

# 立法會

## *Legislative Council*

LC Paper No. CB(4)1534/20-21  
(These minutes have been seen by  
the Administration)

Ref: CB4/PS/1/20

### **Panel on Transport**

### **Subcommittee on Matters Relating to Railways**

### **Minutes of meeting on Friday, 5 February 2021, at 8:30 am in Conference Room 1 of the Legislative Council Complex**

- Members present :** Hon CHAN Han-pan, BBS, JP (Chairman)  
Hon LUK Chung-hung, JP (Deputy Chairman)  
Hon Abraham SHEK Lai-him, GBS, JP  
Hon Tommy CHEUNG Yu-yan, GBS, JP  
Hon Mrs Regina IP LAU Suk-ye, GBS, JP  
Hon Michael TIEN Puk-sun, BBS, JP  
Hon Frankie YICK Chi-ming, SBS, JP  
Hon YIU Si-wing, BBS  
Hon POON Siu-ping, BBS, MH  
Ir Dr Hon LO Wai-ki, SBS, MH, JP  
Hon Wilson OR Chong-shing, MH  
Hon LAU Kwok-fan, MH  
Dr Hon CHENG Chung-tai  
Hon Tony TSE Wai-chuen, BBS, JP
- Members attending :** Hon Jeffrey LAM Kin-fung, GBS, JP  
Hon Starry LEE Wai-king, SBS, JP  
Hon LEUNG Che-cheung, SBS, MH, JP
- Member absent :** Dr Hon Priscilla LEUNG Mei-fun, SBS, JP

**Public Officers  
attending** : **Agenda item III**

Mr Frank CHAN Fan, JP  
Secretary for Transport and Housing  
Transport and Housing Bureau

Mrs Sharon YIP LEE Hang-ye, JP  
Deputy Secretary for Transport and  
Housing (Transport)1  
Transport and Housing Bureau

Ms Amy WONG Pui-man, JP  
Deputy Secretary for Transport and  
Housing (Transport)2  
Transport and Housing Bureau

Mr Andy LAM Siu-hong  
Principal Assistant Secretary for Transport and  
Housing (Transport)3  
Transport and Housing Bureau

Mr Jimmy CHAN Pai-ming, JP  
Director of Highways  
Highways Department

Mr Robert CHAN Cheuk-ming, JP  
Principal Government Engineer / Railway  
Development  
Highways Department

Mr NGAI Hon-wah  
Government Engineer / Railway Development (2)  
Highways Department

Mr Eric PANG Yiu-hung, JP  
Director of Electrical & Mechanical Services  
Electrical & Mechanical Services Department

Mr CHAN Chau-fat, JP  
Deputy Director/Regulatory Services (Ag.)  
Electrical & Mechanical Services Department

**Agenda item IV**

Mr Frank CHAN Fan, JP  
Secretary for Transport and Housing  
Transport and Housing Bureau

Mrs Sharon YIP LEE Hang-ye, JP  
Deputy Secretary for Transport and  
Housing (Transport)<sup>1</sup>  
Transport and Housing Bureau

Mr Peter MAK Chi-kwong  
Principal Assistant Secretary for Transport and  
Housing (Transport)<sup>7</sup>  
Transport and Housing Bureau

Mr Jimmy CHAN Pai-ming, JP  
Director of Highways  
Highways Department

Mr Robert CHAN Cheuk-ming, JP  
Principal Government Engineer / Railway  
Development  
Highways Department

Mr LAM Yu-chau  
Government Engineer / Railway Development (1)  
Highways Department

Mr Eric PANG Yiu-hung, JP  
Director of Electrical & Mechanical Services  
Electrical & Mechanical Services Department

Mr CHAN Chau-fat, JP  
Deputy Director/Regulatory Services (Ag.)  
Electrical & Mechanical Services Department

Mr Honson YUEN Hong-shing  
Assistant Commissioner/Bus & Railway  
Transport Department

**Attendance by invitation :** **Agenda item IV**

MTR Corporation Limited

Dr Jacob KAM  
Chief Executive Officer

Mr James CHOW  
Divisional General Manager – Projects Construction

Mr Lam CHAN  
Deputy General Manager – Projects & Property  
Communications

**Clerk in attendance :** Ms Sophie LAU  
Chief Council Secretary (4)2

**Staff in attendance :** Ms Jacqueline LAW  
Council Secretary (4)2

Miss Mandy LAM  
Legislative Assistant (4)2

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**I. Information paper(s) issued since the last meeting**  
(LC Paper No. CB(4)425/20-21(01))

Members noted the above paper which had been issued since the last regular meeting of the Subcommittee on Matters Relating to Railways ("the Subcommittee") held on 15 January 2021.

