated 19 February 2021 under ref: CB4/PAC/R75. A consolidated reply from the Environment Bureau and Environmental Protection Department (EPD) is provided below.

**(I) For the Environment Bureau and Environmental Protection Department**

- (a) The Administration established an inter-departmental working group to tackle the marine refuse problem in 2012. Has the Bureau set a target and a timetable for reducing the quantity of refuse entering the sea? If no, what are the reasons? Has a review been conducted on the effectiveness of the working group?

**Reply:** In order to proactively tackle the marine refuse problem, the Inter-departmental Working Group on Clean Shorelines (hereinafter referred to as the "Working Group"), coordinated by the Environment Bureau, was established in 2012 to enhance the collaborative efforts among relevant government departments in tackling marine refuse.

The Working Group has not set a target nor a timetable for reducing the amount of refuse entering the sea for a number of reasons, some of which are uncontrollable, for example, refuse enters the marine environment through multiple channels and

locations by various means, and the overall quantity could not be accurately measured. Indeed, there are close ties between quantity of marine refuse and changes in season, weather and wind direction. In particular, there is more marine refuse in the wet seasons, especially after inclement weather such as typhoons or rainstorms, as in the case of surge of refuse after Mangkhut. Hence, year-to-year comparison of the figures are difficult.

The objectives for the Government to set up the Working Group are to enhance the efforts on marine environmental management and take effective measures to keep our shorelines and sea clean. In this connection, the Working Group adopted the approach of evaluating the cleanup effectiveness based on cleanliness conditions and devised a five-level cleanliness grading system : “Grade 1 - Clean”; “Grade 2 - Satisfactory”; “Grade 3 - Fair”; “Grade 4 - Unsatisfactory” and “Grade 5 - Poor”, for monitoring the priority sites. The Working Group has been regularly reviewing the cleanliness grading of the priority sites to gauge the cleaning efforts, enhance the cleansing services, review clean-up measures, and suitably allocate manpower and resources.

According to the grading statistics, the cleanliness condition of the priority sites has improved significantly since 2015. Currently, most of the priority sites have an average cleanliness grading ranging from “Grade 1 - Clean” to “Grade 3 - Fair” (see Table 1 and Table 2) and none of them is found to be in “Grade 5 - Poor” condition during regular inspections.

**Table 1 Average cleanliness gradings of priority sites from 2015 to 2017**

Average cleanliness grading	Number of priority sites		
	2015	2016	2017
1 to <2	17 (63%)	23 (85%)	23 (85%)
2 to <3			
3 to <4	7 (26%)	3 (11%)	2 (7.5%)
4 to ≤5	3 (11%)	1 (4%)	2 (7.5%)
Total	27	27	27

**Table 2 Average cleanliness gradings of priority sites from 2018 to 2020**

Average cleanliness grading	Number of priority sites		
	2018	2019	2020
1 to <2	27 (93%)	25 (86%)	28 (97%)
2 to <3			
3 to <4	-	4 (14%)	1 (3%)
4 to ≤5	2 (7%)	-	-
Total	29	29	29

Note: The EPD conducted a review in 2017 to update the list of priority sites. The new list comprises 29 sites, among which 14 are newly added.

## **(II) For the Environmental Protection Department**

- (b) According to paragraph 2.7, the Environmental Protection Department (EPD) commenced a trial project to deploy unmanned aircraft systems (UAS) for shoreline surveillance in May 2020. When will the EPD submit a report on the comparison of the merits and demerits as well as the evaluation analysis of on-site inspection and UAS inspection? What are the major considerations in conducting on-site inspection or UAS inspection?

**Reply:** Upon expiry of the contract term of the UAS trial project in May 2021, the EPD will carry out a detailed analysis of the inspection results for 64 coastal sites monitored by UAS over the past year (33 of which were monitored by on-site inspection in parallel over the same period) and conduct an in-depth comparison with the on-site inspection method. The main considerations include accuracy and flexibility in assessing the cleanliness condition, operational limitations of UAS (e.g. UAS no-fly zones, weather conditions, surrounding environment and buildings, aviation safety, etc.), geographical locations of the monitoring sites, time and manpower required in the inspection work, etc. It is expected that the report will be completed in the third quarter of 2021. Based on the comparison results, the EPD will adopt on-site inspection, UAS inspection, or a hybrid mode as the cleanliness monitoring strategies of individual coastal sites for making continuous improvement.

- (c) The EPD conducts regular monitoring on specific coastal sites (including engaging a contractor to conduct inspections since January 2020) and accords a cleanliness grading to these sites. Is there any review mechanism for the relevant monitoring and grading system?

**Reply:** For the inspections conducted by EPD staff, the staff will submit inspection reports with photos taken at designated points and proposed cleanliness gradings to their supervisors for vetting. For the inspection reports and photos submitted by the service contractor since January 2020, EPD staff will examine the cleanliness gradings rated, inspection coverage, locations of photo-taking and the information contained in the inspection reports. If there is any obvious discrepancy, the contractor is required to conduct re-inspection of individual sites according to the contract requirements. Besides, the EPD will deploy staff to conduct surprise on-site checks from time to time to ensure that the contractor has conducted shoreline cleanliness monitoring at the specified time and locations and fulfilled the relevant contract requirements.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'CK Chen', with a long, sweeping horizontal stroke extending to the right.

(CK Chen)

for Director of Environmental Protection

Encl.

c.c.

Director of Agriculture, Fisheries and Conservation (email: [dafcoffice@afcd.gov.hk](mailto:dafcoffice@afcd.gov.hk))

Director of Environmental Protection (email: [dep@epd.gov.hk](mailto:dep@epd.gov.hk))

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Director of Audit (email: [john\\_nc\\_chu@aud.gov.hk](mailto:john_nc_chu@aud.gov.hk))



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**Environmental Protection  
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**APPENDIX 17**

**環境保護署總部**

香港添馬  
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政府總部東翼  
十五及十六樓

31 March 2021

Ms Wendy JAN  
Clerk  
Public Accounts Committee  
Legislative Council  
Legislative Council Complex,  
1 Legislative Council Road  
Central, Hong Kong

Dear Ms JAN,

**Public Accounts Committee**  
**Consideration of Chapter 2 of the Director of Audit's Report No. 75**

**Government's efforts in tackling shoreline refuse**

I refer to your letters dated 17 and 26 March 2021 under ref: CB4/PAC/R75 concerning the above subject. Please find consolidated replies of the Environment Bureau (ENB) and the Environmental Protection Department (EPD) set out below.

(A) Reply to the letter dated 17 March 2021

**Part 1: Introduction**

**1. Response to Question (a):**

The Government has all along attached great importance to tackling the marine refuse problems. For improving the cleanliness of our waters and shorelines, a three-pronged strategy has been adopted over the past few years, namely reducing waste generation at source; reducing the amount of refuse entering the marine environment; and removing refuse from the marine environment. As explained in

EPD's reply dated 1 March 2021, refuse enters the marine environment through multiple channels and locations by various means, some of which are beyond our control and the overall quantity cannot be measured accurately. Besides, there are close links between the quantity of marine refuse and changes in season, weather and wind direction. In particular, there is more marine refuse in wet seasons, especially after inclement weather such as typhoons or rainstorms. As such, the Government has not set target nor timetable for reducing the amount of refuse entering the sea, which is an immeasurable indicator. Nevertheless, the government departments have strengthened their efforts to clean up marine refuse (including floating refuse and shoreline refuse). The on-site inspections at shorelines also show that the shoreline environment has improved notably. Meanwhile, the quantity of shoreline refuse has exhibited a continuous decline since 2015, with a decrease of about 13% as of 2020. This clearly proves that our three-pronged preventive measures, viz reducing waste generation at source and reducing the amount of refuse entering the marine environment, have been very effective over the past few years. In addition, ENB is open to having discussion with relevant departments at the platform of the Inter-departmental Working Group on Clean Shorelines with a view to examining the approach of evaluating the clean-up results and effectiveness based on cleanliness conditions of the coastal areas.

## Part 2: Monitoring of shoreline cleanliness by Environmental Protection Department

### **2. Response to Question (b):**

The current staff establishment of EPD for maintaining shoreline cleanliness is 15, including 2 Senior Environmental Protection Officers (one of them also covers other duties), 5 Environmental Protection Officers/Assistant Environmental Protection Officers, 2 Senior Environmental Protection Inspectors and 6 Environmental Protection Inspectors. The totals of their notional annual mid-point salary values and recurrent expenditure for 2020-21 were about HK\$10.2 million and HK\$8.5 million respectively. The staff members are mainly responsible for providing support to the meetings of the Inter-departmental Working Group on Marine Environmental Management (the Working Group), as well as that of the Task Force on Marine Refuse and the Task Force on Emergency Response to Marine Environmental Incidents set up under it; performing the follow-up work assigned by the Working Group and Task Forces; formulating strategies to address marine refuse problems; conducting relevant thematic studies;

**\*Note by Clerk, PAC:** *See Appendix 16 of this Report for the reply dated 1 March 2021 from Director of Environmental Protection.*

coordinating inter-departmental efforts for tackling special marine refuse problems and marine emergency incidents; handling complaints on marine refuse; conducting on-site inspections at the 29 marine refuse priority sites every one to 6 months and preparing inspection reports; conducting helicopter surveillance as necessary; launching various publicity, promotion and public education programmes; organising and arranging for members of the public and organisations to participate in regular coastal cleanup activities; managing the clean shoreline Facebook page/IG page/YouTube channel/websites, designated email account and enquiry hotline on the Clean Shorelines Liaison Platform; liaising with various volunteer units and voluntary groups; supporting self-initiated and voluntary shoreline cleanup operations; assisting in vetting applications relating to clean shoreline projects under the Environment and Conservation Fund; executing Hong Kong-Guangdong liaison work on marine environmental management and the notification and alert mechanism; coordinating bids by various departments for additional resources for shoreline cleanup work; etc.

Since the outsourcing of routine inspection work in January 2020, EPD has increased the number of inspection locations from 29 to 150 (119 for on-site inspections and 64 for inspections using unmanned aircraft systems (UAS), among them 33 are common locations) and raised the inspection frequency. Since then, the work of EPD staff in respect of inspection of the 29 marine refuse priority sites has shifted to management of the two inspection contracts and the contractors, including drawing up contract terms, evaluating tenders, providing training and conducting surprise checks. Moreover, the team has also taken up additional work tasks of examining about 80 inspection reports submitted by the contractors every month and the relevant photos used for assessing the shoreline cleanliness grading; making referrals for coastal sites with cleanliness assessed as Grade 3 or worse and following up on the improvement measures of the relevant departments; reviewing the inspection projects and analysing the data obtained; as well as implementing and managing the Shoreline Wardens Scheme under the Green Employment Scheme.

### **3. Response to Question (c):**

If a site is assessed as Grade 3 (Fair), Grade 4 (Unsatisfactory) or Grade 5 (Poor), EPD will review the inspection reports and photos submitted by the contractors and immediately notify the relevant departments to follow up. Since the outsourcing of routine inspection work in January 2020, EPD's follow-up notifications had been made to relevant departments about an average of 2 working

days after the contractor's completion of on-site inspection work, while the relevant departments' replies on completion of clean-up actions had been made to EPD about an average of 7 working days after receiving EPD's notifications. Regarding remote or special cases of marine refuse problems, the relevant departments would send a reply to EPD about an average of 2 working days after receiving EPD's notifications regarding the arrangements of the planned clean-up operations.

#### **4. Response to Question (d):**

Outsourcing of routine on-site inspections and the UAS trial project were both new attempts made by EPD in 2020. The latter was also the first deployment of UAS for shoreline surveillance. EPD needs to draw on the experience gathered from these two contracts to examine (i) the pros and cons of and complementarity in transferring the routine inspection work from EPD's staff to the contractors; (ii) whether the 29 priority sites are appropriate; (iii) whether new priority sites need to be added; (iv) whether the 90 newly added on-site inspection locations and the 64 UAS inspection locations are suitable; (v) the effectiveness of conducting UAS inspections to supplement on-site inspections; (vi) the constraints of deploying UAS for surveillance and the solutions; (vii) the impact on operation of UAS during wet and typhoon seasons; and (viii) the cost-effectiveness of procuring a UAS contract for inspections at the same time, etc. EPD will, based on the results of the trial, supplement or revise the requirements and terms of the new contracts. Hence, EPD has struck a balance and set the contract periods at about one year as a transitional arrangement.

EPD is reviewing the requirements and terms of the existing contract for conducting routine on-site inspections in terms of the list of inspection locations, inspection frequencies, number of inspection staff to be provided by the contractor, etc., and will draft a new contract for conducting on-site inspections based on the results of the review. We expect the major changes may include: (i) adding several inspection locations; (ii) stepping up inspections on locations where the cleanliness condition is relatively poor; (iii) reducing the inspection frequency of locations where the cleanliness condition is consistently good; and (iv) increasing the manpower requirement in the service contract, etc.

EPD will conduct a comprehensive review upon the expiry of the contract for the UAS trial project in May 2021. The main considerations will include the geographic limitations of the inspection locations, whereabouts of marine refuse

accumulation, requirements of UAS, etc. As the two methods of making on-site inspection and deploying UAS need to work in tandem, EPD will conduct a detailed analysis and an in-depth comparison of the inspection results of the two projects in the past year, and explore the locations where UAS can be used to replace on-site inspections. It is anticipated that the report will be completed within the third quarter of 2021. Based on the comparison results, EPD will adopt on-site inspection, UAS inspection, or a hybrid mode to strive for continuous improvement in the cleanliness monitoring strategies of individual coastal sites. As both inspection projects are under trial and in the stage of strategy adjustment, the durations of the service contracts will again be set at about one year in order to review and consolidate the experience gained, with a view to adjusting the inspection approach timely and appropriately.

## **5. Response to Question (e):**

EPD has been monitoring the cleanliness conditions of coastal sites by on-site inspections and using helicopters to conduct wide-area inspections, and started to deploy UAS to supplement on-site inspections in May 2020.

From experience gained over the years, we learned that on-site inspections allow us to observe and take photos of the cleanliness conditions of coastal sites at close range. Hence, clearer and more accurate data can be obtained, and the overall cost is lower than using helicopters. However, conducting on-site inspections requires monitoring staff to walk along shorelines that may stretch from over a hundred metres to several kilometres. Therefore more time is required to complete the inspection at each site. On-site inspections are also restricted by the availability of transport facilities in the coastal sites. Inspections cannot be carried out at some remote islands and coastal sites which are neither accessible by vehicles nor provided with berths for vessels.

Owing to the high mobility of UAS, its advantage for inspection is that the flight paths, flying altitude, filming locations and angles can be repeated accurately every time, thus increasing the efficiency of the inspection work. However, UAS are subject to strict privacy and safety control. UAS shall not be flown over or within 50 metres of any person, vessel, vehicle or structure, and the operation of UAS is easily affected by weather conditions. Furthermore, an application for operating UAS together with the flight path have to be submitted to the Civil Aviation Department before the proposed date of flight. As such, UAS cannot be used for emergency or ad hoc inspections. Concerning the cost, it is cheaper to deploy

UAS than helicopters currently. Although the cost of using UAS is higher than on-site inspections at present, with advances in technologies, we believe the cost of using UAS may drop in future. Given the high mobility of UAS, we will continue to examine the feasibility of using UAS to supplement the inspections.

Helicopters can be deployed to conduct surveillance over an extensive area in a short time, thus enabling us to quickly examine the distribution of marine and shoreline refuse. It is very suitable to deploy helicopters in marine emergency incidents, marine refuse surges after inclement weather and marine incidents that aroused grave public concern. However, it is very expensive to conduct helicopter surveillance. The flying altitude cannot be too low and the flying time cannot be too long. Hence, this method can only provide a general overview of the cleanliness conditions of the coastal sites and cannot make an accurate assessment on the cleanliness grading for the inspection locations.

As mentioned in Reply to Question (d) (paragraph 4) above, EPD will compare the results of the reports to decide on the adoption of on-site inspection, UAS inspection, or a hybrid mode to strive for continuous improvement in the cleanliness monitoring strategies of individual coastal sites.

#### **6. Response to Question (f):**

According to EPD's record, 8 of the 24 re-inspections involved schedule adjustment within one week. Another 9 re-inspections were conducted by helicopter surveillance flights as needed. Only 7 re-inspections were conducted 10 to 31 days after the planned timeframe. The reason for failing to conduct these 7 re-inspections within the planned timeframe was that necessary temporary deployment had to be made due to manpower shortage under the following situations: (i) following up on and preparing for the inter-departmental joint clean-up operations at Pak Kok Tsui Pebble Beach, Lamma Island and Aberdeen Typhoon Shelter; (ii) inspecting areas severely affected by Super Typhoon Mangkhut to arrange for the departments concerned to deploy resources for clean-up; and (iii) handling a marine refuse pollution case at Rambler Channel at Tsuen Wan and a refuse accumulation case at Lan Nai Wan, and coordinating with relevant departments to conduct clean-up operations, etc.

#### **7. Response to Question (g):**

EPD first drew up the list of Marine Refuse Priority Sites (27 numbers in total) in

2015 so that the Inter-departmental Working Group on Clean Shorelines could pool resources for various departments to clean up coastal sites that were of great concerns at that time and where the cleanliness conditions were poorer. As the cleanliness conditions of many coastal sites had improved quickly within two years after the formulation of the list, for better deployment of resources, those improved sites should be de-listed to allow for some new ones to be added. Upon a comprehensive review (including factors of cleanliness concern of the public and government departments, amount of refuse collected, geographical and hydrological conditions and land use status of coastal areas, cleansing frequency, accessibility by the public, ecological value, etc.), EPD updated the list of priority sites (29 numbers in total) in November 2017, covering 14 newly added sites and 15 existing ones. Subsequently, based on experience and observations accumulated, EPD considered that it was most appropriate to review the inspection list (including the 29 priority sites) and inspection frequency according to the cleanliness conditions of the sites, and a large-scale review similar to the one conducted in 2017 was not required for the time being.

Nevertheless, since the outsourcing of the routine on-site inspection work in 2020, EPD has already incorporated the 29 priority sites into the list of locations for conducting monthly inspections and added 90 other sites for conducting quarterly inspections under the contract. When renewing the contract, EPD will, having regard to the cleanliness conditions of the inspection locations in the past year, review and update the list of inspection locations and adjust the inspection frequencies.

#### **8. Response to (h):**

Upon completion of the coastal inspection every time, the service contractor is required to submit an inspection report, photos taken, etc., within the specified time. EPD staff will review the assessed cleanliness grading, inspection coverage, photo-taking locations and other information in the report. If there are obvious discrepancies, the contractor has to conduct re-inspections to the individual locations in accordance with the contractual requirements. Besides, EPD staff will conduct surprise checks at the inspection locations from time to time, so as to ensure that the contractor has carried out coastal inspections at the specified time and locations, and has complied with the relevant requirements of the service contract. Over the past year, EPD had conducted a total of 8 surprise checks. Please refer to Annex 1 for a sample of the surprise check record sheet.

**\*Note by Clerk, PAC:** *Annex 1 not attached.*

## **9. Response to (i):**

The “Clean Shorelines” thematic website mainly provides the necessary information for organising shorelines cleanup activities, including the relevant guidelines, government support items, activity locations, tidal information, etc. EPD will update the information and photos of shorelines cleanup activities provided by the public on a weekly basis, and will produce and upload clean shorelines videos from time to time for publicity and promotion purposes. The website also provides the Study Report on Investigation on the Sources and Fates of Marine Refuse in Hong Kong published in April 2015, statistics on the marine refuse collected by various government departments, and information on the measures taken for keeping the shorelines clean. Regarding the information on the cleanliness conditions of coastal sites, EPD had already uploaded the annual average cleanliness grading of the 29 priority sites to the “Clean Shorelines” thematic website in February 2021 for public inspection. To provide the public with the latest information on shoreline cleanliness, with due consideration of the different inspection frequencies of the priority sites, EPD will update the information regularly (e.g. on a quarterly basis) starting from the second quarter of 2021.

## **10. Response to (j):**

Regarding the incident of a large quantity of pork hocks being washed ashore in Hong Kong in July 2020, upon receipt of sighting report on 13 July, EPD promptly gave notices to the Leisure and Cultural Services Department (LCSD), the Food and Environmental Hygiene Department (FEHD), the Agriculture, Fisheries and Conservation Department (AFCD) and the Marine Department (MD) and requested them to arrange for clean-up operations as soon as possible. On the same and subsequent few days, EPD conducted inspections at various sites, and notified the relevant departments immediately about where pork hocks had been found (see Table 1 for the details). EPD also collected water samples at the affected beaches for examination, and the results revealed that the beach water quality had not been affected. Moreover, EPD also liaised with the Department of Ecology and Environment of Guangdong Province (GDDEE) on 13 July to understand the situation. It was learnt that their local authorities were conducting investigations, and that their marine authority had not received any report of capsized cargo vessel. According to the GDDEE’s reply dated 19 August, the investigations conducted by the relevant authorities of Guangdong Province could not identify the origin of the pork hocks.



During FEHD's scheduled clean-up operation on 13 July 2020, the cleansing workers had found some pork hocks being washed ashore in Lung Kwu Tan. The 360-degree cameras are set up as real-time monitoring tools mainly used for long-range and wide-area surveillance to facilitate timely arrangement of more effective refuse clean-up operations. The 360-degree cameras can also help monitor the occurrence of bulky or large quantities of refuse being washed ashore, like the situation after typhoon attack. However, as the 360-degree cameras provide very wide-angle images, small objects like pork hocks being washed ashore at a relatively long distance cannot be identified. Therefore, the incident had not discovered at an earlier time.

Although the handling of the pork hock incident by EPD and the relevant departments was no different from the handling of marine refuse incidents through activating the Protocol for Handling Surge of Marine Refuse (the Protocol), following the Audit Commission's recommendations and with agreement in the Working Group, EPD had already updated the Protocol in February 2021 to include a new activation condition, that is, under the situation when special or urgent clean-up operations are required, so as to cover other possible scenarios of unusual objects arising on sea surfaces or at shores and beaches.

At present, the authorities in Guangdong Province and the Hong Kong Government have the Hong Kong-Guangdong Notification Mechanism on Marine Refuse established for either side to notify the other about massive amount of marine refuse or significant environmental incidents that may occur. In conjunction with the notification mechanism, the Hong Kong side has drawn up the Protocol to facilitate timely deployment of resources and preparation for clean-up operations by the relevant departments. Apart from the above mechanism, there are other communication channels between the two governments for enquiries and follow-up on individual cases (such as this pork hock incident). EPD will continue to enhance exchange and communication with Mainland authorities on various regional marine environmental matters. If there is large amount of refuse netted during fishing operations, the fishermen concerned may call the 24-hour hotline of MD to arrange for special collection by large-scale refuse collection vessels. They can also provide information by email or by fax for MD to arrange for collection service.

**Table 1: A chronology of follow-up actions taken by EPD during the pork hock incident in July 2020**

Date	District Inspected	Location	EPD's action
13 July	-	-	Issued notices to LCSD, FEHD, AFCD and MD, requesting them to arrange for clean-up as soon as possible
	Lantau Island	Beaches at Sam Pak Wan, Nim Shue Wan, Shap Long, Ham Tin, Pui O and Silver Mine Bay	No pork hocks found
14 July	Tsuen Wan	Ting Kau Beach, Approach Beach, Ma Wan Tung Wan Beach	No pork hocks found
		Near Gemini Beaches	Found pork hocks and notified FEHD and MD on that day to follow up with clean-up actions
		Beach near Villa Alfavista, beach outside Vistacove	Found pork hocks and notified FEHD on that day to follow up with clean-up actions
		Anglers' Beach, Ting Kau Beach	Found pork hocks and immediately notified LCSD on-site to follow up with clean-up actions

Date	District Inspected	Location	EPD's action
	Tuen Mun	Coastal area from Butterfly Beach to Tuen Mun Area 40 Pier, Lung Kwu Tan 、 Lung Kwu Sheung Tan, Butterfly Beach, beach at Tsing Lung Garden on Yu Chui Street	Found pork hocks and notified FEHD on that day to follow with clean up actions
		Castle Peak Beach	Found pork hocks and immediately notified LCSD on-site to follow up with clean-up actions
		Cafeteria Old Beach and Kadoorie Beach	No pork hocks found
15 July	Lantau Island	Tai O, Big Wave Bay, Shek Pik Tung Wan, Shui Hau	No pork hocks found
16 July	Tsuen Wan	Non-gazetted beach near Anglers' Beach (near Sham Tseng Public Pier), beach outside Hong Kong Garden	Found pork hocks and notified FEHD on that day to follow up with clean-up actions
		Coastal area outside Ma Wan Rural Committee, Ma Wan Pak Wan	Found pork hocks and notified FEHD and MD on that day to follow up with clean up actions
		Tung Wan Tsai on Ma Wan Island	No pork hocks found
	Tuen Mun	Coastal area and beaches from Castle Peak Villas to Marine Police Tai Lam Chung Base, area near Castle Peak Power Station and Lung Kwu Tan	Found pork hocks and notified FEHD on that day to follow up with clean-up actions

Date	District Inspected	Location	EPD's action
		Sha Chau and Lung Kwu Chau	Found pork hocks and notified AFCD on that day to follow up with clean-up actions
	Lantau Island	Fan Lau	No pork hocks found
17 July	Lantau Island	Cheung Sha Beach, Lower Cheung Sha Beach, Upper Cheung Sha Beach, Tong Fuk Beach, Pak Mong Beach	No pork hocks found
20 July	Southern	Cape D'Aguilar Beach, Lap Sap Wan, Rocky Bay Beach, Shek O Beach, Big Wave Bay Beach	No pork hocks found

### Part 3: Clean-up operations by Agriculture, Fisheries and Conservation Department

#### **11. Response to Question (k):**

Please refer to AFCD's reply to the same question.

#### **12. Response to Question (l):**

With reference to Reply to Question (k) in paragraph 11 above (i.e. AFCD's reply to the same question), as refuse accumulation at the back-of-beach area of Lung Kwu Chau is similar to that at the back-of-beach areas in other districts, the strategy of conducting targeted in-depth clean-up operations through special arrangement is applicable as well. In fact, Hong Kong has very long shorelines and many small outlying islands. Many remote places are inaccessible by public transport and are thus rarely visited. It is therefore difficult for government departments to allocate resources for engaging contractors to conduct routine clean-up operations in these places as this arrangement will entail a huge contractual expenditure and is not cost-effective. In recent years, the Working Group has in several instances resolved the refuse accumulation problems at several back-of-beach areas with different solutions after discussion and co-ordination. For instance, EPD collaborated with the Civil Engineering and Development Department and FEHD in

**\*Note by Clerk, PAC:** *See Appendix 19 of this Report for the reply from Director of Agriculture, Fisheries and Conservation.*

2019 to conduct an in-depth clean-up operation with machinery plus manual labour at Pebble Beach, Pak Kok Tsui, Lamma Island and successfully restored the back-of-beach area to its original state.