**II. Items for discussion at the next meeting**  
(LC Paper Nos. CB(4)453/20-21(01) – (02))

Action

2. Members agreed to discuss the following items at the next meeting to be held on Friday, 9 April 2021 at 8:30 am:

- (a) The MTR Corporation Limited's update on enhancement of MTR facilities and customer experience and the Corporation's green strategy and measures; and
- (b) Progress update on Upgrading Signalling System for Railway Lines.

*(Post-meeting note: at the request of the Administration and with the concurrence of the Chairman, an item on "Final Report of Expert Adviser Team on Shatin to Central Link Project" was added to the agenda of the next meeting. The discussion of item (a) was deferred to the meeting to be held in June 2021. Members were informed of the above changes vide LC Paper Nos. CB(4)609/20-21 and CB(4)695/20-21 issued on 10 March and 29 March 2021 respectively.)*

**III. Enhanced Monitoring, Control and Regulatory Strategies for New Railway Projects and Operating Railways, and Proposed Establishment of Railways Department**  
(LC Paper No. CB(4)453/20-21(03))

3. At the invitation of the Chairman, Secretary for Transport and Housing ("STH") briefed members on the enhanced monitoring, control and regulatory strategies for new railway projects and operating railways, and the proposal to establish the Railways Department. Government Engineer/Railway Development (2) of Highways Department then briefed members on the details of the proposal with the aid of a powerpoint presentation (LC Paper No. CB(4)489/20-21(01)). The Subcommittee deliberated (index of proceedings attached at **Annex**).

4. On members' requests, the Administration agreed to provide the following information:

- (a) specific details of one of the measures "To enhance collaborative culture between the Administration and the MTR Corporation Limited ("MTRCL") for new railway projects" as proposed in the Administration's paper; and
- (b) list of consultants engaged by the Administration, MTRCL and its contractors for new railway projects in the past five years.

Action

*(Post-meeting note: the Chinese version of the Administration's response was circulated to members vide LC Paper No. CB(4)1063/20-21(01) on 2 June 2021.)*

*(At 9:59 am, the Chairman extended the meeting for 10 minutes to allow sufficient time for discussion.)*

**IV. Progress update of the construction of Shatin to Central Link**  
(LC Paper Nos. CB(4)453/20-21(04) - (05))

5. At the invitation of the Chairman, STH briefed members on the progress update of the construction of Shatin to Central Link. Chief Executive Officer of MTRCL and Deputy General Manager – Projects & Property Communications of MTRCL then briefed members on the Investigation Panel report on the postponement of commissioning of East Rail Line new signalling system and the mixed fleet operations with the aid of a powerpoint presentation (LC Paper No. CB(4)489/20-21(02)). The Subcommittee deliberated (index of proceedings attached at **Annex**).

**V. Any other business**

6. There being no other business, the meeting ended at 10:45 am.

Council Business Division 4  
Legislative Council Secretariat  
13 September 2021

**Panel on Transport**

**Subcommittee on Matters Relating to Railways**

**Proceedings of the meeting  
held on Friday, 5 February 2021, at 8:30 am  
in Conference Room 1 of the Legislative Council Complex**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
<i>Agenda Item I – Information paper(s) issued since the last meeting</i>			
000650 – 000713	Chairman	Members noted the information paper issued since the last regular meeting held on 15 January 2021.	
<i>Agenda Item II – Items for discussion at the next meeting</i>			
000714 – 000905	Chairman Mr Tony TSE	Members agreed on the items for discussion at the next regular meeting.	
<i>Agenda Item III – Enhanced Monitoring, Control and Regulatory Strategies for New Railway Projects and Operating Railways, and Proposed Establishment of Railways Department</i>			
000906 – 002921	Chairman Administration	Briefing and powerpoint presentation by the Administration [LC Paper Nos. CB(4)453/20-21(03) and CB(4)489/20-21(01)].	
002922 – 003503	Chairman Mr POON Siu-ping Administration	<p>Mr POON sought clarifications on the duties of the directorate and non-directorate establishment for the proposed Railways Department ("RD"). The Administration advised that the establishment of the proposed RD entailed the creation of three new permanent directorate posts and the conversion of one supernumerary directorate post into a permanent post. As far as non-directorate support was concerned, the Administration advised that a total of 61 new posts would be created to take up the new tasks with respect to the new Project Safety Review ("PSR") process, strengthened Safety Performance Monitoring System, strengthened monitoring and checking, and other departmental administrative and accounting duties arising from the establishment of the proposed RD.</p> <p>Regarding Mr POON's enquiry about the cost-effectiveness of the proposed RD, the Administration advised that the enhanced monitoring, control and regulatory strategies for new railway projects and operating railways were comprehensive and forward-looking. The Administration pointed out that the MTR Corporation Limited ("MTRCL"), the Government and even the society on the whole would have to pay a high price in case there were quality issues during the implementation of new railway projects. The number of new posts to be created as proposed in</p>	

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		<p>the Administration's paper had been kept to a minimum. The Administration considered that the establishment of RD and the relevant staffing proposals were good value for money.</p>	
003504 – 003909	<p>Chairman Mr Michael TIEN Administration</p>	<p>Mr TIEN expressed that he had been urging for the establishment of a new RD under the Transport and Housing Bureau ("THB") dedicated to the monitoring of railway construction and operation since the revelation of construction quality issues surrounding the Hung Hom Station Extension. He hoped that the new Director of Railways ("D of R") would play a proactive role in the investigation of railway incidents and site inspections. Mr TIEN asked whether the new D of R would have the authority to investigate into any railway matters, and whether the Administration would undertake that the holder of the D of R post would be a seasoned professional in railway fields.</p> <p>The Administration assured members that the new D of R would have the full support of the Government including THB so that the holder of the post would be able to discharge his/her duties effectively and to conduct in-depth investigation into railway incidents. Two offices, namely Railway Regulation Office ("RD/RRO") and Railway Development Office ("RD/RDO"), were proposed to be established under the new RD, and would be respectively responsible for the regulation of the safe operation of railway systems and the monitoring of the implementation of new railway projects.</p>	
003910 – 004353	<p>Chairman Mr LAU Kwok-fan Administration</p>	<p>Mr LAU enquired how the proposed RD would expedite the implementation and lower the construction cost of new railway projects including the Northern Link and the Tung Chung Line Extension projects.</p> <p>The Administration responded that the RD/RDO would be responsible for monitoring the project programme and cost during the planning, design and construction stages of new railway projects. Prior to the implementation of a new railway project, THB, the new RD, together with other relevant bureaux/departments, would examine the project estimate and programme in detail. The Administration noted the community's call for compressing the programme and lowering the</p>	



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		<p>construction cost of new railway projects. The Administration undertook to further enhance monitoring and control on the construction safety, quality, programme and cost aspects of railway projects.</p> <p>Having regard to the benefits to be brought by the new RD through amalgamating the Railway Development Office of the Highways Department ("HyD/RDO") and the Railway Branch of the Electrical and Mechanical Services Department ("EMSD/RB"), Mr LAU enquired about the feasibility of amalgamating the two offices before getting the approval of the creation of new posts.</p> <p>The Administration responded that prior to the establishment of RD, HyD/RDO and EMSD/RB had been collaborating on various fronts in taking forward new railway projects. In the light of the establishment of the proposed RD in 2022-2023, the collaboration, communication and sharing of information between the two offices would be further enhanced.</p>	
004354 – 004938	Chairman Dr CHENG Chung-tai Administration	<p>Dr CHENG considered that the monitoring of the performance of MTRCL by the Administration was limited by the Operating Agreement and the project/entrustment agreement(s) of the railway lines concerned signed between the Government and MTRCL.</p> <p>The Administration responded that the scope and timeframe of the monitoring and regulatory work to be undertaken by the proposed RD would be significantly enhanced. The proposed enhanced monitoring and regulatory strategies would be forward-looking with an early warning mechanism in place. In the course of implementing new railway projects, the Administration would enhance its monitoring and control, in particular on the inspection of critical tests and procedures which could not be repeated when the system was commissioned. Furthermore, the Administration would not rule out the possibility of revising the clauses of the Operating Agreement and any other project/entrustment agreement(s) to be signed between the Government and MTRCL in future, so that penalty could be imposed on MTRCL on the grounds of unsatisfactory performance. The Administration considered that the proposed initiatives covering different stages of the whole</p>	