(B) Reply to the letter dated 26 March 2021

Part 2: Monitoring of shoreline cleanliness by Environmental Protection Department

**13. Response to (a):**

EPD liaised promptly with the GDDEE to understand the situation upon receipt of the report of pork hocks being washed ashore in Hong Kong on 13 July 2020. During the period between 13 July and 19 August 2020, Hong Kong and Guangdong authorities maintained close communication with each other regarding this incident. According to the information provided by the GDDEE, the Guangdong authorities had completed the basic clean-up work on 11 July 2020, the same day on which the pork hocks were found, and did not find any pork hocks floating on the sea during the marine inspection on 12 July 2020. Later, Guangdong's marine department also confirmed that no report of capsized cargo vessel was received, and that the relevant departments were unable to identify the source of the pork hocks after investigation but had stepped up their inspections and monitoring to prevent the occurrence of marine environmental incidents.

**14. Response to (b):**

EPD provided the following different forms of training to the contractor:

**(1) Briefing**

After awarding the contract for on-site inspection, EPD immediately held a kick-off meeting with the contractor to provide basic knowledge on shoreline cleanliness monitoring and explain to the contractor in detail the background of the shoreline cleanliness monitoring programme, the 119 inspection locations, the five-level Shoreline Cleanliness Grading System, the grading methods, requirements of the inspection reports, the format of the inspection database, matters relating to the application for permits to restricted areas, transport arrangements for remote areas, etc.

## (2) Joint on-site inspections

As there are many points and details to note for on-site inspections and the grading work, EPD provides training and guidance in the field through conducting joint inspections with the contractor. In the first month of the contract, EPD and the contractor conducted a total of 7 joint inspections, covering 42 different coastal sites including different settings such as beaches, rocky shores, rocky beaches, mudflats, etc. During ad hoc or special marine refuse incidents, etc., EPD also sends staff to conduct joint inspections with the contractor as necessary to ensure the contractor understand the inspection requirements of individual incidents.

## (3) Provision of Templates

To facilitate contractors' easy understanding of the requirements stipulated in the contract, EPD provides templates (including the templates for inspection report, inspection itinerary, the format of the inspection database, etc.) to the contractor to illustrate how to prepare inspection reports. EPD staff members also check all inspection reports and photos to ensure that the performance of contractors meets the requirements, with timely guidance provided.

## (4) Telephone Enquiry

EPD and the contractors have set up message chat groups which provide a platform for contractors to make enquiries and seek advice.

Yours sincerely,



(CK CHEN)

for Director of Environmental Protection

Encl.

c.c.

Director of Agriculture, Fisheries and Conservation (email: dafcoffice@afcd.gov.hk)

Director of Environmental Protection (email: dep@epd.gov.hk)

Director of Food and Environmental Hygiene (email: dfehoffice@fehd.gov.hk)

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**漁農自然護理署**

九龍長沙灣道三〇三號  
長沙灣政府合署五樓



覆函請寄交  
「漁農自然護理署署長」  
Please address all replies to  
Director of Agriculture, Fisheries and Conservation

**APPENDIX 18**  
**AGRICULTURE, FISHERIES AND**  
**CONSERVATION DEPARTMENT**  
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1 March 2021

(urgent by email: wyjan@legco.gov.hk, kmho@legco.gov.hk, pkwlai@legco.gov.hk)

Ms. Wendy JAN  
Clerk, Public Accounts Committee  
Legislative Council Complex  
1 Legislative Council Road, Central  
Hong Kong

Dear Ms. Jan,


**Public Accounts Committee**  
**Consideration of Chapter 2 of the Director of Audit's Report No. 75**  
**Government's efforts in tackling shoreline refuse**

I refer to your letter of 19 February 2021 under reference. Please find the further requested information set out in the following table:

Item	Content	Appendix
4)	<p>The Agriculture, Fisheries and Conservation Department (AFCD) has introduced mechanisms for supervising the services provided by cleansing contractors at the 6 marine parks and 1 marine reserve. Patrol staff would conduct regular site inspections and record the conditions of the cleansing services. In addition, our supervisory staff would also cross-check the cleansing service information submitted by contractors, and follow up specific findings observed during site inspections by patrol staff, so as to ensure that the services provided by contractors are in order.</p> <p>The supervision of cleansing service contractors for marine parks and marine reserve is mainly conducted by the patrol staff and supervisory staff of the Marine Parks (West) Section and Marine Parks (East) Section of AFCD. The establishment mainly consists of 3 Fisheries Officer grade, 9 Fisheries Supervisor grade and 39 Field Assistant and Artisan grade staff. In addition to conducting regular patrols in waters and coastal areas of marine parks and marine reserve for inspecting the site conditions and the services of cleansing</p>	A (Only English version is available for the Guideline, while only Chinese version is available for the Inspection Form)

Item	Content	Appendix
	<p>contractors, the patrol staff are also responsible for other duties such as law enforcement. Supervisory staff are responsible for various relevant tasks, including monitoring and following up the services of cleansing contractors.</p> <p>AFCD has formulated new Guideline for Monitoring of Cleansing Services for Marine Parks and Marine Reserve (with Inspection Form) regarding the aforesaid management and monitoring work for cleansing contractors, and provided appropriate guidance and training to the relevant staff. Please see <b>Appendix A</b> for the new Guideline.</p>	
5)	AFCD has accepted and implemented all the recommendations stated in section 3.8 of the Audit Report. Please see <b>Appendix B</b> for the latest progress.	B
6)	<p>AFCD has accepted the recommendations stated in the Audit Report and increased the frequency of cleansing services in the relevant contract for The Brothers Marine Park. A new Guideline for Monitoring of Cleansing Services for Marine Parks and Marine Reserve has been introduced to facilitate the monitoring and recording of relevant services in a more systematic manner. The Guideline includes an updated Inspection Form, a shoreline cleanliness grading system, and requirements for test counting to verify the quantity of refuse reported by contractors. Please see <b>Appendix A</b> for response 4) above for details.</p> <p>Section 3.20 of the Audit Report and Photos 10 and 11 showed the refuse (including barrels, bamboo sticks and styrofoam boxes) accumulated at the backshore of The Brothers Islands. The two photos were taken on 24<sup>th</sup> July and 24<sup>th</sup> August 2020 respectively, when there was about 1 meter difference in tidal level according to the tidal information from Hong Kong Observatory. We noted that the positions of refuse shown in these photos were similar without obvious shift towards backshore.</p>	

Yours sincerely,



(Jackie YIP)

for Director of Agriculture, Fisheries and Conservation

Encl.

c.c. Director of Environmental Protection (Attn: Mr. C. K. CHEN)



**Guideline for Monitoring of Cleansing Services for Marine Parks and Marine Reserve**

(in ISO QM TP16 para 3.2)

Assessment of Quality of Services*	<p><u>Site Cleanliness</u><a href="#">[Audit Report 3.8 (d)(i)]</a></p> <p>➤ Assess the cleanliness during monitoring/ inspection by making reference to the standard in <i>Annex 1</i>.</p> <p><u>Performance of Cleansing Workers</u><a href="#">[Audit Report 3.8 (d)(i)]</a></p> <p>➤ Assess the performance of cleansing workers during monitoring/ inspection by taking into consideration various requirements including:</p> <ul style="list-style-type: none"> <li>(i) numbers of workers working on site;</li> <li>(ii) whether the workers are equipped with proper protective gears; and</li> <li>(iii) whether the workers are conducting appropriate cleansing services.</li> </ul>
Monitoring/ Inspection Frequency for AFCD Staffs*	Considering the remoteness of Marine Parks/ Marine Reserve and the need for using patrol vessels by monitoring staffs during monitoring/ inspection, the minimum monitoring/ inspection frequency is at least 30% of services (days) for each contract. Normally, monthly monitoring of the cleanliness of the sites should be conducted and recorded. <a href="#">[Audit Report 3.8 (b)]</a>
Follow-up actions for abnormality observed during monitoring/ inspection*	In case abnormality (e.g. suspected absence from duty of contractor's staff) is observed during monitoring/ inspection, relevant AFCD staffs should take proper follow-up actions (e.g. confirming the attendance of cleansing workers with contractor, and/ or request for provision of compensatory cleansing service as appropriate) and properly record actions conducted in ISO form TPF16-1. <a href="#">[Audit Report 3.8 (b)]</a>
Verifying the quantity of marine refuse reported by contractors*	Verify the quantity of marine refuse reported by contractors by test counting on the number of bags collected (at least once for every half-year for each contract and may step up as necessary) and the average weight of individual bags of refuse (at least once for the whole contract period and may step

	up as necessary) for use as reference in estimating the total weight of refuse for statistical purpose. <a href="#">[Audit Report 3.8 (c)]</a>
Specific Requirements to be included in future contracts (unless under exceptional circumstances)	<p><u>For Regular Cleansing Contracts</u><a href="#">[Audit Report 3.8 (d)(ii) &amp; (iii)]</a></p> <ul style="list-style-type: none"> <li>➤ Requiring contractors to provide digital images/ video clips before and after the completion of each cleansing service as additional evidence on the work performed by contractors' staff.</li> <li>➤ Requiring contractors to report the arrival and departure times of their staff for each cleansing operation.</li> </ul> <p><u>For ad hoc Back-of-beach Contracts</u><a href="#">[Audit Report 3.21 (b)]</a></p> <ul style="list-style-type: none"> <li>➤ Requiring contractors to provide digital images/ video clips before and after the completion of each cleansing service as additional evidence on the work performed by contractors' staff.</li> <li>➤ Provisioning of the minimum frequency of refuse collection work during the contract period.</li> </ul>

\*Remarks: these requirements apply to regular cleansing contracts only.

Effective Date: 31 December 2020

**Monitoring of shoreline cleanliness  
by Environmental Protection Department**

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**Figure 5**

**Shoreline Cleanliness Grading System**

**Clean (Grade 1)**



**Satisfactory (Grade 2)**



**Fair (Grade 3)**



**Unsatisfactory (Grade 4)**



**Poor (Grade 5)**



*Source: EPD records*



海岸公園清潔服務：

清潔公司：

清潔經理名稱：

聯絡電話：

年份 / 月份：

合約內暫定的每週清潔日期(可能因天氣等因素而改變)：

日期	視察同事抵達及離開時間	清潔工人數	清潔工作表現 (是否滿意)	清潔度(1-5級;1級最佳)	視察/ 記錄員工	備註/ 跟進工作*

\*註: 如發現異常情況，例如因天氣或船隻狀況需改期或早退等，需作出跟進行動及將有關的跟進工作在此記錄

## AFCD's Latest Progress regarding Audit's Recommendations in Paragraph 3.8 of the Audit Report

3.8	Audit recommends that the Director of Agriculture, Fisheries and Conservation should :	Latest Progress:
(a)	improve the inspection reporting requirements of cleansing services;	Completed (A new Guideline for Monitoring Cleansing Service has been introduced, with improvement in reporting of Cleansing Service Inspection).
(b)	take effective follow-up actions on cases of suspected absence from duty of contractors' staff and specify a minimum inspection frequency for AFCD staff;	Completed (A new Guideline for Monitoring Cleansing Service has been introduced; with requirement on the number of monitoring, and clear recording in the Inspection Form regarding AFCD's follow-up actions with contractor on individual cases).
(c)	consider the merit of requiring AFCD staff to verify the quantity of marine refuse reported by the contractors, such as test counting the refuse; and	Completed (AFCD staff would conduct test-counting in accordance with relevant Audit's recommendations, and such requirement has been stated in the Guideline for Monitoring Cleansing Service).
(d)	take measures to enhance monitoring of contractors' work, including:	
(i)	issuing guidelines on the assessment of the quality of services of the contractors;	Completed (A new Guideline for Monitoring Cleansing Service has been introduced, including guidelines for assessment on quality of contractor's services).
(ii)	requiring contractors to provide additional evidence on the work performed by the contractors' staff, e.g. digital images and video clips before and after completion of the cleansing service; and	Completed (The requirement for contractors to provide additional evidence has been added when renewing cleansing contracts, and such requirement has been included in the Guideline for Monitoring Cleansing Service).
(iii)	requiring contractors to report the arrival and departure times of their staff for each cleansing operation in future contracts.	Completed (The requirement for contractors to report the arrival and departure times of their staff for each cleansing operation had been added when renewing cleansing contracts, and such requirement has been included in the Guideline for Monitoring Cleansing Service).

漁農自然護理署  
九龍長沙灣道三〇三號  
長沙灣政府合署五樓



覆函請寄交  
「漁農自然護理署署長」  
Please address all replies to  
Director of Agriculture, Fisheries and Conservation

**APPENDIX 19**  
**AGRICULTURE, FISHERIES AND**  
**CONSERVATION DEPARTMENT**  
Cheung Sha Wan Government Offices  
5<sup>th</sup> floor, 303 Cheung Sha Wan Road  
Kowloon, Hong Kong

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26 March 2021

(urgent by email: wyjan@legco.gov.hk, kmho@legco.gov.hk, pkwlai@legco.gov.hk)

Ms. Wendy JAN  
Clerk, Public Accounts Committee  
Legislative Council Complex  
1 Legislative Council Road, Central  
Hong Kong

Dear Ms. Jan,

**Public Accounts Committee**  
**Consideration of Chapter 2 of the Director of Audit's Report No. 75**  
**Government's efforts in tackling shoreline refuse**

I refer to your letter of 17 March 2021 under reference. Please find the requested information set out in the following table:

Item	Content
a)	<p>Before the new Guideline was effective in Dec 2020, the Agriculture, Fisheries and Conservation Department (AFCD) had been using 3 types of inspection form (please refer to Appendix B of AFCD's reply to PAC's letter dated 9 Dec 2020) for different marine parks and marine reserve due to different site characteristics and modes of operation. For example, the Sha Chau and Lung Kwu Chau Marine Park is relatively large (about 1,200 hectares) and each cleansing service day could normally cover part of either Sha Chau or Lung Kwu Chau, so the inspection form had included two columns for recording the locations of work. In addition, cleansing contractor would call AFCD before their departure for commencement of work due to poor network coverage and unstable reception on Sha Chau and Lung Kwu Chau, and the time of call would be recorded in the form.</p> <p>Patrol staff would not only conduct spot-check at the site of cleansing work, but also conduct other regular duties such as patrolling, enforcement, monitoring and maintenance of facilities, provision of visitor service, etc. As patrol staff only spot-checked and did not stay on the spot throughout the cleansing services, it would not be practical for them to record all departure time of the contractors.</p>

Item	Content
	<p>We agree that the difference in recording formats might be undesirable. To achieve consistency and enhance clarity of inspection records, a standardized inspection form is now being used as recommended in the Report. Please refer to part c) for details.</p>
b)	<p>As explained in a), AFCD has been monitoring the work of cleansing contractors through spot checks. The average inspection rate on the cleansing services for the marine parks during the period audited was over 70%. Patrol staff would observe the cleaners' work and check if the services were satisfactory. Some patrol staff had put down "did not see the vessel (未見船)" if they did not see the cleaners at the time of patrol, but this did not mean "suspected absence" because the cleaners might be working at another locations in the park and not being seen by patrol staff at the sea due to the terrain. In some cases, patrol staff had put down "leave early" if they observed the cleaners leaving the park earlier than usual. As some marine parks are located far away from land (e.g. travel time between Tung Ping Chau and the refuse collection point is at least 1.5 hours one-way), cleaners might need to leave the park earlier when the weather is unstable and the sea is rough. Supervisory staff would follow-up the above irregular site findings with the management team of the cleansing contractors.</p> <p>We have checked the 18 cases cited in paragraph 3.5(a)(i) of the Report. In those six cases in which AFCD had arranged cleaning service on another day, one of them showed irregularities in contractor's monthly attendance record (i.e. showing full service on the scheduled service day on which AFCD's inspection form marked "did not see", and an additional half-day service on the replacement day). Nevertheless, no additional payment was made to the contractor. In the 12 other cases cited, after further follow-up with the contractors and review of monthly attendance records and other patrol records etc, AFCD found no evidence of absence of contractor's service. Neither providing cleaning service on another day nor deduction of fees was deemed necessary. Please refer to <b>Appendix A</b> for details of each of these 18 cases.</p> <p>The Report had revealed some weaknesses in our documentation of monitoring actions, notably the site inspection records and follow-up actions on irregularities detected. Please refer to c) for improvements adopted.</p>
c)	<p>The recording of site findings and documentation of follow-up actions on irregularities need to be improved. AFCD has accepted the recommendations stated in paragraphs 3.8(a)&amp;(b) of the Report. As mentioned in our reply dated 1 March 2021 (item 4 and Appendix A), a new Guideline for Monitoring of Cleansing Services for Marine Parks and Marine Reserve has been formulated including, among others, a standardized Inspection Form which requires the recording of the arrival and departure time of the patrol staff for a particular park, individual findings related to cleansing service and the relevant specific follow-up actions by AFCD (e.g. contacts and arrangements with the management, review of refuse collection record, review of contractors' staff attendance record, review of photos or video clips of the services, etc). Appropriate guidance and training have been provided to relevant staff. In addition, AFCD has added a requirement in new cleansing contracts that the contractor has to report the arrival and departure times of their staff, and provide photos or video clips before and after the completion of service for checking by AFCD.</p>

**\*Note by Clerk, PAC:** See Appendix 18 of this Report for the reply dated 1 March 2021 from Director of Agriculture, Fisheries and Conservation.

Item	Content
d)	<p>In the past, as the quantity of refuse collected is for general statistical purpose only and not related to the cost of cleaning work, and verification of quantity of refuse on the spot was constrained by site conditions, AFCD did not require its staff to verify such figures. AFCD has accepted the recommendations stated in paragraph 3.8(c) of the Report, and have arranged regular spot-checks on the quantity of refuse at the disposal sites. This requirement has been included in the new Guideline.</p>
e)	<p>(i) AFCD has been monitoring the work of cleansing contractors through spot checks. The inspection rate on the cleansing services during the period audited was over 70%. Patrol staff would observe the work of the contractors and record their performance on an inspection form. Patrol staff would also report irregular findings on the form, and the supervisory staff would follow up with the contractors. The supervisory staff would also review other records provided by the contractors, including contractors' staff attendance records and other relevant records (e.g. photos and videos), for ensuring satisfactory performance of services.</p> <p>(ii) AFCD has accepted all recommendations stated in paragraph 3.8 (d)(i)-(iii) of the Report, and taken measures to enhance monitoring of contractors' work by adopting new Guideline for Monitoring of Cleansing Services for Marine Parks and Marine Reserve. Specifically, we have added a requirement in new cleansing contracts that the contractor has to report the arrival and departure times of their staff, and provide photos or video clips before and after the completion of service for checking by AFCD.</p>
f)	<p>(i) Please see <b>Appendix B</b> for the chronology of events.</p> <p>(ii) From conservation perspective, the huge pipe structures washed ashore Lung Kwu Chau had no immediate direct impact on the marine park. We tried as quickly as possible to engage cleansing service companies for arranging removal of the red pipe structures. But the removal of the structures was affected by the COVID-19 outbreak and not considered urgent or essential at that time. AFCD was required to handle tasks of higher priorities e.g. arrangement of supplies and services for combating COVID-19, and field work was affected by the work-from-home arrangement. However, at that time the companies contacted were unable to arrange staff and vessel for site inspection. It was only until June 2020 that a few contractors had been able to arrange staff and vessels for inspecting the site and proposing appropriate means of removal.</p> <p>(iii) AFCD agrees with the Report's view that the long time taken to address the problem is not satisfactory. To facilitate smooth handling of large objects washed ashore in the future, this matter was discussed on the 4<sup>th</sup> meeting of Inter-departmental Working Group on Marine Environmental Management in January 2021, and the Marine Department agreed to render support and assistance as appropriate when AFCD encounters difficulties in removing large floating objects found in the marine parks and marine reserve.</p>
g)	<p>As the landward boundary of Sha Chau and Lung Kwu Chau Marine Park large follows the high water mark along the coastline, general marine refuse cleansing work in marine park under AFCD's responsibility only covers waters below the high water mark. It is considered a reasonable arrangement, as the refuse at intertidal area below the high water mark is caused by regular tidal action, which is more suitable for regular cleanup by means of manual collection. The area is also clearly demarcated and generally attracts public attention. On the other hand, refuse accumulated above the high water mark accumulated are found under</p>



Item	Content
	<p>very specific conditions, for example in relation to topography and vegetation, or tidal action and wind direction, or occasional typhoon and spring tides. In view of the complicated causes for accumulation of refuse and great disparity in the level of accumulation, as well as difficulty in removing the large-sized refuse by manual and simple methods regularly handled by general cleaners, it would be more efficient and cost-effective to handle this through focused and special in-deep cleansing operation. In recent years, all such special operations were co-organized by the Interdepartmental Working Group on Clean Shorelines (IWG), and conducted by cleansing contractors of AFCD.</p> <p>Regarding the many refuse accumulated in the slope at the back-of-beach area of Lung Kwu Chau, EPD has arranged an IWG joint site visit in January 2021, to discuss and explore practicable ways for cleanup. It was agreed on the IWG meeting on 29<sup>th</sup> January 2021 that AFCD would hire a contractor to conduct a one-off special cleanup operation with the assistance of EPD. The corresponding cleanup work was commenced in late February 2021, and completed on 13<sup>th</sup> March 2021. Moreover, it was also agreed on the IWG meeting that AFCD would conduct cleanup operation on that back-of-beach area once a year during the dry season. In view of the level of refuse accumulation onsite in recent years and scarce visitors there, such arrangement is considered appropriate and cost-effective.</p>
h)	<p>(i) In view of the large area of the Brothers Marine Park (970ha) and long coastline (~3km) of the two islands with the park, the cleansing contractor could only be able to clean up a portion of the shoreline in a single working day, given its manpower specified in the cleansing contract (i.e. 3 cleaners). During the wet season, in particular, large amount of refuse is often washed ashore after heavy rains and typhoons. Under these circumstances, the cleaners may have difficulty in promptly removing all accumulated wastes on the two islands. Use of heavy machinery for refuse collection is not practicable on the islands due to lack of access roads and pier facilities.</p> <p>(ii) As explained in (i) above, the cleansing contractor was required to clean up a portion of the shoreline on a single working day, and their performance was assessed based on the cleanliness of the area concerned. The cleaners might have difficulty removing the accumulated wastes on the two islands in a promptly manner, due to the reason stated in (i) above. No deduction of fee would be made under these circumstances.</p> <p>(iii) AFCD has accepted the corresponding recommendations stated in paragraph 3.22(e) of the Report, and increased the cleansing frequency since November 2020, so as to improve the cleanliness of the Brothers Marine Park. We will monitor the situation and consider further increase the cleaning frequency if necessary.</p>

Yours sincerely,



(Jackie YIP)

for Director of Agriculture, Fisheries and Conservation

Encl.

c.c. Director of Environmental Protection (Attn: Mr. C. K. CHEN)

Details of the 18 cases of site inspection

Case	Date	Location	Results of investigation
Inspection records showed that patrol staff did not see contractor's staff on site			
1	6 May 2019	TPCMP	Inspection record indicated that AFCD had contacted the contractor and arranged service on 9 May 2019 as replacement. AFCD has spot-checked the service on the replacement day of cleansing.
2	18 Oct 2019	TPCMP	Inspection record indicated that AFCD had contacted the contractor and arranged service on 24 Oct 2019 as replacement.
3	20 Nov 2019	TPCMP	Inspection record indicated that AFCD had contacted the contractor and arranged service on 21 Nov 2019 as replacement. AFCD has spot-checked the service on the replacement day of cleansing.
4	26 Nov 2019	TPCMP	Inspection record indicated that AFCD had contacted the contractor and arranged service on 28 Nov 2019 as replacement.
5	12 Jan 2020	TPCMP	Inspection record indicated that AFCD had contacted the contractor and arranged service on 16 Jan 2020 as replacement. AFCD has spot-checked the service on the replacement day of cleansing.
6	10 Jul 2019	TPCMP	Inspection record indicated that AFCD had contacted the contractor and re-arranged service on 11 Jul 2019 as replacement. AFCD has spot-checked the service on the replacement day of cleansing. Contractor's attendance record indicated provision of service on both 10 and 11 Jul 2019. For these two days, contractor was only paid for a day's work and no payment had been made for the additional day. The reason for the inconsistency in the contractor's attendance record and the inspection record could not be ascertained based on existing records.
7	3 Apr 2019	TPCMP	AFCD record indicated that cleaners had claimed that the contractor's vessel had mechanical fault and needed to leave the site earlier in the afternoon. According to normal practice, the supervisor would consider the actual circumstances in deciding whether the early leave was reasonable. If affirmative, no replacement of service would be required.

8	23 Apr 2019	TPCMP	According to normal practice, the supervisor should have clarified with the contractor and considered no replacement needed, but we were unable to find records of such follow-up actions. Contractor's attendance record indicated service on 23 Apr 2019.
9	27 Aug 2019	TPCMP	Patrol record of patrol staff indicated seeing the cleaners' vessel on site in the morning. Contractor's attendance record indicated service on 27 Aug 2019.
10	10 Dec 2019	TPCMP	Inspection record indicated that the contractor left early as refuse collected was too heavy (and overloading of vessel might cause safety issue). According to normal practice, the supervisor would consider the actual circumstances in deciding whether the early leave was reasonable. If affirmative, no replacement of service would be required.
11	21 Sep 2019	YCTMP	Inspection record indicated that the contractor provided service in HHWMP instead as the weather turned unstable on that day. Inspection record for HHWMP also indicated the contractor had provided service there on that day.
12	21 Feb 2020	YCTMP	Inspection record indicated the contractor had left earlier than normal. According to normal practice, the supervisor should have clarified with the contractor and considered no replacement needed, but we were unable to find records of such follow-up actions. Contractor's attendance record indicated service on 21 Feb 2020.
13	13 Mar 2020	YCTMP	Inspection record indicated that the contractor provided service in HHWMP instead as the weather turned unstable on that day. Inspection record for HHWMP also indicated the contractor had provided service there on that day.
14	29 Jun 2019	TPCMP	Inspection record indicated staff tried contacting contractor by phone but in vain. According to normal practice, the supervisor should have clarified with the contractor and considered no replacement needed, but we were unable to find records of such follow-up actions. Contractor's attendance record indicated service on 29 Jun 2019.
15	29 Jun 2019	HHWMP	Similar to Case 14 above.
16	29 Jun 2019	YCTMP	Similar to Case 14 above.
Inspection records showed that contractors left earlier than normal to refuse collection point			

17	2 Dec 2019	TPCMP	Inspection record indicated that AFCD had contacted the contractor who explained that the weather became unstable and they needed to leave about 1-2 hours earlier. Tung Ping Chau was located far away from land, and normally requires a travel time of 1.5 hours for transfer of refuse to the refuse collection point at Wong Shek Pier in Sai Kung. Longer travel time would be needed in poor weather conditions. According to normal practice, the supervisor would consider the actual circumstances in deciding whether the early leave was reasonable. If affirmative, no replacement of service would be required.
18	6 Dec 2019	TPCMP	Similar to Case 17 above.

**Chronology of events in respect of the handling of the “huge red pipe structures” incident**

Date	Events
Dec 2019	AFCD found two huge red pipe structures washed ashore in Lung Kwu Chau.
Dec 2019 - Jan 2020	As occurrence of such unknown huge pipe structures in Lung Kwu Chau was unprecedented, AFCD tried to identify the owner of these structures by verbally asking nearby marine users and the departments conducting works nearby, but in vain.
Feb – May 2020	AFCD started to engage cleansing service companies for arranging removal of the red pipe structures. But the removal of the structures was affected by the COVID-19 outbreak and not considered urgent or essential at that time. Meanwhile, AFCD was required to handle tasks of higher priorities, e.g. arrangement of supplies and services for combating COVID-19, and arrangement of field inspection had been affected by the work-from-home arrangement. On the other hand, the cleansing service companies contacted were unable to arrange staff and vessel for inspecting the site and suggesting appropriate cleansing methods.
Jun 2020	A few potential cleansing service companies were eventually able to arrange site inspection with AFCD. However, it was found that the large structures could only be removed and disposed of by deploying heavy machine with specific technical requirements that could not be provided by normal cleansing contractors.
Jul 2020	<p>This matter was discussed at the Task Force on Marine Refuse Meeting on 9 Jul 2020;</p> <p>As AFCD did not have the experience nor expertise to handle such abandoned structures washed ashore, EPD sought the assistance from MD in providing technical assistance in removing the structures;</p> <p>On 13/7/2020, MD agreed to provide assistance to AFCD in removing and disposing of the structures by their salvage contractor. The removal operation was completed on 29 Jul 2020.</p>

## 漁農自然護理署

九龍長沙灣道三〇三號  
長沙灣政府合署五樓



覆函請寄交  
「漁農自然護理署署長」  
Please address all replies to  
Director of Agriculture, Fisheries and Conservation

AGRICULTURE, FISHERIES AND  
CONSERVATION DEPARTMENT

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9 April 2021

(urgent by email: wyjan@legco.gov.hk, kmho@legco.gov.hk, pkwlai@legco.gov.hk)

Ms. Wendy JAN  
Clerk, Public Accounts Committee  
Legislative Council Complex  
1 Legislative Council Road, Central  
Hong Kong

Dear Ms. Jan,

**Public Accounts Committee**  
**Consideration of Chapter 2 of the Director of Audit's Report No. 75**  
**Government's efforts in tackling shoreline refuse**

I refer to your letter of 30 March 2021 under reference. Please find the requested information set out in the following table:

Part 3: Clean-up actions by Agriculture, Fisheries and Conservation Department (AFCD)

Item	Content
(a)	<p>(i) The case quoted at the hearing was an example of deduction of monthly payment payable to a cleansing contractor resulting from no service on scheduled cleansing day and failure to provide prompt replacement, according to contract provisions. Such cases are very rare. Please see <b>Appendix</b> for detail of the case, the formula for calculation of the deducted amount and the amount deducted.</p> <p>(ii) The contracts require contractors to keep daily attendance records of the cleaners. To enhance deterrent effect against possible provision of false attendance record by the contractor, AFCD is considering adding a condition that specifies that willful provision of false attendance record may result in a breach of a term of the contract.</p>

Item	Content
(b)	Regarding the arrangement of regular spot-checks on the quantity of refuse reported by the contractors, AFCD would arrange staff to conduct test counting on the number of bags collected (before the cleaners leave the marine park/reserve or at the refuse disposal point, depending on the weather and site conditions) on regular basis (at least twice per year for each contract). They would count the number of bags of refuse collected by the cleaners and measure the weight of individual bags of refuse with spring scale, and then use such test counting figures to verify the quantity of marine refuse reported by the contractors.

Yours sincerely,





(Jackie YIP)

for Director of Agriculture, Fisheries and Conservation

Encl.

c.c. Director of Environmental Protection (Attn: Mr. C. K. CHEN)

## Details of the case quoted at the public hearing

Date	Location	Records of inspection and follow-up actions	Deduction amount and calculation formula	Relevant photos
12-14 February 2021	Hoi Ha Wan Marine Park, main beach	<p>Inspection records indicated that the cleaner was not seen during AFCD's inspections on 13 and 14 February 2021. AFCD staff also found many bags of refuse left around the rubbish bin on the main beach on 14 February.</p> <p>AFCD staff followed up with the management of the contractor and confirmed a shortage of cleansing services for 3 days (12-14 February 2021), due to misunderstanding between the contractor management and the cleaner. No replacing cleansing service could be arranged within February 2021.</p>	<p>The amount deducted was calculated based on the following formula as specified in the contract:</p> $\frac{\text{Monthly Payment}}{\text{Total working Man-hour of the month}} \times \text{Duration of absence (in hours) of Cleaners} \times \text{No. of absent Cleaners}$ <p>Amount deducted = HK\$ 2,249</p>	 <p>Many bags of refuse were seen left around the rubbish bin during AFCD's inspection on 14 February 2021</p>  <p>Refuse cleared as recorded during AFCD's inspection on 15 February 2021. No further abnormalities on the service was found</p>



政府帳目委員會  
審計署署長第七十五號報告書第二章  
政府應對沿岸垃圾的工作

漁農自然護理署跟進工作



## 就海岸公園及海岸保護區清潔工作的監察

漁護署已就清潔服務合約的管理及監察工作制定新指引及「清潔工作監察表格」，並向相關人員提供合適指導及培訓

### 審計報告3.8(a)-(c)段的建議

(a) 改善清潔服務視察報告的要求	制定新的監察清潔服務指引及表格
(b) 有效地跟進疑有承辦商員工缺勤的個案，並訂明漁護署人員進行視察的最少次數	新指引列明進行視察的次數要求，漁護署人員需於表格清楚記錄個別情況及有關跟進行動
(c) 考慮是否宜要求漁護署人員核實由承辦商呈報的海上垃圾量(例如抽點垃圾)	新指引要求漁護署人員以抽點垃圾形式核實承辦商呈報的垃圾量

## 就海岸公園及海岸保護區清潔工作的監察

### 審計報告3.8(d)段的建議

採取措施加強監察承辦商的工作：	
(i) 就評估承辦商的服務質素發出指引	新指引包括對承辦商服務質素及潔淨程度的評估
(ii) 要求承辦商提供額外證據(例如進行清潔服務前後的數碼影像和影片)，證明其員工已履行服務	新指引列明在更新清潔合約時需要求承辦商提供額外證據，有關要求已加入新清潔合約中
(iii) 在日後的合約要求承辦商就每次清潔工作呈報員工的到場和離開時間	新指引列明在更新清潔合約時需要求就每次清潔工作呈報員工的到場和離開時間，有關要求已加入新清潔合約中

### 審計報告3.22(a)段的建議

#### 就處理大型漂浮物件的清潔工作

就大型漂浮物件被大浪沖至海岸公園沙灘的罕見情況，已透過跨部門工作小組與海事處磋商並訂立指引，以處理日後同類事件。有關喉管結構物已於2020年7月清理。



### 審計報告3.22(b)-(c)段的建議

#### 就沙洲及龍鼓洲沙灘後方範圍的清潔工作

漁護署已獲增撥資源，協助進行多次深度清潔工作。我們會繼續加強監察承辦商的工作，並於訂立新清潔合約時加入審計署建議的合約要求。



(報告書3.16照片六c)沙洲東面  
清理行動前



清理行動後

### 審計報告3.22(b)-(c)段的建議

#### 就沙洲及龍鼓洲沙灘後方範圍的清潔工作



(報告書3.16照片七c)沙洲北面  
清理行動前



(報告書3.16照片八b)龍鼓洲東南面  
清理行動前



清理行動後



清理行動後

### 審計報告3.22(d)段的建議

#### 龍鼓洲沙灘後方範圍一條行人路旁

行人路旁長期堆積的垃圾，由於夾在斜坡及昇高了的行人路旁及底部，難以由一般清潔承辦商處理，現由環保署提供技術支援及漁護署特別安排一次性的清理行動，已大致完成。



(報告書3.18照片九b)  
清理行動前



清理行動後



### 審計報告3.22(e)段的建議

#### 大小磨刀海岸公園沿岸

從2020年12月起增加清潔次數，清潔情況有所改善



(報告書3.20照片十b) 清理行動前



(報告書3.20照片十一b) 清理行動前



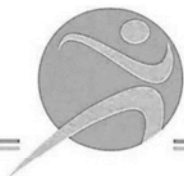
清理行動後



清理行動後

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





康樂及文化事務署  
Leisure and Cultural Services Department

電話 TEL: 2601 8966  
圖文傳真 FAX NO: 2602 1480  
本署檔號 OUR REF: (9) in LCSD/4-35/46 C (Pt. 2)  
來函檔號 YOUR REF:

1 March 2021

Ms Wendy JAN  
Clerk  
Public Accounts Committee  
Legislative Council  
1 Legislative Council Road, Central  
Hong Kong

Dear Ms JAN,

**Public Accounts Committee**  
**Consideration of Chapter 2 of the Director of Audit's Report No. 75**  
**Government's efforts in tackling shoreline refuse**

I refer to your letter dated 19 February 2021 concerning the above subject. Our responses are set out below -

Matters concerning the provision of additional cleansing workers

2. The Leisure and Cultural Services Department (LCSD) may, as special circumstances may require, ask cleansing services contractors to deploy additional manpower for instant clearance or cleansing operation on the day-to-day management of the leisure venues. Details of the arrangement have been set out in the Contract Management Manual of LCSD, which stipulates the matters requiring attention from venue management staff when requiring contractor to provide additional services under the contract, including the justifications for such requirements and record of certification by supervisor. LCSD has reminded the management staff of beaches to manage requests of providing additional cleansing workers by contractor in accordance with the established contract management mechanism.

3. LCSD provides in-house guideline for staff to deal with large amount of sea-borne refuse at gazetted beaches in the Guidelines on Management of Public Beaches, which spells out that additional manpower should be deployed for clearance if unusually plenty of shoreline refuse are identified at any gazetted beach. A relevant information note on the guidelines is set out in Annex I. Besides, for special or emergency occasions, such as holiday celebrations including Dragon Boat Festival and Mid-Autumn Festival or a sudden surge of refuse after typhoons or rainstorms, management staff of beaches will employ additional cleansing workers to assist in the clearance work on a need basis. The management staff of beaches will assess

the additional manpower required in light of the refuse found at the scene and taking into account the past operating experience.

4. The aim of deploying additional cleansing workers to carry out cleansing operations at venue is mainly to clear or clean up a large amount of refuse or dirty environment owing to special circumstances within a short time, and restore the venue to a clean condition as soon as possible with a view to reducing the inconvenience caused to users and complaints that may arise out of the situation. LCSD will take into account the state of cleanliness of beaches and complaint figures for assessing the effectiveness of cleansing services.

#### Provision of water dispensers

5. Provision of water dispensers at gazetted beaches, parks, harbourfront promenades and other leisure venues of LCSD is meant to provide better facilities to enable members of the public to drink water after exercising rather than being solely adopted as a measure to promote environmental protection and reduce waste from entering the marine environment. Hence, there is practical necessity for such provision. LCSD will render full support to the Environmental Protection Department in its effort to assess the effectiveness of such provision.

6. In addition to ordinary refuse collection bins, waste separation bins are also provided at the gazetted beaches of LCSD for, inter alia, collecting waste plastics. Please refer to Annex II for the quantities of various types of waste plastics collected from waste separation bins at the gazetted beaches in the past 3 years. LCSD does not maintain a further breakdown (e.g. plastic bottle) of the quantities of waste plastics collected.

7. For further information, please feel free to contact me at 2601 8966.

Yours sincerely,



(Mr Horman CHAN)  
for Director of Leisure and Cultural Services

# 公眾泳灘管理指引

康樂及文化事務署  
康樂事務部-第一分科  
水上活動場地小組

2019 年 8 月版



## 丙部

### (11) 大量海面垃圾(請同時參閱-「應對境內發現大量海漂垃圾的指引」)

在泳灘開放給公眾人士期間，在任何憲報公布泳灘發現有不尋常大量（即比平日多五倍或以上）的海面垃圾時：

- 泳灘主管通知分區康樂事務經理，分區經理隨即通知水上活動場地組，由水上活動場地組通報環境保護署水質政策科。若有需要環保署會根據海上垃圾通報機制，向各相關部門提供資訊及統籌清理海上垃圾。
- 泳灘康樂助理員透過手提揚聲器及擴音系統作出「發現大量海面垃圾」的廣播(甲部(10)第54項)
- 泳灘康樂助理員在告示板展示公告(甲部(9)第94項)
- 加派人手清理海面垃圾
- 通知環境保護署職員採取海水樣本作分析

環境保護主任(水質政策及科學)11[電話: 2594 6168 / 9433 8974。]

- 當垃圾被清理後，移除發現海面垃圾告示(甲部(9)第94項)
- 如發現在鄰近其他部門的權責範圍內有海上或沿岸垃圾積聚時，應盡快通知有關部門跟進清理，避免/減少垃圾沖至泳灘範圍。
- 有關告示摘錄如下：

<p style="text-align: center;"><b><u>發現大量海面垃圾(清理前)公告</u></b> <b><u>(甲部(9)第94項)</u></b></p> <p style="text-align: center;"><b><u>公告</u></b></p> <p>_____泳灘現時發現的海上垃圾較平日為多，現正加強清理。</p> <p style="text-align: right;">康樂及文化事務署</p> <p style="text-align: center;"><b><u>Notice</u></b></p> <p>Sudden surge of refuse is found drifting off the _____ Beach. Cleansing works have been stepped up.</p> <p style="text-align: right;">Leisure and Cultural Services Department</p>
--

(2014 年 4 月修訂)

(2018 年 4 月修訂)

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

**Quantities of waste plastics collected from  
gazetted beaches of the Leisure and Cultural Services Department (LCSD)  
from 2018 to 2020**

<b>Quantities of waste plastics collected (kg)</b>		
<b>2018</b>	<b>2019</b>	<b>2020</b>
6 118	7 077	4 626

Remarks : The table contains the total weight of various types of waste plastics collected each year. LCSD does not maintain data on the actual quantities of plastic bottle collected.



電話 TEL: 2601 8966  
圖文傳真 FAX NO: 2602 1480  
本署檔號 OUR REF: (15) in LCSD/4-35/46 C (Pt. 2)  
來函檔號 YOUR REF:

9 April 2021

Ms Wendy JAN  
Clerk  
Public Accounts Committee  
Legislative Council  
1 Legislative Council Road, Central  
Hong Kong

Dear Ms JAN,

**Public Accounts Committee  
Consideration of Chapter 2 of  
the Director of Audit's Report No. 75  
Government's efforts in tackling shoreline refuse**

I refer to your letter dated 30 March 2021 concerning the above subject.  
Our response is set out below -

Additional clean-up operations at gazetted beaches

2. When the Leisure and Cultural Services Department (LCSD) deploys additional cleansing workers to its gazetted beaches to meet the needs of the venues, it will make the request to the cleansing service contractors for additional cleansing workers in accordance with the terms specified in the cleansing service contracts. Generally speaking, the unit and amount for additional cleansing workers are calculated by means of the number of cleansing workers providing additional services and their shifts. There are various shifts, say every one hour, two hours, four hours, eight hours per shift or on man-month terms. Currently, the amount payable for the above-mentioned shifts are already specified in the three contracts related with the provision of cleansing services at gazetted beaches. The amount payable by LCSD for a particular month will be calculated by taking into account the request for additional service made to the contractor and the additional services actually provided in the month according to the payment amount specified in the contract.

3. LCSD may, as special circumstances may require, ask contractors to deploy additional cleansing workers for instant clearance or cleansing operation on the day-to-day management of the leisure venues. Details of the arrangement have been set out in the Contract Management Manual of LCSD, which stipulates the matters requiring attention from venue management staff when requiring contractor to provide additional services under the contract, including the justifications for such requirements and record of certification by supervisor. LCSD has reminded the management staff of beaches to manage requests of providing additional cleansing services by contractor in accordance with the established contract management mechanism.

#### Additional clean-up operations at Rocky Bay Beach

4. Rocky Bay Beach is one of the gazetted beaches of LCSD in the Southern District, which is unsuitable for swimming given its geographical condition. Hence, members of the public are not encouraged to swim at the beach, where ancillary facilities such as toilets and changing rooms, etc. are not provided. However, as Rocky Bay Beach is situated in Shek O picnic area and adjacent to Shek O Beach, quite a number of members of the public go to the beach for a tour or sun-bathing.

5. In view of the increase in the number of visitors to Rocky Bay Beach and Shek O Beach during summer and weekends, additional cleansing workers are deployed to work on the two beaches every alternate Friday to ensure a hygienic environment. Besides, as the two beaches are adjacent to each other while Rocky Bay Beach is not provided with a beach building, the venue-based cleansing workers (including the additional cleansing workers) of Rocky Bay Beach will continue providing service at Shek O Beach after finishing their daily work so as to assist in coping with the heavy cleaning workload at Shek O Beach for the sake of management convenience and effective use of manpower. Hence, the additional cleansing workers are required to provide services for both Rocky Bay Beach and Shek O Beach.

#### Provision of water dispensers at gazetted beaches

6. Based on past experience, it normally takes about two years to install water dispensers at LCSD's outdoor land-based venues served with a full range of infrastructure, such as parks, etc. As the ancillary facilities of beaches are generally not comparable with those of land-based venues, installation works at beaches are more time consuming, usually taking about three years. As Tong Fuk Beach is relatively remote and lacks ancillary infrastructure, the works departments need more time to carry out the preparatory work for the installation of water dispensers, including assessment of implications to existing plumbing, drainage and electrical systems, estimation of adequacy of existing water pressure, exploration of design alternatives to cope with site constraints and the seeking of

approval from the Water Services Department (WSD) for the design proposal, etc. as mentioned in the Audit Report.

7. The installation of water dispensers at Tong Fuk Beach took more than four years because LCSD proposed to the Architectural Services Department (ArchSD) to increase the number of water dispensers from one to two during the course of the preparatory work, with the aim of facilitating the use of the water dispensers by different people, including adults, children and people with disabilities. As a result, ArchSD had to revise the proposal and submit revised drawings to WSD. The works were only carried out after permission was obtained from WSD and the commencement permission application submitted, leading to the delay of about one year in the completion of the works. Learning from the experience, LCSD would avoid requesting for change of details of works after commencement of the project except when necessary. LCSD will strengthen liaison with the Electrical and Mechanical Services Department (EMSD) and ArchSD, with a view to shortening the time required as far as practicable.

8. The total expenditure for the installation of water dispensers at Tong Fuk Beach was \$240,000, including the works cost paid to ArchSD and EMSD. Water dispenser facilities were provided by LCSD at nine gazetted beaches over the past three years, involving a total of 19 water dispensers. The expenditure for each water dispenser ranged from \$50,000 to \$120,000 and installation took 23 to 56 months.

9. Provision of water dispensers at gazetted beaches, water sports centres and other leisure venues of LCSD is meant to provide better facilities to enable members of the public to drink water after exercising rather than being solely adopted as a measure to promote environmental protection and reduce waste from entering the marine environment. From our daily observations, quite a number of members of the public drink water from the water dispensers after swimming or exercising. Hence, there is practical necessity for such provision. LCSD will render full support to the measures put forward by the Environmental Protection Department in assessing the effectiveness of reducing shoreline refuse and explore with relevant departments the feasibility of cutting the lead time and costs for the works.


10. LCSD will enhance liaison with ArchSD and EMSD so as to speed up installation of water dispensers as far as practicable and explore the feasibility of applying innovative technology in future. Besides, to strengthen monitoring of the progress of installation of water dispensers, progress of any new installation of water dispensers at LCSD's venues has to be reported periodically to district management for the purposes of monitoring and escalating the issue to management staff and relevant works departments for discussion when necessary.

11. Most of LCSD's beaches are already provided with water dispensers or are under planning for provision of water dispensers. As at 31 March 2021, 29

beaches of LCSD are provided with water dispensers. Among the 12 beaches not yet provided with water dispensers, the installation works at two beaches, i.e. Ting Kau Beach and Hoi Mei Wan Beach will be completed within this year; the installation at the other six beaches, including Gemini Beaches, Kwun Yam Beach, Cheung Chau Tung Wan Beach, Silver Mine Bay Beach, Anglers' Beach and Trio Beach are expected to be completed in 2022 and 2023. Three out of the four remaining beaches, i.e. Casam Beach, Kiu Tsui Beach and Hap Mun Bay Beach cannot be provided with water dispensers due to the lack of infrastructure, such as water supply or sewage disposal system. Regarding Rocky Bay Beach which is not provided with a beach building, associated ancillary facilities and lifesaving service, LCSD will assess whether there is a need to provide water dispenser facilities there as soon as possible.

12. For further information, please feel free to contact me at 2601 8966.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Horman Chan', with a stylized, sweeping flourish extending from the end.

(Mr Horman CHAN)  
for Director of Leisure and Cultural Services

Your Ref. : CB4/PAC/R75  
Our Ref. : (3) in FEHD Cl&PC/32-60/10/7

22 December 2020

Ms Wendy JAN,  
Clerk to Public Accounts Committee,  
Legislative Council Complex,  
1 Legislative Council Road,  
Central, Hong Kong

Dear Ms JAN,

**Public Accounts Committee**

**Consideration of Chapter 2 of the Director of Audit's Report No. 75**

**Government's efforts in tackling shoreline refuse**

I refer to your letters of 9 December 2020 attaching an appendix and 11 December 2020 and provide you with the consolidated reply in the ensuing paragraphs.

**Reply to letter on 9 December 2020**

Item (VI)(k) of Appendix

2. The Environmental Hygiene Branch of FEHD monitors the clean-up operations of shoreline refuse and also outsourced public cleansing services (e.g. street cleansing services, waste collection services) carried out by the contractors through the District Cleansing Section (DCS) in 19 District Environmental Hygiene Offices.

3. Each DCS is supported by a number of officers, namely Senior Health Inspectors (SHI), Health Inspectors (HI), Overseers (OS) and Senior Foremen (SF). They are required to perform a wide range of duties, including monitoring clean-up operations of shoreline refuse. The establishment and strength of each rank of DCS staff for contract monitoring as a whole are tabulated below, while breakdown specifically for monitoring clean-up operations of shoreline refuse is not available.

Rank	Establishment	Strength
SHI <sup>1,2</sup>	19	19
HI <sup>1</sup>	57	57
OS <sup>1</sup>	24	24
SF <sup>1</sup>	349	335

*Notes:*

1. *Apart from monitoring clean-up operations of shoreline refuse, these officers are also responsible for the following duties:*
  - i) *to handle and investigate public complaints on cleansing services;*
  - ii) *to take enforcement actions against public cleanliness offences (e.g. littering, spitting, unauthorized display of bills or posters, fouling of street by dog faeces, obstruction of scavenging operations, littering from vehicles, etc.);*
  - iii) *to manage cleansing facilities, e.g. refuse collection points, public toilets, public bathhouses, roll call points, and to report and liaise with relevant departments to follow up repair works and handle matters related to respective maintenance; and*
  - iv) *to directly supervise in-house staff (applicable to the rank of SHI and HI).*
2. *4 SHIs (with 1 SHI for each of the 4 districts) are also required to supervise and monitor the in-house cleansing and pest control services of the districts as well.*

Item (VI)(l) of Appendix

4. The guidelines for monitoring the performance of public cleansing contractors, which are applicable to shoreline clean-up operations are provided in **Annexes I and II**.



Item (VI)(m) of Appendix

5. A copy of the “Report Form on Monitoring of Marine Refuse Washed Ashore” is provided in **Annex III**.

Item (VI)(n) of Appendix

6. The guidelines and daily monitoring procedure to closely monitor whether the contractor has achieved the service contract requirements are provided in **Annexes IV** (dated 17.2.2020 when the trial scheme started), **V** (subsequent updated on 27.5.2020) **and VI** (dated 4.11.2020 to enhance monitoring).

**Reply to letter on 11 December 2020**

7. The guidelines for disposal of shoreline refuse collected by outsourced contractors are stipulated in the cleansing contract. A copy of the extract of the contract clauses is attached at **Annex VII**.

Yours sincerely,



(TSE Yu-cheung)

for Director of Food and Environmental Hygiene

Encl.

c.c.

Secretary for the Environment (email: sen@enb.gov.hk)

Director of Marine (email: agneswong@mardep.gov.hk)

Director of Agriculture, Fisheries and Conservation  
(email: dafcoffice@afcd.gov.hk)

Director of Environmental Protection (email: dep@epd.gov.hk)

Director of Leisure and Cultural Services (email: dlcsoffice@lcsd.gov.hk)

Secretary for Financial Services and the Treasury (email: sfst@fstb.gov.hk)

Director of Audit (email: john\_nc\_chu@aud.gov.hk)

***Extract of Item 6 of the Operational Manual for Management of  
Public Cleansing Contracts***

**PART III                      MONITORING MECHANISM**

**6.                      Mode of operation**

6.1                      Different from the mode of management of in-house staff on the provision of services, management of service contracts engaged by FEHD aims at assessing the **overall performance** of the contractors through **random checking** by the contract management staff. S/F(CM) is **not** required to supervise individual workmen of the contractors directly. They should focus on (i) carrying out field inspections on contractors' services to check the supervising ability and overall performance of the contractors; (ii) conducting random checking on the record of services submitted by the contractors; and (iii) maintaining effective communication with contractors' supervisors.

6.2                      The principles of risk management should be integrated into the checking of contract compliance. HI(CM) should identify and prioritise those sectors with problem areas, tourist spots or consistent poor contractual performance which have a high risk or high impact of non-compliance of contract requirement, and pay special attention to such areas/services during routine supervisory checks.

6.3                      In carrying out daily inspection work, priority of inspection should be given to major facilities such as major/permanent RCP, flushing toilets, aqua privies in populated areas, roll call points, and blackspots with obstruction items frequently found, etc. To ensure the effectiveness of daily inspection work, SF(CM) should inspect the public cleansing services and facilities in accordance with the frequency as set out at **Annex VII**. Furthermore, to reduce the predictability of SF(CM)'s inspections (such as their patterns, times and locations of visits) to the cleansing services provided by contractor, the element of "surprise" should be incorporated in SF(CM)'s routine daily inspection to the contractors' performance as far as practicable. This may be achieved by conducting inspections to same service locations at different and odd hours (e.g. within one hour after the start of or before the end of contractor's working hours); rotating the inspection routes (e.g. from clockwise direction to anti-clockwise direction); conducting inspection from the farthest point to the nearest point, or vice versa, of an inspection route, etc.

6.4 With a view to increasing productivity of S/F(CM), the following guidelines should be observed –

- (i) In checking the performance of the contractors, S/F(CM) should record timely all inspection findings including the address and inspection time of those key locations (such as major facilities, major streets/villages, roll call points, blackspots with cleansing problem and locations with scheduled cleansing operations) inspected, into the PDAs as far as possible **on the spot** and up-load the information **to CMS within 24 hours from the time of last inspection for vetting by HI(CM) or above**. HI(CM) should conduct check on the submissions by S/F(CM) at least twice weekly. Since the data are stored in the CMS and could be viewed through the computer system, S/F(CM) are not required to print out hard copies showing the information entered of the day. On the use of the official notebooks, although S/F(CM) are not required to write down the result of audit checks in the notebooks, they should properly record special incidents and important matters in their notebooks for record purpose.
- (ii) To facilitate investigating officer in writing reports on the handling of complaints, a standard format is designed for entering the complaint investigation report (**Annex VIIa**). Districts may modify the format to suit their need.
- (iii) To improve the complaint management system, all simple complaint cases should be closed if condition reported remains to be satisfactory in the second follow-up inspection.

6.5 To monitor the performance of S/F(CM), HI(CM) is required to check all inspection reports through the CMS submitted by S/F(CM) and their notebooks. SHI(CI/PC)) should ensure that all staff concerned are familiar with the system through regular briefing. The CMS can generate a “Daily Inspection Log Report” under “CMS Daily Inspections” menu to facilitate SHI or above to monitor if the daily inspection records have been checked by SHI(CI/PC) / HI(CM).