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		<p>project life cycle were comprehensive and would lay a good foundation for the implementation and operation of future railway projects.</p> <p>At Dr CHENG's request, the Administration would provide supplementary information on the specific details of one of the measures "To enhance collaborative culture between the Administration and MTRCL for new railway projects" as proposed in the Administration's paper.</p>	<p>Admin (paragraph 4 of the minutes referred.)</p>
<p>004939 – 005602</p>	<p>Chairman Ir Dr LO Wai-kwok Administration</p>	<p>Ir Dr LO indicated his in-principle support for the proposed enhancements to the Administration's monitoring, control and regulatory strategies for new railway projects and operating railways. However, he noted with serious concern that the seven new railway projects recommended under the Railway Development Strategy 2014 ("RDS-2014") would be completed later than the scheduled completion timetable, and the accountabilities of the proposed RD in respect of the planning of future railway developments had not been mentioned in the Administration's paper.</p> <p>The Administration responded that it would continue to follow up with MTRCL to expedite the implementation of new railway projects including the Northern Link as far as practicable.</p> <p>Ir Dr LO opined that in addition to increasing its manpower, the Administration should also review the deficiencies of the existing mechanism for taking forward new railway projects. In respect of the proposed enhanced strategy on the building-up of collaborative culture, Ir Dr LO considered that shared vision, collaborative culture and spirit of mutual trust and cooperation should have been built up between the Government and MTRCL much earlier.</p> <p>The Administration advised that in view of the past railway incidents relating to the construction of the Shatin to Central Link ("SCL") where some of the MTR staff did not escalate major issues/incidents internally and report to the Administration in a timely manner, the Administration proposed to enhance collaborative culture between the Government and MTRCL for new railway projects. Noting that the use of New Engineering Contract ("NEC") form had brought benefits to public works projects in terms of time, quality and cost, the</p>	

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		<p>Administration considered that the adoption of collaborative form of contracts should be promoted to facilitate the building-up of collaborative culture among relevant parties during the implementation of new railway projects.</p> <p>The Administration believed that the proposed amalgamation of HyD/RDO (the project delivery arm) and EMSD/RB (the regulatory arm) would bring about synergy effects, so that monitoring and control over various engineering fields including civil infrastructure, permanent way, rolling stock and signalling system would be enhanced throughout the whole project life cycle, thereby benefiting the future railway development of Hong Kong.</p>	
005603 – 010203	Chairman Mr Tony TSE Administration	<p>Mr TSE expressed in-principle support for the enhanced monitoring, control and regulatory strategies for new railway projects and operating railways proposed by the Administration. He opined that in addition to railway safety, the monitoring of other aspects such as construction cost, programme, works quality, railway operation and maintenance should also be enhanced. The holders of the proposed new posts should thus possess knowledge and experience not only in engineering fields. In this connection, he asked whether the Administration would consider recruiting suitable candidates through open recruitment on merit basis.</p> <p>Referring to paragraph 10 of the Administration's paper, Mr TSE was concerned that the Administration might have been relying too much on consultants in the performance monitoring of new railway projects as in the case of the construction of the Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link. He requested the Administration to provide written information on the list of consultants engaged by the Administration, MTRCL and its contractors for new railway projects in the past five years.</p> <p>The Administration agreed with Mr TSE's view and responded that appointments would be made on merit basis so as to ensure that most competent civil servants would be recruited for the posts. The Administration would not rule out the possibility of conducting open recruitment exercise(s) in the</p>	Admin (paragraph 4 of the minutes referred.)

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		<p>event that no suitable candidate could be identified from within the Government Service. In any case, the Administration would enhance the relevant staff training for the benefit of railway development of Hong Kong in the long run.</p>	
010204 – 010700	Chairman Mrs Regina IP Administration	<p>Mrs IP expressed reservation on the proposed establishment of RD and held that the discussion of which should be left to the next term of the Administration, as the proposal involved the creation/deployment of a significant number of directorate posts and non-directorate posts. As revealed in the final report submitted by the Expert Adviser Team ("EAT") on SCL Project, a number of irregularities had been identified in the construction of SCL, covering aspects relating to quality assurance, settlement issues, design-related matters and project management. Mrs IP considered that the above irregularities were attributable to factors such as implementation of too many new railway projects simultaneously by MTRCL, expansion of overseas railway business of MTRCL and the monopoly of MTRCL in the provision of railway services in Hong Kong, and such could not be properly addressed through the establishment of RD. Mrs IP proposed that the Administration should amend the relevant legislation so that other railway operators could be introduced into the market. She indicated that she would not support the proposed establishment of RD at this stage.</p> <p>The Administration advised that as agreed by MTRCL, the Corporation should keep its primary focus on local railway business. Taking note of Mrs IP's concern over the monopoly of MTRCL, the Administration advised that it would not rule out the possibility of introducing new railway operators to Hong Kong for the construction of new and stand-alone railway project(s).</p>	
010701 – 011200	Chairman Deputy Chairman Administration	<p>The Deputy Chairman expressed reservation on the proposed establishment of RD and cast doubt on whether the problems relating to the railway development of Hong Kong could be resolved through establishing the new RD. Referring to paragraph 6 of the Administration's paper, the Deputy Chairman enquired about the membership of the proposed Project Board. He was of the view that the senior management of MTRCL should not serve as the Board members to avoid potential conflict of interest and they should only be summoned to provide information as and when</p>	