6.6 During the field inspections and/or in response to complaint, S/F(CM) should also conduct random check on the compliance of those non-performance related clauses of the contract by the contractors, e.g. provision of uniform, personal protective equipment, cleansing tools/equipment and drinking water to the workmen by the contractors and safe and proper use of equipment, materials and tools by the workmen of the contractors and report to HI(CM) if irregularities are observed or suspected.

**Extract of Annex VII**

**Inspection Guidelines for SF(CM) in  
Management of Public Cleansing Services Contracts**

<b>Area of Services / Facilities to be Inspected</b>	<b>Frequency / Coverage</b>
<ul style="list-style-type: none"><li>● Waste removal services in special sites as listed in the contract for the “Provision of Cleansing and Waste Removal Services for Special Sites/Areas, Ungazetted Beaches and Coastal Areas in the Territory”</li></ul>	Inspect <b>at least 50% of the scheduled work sites on the day the service is provided</b> <sup>Note 5</sup> and inspections are preferred to be carried out preferably immediately after the service.

Note 5: For work sites in remote area, SHI(CI&PC) can exercise discretion to determine the most suitable minimum inspection frequency. The decision of SHI(CI&PC) should be properly documented.

☐ Urgent 
 ☐ Return Receipt Requested 
 ☐ Sign 
 ☐ Encrypt 
 ☐ Mark Subject Restricted 
 ☐ Expand person



**Provision of Benchmark of the level of cleanliness on Shoreline and Handheld Scale for Performance of Waste Removal Services for Special Sites / Areas, Ungazetted Beaches and Coastal Areas in the Territory**

23/11/2020 09:32

From: Chi Hang WONG/FEHD/HKSARG  
 CHI(CI&PC)1  
 To: #All\_SHI(CI&PC)  
 Cc: #All\_DEHS (HK Districts), #All\_DEHS (KLN Districts), #All\_DEHS (NT Districts),  
 #ALL\_CHI(CI&PC)\_DEHO, #All\_HI(CM), #All\_HI(CISD), Ki Cheong  
 TSE/FEHD/HKSARG@FEHD, Wai Leung WONG/FEHD/HKSARG@FEHD, Man Fung

*To: All SHIs(CI&PC) (except MK, WTS & SSP Districts)*  
*c.c.: DEHSs, CHIs(1)/(3), HIs(CM), HIs(CISD), SS(CI&PC)1,*  
*Supt(CI&PC)1, RO(CI&PC), CHIs(Ops), CHI(CI&PC)3,*  
*SHI(CI&PC)HQ1, HI(CI&PC)HQ1*

Dear All,

To serve the audit inspection over the performance of the clean-up services delivered by the contractor for clearance of shoreline refuse at ungazetted beaches and coastal areas, inspecting officers are required to monitor the contractor's performance in accordance with the performance requirements laid down in the contract and with reference to the execution plan (submitted by the contractor) which sets out the performance level for fulfilling the service requirements.

2. Apart from the above, to facilitate the assessment of whether the cleanliness level achieved required for ungazetted beaches and coastal areas is satisfactory, we would introduce the standards on the acceptance of level of cleanliness illustrating with photos required for ungazetted beaches and coastal areas in monitoring the performance of the contractor. The benchmark of the level of cleanliness required for the contractor to attain and achieve is appended for adherence.



Level of Cleanliness.pdf

3. Furthermore, with a aim to provide more accurate assessment of the quantity of the shoreline refuse, we had approached the contractor who agreed to provide a handheld scale to weight the shoreline refuse collected. The initiatives of using the handheld weight will be put in place on 25.11.2020 starting from Tsuen Wan District and extend to other

districts to weight the amount of refuse collected during shoreline clean-up operation. The maximum loading capacity of the handheld scale is 22kg. The contractor is required to weight the plastic bag collected with refuse as usual mode of operation. A sample of the scale is attached for information.



Handheld Weight.jpg

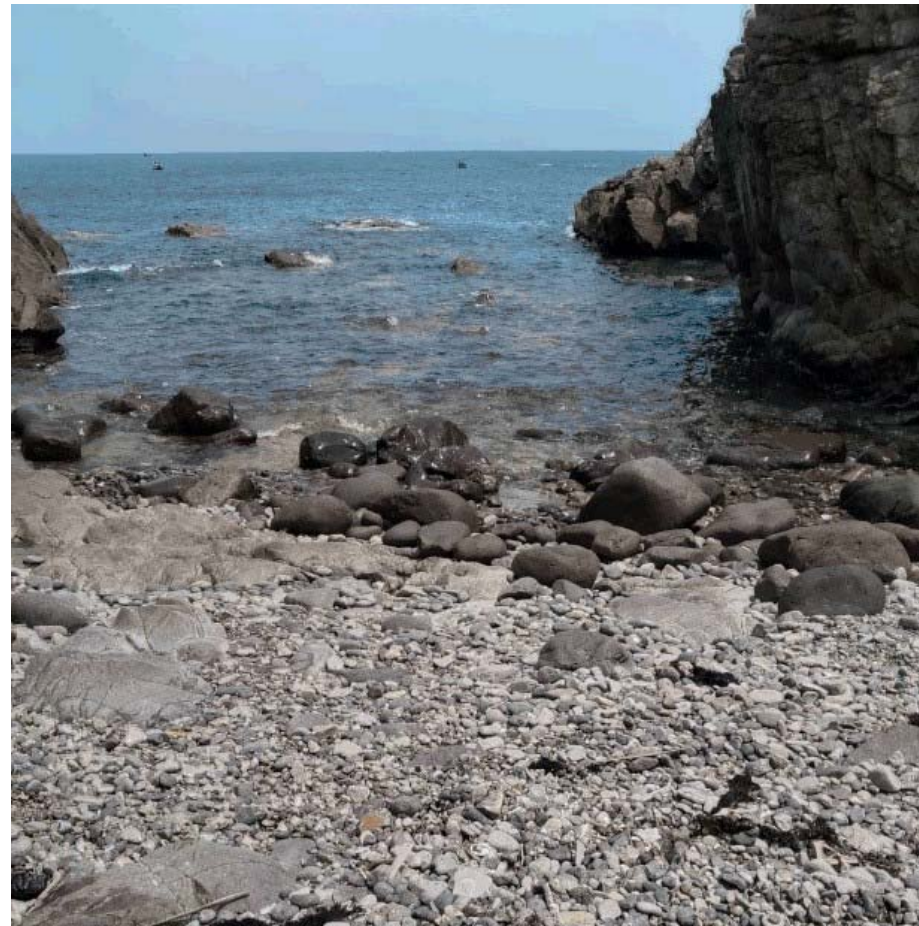
4. In this connection, please arrange to brief your cleansing staff and the contract manager on the above implementation and arrangement. Should you have any enquiries, please feel free to contact me or SHI(CI&PC)HQ1 at 2867 5483.

5. I also copy this email to MK, WTS & SSP Districts for information.

Regards,  
WONG Chi-hang  
CHI(CI&PC)1  
Tel: 2867 5290



Photographs Illustrating Level of Cleanliness





Report Form on Monitoring of Marine Refuse Washed Ashore

Annex III

District: \_\_\_\_\_  
Camera No. \_\_\_\_\_

Location: \_\_\_\_\_

Date of viewing site condition	Date and time photo recorded	Checking Officers	Irregularities Detected Y or N	Findings	Actions required	Last Cleansing Date	Remarks

Prepared by: \_\_\_\_\_  
SF(CM)[District]

Checked by: \_\_\_\_\_  
HI(CISD) / HI(CM)[District]

## I. Cleansing

### Cleansing Services

#### (h) General/ Miscellaneous

#### 23 Provision of 360 Degrees Camera System and Related Services at Coastal Sites (Contract Ref.: FEHD S C/73/19) 17.02.2020

From: Wai Leung WONG/FEHD/HKSARG  
Supt(CI&PC)1

To: So Hing HUI/FEHD/HKSARG@FEHD, Wing Sau LAI/FEHD/HKSARG@FEHD, Edwin KH LEE/FEHD/HKSARG@FEHD, Wing Chi LAI/FEHD/HKSARG@FEHD, Siu Kwong LAI/FEHD/HKSARG@FEHD, Kwok Lun NG/FEHD/HKSARG@FEHD

Cc: Wing Lok Tsang/FEHD/HKSARG@FEHD, Ping Lam FORK/FEHD/HKSARG@FEHD, Tak Fat WONG/FEHD/HKSARG@FEHD, Fai Wing HUI/FEHD/HKSARG@FEHD, Peter PY POON/FEHD/HKSARG@FEHD, Danny KF WAI/FEHD/HKSARG@FEHD, Wai Hung Mok/FEHD/HKSARG@FEHD, Shu Yan LEUNG/FEHD/HKSARG@FEHD, Ka Kit YAN/FEHD/HKSARG@FEHD, Siu Shan OR/FEHD/HKSARG@FEHD, King Wai LAW/FEHD/HKSARG@FEHD, Ronald CH LI/FEHD/HKSARG@FEHD, Liz LH LI/FEHD/HKSARG@FEHD, Kin Lok YU/FEHD/HKSARG@FEHD, Wan Ching CHAN/FEHD/HKSARG@FEHD, Wing Yu CHOW/FEHD/HKSARG@FEHD, Kin Wong YEUNG/FEHD/HKSARG@FEHD, Chi kin WONG/FEHD/HKSARG@FEHD, Shau Mong LAW/FEHD/HKSARG@FEHD, Siu Chung TAI/FEHD/HKSARG@FEHD, Chi Hang WONG/FEHD/HKSARG@FEHD, Ivan LY WONG/FEHD/HKSARG@FEHD, Wai Kin SIT/FEHD/HKSARG@FEHD, Kit Ping CHU/FEHD/HKSARG@FEHD, Charles CF NG/FEHD/HKSARG@FEHD, Ming Chun WONG/FEHD/HKSARG@FEHD, Tin Pong WONG/FEHD/HKSARG@FEHD, Hiu Fai CHU/FEHD/HKSARG@FEHD, Wing Yin 1 CHU/FEHD/HKSARG@FEHD

Date: 17/2/2020 16:59

Subject: Provision of 360 Degrees Camera System and Related Services at Coastal Sites (Contract Ref.: FEHD S C/73/19)

*To: DEHSs of S, Is, TM, ST, TP, SK Districts  
c.c. AD(Ops)1&3, SS(Ops)1&3, SS(CI&PC), CHIs(1)/(3) and  
SHIs(CI&PC) of the above districts, CHI(CI&PC)1&3,  
SHIs(CI&PC)HQ1,2&3, HI(CI&PC)HQ1,4&5, EO(CI&PC)HQ*

Dear All,

The one-year contract for the Provision of 360 Degrees Camera System and Related Services at Coastal Sites has been awarded to OT Systems Limited with effect from 1 March 2020. The contract document is attached beneath for your reference.



Tender Document FEHQ 1021\_19.zip

2. To facilitate the monitoring work of the target spots of coastal sites, we will put on the use of 360 degrees cameras at the list of 15 selected priority sites in your district, that previously consulted with the District Council and/or EH subcommittee, which are more prone to accumulate marine refuse for monitoring the patterns of marine refuse washed ashore and the performance of cleansing contractor after clean-up operations. The list of priority sites is provided below for reference.

<b>District</b>	<b>Priority Site</b>
Southern	Lap Sap Wan, Shek O
Islands	Shek Pai Wan, Lamma
Islands	Sam Pak Wan, Lantau
Islands	Shap Long, Lantau
Islands	Shui Hau, Lantau
Islands	Tai Long Wan, Shek Pik, Lantau
Islands	Fan Lau, Lantau
Tuen Mun	Lung Kwu Tan and Lung Kwu Sheung Tan, Tuen Mun
Tai Po	Ting Kok, Tai Po
Tai Po	Sha Lan, Tai Po
Tai Po	Yim Tin Tsai and Ma Shi Chau Tombolo, Tai Po
Tai Po	Tap Mun (East)
Tai Po	Tap Mun (West)
Shatin	Starfish Bay, Ma On Shan
Sai Kung	Tung Lung Island

### **Scope of Contractual Services and the Logistic Arrangement**

3. Please remind your district colleagues on the importance of follow-up action required. The services under the present contract will include rental, replacement and maintenance of 360 degrees cameras at 15 service locations. Images of 360 degree landscape will be captured by 360 degrees cameras once every 30 minutes from 06:00 to 18:00 and uploaded to a central server automatically via 4G data transmission for subsequent review. The captured images showing individuals' face will be blurred before transmitted to the central server and can be fully accessible through the computer in one month interval from the date of recording. All saved images will be deleted after 1 month from the date of capture. There is no real-time monitoring for the cameras. The captured images of interest is allowed for downloading from the server in one month from the date of

recording. The contractor will be required under contract terms to maintain a proper maintenance record for date, start time, end time, technical information and details of maintenance.

### **Site Inspection and 360 Degrees Camera System Installation**

4. The contractor has contacted your SHI(CI&PC) to conduct site inspection and discuss installation location and methods. The contractor shall provide sufficient signages for affixing in the conspicuous place in installation locations to notify the public on monitoring in progress. Your office should seek consent from relevant authorities, owners or occupiers for affixing and display of sign and banners. The contractor will assist to install the warning signs if necessary.

### **Monitoring of Coastal Areas on the Commencement of Contract**

5. Districts should monitor the condition of the coastal areas through the website provided by the Contractor for planning, arrangement of clean-up operations and facilitating the scheduling of clean-up programme. In order to facilitate district colleagues reporting the findings of viewing the captured pictures, a report form is prepared as below for your deployment.



Report Form on Marine Refuse Monitoring.xlsx

6. SF(CM) concerned should arrange daily checking of latest site condition through the website and record the finding in report form. The form should be submitted weekly to HI(CISD)/HI(CM) who should also verify the site condition by checking the website. The report form should be submitted in file to SHI(CI&PC) for checking in monthly interval. Prompt mobilization of cleansing team to carry out cleanup action should be arranged if the situation is unsatisfactory. The website and login information will be provided in the a separate email in due course.

7. Please brief and bring the attention to all your staff responsible for implementation of this scheme in particular those who will handle or access images captured by 360 degrees cameras system.

8. A copy of this email will be uploaded to the EHB Bulletin Board.

9. For any enquiries, please feel free to call me or CHI(Cl&PC)1 at 2867 5290.

Regards,

WL WONG  
Supt(Cl&PC)1  
Tel : 2867 5626  
Ends.

Report Form on Monitoring of Marine Refuse Washed Ashore

Appendix of Annex IV

District: \_\_\_\_\_  
Camera No. \_\_\_\_\_

Location: \_\_\_\_\_

Date of viewing site condition	Date and time photo recorded	Checking Officers	Irregularities Detected Y or N	Findings	Actions required	Last Cleansing Date	Remarks

Prepared by: \_\_\_\_\_  
SF(CM)[District]

Checked by: \_\_\_\_\_  
HI(CISD) / HI(CM)[District]



{In Archive} Monitoring of 360 Degrees Camera System and Related Services at Coastal Sites Contract Services (Contract Ref.: FEHD S C/73/19)

27/5/2020 10:17

From: Wai Kin SIT/FEHD/HKSARG  
SHI(Cl&PC)HQ1

To: Liz LH LI/FEHD/HKSARG@FEHD, King Wai LAW/FEHD/HKSARG@FEHD, Siu Chung TAI/FEHD/HKSARG@FEHD, Wing Yu CHOW/FEHD/HKSARG@FEHD, Kin Wong YEUNG/FEHD/HKSARG@FEHD, Chi kin WONG/FEHD/HKSARG@FEHD, Shau Mong

Cc: Ki Cheong TSE/FEHD/HKSARG@FEHD, Wai Leung WONG/FEHD/HKSARG@FEHD, So Hing HUI/FEHD/HKSARG@FEHD, Wing Sau LAI/FEHD/HKSARG@FEHD, Edwin KH LEE/FEHD/HKSARG@FEHD, Wing Chi LAI/FEHD/HKSARG@FEHD, Chun Sum

Archive: This message is being viewed in an archive.

*To: SHI(Cl&PC) of S, Is, TM, ST, TP, SK Districts  
c.c. SS(Cl&PC)1, Supt(Cl&PC)1, DEHSs and CHIs(1)/(3) of the  
concerned districts, CHI(Cl&PC)1, HIs(Cl&PC)HQ1 &5,  
ACO(Cl&PC)HQ1*




Dear All,

Thanks for your continuous support in ensuring the smooth implementation of the 360 Degrees Camera System with effective from 1 March 2020.

2. Please be reminded that SF(CM) concerned should arrange daily checking of latest site condition through the website and record the finding in report form. The form should be submitted weekly to HI(Cl&SD)/HI(CM) who should also verify the site condition by checking the website. The report form should be submitted in file to SHI(Cl&PC) for checking in monthly interval. Such record should be properly documented in the office. Moreover, upon detection of the accumulation of marine refuse at the coastal sites, prompt mobilization of cleansing team to carry out cleanup action should be arranged. In case of any damaged and malfunctioned camera system and relevant equipment, the district cleansing staff should inform the contractor immediately to fix the problem occurred.

3. As the 360 Degrees Camera System service has been rolled out for almost three months, we plan to assess the effectiveness of the camera system on monitoring the refuse accumulated on the coastal sites

along the shorelines and the follow up arrangement on the cleanup action. In this connection, much grateful if you could provide the following monthly returns to **ACO(CI&PC)HQ1 and c.c to me** by **8.6.2020**. For the subsequent monthly returns, please provide the return in **5th working day of following month** and **confirm** whether the performance of the service contractor of 360 Degrees Camera System is **satisfactory**. Thank you.

- March 2020:  Monthly Return (March 2020).xlsx
- April 2020:  Monthly Return (April 2020).xlsx
- May 2020:  Monthly Return (May 2020).xlsx

Best regards,

(SIT Wai-kin)  
SHI(CI&PC)HQ1  
Tel.: 2867 5282

[Ends.]



☐ Urgent ☐ Return Receipt Requested ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand person



**Monitoring of 360 Degrees Camera System and Related Services at Coastal Sites Contract Services (Contract Ref.: FEHD S C/73/19)**

4/11/2020 17:53

From: Chi Hang WONG/FEHD/HKSARG  
CHI(CI&PC)1

To: Danny KF WAI/FEHD/HKSARG@FEHD, Yuk Ying CHUI/FEHD/HKSARG@FEHD, Shu Yan LEUNG/FEHD/HKSARG@FEHD, Hon Chiu MA/FEHD/HKSARG@FEHD, Ka Kit YAN/FEHD/HKSARG@FEHD, Siu Shan OR/FEHD/HKSARG@FEHD

Cc: Ming Sau HON/FEHD/HKSARG@FEHD, Wing Sau LAI/FEHD/HKSARG@FEHD, Edwin KH LEE/FEHD/HKSARG@FEHD, Chun Sum KWOK/FEHD/HKSARG@FEHD, Wing Chi LAI/FEHD/HKSARG@FEHD, Kwok Lun NG/FEHD/HKSARG@FEHD, Liz LH

History: This message has been replied to and forwarded.

*To: CHIs(1)/(3) of S, Is, TM, TP, ST, SK Districts  
c.c. DEHSs, SHIs(CI&PC) and HIs(CISD) of the concerned districts,  
SS(CI&PC)1, Supt(CI&PC)1, SHI(CI&PC)HQ1, HIs(CI&PC)HQ1 &5,  
EO(CI&PC)HQ, ACO(CI&PC)HQ1*

Dear All,

Thanks for your continuous effort in monitoring of the service performance 360 Degrees Camera System and Related Services at Coastal Contract Service.

2. Districts are reminded to strictly follow the existing monitoring regime that SF(CM) concerned should arrange **daily checking** of latest site condition through the website and record the finding in report form. The form should be submitted **weekly** to HI(CISD)/HI(CM) who should also verify the site condition by checking the website. The report form should be submitted in file to SHI(CI&PC) for checking in a **monthly** interval. Such record should be properly documented in the office. Moreover, upon detection of the accumulation of marine refuse at the coastal sites, prompt mobilization of cleansing team to carry out cleanup action should be arranged.

3. To step up the monitoring procedures, the district cleansing staff should inform the contractor and **issue a warning letter to the contractor** immediately to fix the problem occurred in case of any irregularities detected. All advisory letters and warnings to the contractor to record malfunctioning incidents and the unsatisfactory performance should be issued in written notices and well documented. In addition, starting from **November 2020**, please provide **the weekly return** (covering a period from every Sunday to Saturday) with the attached

proforma in every Monday of the following week with **confirmation** whether the performance of the service contractor of 360 Degrees Camera System is **satisfactory** to SHI(CI&PC)HQ1 with copy to ACO(CI&PC)HQ1 and me.



Weekly Return\_360 degrees camera .xlsx

4. As an remedial measure, the contractor undertakes to provide backup service to upload the photo to a webpage upon **within 3 days** detection of malfunctioning of the camera. Please access the webpage to the following link [REDACTED] with your existing login and password.

5. For any enquiries, please feel free to call me or SHI(CI&PC)HQ1 at 3589 4917.

Regards,  
WONG Chi-hang  
CHI(CI&PC)I  
Tel: 2867 5290

**Relevant Contract Clause required the contractor to comply with for the proper disposal of the shoreline refuse**

*[Extracted from the Contract for the Provision of Cleansing and Waste Removal Services for Special Sites / Areas, Ungazetted Beaches and Coastal Areas in the Territory]*

**I) Part 2 – Conditions of Contract**

7.6 The Government Representative shall be entitled to issue to the Contractor a Blatant Default Notice in writing upon the occurrence of any one of the following serious defaults ( “Blatant Default” )-

- (b) improper disposal of Waste such as dumping into sea, sweeping into gullies, down the slopes, fly-tipping, on-site incineration or in places other than approved Disposal Sites;
- (g) loading any vehicle, Village Vehicle and Vessels used in the performance of Services above its maximum payload;

**II) Part 3A- Service Specifications**

**1. Services to be Provided**

- (a) (ii) remove all Waste arising from the performance of the Services and deliver the Waste to such designated Disposal Sites<sup>1</sup> as may be directed by the Government Representative immediately after the collection;

---

<sup>1</sup> means the West New Territories (WENT) Landfill, North East New Territories (NENT) Landfill, Island East Transfer Station, Sha Tin Transfer Station, Island West Transfer Station, West Kowloon Transfer Station, North Lantau Transfer Station, Outlying Islands Transfer Station – Cheung Chau, Outlying Islands Transfer Station – Mui Wo, Outlying Islands Transfer Station – Peng Chau, Outlying Islands Transfer Station – Hei Ling Chau, Outlying Islands Transfer Station – Yung Shue Wan, Outlying Islands Transfer Station – Sok Kwu Wan, Outlying Islands Transfer Station – Ma Wan, North West New Territories Refuse Transfer Station and any other sites as may be designated by the Government from time to time for the disposal of Waste

## **5. Waste Disposal**

(i) The Contractor shall ensure that all Waste collected arising from the performance of the Services shall be disposed of at the Disposal Sites only. Without prejudice to the generality of the foregoing, improper disposal of Waste otherwise than in the aforesaid manner such as dumping into sea, down the slopes, fly-tipping, on-site incineration or in places other than approved Disposal Sites is strictly prohibited and shall entitle the Government to issue a Blatant Default Notice.

(ii) In case the Contractor is required to dispose of the Waste directly, it shall take all preventive measures so as to avoid dropping or blowing of Waste and spillage of leachate from the waste collection vehicles during transit to the designated Disposal Sites and shall ensure that the vehicle shall not be loaded above its "Permitted Gross Vehicle Weight (PGVW)". The Contractor shall note that any waste collection vehicle which has been loaded above its PGVW in the course of providing the Services shall be deemed to be an instance of blatant default.

(iii) The Contractor shall observe all the rules and directives as may be imposed by the management of the disposal points or refuse transfer stations with regard to the disposal of Waste thereat including but not limited to Anti-Overloading Control Measures on waste collection vehicles promulgated by competent authority in which any waste collection vehicles loaded above its PGVW will be refused from entering the disposal points or refuse transfer stations for disposal of Waste.

## **9. Performance Requirements**

(r) Unless with the prior written approval of the Government Representative, no vehicles shall be used for other purposes, including but not limited to collection of Waste from other sources not relating to the Contract, within the working hours provided for in the Contract. The Contractor shall ensure that all Waste collected within the working hours provided for in the Contract and transported by the vehicles to the Disposal Sites shall not be mixed with any Waste from other sources not relating to the Contract. Any breach of these requirements shall be deemed to be an instance of blatant default.

Your Ref. : CB4/PAC/R75

Our Ref. : (11) in FEHD CI&PC/32-60/10/7

1 March 2021

Ms Wendy JAN,  
Clerk to Public Accounts Committee,  
Legislative Council Complex,  
1 Legislative Council Road,  
Central, Hong Kong

Dear Ms JAN,

**Public Accounts Committee**

**Consideration of Chapter 2 of the Director of Audit's Report No. 75**

**Government's efforts in tackling shoreline refuse**

I refer to your letter (with appendix) of 19 February 2021 and provide you with a consolidated reply to Items (V)9 to (V)12 therein in the ensuing paragraphs.

Item (V)9 of Appendix

2. The Food and Environmental Hygiene Department (FEHD) will review and update from time to time the relevant contents and sections of the Operational Manual for Management of Public Cleansing Contracts (Operational Manual) as appropriate to enhance the effectiveness of contract management. FEHD has completed in the fourth quarter of 2020 a review of the inspection guidelines of the Operational Manual regarding the inspection frequency/area for special sites/areas, ungazetted beaches and coastal areas. Senior Health Inspectors in districts may exercise discretion to determine the most appropriate minimum number of inspections to be conducted at work sites in remote areas. The relevant decisions are required to be properly documented, which will serve as a basis for FEHD to better monitor the performance of contractors. In addition, FEHD is conducting a review on the contents of the Operational Manual

regarding the monitoring of cleansing service at special sites/areas, ungazetted beaches and coastal areas, and will formulate guidelines in a separate chapter, with a view to further enhancing the monitoring and evaluation of the overall performance of contractors. The relevant work is expected to be completed in the first quarter of 2021.

#### Item (V)10 of Appendix

3. FEHD launched the pilot scheme on the installation of 360-degree cameras in three remote areas from February to July 2018. In the light of the satisfactory evaluation results, FEHD launched a one-year trial scheme in March 2020 to install one 360-degree camera at each of the 15 marine refuse priority sites in remote areas in the Southern District, Islands District, Tuen Mun District, Tai Po District, Sha Tin District and Sai Kung District. The solar-powered system was used to capture clear and readable images once every 30 minutes from 6:00 a.m. to 6:00 p.m. daily. Captured images were sent to a server via 4G network for subsequent viewing and downloading by the contractor/government representatives at the contractor's website. FEHD can monitor the condition of the sites remotely for effective planning of clean-up operations. This can save time and cost of monitoring, particularly for those coastal sites which are remote and not easily accessible (e.g. Tap Mun (East) and Tung Lung Chau).

4. When assessing the effectiveness of 360-degree cameras, the major factors of consideration are whether they can effectively monitor the accumulation of marine refuse washed ashore, their cost effectiveness, and whether they can assist FEHD to effectively adjust the frequency of clean-up services. The 15 priority sites are mostly located in remote areas that require long travelling time or are not readily accessible (especially those outlying islands which can only be accessed by vessels). The use of 360-degree cameras enables real-time monitoring by FEHD without having to travel for long time to these locations for site inspections. As a result, monitoring work can be expedited, so as the arrangement for clean-up operations by the contractor where necessary. Meanwhile, the images can assist in monitoring the contractor's clean-up performance. As the time for travelling to these locations by FEHD is saved, resources can be deployed to handle other prioritised street cleansing services.

5. Between March 2020 and January 2021, there were nine occasions in which FEHD found abnormal increase in the accumulation of shoreline refuse by reviewing the images captured by 360-degree cameras, they then flexibly arranged clean-up services to the relevant locations, including Fan Lau (thrice), Sam Pak Wan (twice), Shek Pai Wan (once), Shui Hau (once), Shap Long (once) and Lung Kwu Tan and Lung Kwu Sheung Tan (once).

6. The successful data transmission of the captured photographs from the 360-degree camera system is one of the challenges in this trial scheme. Investigation by the contractor found that the defective on-line data transmission during the early trial period was generally caused by technical problems. The contractor has taken remedial actions to solve the connectivity problems. From January to February 2021, there was basically no more instance where FEHD failed to receive the images captured due to connectivity problems. In general, the camera system operated smoothly.

#### Item (V)11 of Appendix

7. To address public concerns on the cleanliness along the shorelines across the territory, the Government has enhanced the removal of shoreline refuse. Over the past few years, FEHD has put on trial different models/approaches with a view to providing effective clean-up service. It first adopted the outcome basis approach or “job basis” approach (Contracts A, B and C) in the procurement of clean-up services. The estimated hours of each site stated in the contract specifications by FEHD provided a reference for the contractor to estimate the contract price for clean-up service of each site. The actual time for clean-up service at each site may vary, subject to the quantity of shoreline refuse to be collected. The contractor must complete the clean-up service at a standard to the satisfaction of FEHD. If the completion time exceeded the estimated hours, the contractor would not be paid for the excess hours.

8. However, to enhance the flexibility in deploying adequate manpower to cope with the surge of refuse due to unforeseeable circumstances, such as the super typhoon Hato that hit Hong Kong in 2017, the input basis approach or

“fixed-manpower basis” approach (Contract D) was adopted on a trial basis in 2018. The contractor was required to ensure full attendance of its personnel during the working hours specified in the work schedules with a view to meeting operational needs and coping with unforeseen circumstances by deployment of adequate manpower in a more effective and flexible manner.

9. In approving the acceptance of recommended tender for Contract D in May 2018, the Central Tender Board commented that the over-reliance on a single contractor was undesirable from the risk management perspective. In this light, FEHD split the clean-up service in tender of a contract (Contract E) into two Districts Groups in 2019. Since FEHD had to take into account the possibility of unforeseen incidents, e.g. massive/urgent/contingent clean-up operations for individual affected districts (such as after the passage of typhoons), strategic grouping of districts into two was introduced so that manpower could be flexibly deployed to address the special needs of an individual district within the districts group. For instance, contractor personnel in Districts Group I could be mobilised from Kwai Tsing District and Tsuen Wan District to work in Lantau Island (e.g. Shui Hau) through the road networks in case of surge of refuse. In Contract E, the “outcome basis approach” or “job basis approach” was adopted again since fixed manpower could not be fully utilised under the “fixed-manpower basis” approach when the refuse yield was hardly high in individual districts.

10. The estimated contract prices for shoreline clean-up were specified in Table 10 of the Audit Report. Contracts A and B, covering 174 sites, were two-year contracts at a total contract price of \$5.4 million. The average annual contract price for Contracts A and B was therefore \$2.7 million. Contract C, covering 66 sites, was a one-year contract at a total contract price of \$12.3 million. Therefore, it is more reasonable to use the second year figure of Contracts A to C (covering 240 (i.e. 174+66) sites at a total contract price of \$15 million) for comparison. In comparing the total contract price for the one-year Contract D, covering 270 sites, at \$38 million with that for Contracts A to C, there seems to be an increase of about 1.5 times. The increase in contract price was attributable to an increased number of sites covering ungazetted beaches and coastal areas,



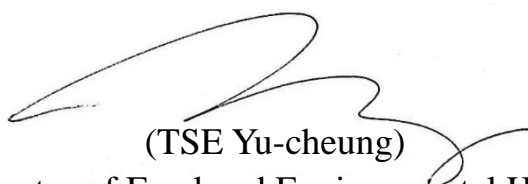
higher total frequencies of clean-up operations, a rise in the monthly wages of outsourced cleansing workmen, and additional work requirements for monitoring the service quality of contractors, such as submission of digital images of work sites and working report with photos by the contractor to FEHD after providing clean-up service.

11. Unlike Contract D for a term of one year, Contract E was a two-year contract. The estimated total contract price for Contract E was \$51.8 million or \$25.9 million in terms of average annual contract price. In comparison, the estimated annual contract price for Contract E was about 32% lower than that for Contract D. The decrease was mainly attributable to a better use of manpower resources under the “job basis” approach instead of the fixed-manpower approach adopted by FEHD in Contract D as mentioned in paragraph 9.

Item (V)12 of Appendix

12. The reasons why FEHD put on trial different models/approaches with a view to providing effective clean-up service and their effectiveness were addressed in paragraphs 7 to 9 above.

Yours sincerely,



(TSE Yu-cheung)  
for Director of Food and Environmental Hygiene

c.c.

Secretary for the Environment (email: sen@enb.gov.hk)

Director of Marine (email: agneswong@mardep.gov.hk)

Director of Agriculture, Fisheries and Conservation (email: dafcoffice@afcd.gov.hk)

Director of Environmental Protection (email: dep@epd.gov.hk)

Director of Leisure and Cultural Services (email: dlcsoffice@lcsd.gov.hk)

Secretary for Financial Services and the Treasury (email: sfst@fstb.gov.hk)

Director of Audit (email: john\_nc\_chu@aud.gov.hk)

Your Ref. : CB4/PAC/R75

Our Ref. : (16) in FEHD CI&PC/32-60/10/7

10 April 2021

Ms Wendy JAN,  
Clerk to Public Accounts Committee,  
Legislative Council Complex,  
1 Legislative Council Road,  
Central, Hong Kong

Dear Ms JAN,

**Public Accounts Committee**  
**Consideration of Chapter 2 of the Director of Audit's Report No. 75**  
**Government's efforts in tackling shoreline refuse**

I refer to your letter of 30 March 2021. The information as requested in items (a) to (k) therein is set out in the ensuing paragraphs.

*Part 5: Clean-up operations by Food and Environmental Hygiene Department*

Item (a) – re: paragraph 5.6(a) of the Audit Report

2. Under the existing arrangement, the Food and Environmental Hygiene Department (FEHD) issues a work order to the contractor, generally 7 days before the day of providing the services, specifying the work sites requiring the services. Senior Foremen (SF) inspect at least 50% of the scheduled work sites on the day of providing the services and have to upload his Daily Inspection Report with the locations inspected to the Contract Management System (CMS).

3. Insofar as the contents of monitoring the clean-up service in respect of ungazetted beaches and coastal areas and other territorial sites in the Operational Manual for Management of Public Cleansing Contract (OM) are concerned, apart from the updates made in December 2020 relating to documentation of inspection frequency in such sites, FEHD has completed a review on the above-mentioned contents and consolidated the relevant provisions (updated as appropriate) for inclusion in a separate chapter in OM, with a view to further enhancing the monitoring and evaluation of the overall performance of the contractors concerned. District management has been advised to devise an inspection programme relating to SF inspection of at least 50% of the scheduled work sites

on the day of providing the services. The guidelines were issued on 25 March 2021.

Item (b) – re: paragraph 5.7(b) of the Audit Report

4. The “Daily Inspection Report” is one of the means of conducting the checking. Emails have been issued on 28 December 2020, 7 January 2021 and 25 March 2021 to remind all colleagues concerned to log into the System in accordance with OM.

5. There are other means availed to Senior Health Inspectors and Health Inspectors (supervisory officers) to assess the contractor’s performance and the supervision work of SF, including paper records (e.g. daily work programmes, daily attendance records, daily returns with photographs submitted by the contractors within two days after the completion of clean-up service, documents relating to enforcing the contracts); contractors’ webpage containing geo-tagged photographs and geo-tapped videos taken by the contractors and uploaded onto contractors’ servers to show the conditions of each work site before, during and after providing clean-up operation; a separate page on “Key Inspection Report” in CMS containing locations of inspection, time of inspection and photos uploaded by SF to CMS with a view to assessing the work of the SF and the performance of the contractors.

Item (c)

6. Our IT colleagues are working on the following more user-friendly measures to enhance CMS to facilitate supervisory staff to comply with the monitoring requirements as stated in OM. These enhancements are expected to be completed in Q3 2021 -

- (i) to develop a function in CMS to assist the district management in checking compliance with inspection by SF of at least 50% of the scheduled work sites on the day of providing the services; and
- (ii) to facilitate monitoring the supervision of the work of SF and performance of the contractors, an enhanced feature will be added to provide log records of viewing locations of inspection, time of inspection and photos filtered by types of contracts (including the clean-up service in respect of ungazetted beaches and coastal areas and other territorial sites) under that separate page on “Key Inspection Record”.

Item (d) – re: paragraph 10 of FEHD’s reply dated 1 March 2021

7. Table showing numbers of sites, frequencies of clean-up operations and monthly wages of outsourced cleansing workmen under Contracts A to E are provided at **Annex A**.

Item (e)(i) – re: Case 1 in paragraph 5.18 of the Audit Report

8. Under the established mechanism and procedures, the following measures are put in place to handle cases of a tenderer making false declaration in tender submission -

- (i) during the bidding stage, FEHD checks tenderers’ conviction records with the Labour Department and the Immigration Department by memo and the Mandatory Provident Fund Schemes Authority through its website; and
- (ii) if the contract has been awarded and the contractor is subsequently found to have made a false declaration at the bidding stage, the contract may be terminated in accordance with the relevant clause in the contract as appropriate.

Item (e)(ii) – re: Case 1 in paragraph 5.18 of the Audit Report

9. Please see our letter dated 29 March 2021 (**Annex B**). FEHD was notified by the Immigration Department on 22 October 2019 that Contractor X had one conviction record. FEHD immediately liaised with the Immigration Department to check that we were on the same page in terms of relevant contracts involved. FEHD referred the case to the Police on 5 November 2019 for investigation and actions on the suspected false declaration made by Contractor X. A separate need for FEHD to seek legal advice has thus not arisen.

Item (e)(iii) – re: Case 1 in paragraph 5.18 of the Audit Report

10. FEHD held a meeting with the Immigration Department on 12 December 2019 in search of rooms for improvement on the conviction record checking arrangement. It was concurred that a standard memo enclosing a reply template would be useful for the Immigration Department for this purpose. FEHD has also consulted the Prosecution Division and the Legal Services Division of the Labour Department and agreed to use a refined memo for similar purpose. In August 2020, the Prosecution Division of the Labour Department provided a standardised proforma for conviction record checking for use by bureaux/departments.

**\*Note by Clerk, PAC:** *See Appendix 25 of this Report for the reply dated 1 March 2021 from Director of Food and Environmental Hygiene.*

Item (e)(iv) – re: Case 1 in paragraph 5.18 of the Audit Report

11. Apart from Contract D, Contractor X was also awarded 10 contracts under FEHD from April 2017 to October 2019. Among the 10 contracts, 3 contracts had already expired by 22 October 2019 (hence no follow-up action could be taken by FEHD), 3 contracts and 4 contracts were due to expire between April and June 2020 and at a later time respectively. Given the lead time required for obtaining DoJ's advice on terminating the contracts concerned and 7 months or so for completing open tender exercises for appointing new contractors, the latter 3 contracts were allowed to continue until expiry while the remaining 4 contracts were terminated before expiry under the Conditions of Contract. Under the debarment mechanism set out in Financial Circular No. 3/2019, if the tenderer has been convicted of any offence, it shall be debarred from bidding non-skilled worker contracts for a period of five years from the date of conviction. As Contractor X was convicted on 6 April 2017 of the offence, it shall be debarred from bidding non-skilled worker contracts from 6 April 2017 to 5 April 2022. Please see paragraph 9 above for the referral made by FEHD to the Police for investigation and actions on the suspected false declaration made by Contractor X.

Item (f)(i) and (ii) – re: paragraph 5.19 of the Audit Report

12. FEHD experienced unforeseen incidents that required pooling up resources of districts to conduct massive/urgent/contingent clean-up operations in individual districts affected, such as typhoons (e.g. Hato in 2017 and Mangkhut in 2018), spillage incidents etc. The public would expect the Government to restore the affected area to the normal cleanliness level expeditiously. Hence, it is necessary for FEHD to have flexibility in mobilising adequate contractors' staff within a short period to cope with a sudden surge of refuse in any district due to unforeseeable circumstances, by a reasonably-sized contract of District Groups and suitable grouping of districts in such District Groups. Using Contract E for illustration purposes, contract staff within District Group I could be mobilised from Kwai Tsing District and Tsuen Wan District to Lantau Island (e.g. Shui Hau) through the connecting road networks.

13. The Central Tender Board advised in May 2018 in the context of Contract D (involving a one year contract from 1 June 2018 to 31 May 2019 covering all Districts) that as Government's over-reliance on a single contractor was undesirable from the risk management perspective, FEHD should explore whether there would be better options, other than combining the three District Groups Contracts into one territory-wide Contract, for achieving the said objective. In processing the tender exercise for Contract E since July 2018,

FEHD has split the Contract into two District Groups Contracts (Groups I and II) having regard to our operational needs as set out in paragraph 12 above.

14. Decision on Contract E had already been made by the Central Tender Board, before the Financial Services and the Treasury Bureau Circular Memorandum No. 4/2019 was issued in April 2019. The Circular in force at the time of processing the tender for Contract E was the predecessor version (the Financial Services and the Treasury Bureau Circular Memorandum No. 4/2017 issued on 31 March 2017), which did not mention anything about restriction on the number of contracts to be awarded to the same tenderer if a tenderer was involved in more than one contract.

15. The Circular in force at the time of processing the tender for the future Contract F (from 1 June 2021 to 31 May 2023) is the Financial Services and the Treasury Bureau Circular Memorandum No. 4/2019, which states that all B/Ds are encouraged to take early action to implement appropriate means to enhance tender competition and exert more efforts to proactively forestall any disruption of services to the public. Under the category on promotion of competition therein, FEHD has fulfilled all four measures under the future Contract F, including restriction on the number of contracts to be awarded to the same tenderer if a tenderer was involved in more than one contract. Procurement of the clean-up service is subject to the Agreement on Government Procurement of the World Trade Organisation. To pre-empt any risk of tenderers challenging such restrictions imposed, we have obtained clearance from DoJ by justifying the restriction from the perspectives of safeguarding public interest or protecting public safety or health. The follow-up actions are in line with the suggestions in the Financial Services and the Treasury Bureau Circular Memorandum No. 4/2019 and this Audit Report on the imposition of the restriction in the tender exercise for the future Contract F.

#### Item (g)(i)

16. Under the future Contract F, the following tender clauses (relating to the restrictions on awarding contracts) shall apply in recommending a tenderer for acceptance and award of the contract:

- (i) a tenderer may tender for one or all two District Groups Contract;
- (ii) the number of District Groups Contract that may be awarded to the same tenderer is one; and
- (iii) if a tenderer achieves the highest combined scores in both District Groups I and II Contracts, the Government shall make recommendation to the Central Tender Board for acceptance and award of Contract to one of its bids on the basis of a tender combination (i.e. the total contract amount for

the two District Groups) which is the least costly to the Government, and is entitled at the Government's absolute discretion to award the other District Group Contract to the tenderer who achieves the next highest combined score.

Item (g)(ii)

17. In considering the imposition of the restriction, FEHD has to strike a fine balance having regard to all relevant factors. The restriction would help manage the concentration risk of over-reliance on a single contractor. Other relevant factors include the feasibility of imposing the restriction in terms of the availability of service providers in the market, tender response rates, the terms of services (measured in terms of technical scores and price scores) obtained, and the issue of fairness as perceived by tenderers. Besides, there is a risk of tenderers challenging the restriction if it is not set from the perspectives of safeguarding public interest or protecting public safety or health. Having considered the pros and cons, and with clearance from DoJ obtained, we have taken follow-up actions in line with the suggestions in the Financial Services and the Treasury Bureau Circular Memorandum No. 4/2019 and this Audit Report on the imposition of the restriction in the tender exercise for the future Contract F.

Item (h)(i)

18. The total estimated hours for clean-up services in the future Contract F are 157 358 (17.94% less than that in Contract E), which include a reduction of the total estimated hours by about 44% and 46% for Islands and Sai Kung Districts respectively. The manpower deployment arrangements in the future Contract F are on an outcome basis. The contractor is required to work out the manpower in the work programme based on the estimated hours and the minimum manpower requirements stipulated in the contract for performing the clean-up services. The contractor is required to cope with the additional workload if a site is found to have an upsurge of refuse. No additional payment will be paid.

Item (h)(ii)

19. The estimated hours for clean-up services under the future Contract F are worked out based on past contract data and a number of factors including weather conditions, local and regional rainfall, water current/tidal movement, spillage incidents, flooding incidents in neighbouring waters, and prevailing wind direction for the existing contract. Given the scale and complexity involved, the clean-up operations are by no means easy. The amount of refuse collected fluctuates and is affected by many unforeseeable circumstances. FEHD has suitably made use of the actual hours performed by the contractors under Contract

E for completing the clean-up services as well as the information of refuse washed ashore at priority sites from 360-degree camera system to provide more realistic estimation in the future contract. Hopefully, with more data obtained from weighing shoreline refuse under the future Contract F, these could also be taken into account in processing future contracts beyond the expiry of Contract F.

Item (h)(iii)

20. The future Contract F allows flexibility to deal with the situation where the estimated hours for clean-up services are insufficient to meet the operational needs. Relevant contract provisions are as follows –

- (i) the use of total quota allocated within the same district for additional services;
- (ii) the use of pre-determined quota allocated in the Contract for additional services with a 14-day notification;
- (iii) the use of pre-determined quota allocated in the Contract for emergency services by a prior notification in 2 days or 8 hours;
- (iv) in any additional services exceeding the quota allocated for (i), (ii) and (iii), variation of services could be made with a limit up to 30% of the estimated contract price; and
- (v) the two contractors to accept the deployment of manpower across these two contracts, namely Group I contractor could deploy his manpower to serve in Group II Districts and vice versa.

*Part 6: Other related issues*

Item (i)(i) and (ii) – re: paragraph 6.14 to 6.17 of the Audit Report

21. The application of the 360-degree camera system for monitoring remote and hard-to-reach coastal sites is a trial scheme. Teething problems encountered in pioneering an innovative venture were inevitable and the contractor investigated the cases and took out remedial actions to resolve the connectivity problems and the technical problems as and when necessary –

- (i) successful data transmission of the captured photos from the system presented great challenges. The technical problems on the on-line data transmission when the contract commenced were rectified subsequently. Progressive improvements to the system were witnessed, and it worked well in January, February and March 2021; and
- (ii) apart from connectivity, delicate devices of the system were susceptible to the high salty and humid environment; the deposit of salt on the camera



cover affected the capture of clear images; the camera was stolen, etc. The contractor proactively carried out improvement, e.g. using double water-proof casing to protect delicate devices inside, installation of remote control water sprayers to clear the salt deposit on the camera covers in order to capture better images.

22. For data transmission failures, FEHD requested the contractor to submit photograph files to respective district environmental hygiene offices via a dedicated website. The contractor was able to shorten the time of completing such actions from within 3 days previously to within 2 days since March 2021, in line with the contract clause of completing the repair of damaged and malfunctioned camera system and relevant equipment. FEHD has deducted about \$364,000 of service charge upon detection of malfunctioned services provided by the contractor.

23. Besides, FEHD has sought the assistance of the Office of the Communications Authority, who conducted the survey with FEHD and the contractor, and provided professional advice on working out solutions to deal with weak mobile signals at some remote locations.

#### Item (j)(i)

24. According to the future two-year contract (from 1 May 2021 to 30 April 2023), FEHD has incorporated punitive clauses in the contract, namely default notice which may be issued in respect of substandard contractor's performance (e.g. failing to provide images) with deduction of service charge in the form of liquidated damages.

#### Item (j)(ii)

25. The 360-degree camera system could be extended to cover other priority sites under FEHD's purview if the situation warrants. As a matter of fact, the 15 priority sites in the contract have been reviewed with some changes. Please see our letter dated 29 March 2021 (**Annex B**). Its annex set out the 15 locations including the existing contract and the future contract, and gives the reason(s) for the replacement. The operational need of the remaining priority sites under FEHD's purview is not as high as that of these 15 sites.

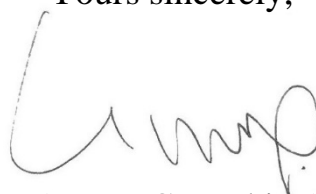
#### Item (k) – re: Note 40 of paragraph 6.14 of the Audit Report

26. The key objective of the set-up of the 360 degree-camera system installed at priority sites which are remote and hard-to-reach is to monitor the scale of marine refuse washed ashore and accumulated thereon, so as to facilitate FEHD

staff to monitor their condition by viewing the photos and plan and schedule timely clean-up operations. This has proven to be effective in saving the time and cost of monitoring, particularly for those coastal sites that are remote and hard-to-reach.

27. As the priority sites are remote and many are hard-to-reach, the number of visitors is small and the cases of littering offences are comparatively speaking fewer than those in other places. Images obtained from the 360 degree-camera system are insufficient to serve as evidence for enforcement actions against littering offences. At present, we have no plan to seek advice from DoJ or the Office of Privacy Commissioner of Personal Data on using the 360-degree camera system to facilitate the enforcement actions against shoreline littering.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Leung Yat-king', written in a cursive style.

(LEUNG Yat-king)

for Director of Food and Environmental Hygiene

c.c.

Secretary for the Environment (email: sen@enb.gov.hk)

Director of Agriculture, Fisheries and Conservation

(email: dafcoffice@afcd.gov.hk)

Director of Environmental Protection (email: dep@epd.gov.hk)

Director of Leisure and Cultural Services (email: dlcoffice@lcsd.gov.hk)

Secretary for Financial Services and the Treasury (email: sfst@fstb.gov.hk)

Director of Audit (email: john\_nc\_chu@aud.gov.hk)

**Table showing numbers of sites, frequencies of clean-up operations  
and monthly wages of Contracts A to E**

<b>Contract particulars</b>	<b>Mode of Manpower Deployment</b>	<b>Average annual contract price (HK\$ in million)</b>	<b>Numbers of sites (ungazetted beaches and coastal areas)</b>	<b>Average annual clean-up frequencies</b>	<b>Monthly wages of outsourced cleansing workmen (HK\$)</b>
<b>Contracts A<sup>1</sup>, B<sup>1</sup> and C<sup>2</sup></b>	Outcome basis approach	15.0	240	6 735	<b>Contract A:</b> \$8,556 <b>Contract B:</b> \$8,432 <b>Contract C:</b> \$8,680
<b>Contract D<sup>3</sup></b>	Input basis approach	38.0	270	8 766	\$10,500
<b>Contract E<sup>4</sup></b>	Outcome basis approach	25.9	287	9 336	\$11,750

*Note:*

- Contracts A and B were two-year contracts at a total contract price of \$5.4 million. The average annual contract price for Contracts A and B was therefore \$2.7 million.*
- Contract C was a one-year contract at a contract price of \$12.3 million. Therefore, using the second year figures of Contracts A to C (at an aggregate contract price of \$15 million) would facilitate meaningful comparison to be made with other scenarios.*
- When comparing the \$38 million for the one-year Contract D with the \$15 million for the second-year Contracts A to C, there was an increase of about 150%.*
- Contract E was a two-year contract at a total contract price of \$51.8 million. When comparing \$25.9 million (the average annual contract price) for Contract E with the 38 million for the one-year Contract D, there was a decrease of about 32%.*

Your Ref.:

Our Ref.: (X) in FEHD Cl&PC/32-60/10/7

29 March 2021

Ms Wendy JAN,  
Clerk to Public Accounts Committee,  
Legislative Council Complex,  
1 Legislative Council Road,  
Central, Hong Kong

Dear Ms JAN,

### **Public Accounts Committee**

#### **Consideration of Chapter 2 of the Director of Audit's Report No. 75**

#### **Government's efforts in tackling shoreline refuse**

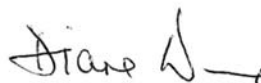
In response to the requests made by Members at the public hearing on 27 March 2021, we provide the supplementary information below.

Regarding the declaration of no record of conviction by a contractor, upon receipt of notification about the case on 22 October 2019, we immediately liaised with the notifying party to check that we were on the same page in terms of relevant contracts involved; and on 5 November 2019 referred the case to the Police for investigation and actions on the suspected false declarations submitted by the contractor.

Regarding the 15 locations under the existing contract and the new contract for the 360-degree camera system and related services, two of their locations are different. The Annex sets out the locations concerned and gives the reason(s) for replacement.

Please inform the Chairman and Members of the Legislative Council  
Public Accounts Committee. Thank you.

Yours sincerely,



WONG Shuk-han, Diane  
Acting Director of Food and Environmental Hygiene

Encl.

c.c.

Secretary for the Environment (email: sen@enb.gov.hk)

Director of Marine (email: carolswyuen@mardep.gov.hk)

Director of Agriculture, Fisheries and Conservation (email:  
dafcoffice@afcd.gov.hk)

Director of Environmental Protection (email: dep@epd.gov.hk)

Director of Leisure and Cultural Services (email: dlcoffice@lcsd.gov.hk)

Secretary for Financial Services and the Treasury (email: sfst@fstb.gov.hk)

Director of Audit (email: john\_nc\_chu@aud.gov.hk)

**15 Marine Refuse Priority Sites under the Existing Contract and the New Contract for 360-degree Camera System and Related Services**

Serial Number	Existing contract		New contract	
	District	Installation location	District	Installation location
1	Southern	Lap Sap Wan, Shek O	Southern	Lap Sap Wan, Shek O
2	Islands	Shek Pai Wan	Islands	Shek Pai Wan
3	Islands	Sam Pak Wan	Islands	Sam Pak Wan
4	Islands	Shap Long	Islands	Shap Long
5	Islands	Shui Hau	Islands	Shui Hau
6	Islands	Tai Long Wan, Shek Pik	Islands	Tai Long Wan, Shek Pik
7	Islands	Fan Lau <sup>1</sup>	Islands	Tong Fuk *
8	Sha Tin	Starfish Bay <sup>2</sup>	Islands	Ham Tin *
9	Tuen Mun	Lung Kwu Tan and Lung Kwu Sheung Tan	Tuen Mun	Lung Kwu Tan and Lung Kwu Sheung Tan
10	Tai Po	Ting Kok	Tai Po	Ting Kok
11	Tai Po	Sha Lan	Tai Po	Sha Lan
12	Tai Po	Yim Tin Tsai and Ma Shi Chau Tombolo	Tai Po	Yim Tin Tsai and Ma Shi Chau Tombolo
13	Tai Po	Tap Mun (East)	Tai Po	Tap Mun (East)
14	Tai Po	Tap Mun (West)	Tai Po	Tap Mun (West)
15	Sai Kung	Tung Lung Island	Sai Kung	Tung Lung Island

*Note:*

<sup>1</sup> *The clean-up service of shoreline refuse at Southwest Lantau coastal areas including Fan Lau, which were designated as a marine park in April 2020, will be taken up by the Agriculture, Fisheries and Conservation Department from June 2021 onwards. Therefore, the location will be excluded from the new contract.*

<sup>2</sup> *Given the development of the area, Starfish Bay has become easily accessible now and there is no need to install 360-degree camera for monitoring. Therefore, the location will be excluded from the new contract.*

\* *Tong Fuk and Ham Tin are marine refuse priority sites. Taking into consideration the remoteness of the sites on Lantau, the two locations will therefore be included in the new contract.*



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香港特別行政區政府  
入境事務處

覆函請註明本處檔號 In reply please quote this ref

L/M in PS/CON/1-55/5/5/2

**Immigration Department**  
**The Government of the Hong Kong**  
**Special Administrative Region**

Prosecution and Removal Sub-division

*By email only*

12 April 2021

Ms Wendy JAN  
Clerk to Public Accounts Committee  
Legislative Council  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong

(Your ref: CB4/PAC/R75)

**Re: Public Accounts Committee**  
**Consideration of Chapter 2 of the Director of Audit's Report No. 75**  
**Government's efforts in trackling shoreline refuse**

Dear Ms JAN,

Thank you for your letter of 30 March 2021 to the Director of Immigration, to which I am authorised to reply.

With reference to paragraph 2 of your letter, kindly find our inputs provided at Annexure.

Please feel free to contact the undersigned if you need more information.

Yours sincerely,

(Miss Peggy Yung)  
for Director of Immigration

## **Annexure**

- (a) Officers of the Immigration Department (ImmD) maintain the information of relevant offences and convictions concerning body corporates, which may be used for answering inquiries from other government departments when needed. In the case concerned, ImmD noticed that our officer had not updated the conviction record of the relevant contractor until the conclusion of the criminal appeal proceedings. On our comprehensive review, ImmD considered it was due to the individual officer did not update the conviction record throughout an ongoing criminal proceeding, which was not consistent with the requirement set out in the relevant Financial Circular, and thus led to replies not accurately reflecting the conviction record of the contractor concerned. We believed it was an individual case and there was no malpractice of any of our officers.
- (b) To ensure comprehensive understanding of the requirements in the relevant Financial Circular, we had briefed the staff concerned at once whilst a new instruction was issued to all staff concerned for compliance. At the same time, we have also strengthened the internal checking procedures to ensure that all replies are given accurately.



本署檔號  
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EP CR80/AUDIT/2/4(2020)  
來函檔號  
YOUR REF : CB4/PAC/R75  
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**Environmental Protection  
Department  
Headquarters**

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Central Government Offices,  
2 Tim Mei Avenue,  
Tamar, Hong Kong.



**環境保護署總部**

香港添馬  
添美道二號  
政府總部東翼  
十五及十六樓

9 April 2021

Ms Wendy JAN  
Clerk  
Public Accounts Committee  
Legislative Council  
Legislative Council Complex,  
1 Legislative Council Road  
Central, Hong Kong

Dear Ms JAN,

**Public Accounts Committee**

Consideration of Chapter 2 of the Director of Audit's Report No. 75

**Government's efforts in tackling shoreline refuse**

I refer to your letter dated 30 March 2021 under ref: CB4/PAC/R75 concerning the above subject and the information requested therein is provided below:

**Part 6: Other related issues**

**1. Response to Question (a):**

The Environmental Protection Department ("EPD") has been promoting the message of keeping the shorelines clean to the public through the "Clean Shorelines" thematic website, social media pages and on-site publicity and educational activities organised in collaboration with other departments. Owing to the implementation of various anti-epidemic and social distancing measures during the COVID-19 pandemic since last year, we have made some adjustments to the promotion and education work in the 2020-2021 financial year. For

reflecting a more complete picture, details of the related work conducted in the past 3 financial years and the expenditures involved are listed below.

Table 1: The relevant promotional and educational work carried out in the 2018-2019 financial year

Description	Expenditure (HK\$)
Management of the thematic website	66,000
Management of the Facebook Page (from July to October) (see Note)	Not Applicable
Management of the Facebook Page (since October)	216,000
Shorelines Cleanup Day (from April to August) (see Note)	Not Applicable
Shorelines Cleanup Day (since December)	170,000
Co-ordinated with the Marine Department, the Food and Environmental Hygiene Department and the Leisure and Cultural Services Department to remind vessel operators and users of the waterfront promenade to keep the Aberdeen Typhoon Shelter clean through conducting patrols and distributing leaflets (see Note)	Not Applicable
Co-organised a training course on clean shorelines with the Scout Association of Hong Kong (see Note)	Not Applicable
Total	452,000

Table 2: The relevant promotional and educational work carried out in the 2019-2020 financial year

Description	Expenditure (HK\$)
Management of the thematic website	162,000
Management of the Facebook Page	456,000
Management of the Instagram Page (since December)	69,000
Management of the YouTube Channel (since January) (see Note)	Not Applicable
Shorelines Cleanup Day	210,000
“World Environment Day x World Ocean Day 2019” Shorelines Cleanup Activities	180,000
Organised “Clean Shorelines Heros” Award Presentation Ceremony to recognise volunteers’ contributions in keeping shorelines clean (see Note)	Not Applicable

Description	Expenditure (HK\$)
Published a booklet on “Avoiding the Release of Expanded Polystyrene (“EPS”) into the Marine Environment” jointly with the Agriculture, Fisheries and Conservation Department (“AFCD”) to provide practice notes for the fishery trade and distributed the booklets at wholesale fish markets and the marine fish culture licence office to raise awareness among fishermen, marine fish wholesalers and mariculturists on protecting the ocean and preventing EPS from entering the sea causing environmental impacts (see Note)	Not Applicable
Supported and participated in the “International Coastal Cleanup Hong Kong 2019” Kick-off Ceremony (see Note)	Not Applicable
Total	1,077,000

Table 3: The relevant promotional and educational work carried out in the 2020-2021 financial year

Description	Expenditure (HK\$)
Management of the thematic website	146,000
Management of the Facebook Page	685,000
Management of the Instagram Page	231,000
Management of the YouTube Channel (see Note)	Not Applicable
Co-ordinated with AFCD to distribute the booklet at wholesale fish markets to remind fishermen and marine fish wholesalers to stay alert in the typhoon seasons and take precautionary measures to prevent EPS for fishery use from entering the sea (see Note)	Not Applicable
Co-ordinated with AFCD to conduct patrols and organise publicity and educational activities at a fish culture zone at Lantau Island to remind mariculturists to arrange proper disposal of fish feed bags and other waste from the fish rafts (see Note)	Not Applicable
Supported and participated in the “International Coastal Cleanup Hong Kong 2020” Online Kick-off Ceremony (see Note)	Not Applicable
Total	1,062,000

Note: Work was conducted by in-house staff, incurring no additional expenditure.

## **2. Response to Question (b):**

Apart from coordinating the shoreline clean-up work of various departments, EPD has been paying continuous efforts in enhancing public awareness of keeping our shorelines clean through promotion, education and encouraging public participation. The relevant initiatives include organising different on-site activities (e.g. Shorelines Cleanup Day) and managing the Clean Shorelines Liaison Platform (“the Platform”). EPD has kept in contact with over 600 green groups, community organisations, enthusiastic individuals/groups, schools, companies and other units through the Platform, which serves the functions of communication, interaction, promotion, providing support and receiving feedback. The Platform comprises a thematic website, social media pages, a designated hotline and an e-mail box.

The thematic website introduces the government’s strategies and measures on marine refuse management, study results, statistics, cleanliness gradings of priority sites, etc., and provides information required for organising coastal cleanup activities, including relevant hygiene and safety guidelines, support available from government departments, introduction of suitable locations for organising clean-up activities, weather and tidal information to be noted, etc. EPD also provides on the thematic website regular updates on upcoming events, photos, post-event sharing, etc. about coastal cleanup activities provided by the public.

EPD fully utilises the interactive functions of social media pages to make new public appeals and solicits feedback from time to time. For instance, we have been promoting the message of “Leave No Trace” recently, and we are producing promotional video clips on different topics about clean shorelines from multiple perspectives for posting on the social media pages.

In addition, through the designated hotline and e-mail, EPD directly answers enquiries from the public or community groups, responds to their comments or suggestions on shoreline cleanliness, and assists them in planning and organising coastal cleanup activities by offering appropriate support, including provision of

cleansing materials and tools, liaising with relevant departments for the arrangement of refuse collection and disposal services, etc.

**3. Response to Question (c):**

Regarding the maintenance of the two social media pages, the main duties of the contractor include the design and management of the social media pages, development of the social media plan/strategy, shooting and production of promotional video clips, interacting with the public, etc. The contract sum was HK\$1,190,000 for a period of 15 months.

Yours sincerely,



(C K CHEN)

for Director of Environmental Protection

Encl.

c.c.

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Director of Audit (email: john\_nc\_chu@aud.gov.hk)

**A brief account of Chapter 4 of Report No. 75**  
**“Efforts of the Home Affairs Department in facilitating building management”**  
**by the Director of Audit**  
**at the Public Hearing of the Public Accounts Committee**  
**of the Legislative Council on Wednesday, 10 March 2021**

Mr. Chairman,

Thank you for inviting me here to give a brief account of Chapter 4 of Report No. 75 of the Director of Audit, entitled “Efforts of the Home Affairs Department in facilitating building management”.

This Audit Report comprises four PARTs.

**PART 1 of the Report, namely “Introduction”, describes the background of the audit.**

Managing the common parts of a private building is the joint responsibility of its owners. The Home Affairs Department (HAD), responsible for implementing the Government’s policy, assists owners of private buildings to form owners’ corporations (OCs) and deal with building management matters through various support services.

**PART 2 of the Report examines support services provided by HAD for the formation of OCs.**

As at the end of 2019, 5,255 private buildings in Hong Kong did not have OCs or any form of residents’ organisations, nor engaged any property management companies. These buildings are commonly referred to as “three-nil” buildings. To assist owners of “three-nil” buildings to organise themselves to form OCs so as to improve the management of their buildings, HAD has since 2011 engaged contractors to operate two schemes, namely the Building Management Professional Advisory Service Scheme (BMPASS) and the Resident Liaison Ambassador (RLA) Scheme. Under BMPASS, eligible buildings also include those with OCs but having defunct or inactive management committees, and exclude buildings which might not be able to form OCs in accordance with the Building Management Ordinance

(Cap. 344), such as private buildings under single ownership. The Audit Commission (Audit) noted that HAD did not have readily available information on the number of such buildings and, therefore, could not ascertain the number of buildings eligible for BMPASS.

Up to March 2020, among the 3,820 buildings approached since BMPASS was launched 9 years ago, only 536 OCs had been formed or reactivated under the scheme, representing an overall success rate of 14%. As for RLA Scheme, for the period 2015 to

2019, the number of RLAs recruited decreased by 24%, and the percentage of “three-nil” buildings aged 30 years or above with incumbent RLAs ranged from 22% to 35%.

**PART 3 examines support services provided by HAD on other building management matters.**

HAD has set up District Building Management Liaison Teams (DBMLTs) comprising Liaison Officers (LOs) in the 18 District Offices (DOs) to provide support services on building management matters. For the Pre-meeting Advisory Service for OCs, Audit found that some DOs did not keep adequate records of services provided. In addition, the requirement stated in HAD’s “Operational Manual on Building Management for LOs” that “each private building will be visited by LOs at least once a year” had not been met from 2016 to 2019, with 47% to 54% buildings not visited each year. While some of the buildings were not visited in the past 5 years, there were repeated visits in the same year for some other buildings without reaching out to the owners’ organisations.

Regarding training on building management provided to LOs in DBMLTs, Audit noted that the total number of attendees had decreased by 14% from 329 to 282 during the period 2015-16 to 2019-20.

**PART 4 examines other administrative matters.**

For the performance indicator on “liaison with owners/management bodies of private buildings” in its Controlling Officer’s Reports, HAD has set target numbers of liaisons for each of the 18 DOs and for the Headquarters. Audit found that in 2019, 14 DOs and the Headquarters did not meet the targets on the total number of liaisons, and 7 (39%) of the 18 DOs had persistently failed to achieve the targets for 3 consecutive years from 2017 to 2019. Also, there was room for improvement in the counting of number of programmes for the performance indicator on “building management educational and publicity programmes”, such as double counting of the same programmes by the Headquarters and the DOs, and counting a television advertisement broadcast during a 6-day period as 60 “programmes”.

HAD maintains a Building Management Information System (BMIS), which is a database of all private buildings in Hong Kong used by HAD for planning and implementation of services. BMIS provides basic information on private buildings in all districts, such as number of units, year built and information on management organisations of the buildings. As at 31 March 2020, data of 40,944 buildings was kept in BMIS. Audit noted that some of the data was not available or had not been updated. For example, data of “year built” was not available for 7,099 (17%) buildings.

In the light of the above audit findings, Audit has made recommendations to HAD, and HAD has accepted the recommendations. I would like to take this opportunity to acknowledge with gratitude the full cooperation, assistance and positive response of the staff of HAD during the course of the audit review amid the coronavirus disease (COVID-19) epidemic.

Thank you, Mr. Chairman.



(Translation)

**Public Accounts Committee  
10 March 2021**

**Report No. 75 of the Director of Audit  
Efforts of the Home Affairs Department in facilitating building management  
(Chapter 4)**

**Opening Speech by the Secretary for Home Affairs**

Mr. Chairman and Honourable Members,

First of all, I would like to thank the Audit Commission for conducting the value for money audit on “Efforts of the Home Affairs Department (HAD) in facilitating building management”, which offers a lot of valuable comments.

2. Before discussing the contents of the audit report, I would like to first explain the role of HAD in building management. It is the owners’ responsibility to manage private buildings. The Government’s policy is to act as a facilitator to encourage and assist owners to form suitable residents’ organisations through multi-pronged measures, including providing a legal framework for buildings to form owners’ corporations (OCs) under the Building Management Ordinance (Cap. 344), so as to assist owners in discharging their building management responsibilities.

3. Other than legal framework, HAD has been actively providing owners with various support services to assist them in managing their buildings effectively. Since 2011, we have been launching various new services, including advisory services such as Free Legal Advice Service on Building Management and Owners’ Corporations Advisory Services Scheme; dispute resolution services such as Building Management Dispute Resolution Service and Free Outreach Legal Advice Service on Building Management; and services targeting aged buildings such as Central Platform on Building Management and Community Care Fund - Subsidy for Owners’ Corporations of Old Buildings.

4. Part 2 of the audit report reviewed HAD’s measures in supporting “three-nil” buildings (i.e. buildings which do not have OCs or any form of residents’ organisations, or do not engage property management companies). I understand that the community is concerned about the management of “three-nil” buildings. In fact, HAD has been actively assisting “three-nil” buildings in forming OCs through the Building Management Professional Advisory Service Scheme (BMPASS), so that owners can have a platform to discharge their building management responsibilities; and actively providing owners with various support

services to promote good building management. Through these efforts, the number of “three-nil” buildings has continued to decrease, from about 6 600 in mid-2011 to about 4 900 by the end of 2020, representing a decrease of 25% in ten years. It is worth mentioning that effective building management can be achieved through different forms of residents’ organisations. In addition to OCs that I mentioned earlier, other examples include mutual aid committees, owners’ committees, residents’ associations and cooperative societies, etc. We also notice that even if some buildings cannot set up OCs, the owners concerned have still engaged property management companies to manage their buildings, which accounted for 10% of the total number of buildings (i.e. about 4 000). However, as mentioned in the audit report, many “three-nil” buildings are fraught with inherent problems and practical issues. In particular, the audit report notes that many buildings which fail to form OCs share some common characteristics, such as most of the occupants being tenants rather than owners; the prominence of aged owners who are not interested in forming OCs; the existence of multiple Deeds of Mutual Covenant; the buildings concerned are under acquisition, etc., which make the formation of OCs difficult. Therefore, there are considerable hurdles for us to assist “three-nil” buildings in forming OCs. Nevertheless, we accept the recommendations of the audit report. We aim to launch the regularised BMPASS within this year with reference to the audit recommendations and our past experience. This will enable us to continue to assist “three-nil” buildings in achieve better management through different means (e.g. forming OCs), having regard to their individual circumstances.

5. Apart from daily management, “three-nil” buildings have to deal with problems such as fire safety, environmental hygiene and building safety. The formation of OCs alone cannot resolve these problems. In fact, these problems are not unique to “three-nil” buildings, and there were ample cases in the past where buildings with OCs also encountered such problems. The fundamental solution to these problems calls for close cooperation among the owners/residents and the relevant bureaux and departments. For example, to improve the fire safety of aged buildings more effectively, the Chief Executive earlier announced that consideration would be given to amending the Fire Safety (Buildings) Ordinance to empower the Fire Services Department and the Buildings Department to conduct fire safety improvement works on behalf of owners of aged buildings incapable of complying with statutory requirements, and recover relevant costs from them after completion of the works. As regards the drainage conditions of buildings, the Government has earlier announced in the Budget that one billion had been earmarked to launch the Building Drainage System Repair Subsidy Scheme in tandem with the Urban Renewal Authority, with a view to providing financial support to owners of aged buildings with relatively lower rateable values for inspection, repair and upgrading of the building drainage systems. Problems such as fire safety, environmental hygiene, and building safety should therefore be followed up by relevant departments in accordance

with the relevant legislation, and the departments concerned would, having regard to the actual circumstances, provide owners in need with targeted financial and technical assistance. HAD will continue to act as a facilitator to provide support to owners and refer them to relevant support services.

6. As for the recommendations in the Parts 3 and 4 of the audit report concerning support services on other building management matters and administrative matters, we have already taken follow-up action. For example –

- (a) the report recommends increasing the use of electronic means to conduct briefings for the Central Platform on Building Management. In this regard, we conducted a live webcast of the briefing held in Yuen Long in December 2020, and will continue to make similar arrangements regularly in future;
- (b) with reference to the report's recommendations, we have issued new guidelines on record keeping and visit procedures to the District Building Management Liaison Teams; and
- (c) under the relevant guidelines, we require liaison officers to complete a standard report after their liaison work, and record whether updates to the Database of Private Buildings in Hong Kong are required, thereby reminding colleagues to update the database in a timely manner.

7. In summary, we will further improve various measures and arrangements with reference to the recommendations of the audit report. My colleagues from HAD and I are happy to answer questions from Members.

8. Thank you, Mr. Chairman.

Ends

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30 March 2021

Clerk to the Public Accounts Committee  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong  
(Attn: Ms Wendy JAN)

Dear Ms JAN,

**Public Accounts Committee**  
**Consideration of Chapter 4 of the Director of Audit's Report No. 75**  
**Efforts of the Home Affairs Department in facilitating building management**

Thank you for your letters of 16 March 2021 to the Secretary for Home Affairs and Director of Home Affairs on the captioned matter.

The consolidated response of the Home Affairs Bureau and the Home Affairs Department to the questions raised in the two letters are set out at **Annex**.

Yours sincerely,

(Gavin Yeung)  
for Director of Home Affairs

c.c. Secretary for Home Affairs (Fax No.: 2591 6002)  
Secretary for Financial Services and the Treasury (Fax No.: 2147 5239)  
Director of Audit (Fax No.: 2583 9063)

**Public Accounts Committee**  
**Consideration of Chapter 4 of the Director of Audit's Report No. 75**  
**Efforts of the Home Affairs Department in facilitating building**  
**management**

**Consolidated Response of the Home Affairs Bureau**  
**and the Home Affairs Department**

**Part 1: Introduction**

**Q(a) Referring to paragraph 1.17 of the Audit Report about the performance indicators on facilitating building management reported in the Controlling Officer's Reports of the Home Affairs Department ("HAD"), please advise:**

**Q(a)(i) whether HAD would consider including in its Controlling Officer's Reports the indicators on "Visits to buildings with owners' corporations ("OCs")/mutual aid committees/owners' committees/residents' organizations" and "Visits to buildings without any form of management", which were replaced in 2017 by another indicator on "Liaison with owners/management bodies of private buildings"; if no, why not; and**

**A(a)(i)** In recognition of technological advancement and to better reflect the work of HAD in building management, the indicators "Visits to buildings with owners' corporations (OCs)/mutual aid committees/owners' committees/residents' organisations" and "Visits to buildings without any form of management" in HAD's Controlling Officer's Reports were replaced in 2017 by a new indicator "Liaison with owners/management bodies of private buildings". This change recognises the closer and more frequent liaison of District Building Management Liaison Teams (DBMLTs) with owners/management bodies by electronic means (e.g. e-mails, phone calls and instant messaging using mobile applications), in addition to the traditional means of conducting physical visits.

The actual number of liaisons conducted since 2017 was 57 926 (2017), 62 147 (2018) and 58 855 (2019) respectively. In 2020, HAD conducted 77 094 times of liaison, which was attributable to the increase in liaison work arising from the

COVID-19 pandemic as well as other ad hoc requests from other bureaux/ departments (B/Ds) for promotion of various Government subsidy schemes. The outbreak of the pandemic also highlights the importance of maintaining liaison via electronic means and the need to reflect such efforts in the indicator.

**Q(a)(ii) whether HAD would adjust upward the estimates for the two indicators on “Liaison with owners/management bodies of private buildings” and “Building management educational and publicity programmes”, which remained largely unchanged from 2017 to 2020; if yes, the details; if no, why not.**

A(a)(ii) The estimated target for the indicator “Liaison with owners/management bodies of private buildings” was already adjusted upward by 18% from 60 000 in 2020 to 71 000 in 2021. Regarding the indicator “Building management educational and publicity programmes”, in view of the continuation of the COVID-19 pandemic and the possible impact of social distancing measures on the implementation of the programmes, an estimated target similar to that for previous years has been adopted. Going forward, HAD will review the targets and make adjustment where necessary.

## **Part 2: Support services for the formation of owners’ corporations**

**Q(b) Referring to paragraph 2.2 of the Audit Report about the provision of services under the Building Management Professional Advisory Service Scheme (“BMPASS”) of HAD, please advise the free advisory services provided under BMPASS for owners of targeted buildings before the successful formation of OCs; whether such free support services would reduce the incentive of owners to set up OCs; and whether there are any further mandatory measures that could be taken by the Administration to incentivize owners to set up OCs and enhance their compliance with the Building Management Ordinance (Cap. 344).**

A(b) The advisory services provided under the BMPASS before formation of OCs include the following -

- (a) conducting household visits and contacting owners directly;
- (b) producing building management audit reports on common parts;
- (c) recruiting Resident Liaison Ambassadors (RLAs); and

(d) assisting in the formation of OCs or the reactivation of operation of OCs.

The advisory services provided before formation of OCs mainly serve to build up a liaison network and lay a foundation for formation of OCs, hence would not reduce the incentive of owners to form OCs.

While it has been our policy to encourage owners to organise themselves and form suitable residents' organisations, OC is not the only option, and there are other forms of residents' organisations (such as owners' committees). Owners can decide whether, and if so, which form of residents' organisation should be formed, having regard to their own needs, the buildings' conditions and the relevant terms of the Deeds of Mutual Covenant (DMC), etc. It may not be appropriate to introduce any mandatory measures for the formation of OCs.

**Q(c) According to Note 13 to paragraph 2.2 of the Audit Report, the total contract cost for the three phases of BMPASS amounted to \$137 million. However, Table 3 in paragraph 2.10 of the Audit Report shows that up to March 2020, only 536 (14%) out of 3 820 buildings approached have formed/reactivated OCs under BMPASS since its inception in 2011. According to paragraph 2.15 of the Audit Report and paragraphs A4 and A19 of Annex to your reply dated 4 January 2021, the inherent problems of “three-nil” buildings had posed considerable hurdles to the two BMPASS contractors in assisting owners to form/reactivate OCs. Please explain/advise:**

**Q(c)(i) why the contract cost of BMPASS was increasing over the three phases while the number of buildings approached by the contractors remained steady during the period;**

**A(c)(i)** The contract cost for each of the three phases of the BMPASS was about \$38 million (Phase 1), \$48 million (Phase 2) and \$51 million (Phase 3) respectively.

The increase in contract cost was primarily attributable to the enhanced scope of services to include recruitment of RLAs and procurement of third party risks insurance for OCs since Phase 2; and the increase in the number of target buildings by over 10% in Phase 3 (details set out in Table 5 of the Audit Report). The changes in the prevailing market price had also been reflected in the contract cost for each phase.

***\*Note by Clerk, PAC: See Appendix 32 of this Report for the reply dated 4 January 2021 from Director of Home Affairs.***

**Q(c)(ii) whether HAD has conducted any review of BMPASS (including holding meetings with the contractors to understand the difficulties encountered by them when helping owners to form/reactivate OCs) before proceeding to the subsequent phases of the scheme or conducted any mid-term reviews to assess whether the objective and targets of BMPASS have been achieved; if yes, the ranks of the public officers chairing such meetings/reviews, the major deliberations of the meetings/review results, and the concrete actions/measures taken by HAD following the meetings/reviews; if no, why not;**

**Q(c)(iii) whether HAD had conducted any contractor performance reviews during the nine years of implementation of BMPASS; if yes, the review results; if no, why not;**

A(c)(ii) In the wake of the building collapse incident at Ma Tau Wai  
- (iii) Road in January 2010, the then Chief Executive announced in his 2010-11 Policy Address that the Government would implement a number of initiatives in enhancing building management. In this connection, funding for three years was approved for HAD to implement the BMPASS to provide assistance to owners of old buildings in forming OCs to improve building management and maintenance.

A review overseen and endorsed by directorate officers of HAD was conducted towards the end of both Phase 1 and Phase 2 of the BMPASS respectively, which noted that the Scheme had been conducive to assisting owners of old buildings to improve building management, and had been well-received by the community and owners of target buildings. Phase 2 was subsequently implemented in 2014 and Phase 3 in 2017 to sustain the Government's efforts in supporting owners of old buildings, particularly those of "three-nil" buildings.

Apart from the above reviews, HAD has put in place at operation level a host of monitoring measures to keep track of the performance of the BMPASS Contractors. Amongst other, the management team of HAD led by a directorate officer had been meeting the BMPASS contractors quarterly to monitor overall progress and to share experience and difficulties. HAD staff at both the headquarters and district levels also monitored the work progress and attended meetings of OCs/owners, performed office records audit, etc. Moreover, the performance



of the BMPASS Contractors was constantly reviewed and necessary action would be taken to ensure compliance with contract terms. For example, in 2018, HAD issued a warning letter to one of the BMPASS Contractors for failure to achieve some of the output targets by the date specified in the contract. The problem was subsequently rectified.

**Q(c)(iv) why HAD still considered the achievement of BMPASS reasonable and the two contractors' performance satisfactory having regard to such a seemingly low success rate in forming/reactivating OCs, and whether HAD has reviewed the cost-effectiveness of BMPASS (including the commissioning of contractors) from the perspective of value for money; if yes, the review results; if no, how the Home Affairs Bureau ("HAB") has come up with the decision to regularize BMPASS. Please provide the justifications for regularizing the scheme with the support of statistical data where appropriate;**

**Q(c)(v) whether HAB considers it appropriate to regularize BMPASS before the inherent problems and practical difficulties with "three-nil" buildings could be fully addressed, and the concrete measures to be taken by HAB and HAD to tackle these problems and difficulties so as to increase the success rate of forming/reactivating OCs under BMPASS after its regularization; and**

A(c)(iv) The BMPASS provided owners of old buildings with a series of support services on building management. Other than the formation/reactivation of OCs, the BMPASS Contractors also assisted in the recruitment of RLAs, the application for various loan and subsidy schemes for maintenance works, the procurement of third party risks insurance, etc. Hence, the success rate of forming/reactivating OCs should not be taken as the sole indicator for assessing the performance of the BMPASS. That said, HAB and HAD agree that there is room for improvements in the performance of the BMPASS in terms of the success rate for OC formation.

The inherent problems and practical difficulties associated with "three-nil" buildings (e.g. predominance of tenants, aged owners, multiple DMCs, etc.) suggest that the formation of OC has never been easy, and will be increasingly difficult for the remainder of such buildings after three phases of the BMPASS.

While the formation of OC is not the only option for “three-nil” buildings (see A(b) above), given the outcome of the past three phases of the BMPASS and the positive feedback from service users and other local personalities, HAB and HAD consider it advisable to regularise the BMPASS for the benefit of owners of “three-nil” buildings who wish to improve building management through OC formation as one of the options. In addition, even though OC formation is only one of the deliveries of the BMPASS, HAD will introduce measures to enhance the success rate for the regularised Scheme. For example, in view of the Audit recommendation (see paragraphs 2.33 and 2.34(a)), HAD will require the contractors to step up the recruitment of RLAs in order to increase the chance of OC formation. HAD will also invite tenderers to submit other innovative suggestions to encourage owners to form OCs.

**Q(c)(vi) the latest progress of the regularization of BMPASS and the estimated contract price for the regularized BMPASS.**

A(c)(vi) HAD is working on the details of the regularised BMPASS, taking into account the experience of the past three phases of the BMPASS, the Audit recommendations and the comments of the Public Accounts Committee. HAD aims to launch the regularised Scheme within this year. The contract price of the awarded tender will be published upon completion of the tender exercise.

**Q(d) According to paragraph 2.6 of the Audit Report, the target buildings under BMPASS include buildings with OCs but the management committees of which were defunct or inactive. The “three-nil” buildings which might not be able to form OCs in accordance with the Building Management Ordinance (Cap. 344) should be excluded from the coverage of BMPASS. Please advise whether HAD would consider maintaining a proper database on the number of buildings eligible for BMPASS and other related statistics, so as to facilitate the resource planning and improve the effectiveness of BMPASS.**

A(d) With a view to ascertaining the number of buildings with defunct or inactive management committees (MCs), HAD will develop guidelines to help DBMLTs identify buildings with MCs which are defunct or inactive (e.g. no meetings have been held for a prolonged period of time, no response to HAD’s enquiries or phone calls, etc.), and to remind DBMLTs to suitably record information about such MCs identified during their daily liaison and report the information to the headquarters

regularly. As for other types of buildings that cannot form OCs under the Building Management Ordinance (Cap. 344) (BMO) (e.g. those under single ownership or being town house development), HAD will require DBMLTs to regularly compile information on such buildings known to them in the course of their daily liaison work.

The above-mentioned measures will be implemented in the second quarter of 2021. They would facilitate resource planning for HAD's support services.

**Q(e) Referring to Table 4 of paragraph 2.12 of the Audit Report about the large percentage of unsuccessful household visits conducted by a BMPASS contractor in District A (71% for Phase 2 and 81% for Phase 3), please advise:**

**Q(e)(i) whether HAD has identified the reasons for the low completion rate of household visits; if yes, the details; if no, why not; and whether the low completion rate of household visits is a contributing factor for the low success rate of forming/reactivating OCs under BMPASS; if yes, the follow-up actions taken by HAD to address the issue;**

A(e)(i) To facilitate the conduct of household visits, at the start of each phase of the BMPASS, the BMPASS Contractors were required to distribute a letter to owners of target “three-nil” buildings and inform them of the relevant details of the Scheme, such as the objectives and the name of the BMPASS Contractors. The BMPASS Contractors would then conduct household visits after issuing the notification letter.

Based on our understanding from the BMPASS Contractors and our observations, common reasons for the low success rate of household visits include the unwillingness of occupants who were tenants to participate in building management, prevalence of vacant units (e.g. for buildings under acquisition) and aged owners who were not interested in forming OCs or were reluctant to answer the door when strangers called, etc.

To enhance the success rate of household visits, the BMPASS Contractors would be required to conduct another round of visits at different times of a day. The BMPASS Contractors would conduct further rounds of household visits where necessary, e.g. for buildings where the participation of just a few more owners would be sufficient for forming OCs.

Furthermore, the BMPASS Contractors were required to re-visit all buildings with low success rate nine months before expiry of the scheme. After the visits, an appeal letter would be issued to encourage households which did not answer the door to contact the BMPASS Contractors.

**Q(e)(ii) the measures to be taken by HAD to increase the completion rate of household visits under the regularized BMPASS, and the action plan/tentative timetable and the estimated resources to be required for implementing such measures;**

A(e)(ii) Having regard to the difficulties encountered during household visits in previous phases, HAD will explore other channels to reach out to owners of “three-nil” buildings. For example, consideration is being given to setting up mobile counters in the evening at the building entrance to approach owners/residents when they return home. Other incentives such as the distribution of souvenirs to households visited may also be adopted. Besides, HAD will also require tenderers for the regularised BMPASS to suggest innovative measures to enhance the success rate for the outreach work.

**Q(e)(iii) how HAD verified the statistics on household visits provided by the BMPASS contractors; and**

**Q(e)(iv) how HAD monitored the work of BMPASS contractors to ensure that they had conducted door-to-door household visits to all target buildings.**

A(e)(iii) The BMPASS contractors were required to provide HAD with the schedules of household visits. The relevant District Offices would conduct bi-monthly record checks, including the records on household visits and staff attendance. Besides, the progress of household visits would also be reported at the quarterly review meetings with HAD’s management at headquarters’ level.

**Q(f) Referring to paragraphs 2.17 and 2.18 of the Audit Report about the persistent over-achievement in the output targets set for the three phases of BMPASS, please advise how the level of such targets for each phase was determined, and whether HAD would re-adjust these targets for the regularized BMPASS to better reflect the contractors' performance and the extent to which BMPASS has achieved its objective; if yes, details of the revised targets; if no, why not.**

**A(f)** Various targets were set for the BMPASS Contractors under the respective contracts, namely-

- (a) number of OCs formed/reactivated;
- (b) number of RLAs recruited;
- (c) number of OCs applying for loan/subsidy;
- (d) number of OCs engaging consultants/contactors; and
- (e) number of OCs procuring third party risks insurance.

As mentioned in our previous reply, HAD had adopted a prudent approach in setting the target for the formation/reactivation of OCs given the inherent problems of “three-nil” buildings. The relevant target had already been adjusted upward for Phase 3 in light of the experience of the past two phases.

As HAD intended to require the BMPASS Contractors to recruit at least one RLA for each target building under Phases 2 and 3 (the recruitment of RLAs was not a contract requirement for Phase 1), the target for RLA recruitment corresponded to the number of target buildings. On the other hand, given that services relating to applying for loan/subsidy, engaging consultants/ contactors and procuring third party risks insurance would only be applicable to buildings with OCs successfully formed/activated, the relevant targets were set with reference to the targets for number of OCs formed/reactivated.

HAD agrees that there is room for adjusting the targets upward, and will take this into account in developing the details of the regularised Scheme. One possibility is to set higher targets to be met within a shorter period. The revised targets will be set out in the tender documents.

**Q(g) Referring to paragraph 2.22 of the Audit Report about the users' satisfaction surveys conducted for the three phases of BMPASS, please provide/advise:**

**Q(g)(i) the reasons for the overall decrease of 56% in the number of survey questionnaires distributed, the distribution method and a sample of the questionnaire;**

A(g)(i) To gauge opinions of service users, HAD issued questionnaires to RLAs (if recruited), representatives of OCs (if formed) or, in the absence of RLAs and OCs, owners/residents of individual flats of the target buildings through different means, including distributing the questionnaires in person during visits and depositing the questionnaires into the letter boxes. The survey was conducted twice in each phase of the BMPASS. The number of questionnaires distributed in Phase 1, Phase 2 and Phase 3 was 32 434, 17 601 and 14 349 respectively. As the number of RLAs recruited and OCs formed increased as the BMPASS progressed, the need for distributing the questionnaires to individual owners/residents reduced, hence the decreasing number of questionnaires distributed. A sample of the questionnaire is at **Appendix A**.

**Q(g)(ii) the measures/follow-up actions to be taken by HAD in respect of the decreasing number of survey questionnaires distributed and low response rate of the survey, as well as the manpower and resources to be deployed for taking such measures/follow-up actions; and**

**Q(g)(iii) whether HAD would explore other more effective ways to gauge users' views; if yes, the details and timetable; if no, why not.**

A(g)(ii) HAD is exploring measures to gauge users' feedback more effectively in order to enhance service evaluation. Some of the measures being considered include engaging professional polling firms to conduct opinion surveys, designing different sets of questionnaire for different target groups (e.g. service users, RLAs, residents not interested in using the service) and adopting other means of collecting feedback (e.g. conducting telephone interviews), etc. HAD also plans to invite tenderers to propose measures to step up publicity and encourage users' feedback. The enhanced measures will be implemented under the regularised Scheme.

**Q(h) Referring to Table 8 in paragraph 2.33 of the Audit Report on the results of the RLA Scheme, please provide/advise:**

**Q(h)(i) the reasons for the drop in the number of RLAs recruited from its peak in 2017 to 2019 by 59%, and in the total number of OCs formed from its peak in 2018 to 2019 by 44%; and**

A(h)(i) As mentioned in Note 23 of the Audit Report, the fluctuation in number of RLAs recruited was associated with the commencement of each phase of the BMPASS. Upon the commencement of each phase of the BMPASS (e.g. in 2017 for Phase 3), the BMPASS Contractors would conduct household visits and recruit RLAs as a first step. It follows that there would be a higher number of RLAs recruited in that particular year. While the BMPASS Contractors would continue to recruit RLAs in subsequent years, the number of RLAs recruited would naturally decrease.

As for the number of OCs formed, the figure covers OCs formed by owners' initiative or through HAD's support services such as the BMPASS. It is observed that the number maintained more or less within the range of 200 to 250 over the years. While the number of OCs formed each year might fluctuate due to various reasons and HAD does not have information about the reason for the decrease in 2019, it might in part be due to the social incidents that occurred in the second half of 2019.

**Q(h)(ii) the statistics of 2020 on the items shown in Table 8.**

A(h)(ii) The requested statistics for 2020 are at **Appendix B**.

**Q(i) With reference to paragraph A10 of Annex to your letter dated 4 January 2021, please elaborate on the measures to step up efforts in recruiting RLAs and enhance publicity of the RLA Scheme, and provide a timetable for implementing the measures.**

A(i) Taking into account Audit recommendations, HAD will actively explore measures to further publicise the RLA Scheme and recruit more RLAs. To promote the recruitment of RLAs, a set of newly designed poster and application form was produced in January 2021. In addition to distributing the new forms to owners/residents through our daily liaison,

**\*Note by Clerk, PAC: See Appendix 32 of this Report for the reply dated 4 January 2021 from Director of Home Affairs.**

the forms will also be made available on other occasions, e.g. when one-off cleaning service is provided to “three-nil” buildings to demonstrate good building management.

Furthermore, HAD will set a higher RLA recruitment target for the future BMPASS Contractors in the regularised Scheme, such that there will be at least two RLAs for each “three-nil” building. We also plan to require the BMPASS Contractors to organise training for RLAs to strengthen their knowledge and role in building management. We are working on the details of the regularised Scheme with a view to launching it within this year.

### **Part 3: Support services on other building management matters**

**Q(j) With reference to Figure 1 in paragraph 3.3 and Table 9 in paragraph 3.13 of the Audit Report, please explain why the number of private buildings visited by District Building Management Liaison Teams (“DBMLTs”) decreased by 13% from 2016 to 2019 while the staff establishment and expenditure of Liaison Officers (“LOs”) in DBMLTs increased by 20% from 2015-2016 to 2019-2020; whether there were any other extra duties performed by LOs or new services provided by DBMLTs during the period; if yes, the details and relevant statistics on the provision of such services by DBMLTs; and the current staff establishment and strength of the LO grade and the distribution of duties among different ranks of the LO grade.**

**A(j)** As mentioned in A(a) above, to better reflect the work of HAD in building management, the indicators “Visits to buildings with OCS/MACs/owners’ committees/residents’ organisations” and “Visits to buildings without any form of management” in HAD’s Controlling Officer’s Reports were replaced in 2017 by a new indicator “Liaison with owners/management bodies of private buildings”. With the revision of the indicators in 2017, physical visit was no longer regarded as the only means of performing building management liaison work.

In fact, there has been an increase in the number of liaison over the years, from 57 926 in 2017 to 77 094 in 2020, representing an overall increase of 33%. Moreover, LOs were heavily engaged in providing/ promoting new services launched by HAD in the past few years, such as Pre-Meeting Advisory Service for Owners’ Corporations, Building Management Dispute Resolution Scheme, Owners’ Corporations Advisory Services Scheme, Central Platform on Building Management and Free Outreach Legal Advice Service on Building Management, as



well as promoting the revised Code of Practice (CoP) issued under the BMO, the Best Practices on Building Management and the Checklist on Procedural Propriety on Building Management, etc.

Currently, there are 145 liaison officers (LOs) engaged in building management duties. The general distribution of duties among different ranks of LOs engaged in building management duties is at **Appendix C**.

**Q(k) Referring to Case 1 in paragraph 3.18 of the Audit Report about the repeated failures to visit a private building by a DBMLT between 2015 and 2019, please explain the repeated unsuccessful visits in this case and advise the follow-up actions taken by HAD against the DBMLT concerned as well as the mechanism in place to monitor the performance of DBMLTs, including imposing penalty on persistently under-performing DBMLTs.**

**A(k)** DBMLTs may experience difficulties at times in reaching out to the target buildings prior to the visits, particularly where the MCs are defunct or inactive, hence repeated visits may occur. HAD agrees that there is room for improvement in conducting visits.

HAD has looked into Case 1 and approached the officers involved in the Case. While one subject officer has resigned from office, another subject officer has been reminded of the appropriate procedures for conducting visits. Taking into account Audit's comments, HAD also issued guidelines in February 2021 to DBMLTs on the procedures for conducting visits. Under the guidelines, LOs in DBMLTs are required to complete a report for each visit conducted and submit it for endorsement by his/her supervisor, who will take this into account in assessing the LOs' performance. The visit report has to follow prescribed format to facilitate monitoring and proper recording keeping. Moreover, as mentioned in A(d) above, HAD will issue guidelines to help DBMLTs identify buildings with defunct/inactive MCs. This would also help improve the effectiveness of visits.

**Q(l) Referring to Table 11 in paragraph 3.21 of the Audit Report about the training on building management for LOs, please explain/advise:**

**Q(I)(i) why the total number of training hours of LOs had increased by 45% from 96 hours in 2015-2016 to 139 hours in 2019-2020 while the total number of attendees had decreased by 14% from 329 to 282 in the same period;**

A(I)(i) The number of training hours and attendees may vary each year depending on the nature of training programmes organised. For example, with respect to mediation training, HAD organised in 2015-16 a 2.5-hour briefing on Pilot Scheme on Free Mediation Service for Building Management with an attendance of 42 LOs; while in 2019-20, HAD organised a 40-hour General Mediator Training Course for Building Management with attendance of 24 LOs owing to constraint in class size. Moreover, we used to organise four sessions of Study of Court Cases on Building Management (the workshop) every year, which was attended by about 30 to 70 LOs for each session. However, in 2019-20, only two sessions of the workshop could be organised owing to the social incidents and the COVID-19 outbreak.

**Q(I)(ii) whether there are any compulsory training programmes provided for LOs; if yes, the details; if no, how HAD could ensure that LOs are equipped with sufficient and latest knowledge and skills required for their duties; and**

A(I)(ii) To equip LOs with the necessary knowledge in discharging their building management duties, HAD has been providing training programmes and briefing sessions to them on a regular and need basis. For newly recruited LOs, HAD provides induction courses on the principles and practices of building management. For example, induction training on building management was provided to 53 LOs in 2018-19. Similar training will be provided to newly-recruited LOs reporting duty in 2021-22.

For more experienced LOs, HAD organises workshops and theme-talks on the provisions of the BMO and judgments of related court cases. A tertiary institute has also been engaged to provide 39-hour training course for LOs responsible for building management duties, with a focus on the legal aspect of multi-storey building management such as the land system in Hong Kong, BMO provisions and its interface with DMC, disputes resolution, etc. From 2015-16 to 2019-20, over 120 LOs attended the training on legal aspect of multi-storey building management. HAD will continue to provide LOs with adequate training having regard to the need and resources.

**Q(I)(iii) whether there is a mechanism put in place by HAD to evaluate the professional competencies of LOs on a regular basis; if yes, the details; if no, whether HAD would consider developing an assessment system/tool for this purpose.**

A(I)(iii) LOs are departmental grade officers of HAD responsible for planning and carrying out different initiatives/activities at the territory and district level to achieve the HAD's goals in serving the community. Besides building management, the major job functions of the LO grade cover community building and networking, rural affairs, etc. LOs will be posted to take up various duties in different districts. The maintenance of effective network in the community and promotion of good building management are complimentary to each other. The experience gained in different exposures is also conducive to the effective delivery of their duties in building management. There is an established mechanism to evaluate the required core competencies of LOs through the annual appraisal system.

**Q(m) With reference to Table 12 in paragraph 3.22 of the Audit Report, please advise whether HAD would consider providing dedicated training courses on some of the new services launched, including pre-meeting advisory service for OCs, building management dispute resolution service and free outreach legal advice service on building management; if yes, the related arrangement; if no, why not.**

A(m) The three services mentioned (i.e. Pre-meeting Advisory Service for OCs, Building Management Dispute Resolution Service and Free Outreach Legal Advice Service on Building Management) either concern compliance with the BMO and CoP or legal services provided by the external professional bodies and professionals. Relevant training covering these services, among others, have been provided on an on-going basis through the training courses on building management for LOs. All support services have also been introduced in the induction training for all newly appointed officers.

Besides, HAD is updating the Operational Manual on Building Management for Liaison Officers, and will include those services in the updated Manual.

**Q(n) Referring to paragraph 3.41 of the Audit Report on the low attendance rates of the LEAD/Advanced LEAD Programmes provided for office-bearers of OCs between 2015 and 2019, please advise the measures taken/to be taken by HAD to increase the attendance rates of the two programmes.**

A(n) As shown in Table 14 of the Audit Report, 88% and 87% of the attendees for the LEAD Programme and Advanced LEAD Programme respectively had an attendance rate of over 70%. Considering that the attendees of the two programmes were mostly MC members serving on a voluntary basis, HAD considers the attendance rate satisfactory. That said, to further increase the attendance rate, we will explore measures such as the provision of online learning to better serve the needs of attendees. We will also adopt the Audit recommendation to set the possession of a Statement of Attendance in the LEAD Programme as a prerequisite for enrolling in the Advanced LEAD Programme.

**Q(o) With reference to paragraph A2 of Annex to your letter dated 13 January 2021 regarding the actions initiated by the Administration to resolve issues relating to building safety, fire safety or environmental hygiene of “three-nil” buildings, please advise whether HAD has any role to play in these matters.**

A(o) While different B/Ds in charge of the respective policy portfolio (e.g. building and fire safety) would take enforcement actions in accordance with relevant legislation and provide various financial subsidies/technical assistance, HAD will closely work with the B/Ds concerned and play a supportive/ facilitating role for owners by helping them form OCs or other forms of owners’ organisations, and apply for relevant support services.

As regards environmental hygiene, to demonstrate good building management, HAD has been providing one-off cleaning service to old buildings in need, including “three-nil” buildings, having regard to actual circumstances. From 1 December 2019 to 28 February 2021, around 4 900 times of cleaning service had been provided to over 2 300 “three-nil” buildings. As the pandemic persists, some buildings (including “three-nil” buildings) have reported confirmed cases or been subject to compulsory testing. HAD has since 25 January 2021 been providing one-off enhanced cleaning service to buildings in need. As at 28 February 2021, HAD provided enhanced cleaning service to over 220 buildings (including 80 “three-nil” buildings).

***\*Note by Clerk, PAC: See Appendix 33 of this Report for the reply dated 13 January 2021 from Director of Home Affairs.***

#### **Part 4: Other administrative matters**

**Q(p) Referring to Table 16 in paragraph 4.6 of the Audit Report showing the achievement on the target number of liaisons by seven District Offices (“DOs”) from 2017 to 2019, please explain the great variance in the percentages of achievement among the seven DOs, which ranged from 8.0% for DO C in 2019 to 99.1% for DO H in 2017; and the follow-up actions/improvement measures taken/to be taken by HAD against those DOs with persistently low rates of achievement on the target throughout the period.**

A(p) As mentioned in A(a) above, HAD has adopted the performance indicator “liaison with owners/management bodies of private buildings” since 2017 in recognition of technological advancement and to better reflect the work of HAD in building management. Due to the diverse modes of service delivery (face-to-face meetings, correspondence exchanges, telephone communication, instant messaging, etc.), individual DBMLTs may have experienced difficulties in fully documenting their work. Since the total number of liaison conducted is compiled on the basis of relevant information kept in the liaison records, such failure to record liaison work done by individual BMLTs would be taken as failure in achieving the liaison target. HAD agrees that there is room for improvements. In this connection, HAD issued guidelines to DBMLTs in February 2021 on proper record keeping and enhanced monitoring mechanism to ensure that the target number of liaisons would be met.

Specifically, DBMLTs are required to keep a copy of every written liaison on file. For liaison conducted by non-written means (e.g. visits or telephone calls), the liaison work done should be recorded in the templates provided and filed accordingly. The guidelines also require District Officers to assign an officer not lower than the rank of Senior Liaison Officer to conduct regular random inspection to ensure the maintenance of proper records on the liaison conducted. District Officers are also reminded to monitor the progress closely to ensure that the annual targets are met. HAD headquarters will review the liaison conducted by DBMLTs on a quarterly basis and will require respective District Officers to provide explanation for any failure to achieve the targets.

**Q(q) With reference to paragraphs 4.21 and 4.22 of the Audit Report, please advise apart from the Operational Manual for LOs, the monitoring efforts that could be made by HAD to ensure the proper input and timely update of data in the Building Management Information System by LOs.**

**A(q)** Under the guidelines to DBMLTs in February 2021, LOs are required to complete a standard report after their liaison work. They need to indicate in the report whether updates to the Database of Private Buildings in Hong Kong (database) are required. Besides, to enhance the accuracy of the database, HAD plans to obtain relevant information (e.g. “year built”) from the B/Ds concerned for cross-checking the information contained in the database.

**Home Affairs Bureau  
Home Affairs Department  
March 2021**

## Building Management Professional Advisory Service Scheme Phase 3 Users' Satisfaction Survey

Area : \_\_\_\_\_

District (if applicable) : \_\_\_\_\_

### Part I: Service Performance of the Property Management Company

	Very Satisfied	Satisfied	Fair	Dissatisfied	Very Dissatisfied	For Official Use
<b>A. Satisfaction with the following services</b>						
<i>Please circle the rating selected</i>						
1. Company staff (including property management and works staff)						
Appearance and politeness	5	4	3	2	1	<input type="checkbox"/>
Work attitude	5	4	3	2	1	<input type="checkbox"/>
Efficiency	5	4	3	2	1	<input type="checkbox"/>
Professional knowledge	5	4	3	2	1	<input type="checkbox"/>
Handling of enquiries and complaints	5	4	3	2	1	<input type="checkbox"/>
2. Arrangements for household visits	5	4	3	2	1	<input type="checkbox"/>
3. Arrangements for owners' meetings						
Communication with the chairman and members of the OCs and owners	5	4	3	2	1	<input type="checkbox"/>
Preparation of agendas	5	4	3	2	1	<input type="checkbox"/>
Secretarial support	5	4	3	2	1	<input type="checkbox"/>
Professional advice	5	4	3	2	1	<input type="checkbox"/>
Follow-ups	5	4	3	2	1	<input type="checkbox"/>
4. Arrangements for building maintenance works						
Assistance in application for funding schemes	5	4	3	2	1	<input type="checkbox"/>
Knowledge about repair orders	5	4	3	2	1	<input type="checkbox"/>
Communication with government departments	5	4	3	2	1	<input type="checkbox"/>
Assistance in arrangements for works (e.g. convening general meetings of OC, determining works items and costs, engaging Authorised Persons/maintenance contractors through newspaper advertisements, drawing up tenders, etc.)	5	4	3	2	1	<input type="checkbox"/>

	Very Satisfied	Satisfied	Fair	Dissatisfied	Very Dissatisfied	For Official Use
	5	4	3	2	1	<input type="checkbox"/>
Advice on monitoring progress and charges of maintenance works						
5. Arrangements for education and community activities	5	4	3	2	1	<input type="checkbox"/>
6. Hotline service	5	4	3	2	1	<input type="checkbox"/>
<b>B. Overall Satisfaction</b>	Very Satisfied	Satisfied	Fair	Dissatisfied	Very Dissatisfied	For Official Use
Overall level of satisfaction with the building management professional advisory services of [name of company]	5	4	3	2	1	<input type="checkbox"/>

### **Part II: Implementation of the Building Management Professional Advisory Service Scheme Phase 3**

	Very Satisfied	Satisfied	Fair	Dissatisfied	Very Dissatisfied	For Official Use
A. Publicity of the Scheme	5	4	3	2	1	<input type="checkbox"/>
B. Has the Scheme helped in the formation of OC and promotion of building management and maintenance?	<input type="checkbox"/> Yes		<input type="checkbox"/> No			

### **Part III: Other Comments**

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### **Contact Information**

Name of Owner/Resident: \_\_\_\_\_

Name of owners'/residents' organization/

Resident Liaison Ambassador (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

Contact telephone number: \_\_\_\_\_

Personal data collected in the Survey will only be used for the purpose of the Scheme and related services.

**Thank you**



**Table 8**  
**Results of the RLA Scheme**  
(2015 to 2020)

Item	2015	2016	2017	2018	2019	2020
No. of RLAs recruited in the year (a)	566	319	1,054	439	431	224
Cumulative no. of RLAs since 2011						
Incumbent RLAs (b)	1,769	1,989	2,875	2,865	2,759	2,188
Former RLAs (c)	437	536	704	943	1,131	1,177
Total no. of RLAs recruited (d) = (b)+(c)	2,206	2,525	3,579	3,808	3,890	3,365
No. of “three-nil” buildings aged 30 years or above (e)	N.A. (Note)	4,686	4,502	4,305	4,203	4,055
No. of buildings with incumbent RLAs (f)	982	1,032	1,391	1,493	1,300	1,125
Buildings with incumbent RLAs as a percentage of no. of “three-nil” buildings aged 30 years or above (g) = (f) ÷ (e) × 100%	N.A.	22%	31%	35%	31%	28%
Total no. of OCs formed (h)	223	200	222	236	132	83
No. of OCs formed through the RLA Scheme (i)	74	46	57	108	87	29
OCs formed through the RLA Scheme as a percentage of total no. of OCs formed (j) = (i) ÷ (h) × 100%	33%	23%	26%	46%	66%	35%

*Note: According to HAD, the number for 2015 was not available because HAD’s database on private buildings underwent an enhancement in 2016, and information prior to the enhancement could not be traced.*

## **Appendix C**

### **General distribution of duties in Building Management among different ranks of the Liaison Officer (LO) grade in Headquarters (HQs) and District Building Management Liaison Teams (DBMLTs)**

#### **Principal Liaison Officer (HQs)**

- To plan and oversee the implementation of new and ongoing support services, as well as educational and publicity initiatives on building management
- To give guidance and advice on complicated complaints and enquiries on building management

#### **Chief Liaison Officer (HQs)**

- To assist in planning and overseeing the implementation of new and ongoing support services, as well as educational and publicity initiatives on building management
- To handle complicated complaints and enquiries on building management

#### **Senior Liaison Officer (DBMLTs)**

- To oversee the operation of the District Building Management Liaison Team
- To give guidance and advice to LOIs and LOIIs in handling of building management matters
- To handle persistent and complicated complaints
- To assist in and monitor the implementation of various new building management initiatives at district level

#### **Liaison Officer I (DBMLTs)**

- To oversee building management issues of designated areas
- To oversee the provision of support services to owners and owners' corporations (OCs) in designated areas
- To compile regular returns on building management services
- To supervise and provide on-the-job training to LOIIs on building management

## **Liaison Officer II (DBMLTs)**

- To provide support services (such as assistance to form OCs, attend meetings of OCs and handling complaints) to owners and OCs of designated areas
  - To organise publicity and educational programmes on building management
  - To assist in the preparation of building management returns
  - To update building information in the Building Management Information System
  - To supervise and provide on-the-job training to part-time community organizers on building management
-

民政事務總署

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4 January 2021

Clerk to the Public Accounts Committee  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong  
(Attn: Ms Wendy JAN)

Dear Ms JAN,

**Public Accounts Committee**  
**Consideration of Chapter 4 of the Director of Audit's Report No. 75**  
**Efforts of the Home Affairs Department in facilitating building management**

Thank you for your letters of 23 December 2020 to the Secretary for Home Affairs and Director of Home Affairs on the captioned matter.

The consolidated response of the Home Affairs Bureau and the Home Affairs Department to the questions raised in the two letters are set out at **Annex**.

Yours sincerely,

(Gavin Yeung)

for Director of Home Affairs

c.c. Secretary for Home Affairs (Fax No.: 2591 6002)  
Secretary for Financial Services and the Treasury (Fax No.: 2147 5239)  
Director of Audit (Fax No.: 2583 9063)

**Public Accounts Committee**  
**Consideration of Chapter 4 of the Director of Audit's Report No. 75**  
**Efforts of the Home Affairs Department in facilitating building**  
**management**

**Consolidated Response of the Home Affairs Bureau**  
**and the Home Affairs Department**

**Introduction**

It is the Government's policy to encourage and assist property owners and owners' organisations, such as owners' corporations (OCs), in discharging their responsibilities in managing their buildings. The Building Management Ordinance (BMO) (Cap. 344) provides the legal framework for the purpose. The Secretary for Home Affairs is the Authority under the BMO. The Home Affairs Department (HAD), being the executive arm of the Home Affairs Bureau (HAB), seeks to assist owners of private buildings to form OCs and assist them in dealing with building management matters and the operation of OCs. At the district level, HAD has set up District Building Management Liaison Teams (DBMLTs) comprising Liaison Officers (LOs) in the 18 District Offices (DOs) to provide support services on building management matters. The consolidated response of HAB and HAD to the questions raised by the Public Accounts Committee (PAC) is set out below.

**Response to PAC's Questions**

**Part 2: Support services for the formation of owners' corporations**

**Q1. According to paragraph 2.5, the Building Management Professional Advisory Service Scheme ("BMPASS") would be regularized. Would HAD set any performance indicators for forming/reactivating OCs under BMPASS?**

**A1.** HAD will take into account the experience of the past three phases of the BMPASS and the Audit recommendations in preparing for the regularisation of the BMPASS. We are working on the details of the regularised scheme with a view to launching it in around mid-2021 tentatively. To this end, appropriate performance indicators, including

the minimum number of OCs to be formed, will be set out in the tender documents for the service.

- Q2. According to paragraph 2.6, apart from “three-nil” buildings, BMPASS also covered buildings with OCs but the management committees of which were defunct or inactive. However, HAD did not have readily available information on the number of such buildings. Did HAD agree that this was not satisfactory for resources planning purpose and assessment of the extent to which BMPASS had achieved its objective?**

**Some buildings should be excluded from the coverage of BMPASS, as it might not be able to form OCs in accordance with the BMO (e.g. buildings under single ownership). Had HAD tried to ascertain the number of such buildings? If yes, what were the results? If not, why not?**

- A2.** If the Management Committee (MC) of an OC is known to have become defunct or inactive during the day-to-day liaison of the DBMLTs, this will be duly recorded. The information will be taken into account when the building applies for or is nominated for HAD’s support services such as the BMPASS. Nevertheless, HAD agrees that it is desirable to ascertain the number of buildings with defunct or inactive MCs across the territory to facilitate planning for HAD’s support services. To this end, HAD will develop guidelines to help DBMLTs identify buildings with MCs which are defunct or inactive (e.g. no meetings have been held for a prolonged period of time, no response to HAD’s enquiries or phone calls, etc.), and to remind DBMLTs to suitably record information about such MCs identified during their daily liaison and report the information to the headquarters regularly.

Similarly, building information on whether a building is under single ownership or it is a town house development, etc., if known in the course of the daily liaison work, would be recorded by DBMLTs. While such information is used from time to time to assess the eligibility of individual buildings for HAD’s support services (such as BMPASS), centralised statistics are not readily available. Going forward, HAD will compile updated information on buildings that cannot form OCs under the BMO on a regular basis. This will facilitate better planning for support services to buildings in need.

**Q3. With reference to paragraph 2.7 and Table 2 regarding the number of target buildings under the three phases of BMPASS, the variance in the planned and actual number of target buildings ranging from -75 to 75 for individual geographical areas. Was HAD aware of the variance before Audit raised the importance of reviewing the basis of geographical allocation of target buildings under BMPASS? If yes, what measures had HAD taken to address the issue? If not, why not?**

**A3.** It has been HAD's intention to cover all eligible "three-nil" buildings under the three phases of the BMPASS. Hence, during the preparation for BMPASS Phase 3 in 2016, all those "three-nil" buildings (about 1 400) in HAD's records that had not been approached previously were included. Targets were also set for individual geographical areas.

However, in the course of assessing the eligibility of individual buildings after the launch of BMPASS Phase 3, HAD noted that some of those buildings were no longer eligible (e.g. under single ownership). HAD had replaced such buildings by those with defunct MCs, which might be located in other districts, and hence the variance. Such variance in individual districts was the result of HAD's efforts to ensure optimal use of resources, and was thus known before the Audit exercise. However, in overall terms, there was no significant difference between the total planned and actual number of target buildings.

As mentioned in A2 above, HAD will compile updated information on buildings that cannot form OCs under the BMO. This will help ascertain the eligibility of buildings for our planning purpose. Moreover, the experience of the previous BMPASS reveals that the status of individual buildings may change from time to time (e.g. a building has come under single ownership as a result of acquisition, or may be demolished and redeveloped). Instead of setting targets for individual geographical areas, HAD will set an overall target for the contractors under the regularised BMPASS, which should help address the issue of variance.

**Q4 & Q19. According to paragraphs 2.10 and 2.11, in nine years from 2011 to 2020, among 3 820 buildings approached by the BMPASS Contractors, only 536 (14%) OCs had been successfully formed/reactivated. Did HAD agree that this was not satisfactory? What support would the Home Affairs Bureau provide to HAD for improving the success rate?**

A4 & A19. As noted in paragraph 2.15, “three-nil” buildings are often fraught with inherent problems and practical issues which make the formation of OCs difficult. Examples include buildings with most of the occupants being tenants rather than owners; buildings with aged owners who were not interested in forming OCs; buildings with the existence of multiple Deeds of Mutual Covenant leading to complications in ownership and management responsibilities; buildings under acquisition, etc. These inherent difficulties pose considerable hurdles for the BMPASS Contractors in assisting owners to form/ reactivate OCs. That said, HAB and HAD agree that there is room for improvements. HAB will continue to render full support to HAD’s endeavours to enhance the success rate in the regularised scheme through means including the provision of necessary resources.

**Q5. According to paragraph 2.15, HAD considered that the performance of BMPASS was reasonable. How did HAD come to this conclusion without having any performance indicator and detailed records of the difficulties faced by the BMPASS Contractors?**

A5. HAD has set performance indicators for the past three phases of the BMPASS, including the targeted number of OC formation/activation. The relevant targets and the actual performance are set out in the table below.

	Phase 1	Phase 2	Phase 3	Total
Contractual Targets	99	99	105	303
Actual number of OCs formed/activated	157	194	185	536

It is noted that the BMPASS Contractors have in total formed/reactivated 536 OCs, over and above the contractual target of 303 OCs. Against the background of the inherent difficulties in OC formation mentioned in **A4** above, HAD considers that the performance to be reasonable. Having said that, HAD agrees that there is room for improvements, and will strive to enhance the outputs in the regularised scheme.

**Q6. According to paragraph 2.15, the BMPASS Contractors had reflected that the difficulties in forming/reactivating OCs in some buildings might be due to a number of inherent problems and practical difficulties faced by the owners of these buildings. In light of these difficulties, what measures would be taken to improve the success rate of forming/reactivating OCs under BMPASS?**



**If forming/reactivating OCs was not possible for some buildings under BMPASS, what measures would be taken by HAD to improve the safety and hygiene environment of these buildings? Would HAD take any other measures apart from BMPASS to assist the owners of these buildings in forming/reactivating OCs?**

- A6. HAD has since 2011 implemented the Resident Liaison Ambassador (RLA) Scheme to recruit owners or tenants living in “three-nil” buildings of 30 years or above as RLAs. The RLA Scheme seeks to establish a resident liaison network, facilitate residents to discuss and handle daily building management matters, as well as promote the message of effective building management.

The experience of the previous BMPASS indicates that the RLA Scheme was conducive to facilitating the formation of OCs. Pursuant to the Audit recommendation in paragraph 2.34, HAD will step up efforts in recruiting and engaging RLAs under the regularised BMPASS, with a view to increasing the rate of success in OC formation.

Meanwhile, HAD will continue to provide a wide range of support services to assist owners in improving the management of their buildings. For example, HAD launched the Central Platform on Building Management since September 2018 to regularly organise one-stop briefing sessions, at which representatives from various Government Departments and organisations introduce their services and schemes on building management and maintenance, including those relating to building safety and environmental hygiene.

Moreover, DOs have been providing other assistance to “three-nil” buildings, such as one-off cleaning service through the District-led Actions Scheme, with a view to demonstrating the effectiveness of good building management. Such initiatives will also help incentivise residents’ participation in building management.

- Q7. According to Table 5 in paragraph 2.17, many of the output targets under BMPASS were persistently over-achieved throughout the three phases of BMPASS (e.g. number of OCs formed/reactivated). Did HAD consider that the output targets were too easy to achieve in order to drive improvement? Had HAD completed the review of the performance targets for BMPASS Contractors with a view to enhancing the service level? What was the result?**

- A7. As mentioned in **A4** and **A5** above, “three-nil” buildings are often fraught with inherent problems and practical issues which make the formation of OCs difficult. HAD had therefore adopted a prudent approach in setting the relevant output targets. Noting that the BMPASS Contractors have delivered above and beyond what was contractually required in terms of formation of OCs, recruitment of RLAs, assistance to OCs formed to apply Government loan/subsidy, etc., their performance was considered reasonable.

Nevertheless, HAD agrees that there is room for improvements, and will strive to enhance the outputs in the regularised scheme. The relevant targets will be set out in the tender documents for the service.

- Q8. According to paragraph 2.19, the BMPASS Contractors shall convene user’s advisory meetings comprising representatives of users to collect views on BMPASS and their performance half-yearly in each of the geographical areas. However, the numbers of attendees were generally small, averaging 22 in each meeting and 26% of the meetings had less than 10 attendees. Could HAD explain the reasons for the small number of attendees? Did HAD agree that such a low attendance rate was not conducive to the evaluation of services and continuous improvement?**

- Q9. According to paragraphs 2.21 and 2.22, District Offices (“DOs”) shall send users’ satisfaction survey questionnaires yearly to collect users’ views on BMPASS and the Contractors’ performance. However, there was a decreasing trend in the number of survey questionnaires distributed, and the response rate was low. Did HAD agree that it should collaborate with the BMPASS Contractors to encourage more users to give feedback. What improvement measures would be taken by HAD in the future?**

- A8- HAD has put in place a host of monitoring measures to keep track of the performance of BMPASS Contractors. Apart from user’s advisory meetings and survey questionnaires, the management of HAD and the BMPASS Contractors met quarterly to share experience and difficulties. HAD staff at both headquarters and district levels also monitored work progress and attended meetings of OCs/owners, perform office records audit, etc.
- A9.

As far as user’s advisory meetings and survey questionnaires were concerned, HAD has communicated with the BMPASS Contractors and noted that some common reasons for the apparently low attendance/

response rate were as follows -

- (a) although the meeting venues were usually conveniently located, they might not necessarily be in the vicinity of the place of residence of the service users;
- (b) the meeting dates might not fit the schedule of the target participants;
- (c) target participants might not have enough incentives to attend the meetings; and
- (d) owners/residents who decided not to use the BMPASS would not be interested to complete and return survey questionnaires.

The low interest/response could also be a reflection of the general satisfaction or lack of any particular concern with BMPASS and the Contractors' performance. In fact, despite the apparent low attendance/response rate, of note is that as gauged from the returns received, respondents were satisfied with the performance of the BMPASS Contractors and considered the BMPASS helpful in assisting the formation of OCs. This echoed the generally positive feedback received by HAD through other channels, such as written comments from service users and other local personalities on the performance of the scheme.

HAD agrees that a higher attendance/ response rate would be conducive to service evaluation. To this end, we will consider measures to further step up publicity to encourage attendance and response to the survey as well as the desirability/feasibility of providing more incentives for service users to attend the users' advisory meetings and return the questionnaires under the regularised BMPASS. This will be stipulated as a requirement in the tender documents for the service. In addition, we will explore the feasibility of adopting other means of collecting feedback, such as conducting telephone interviews.

**Q10. According to paragraph 2.33, under the Resident Liaison Ambassador ("RLA") Scheme, the percentage of "three-nil" buildings aged 30 years or above with incumbent RLAs ranged from 22% to 35%. Did HAD agree that such a low percentage was not satisfactory? According to paragraphs 2.34(a) and 2.35, HAD had agreed to step up efforts in recruiting RLAs and enhance publicity of the scheme. What measures would be taken?**

**A10.** RLAs' participation is entirely voluntary. The generally low level of willingness of the owners/residents to participate in the management of

their buildings in “three-nil” buildings poses further challenges to the recruitment of RLAs. That said, we will actively explore measures to further promote the RLA Scheme and recruit more RLAs. For example, we plan to set a higher recruitment target for the future BMPASS contractors in the regularised scheme. We will also step up the promotion of the RLA Scheme in our regular liaison and promotion activities.

### **Part 3: Support services on other building management matters**

**Q11. According to paragraphs 3.4, 3.6 and 3.8, the Pre-meeting Advisory Service had been launched to strengthen support for OCs for more effective building management. HAD had requested DOs to keep proper records of the services provided under the Pre-meeting Advisory Service for OCs. However, one DO could not provide records for three of the 10 OCs (30%) examined by the Audit Commission. Could HAD explain why this happened? What improvement measures would HAD take to avoid recurrence of similar problems in future?**

A11. Under the Pre-meeting Advisory Service, DOs may provide services to OC through various modes including face-to-face meetings, correspondence exchanges, telephone communication, instant messaging, etc. Due to the diverse modes of service delivery, individual DOs may have experienced difficulties in fully documenting their work and retrieving the records subsequently.

Taking into account Audit recommendations, HAD will issue new guidelines to DBMLTs on record keeping and remind them about the importance of maintaining proper records of the services provided.

**Q12. According to paragraph 3.13, for each year in the period of 2016 to 2019, the percentage of buildings not visited by the District Building Management Liaison Teams (“DBMLTs”) ranged from 47% to 54%. Was HAD aware of the situation before the audit review? Did HAD consider the situation unsatisfactory? What remedial actions would be taken by HAD?**

**Q13. According to paragraph 3.15, as the performance indicators in HAD’s Controlling Officer’s Reports on visits to buildings were replaced by a new indicator “liaison with owners/management bodies of private buildings” in 2017, conducting physical “visits” to buildings was no longer regarded as the only means of performing**

**building management liaison work. What was the rationale behind this significant change? Physical and face-to-face communication was conducive to the understanding of the actual needs of the owners of buildings. Had HAD considered any alternative method in facilitating face-to-face communication with owners of buildings? Did HAD agree that it was useful for HAD's DBMLTs to visit private buildings regularly?**

**Q20. According to paragraph 3.16, the purposes of visits to buildings were to keep in touch with the owners and to ensure that the buildings were well managed continuously. Did the Home Affairs Bureau agree that there was merit in requiring LOs of HAD to conduct visits to buildings regularly?**

A12, A13 & A20. Since 2017, HAD has adopted a new performance indicator "liaison with owners/management bodies of private buildings", which recognises technological advancement and enables DBMLTs to maintain closer and more frequent liaison with OCs by electronic means (e.g. e-mails, phone calls, and instant messaging using mobile applications). As a result, physical visits to each and every building was no longer regarded as the only means of performing the building management liaison work. With the change in the indicator, the number of physical visits to buildings had naturally decreased, but we consider that this should not be taken as a reduction of liaison with OCs.

HAB and HAD agree that physical visits and face-to-face communication are conducive to understanding the needs of the owners and observing the conditions of the buildings. Therefore, DBMLTs will continue to conduct visits to private buildings alongside other modes of liaison.

**Q14. According to paragraph 3.18, while some of the buildings had not been visited in the past five years, there were repeated visits in the same year for some other buildings without reaching out to the owners' organizations by Liaison Officers ("LOs"). Did HAD consider that there was a need to improve the effectiveness of the visits?**

A14. DBMLTs at times have difficulties in reaching out to the target buildings prior to the visits, particularly where the MCs were defunct or inactive, hence the repeated visits quoted in the Audit report.

HAD agrees that there is room for improvement in conducting visits and will therefore issue guidelines to DBMLTs on procedures for conducting visits, with a view to aligning the visit practices and enhancing the effectiveness of the visits.

**Q15. According to paragraphs 3.25 and 3.26, HAD had issued the Operational Manual on Building Management for Liaison Officers (“the Operational Manual”) to facilitate LOs in performing building management duties but some parts of the Operational Manual were not kept up to date. For instance, some services introduced after 2016 had yet to be included. According to paragraph 3.29, HAD had agreed to update the Operational Manual when all the pilot services were regularized. What was the latest progress?**

**Q16. According to paragraphs 3.28(b) and 3.29, HAD had agreed to review the frequency of visits to private buildings. Had the review been conducted? If yes, what were the results? If not, when would the review be conducted?**

A15- Many of the new services launched since the last update of the Operation

A16. Manual on Building Management for LOs (Operation Manual) were implemented on a pilot basis. As frequent changes to the Operation Manual may not be desirable, it has been HAD’s plan to update the Operational Manual in one go when all the pilot services are regularised. In updating the Operation Manual, HAD will also consider setting different requirements on the frequency of visits/liaison for buildings with management bodies and “three-nil” buildings, and include new guidelines on record keeping and procedures for conducting visits mentioned in A11 and A14 above.

HAD has already started the updating exercise and targets to complete it in around mid-2021.

#### **Part 4: Other administrative matters**

**Q17. With reference to paragraph 4.14 regarding the performance indicator “building management educational and publicity programmes”, there was double counting of the same programmes by HAD’s Headquarters and DOs. For some programmes of a recurring/repetitive nature, there was currently no clear definition on what constituted a “programme” for performance measurement purpose. For instance, a television advertisement broadcast during a six-day period was counted as 60 “programmes”. According to**

**paragraphs 4.17(b)(i) and 4.18, HAD had agreed to examine the suitability of the counting basis adopted. Had the examination been conducted? If yes, what were the results? If not, when would the examination be conducted?**

A17. The basis for the counting of educational and publicity programmes adopted by HAD seeks to accurately reflect the extent of outreach to the target audiences concerned, which may vary depending on the nature of the programmes. For example, for television advertisement broadcast mentioned in paragraph 4.14, the counting basis corresponded to the frequency of the broadcast during prime time and reflected the efforts in reaching out to target audience as well as the costs involved. In considering the future targets, HAD will set out the counting basis for different types of programmes in the internal guidelines to ensure that a consistent approach will be adopted within each type of programme.

**Q18. According to paragraph 4.19, HAD maintained a database of all private buildings in Hong Kong, which provided basic information of the buildings. According to paragraph 4.21, of 40 944 buildings with data kept in the database, data of “year built” was not available for 7 099 (17%) buildings and data of “storeys” or “number of units” was not available for 957 (2%) buildings. What further measures would be taken by HAD to improve the comprehensiveness of the database?**

A18. While HAD has made every effort to ensure the accuracy of the information contained in the Database of Private Buildings in Hong Kong (database), the information in the database was mainly obtained through the routine contacts and liaison by DBMLTs. For this reason, some building data may not be available in the database. For example, for buildings that were built long time ago (especially those pre-war buildings), it may not be practicable to retrieve the year built via day-to-day liaison or desktop research. Nevertheless, taking into account Audit’s comments, HAD will make efforts to enhance the comprehensiveness of the database as far as practicable.

**Home Affairs Bureau  
Home Affairs Department  
January 2021**

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13 January 2021

Clerk to the Public Accounts Committee  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong  
(Attn: Ms Wendy JAN)

Dear Ms JAN,

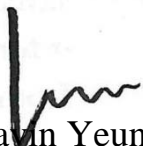
**Public Accounts Committee**

**Consideration of Chapter 4 of the Director of Audit's Report No. 75  
Efforts of the Home Affairs Department in facilitating building management**

Thank you for your letter dated 8 January 2021 to the Director of Home Affairs on the captioned matter.

— The response of the Home Affairs Department to the supplementary questions raised in the letter is set out at **Annex**.

Yours sincerely,



(Gavin Yeung)

for Director of Home Affairs

c.c. Secretary for Home Affairs (Fax No.: 2591 6002)

Secretary for Financial Services and the Treasury (Fax No.: 2147 5239)

Director of Audit (Fax No.: 2583 9063)



**Public Accounts Committee**  
**Consideration of Chapter 4 of the Director of Audit's Report No. 75**  
**Efforts of the Home Affairs Department in**  
**facilitating building management**

**Response of the Home Affairs Department**

**Q1. The Home Affairs Department pointed out that District Offices provided “three-nil” buildings in their districts with one-off cleansing service through the District-led Actions Scheme. Please provide information about the number of cleansing service provided in the past three years, the districts concerned, the number of “three-nil” buildings and the expenditure involved.**

A1. To demonstrate the effectiveness of good building management, District Offices (DOs) provide “three-nil” buildings in need with one-off cleansing service through the District-Led Actions Scheme. During the three-year period from 2018/19 to 2020/21 (up to December 2020), 10 DOs (including Central and Western, Kowloon City, Kwun Tong, Sham Shui Po, Wan Chai, Wong Tai Sin, Yau Tsim Mong, Kwai Tsing, Sha Tin and Yuen Long) provided a total of about 2 900 times of free cleansing service to over 1 500 “three-nil” buildings, with a total expenditure of about \$13 million.

**Q2. For “three-nil” buildings with severe building safety, fire safety or environmental hygiene issues, would the Government intervene and tackle the problems first, and recover the costs from the owners afterwards? If yes, how many related cases were there in the past three years? If not, will the above method be considered in future?**

A2. It is the responsibility of private owners to manage their buildings. The Home Affairs Department (HAD)’s policy on building management is to assume the role of a facilitator to encourage and assist owners in forming suitable residents’ organisations through a multi-pronged approach, including providing a legal framework for buildings to form owners’ corporations (OCs) under the Building Management Ordinance (Cap 344) and offering suitable

support to assist owners in discharging their building management responsibilities.

Building management involves various elements such as building safety, fire safety, environmental hygiene, electrical safety, lift safety, etc., which are regulated by different bureaux and departments in accordance with relevant Ordinances. As owners and residents of “three-nil” buildings lack a platform to discuss and handle issues of common concern, they may find it difficult to manage their buildings effectively and handle matters pertaining to the various elements mentioned above. To enhance the support for owners of “three-nil” buildings, HAD has launched the Building Management Professional Advisory Service Scheme (BMPASS), under which property management companies were commissioned to assist owners of “three-nil” buildings in forming OCs and provide a range of free follow-up services, including assisting in applying for various maintenance subsidy schemes and loans, appointing consultants/contractors for conducting building maintenance works, etc. All eligible “three-nil” buildings issued with the Fire Safety Directions or statutory notices for building/window inspection were included in the target buildings of the BMPASS. As of November 2020, the BMPASS assisted 441 OCs in applying for maintenance loans and subsidy schemes and 314 OCs in appointing works consultants/contractors. HAD will regularise the BMPASS to continue to offer assistance to owners of “three-nil” buildings. In addition, as stated in A1, with a view to demonstrating the effectiveness of good building management, DOs provide “three-nil” buildings in need with one-off free cleansing service.

As regards action initiated by the Government to resolve building safety and fire safety problems on behalf of building owners, since HAD is not the department in charge of the relevant policy areas and legislation, we do not have the relevant information.

**Home Affairs Department**  
**January 2021**

## ACRONYMS AND ABBREVIATIONS

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AFCD	Agriculture, Fisheries and Conservation Department
ArchSD	Architectural Services Department
Audit	Audit Commission
Audit Report	Director of Audit's Report
B/Ds	Bureaux/departments
BMIS	Building Management Information System
BMO	Building Management Ordinance (Cap. 344)
BMPASS	Building Management Professional Advisory Service Scheme
CMS	Contract Management System
CORs	Controlling Officer's Reports
DBMLTs	District Building Management Liaison Teams
DMC	Deeds of Mutual Covenant
DoJ	Department of Justice
DOs	District Offices
EMSD	Electrical and Mechanical Services Department
ENB	Environment Bureau
EPD	Environmental Protection Department
FEHD	Food and Environmental Hygiene Department
HAB	Home Affairs Bureau
HAD	Home Affairs Department
HIs	Health Inspectors
ImmD	Immigration Department
LCSD	Leisure and Cultural Services Department
LegCo	Legislative Council
LOs	Liaison Officers
MCs	Management committees

## ACRONYMS AND ABBREVIATIONS

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MD	Marine Department
MRCPs	Marine refuse collection points
OCs	Owners' corporations
RLAs	Resident Liaison Ambassadors
SF	Senior Foremen
SHIs	Senior Health Inspectors
UAS	Unmanned aircraft systems