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		<p>necessary.</p> <p>The Administration advised that the proposed Project Board, which would be chaired by the Permanent Secretary for Transport and Housing (Transport), would provide steer on strategic and critical issues of the whole portfolio of railway projects undertaken by MTRCL. The Chief Executive Officer of MTRCL would need to attend the meetings to follow up on issues brought up to the attention of the Project Board. Besides, the Administration would review the adequacy of the monitoring and control measures adopted for new railway projects through the Project Board. The Administration held that with the participation of senior management of MTRCL in the Project Board, MTRCL could suitably deploy resources to handle issues/incidents that might affect project cost and programme and take necessary follow-up actions in a timely manner.</p>	
011201 – 011750	Chairman Mr YIU Si-wing Administration	<p>Expressing support to the proposed establishment of RD, Mr YIU called on the Administration to clearly spell out the responsibilities to be borne by RD in case of railway incidents in the future. Given that EMSD had been overseeing the safe operation of operating railways and undertaking relevant duties, Mr YIU enquired about the justifications for the creation of new posts for the enhancement of railway safety regulatory regime.</p> <p>The Administration explained that about 40 new posts would be created under the RD/RRO to take up the additional duties arising from the proposed enhanced railway safety regulatory regime, namely the implementation of a new PSR process, the strengthened Safety Performance Monitoring System and the extended Comprehensive and Direct Assessment of MTRCL's asset and safety management system. Given that railways accounted for about 40% of all trips made on public transport each day, and the potential impact of railway incidents on people's lives was significant, the Administration considered it necessary to further enhance the safety and reliability performance of MTRCL's operating railways. Since the work of Departmental Secretary would be placed under RD/RRO, about 11 out of the 40 odd new posts would be responsible for providing administrative and information technology support to the new RD.</p>	

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011751 – 012323	Chairman Mr Wilson OR Administration	<p>Mr OR relayed the concerns of the community about the proposed establishment of RD and wondered how far it would help enhance the monitoring of MTRCL. In view of the current tight fiscal situation of the Government, he asked about the feasibility of further reviewing the staffing proposals and redeploying the existing staff to take up the additional workload in order to make prudent use of public funds.</p> <p>The Administration stressed that in working out the staffing proposals, the Administration had taken into account the current financial situation of the Government and minimized the staff costs incurred as far as practicable.</p> <p>Mr OR enquired about the performance indicators of the proposed RD, particularly in respect of the implementation of the East Kowloon Line ("EKL") recommended under RDS-2014. The Administration replied that HyD/RDO and the proposed RD would continue to follow up with the progress of the implementation of railway projects recommended under RDS-2014, including EKL.</p> <p>As to Mr OR's concern about the engagement of consultants upon establishment of RD, the Administration replied that with the more targeted training for professional development of the staff in the proposed RD, it was believed that the need for engaging consultants for the implementation of new railway projects would be reduced in the future.</p>	
012324 – 012803	Chairman Mr Frankie YICK Administration	<p>Mr YICK enquired whether the Administration would consider arranging secondment of civil servants to MTRCL, with a view to ensuring that the proposed enhancements to the monitoring and control strategies including the proactive reporting and early warning mechanisms and the building up of collaborative culture would be implemented as planned.</p> <p>The Administration noted that MTRCL's plan to transform work culture and enhance corporate governance in response to recent incidents relating to the SCL project. Depending on the implementation of various initiatives and the actual needs, the Administration would consider the suggested secondment arrangements as appropriate.</p>	

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		<p>In response to Mr YICK's enquiry on the measures to be taken for the building-up of collaborative culture between the Government and MTRCL, the Administration advised that among others, the measures would include the adoption of NEC form in works projects which had been widely promoted globally and locally. NEC was a contract form that emphasized cooperation and mutual trust between contracting parties. Specifically, the Administration would work with MTRCL to establish common short-term and long-term objectives at different project stages. In addition, co-location arrangement for Government's relevant staff/consultant at MTRCL's offices would be taken forward if appropriate for achieving the established common objectives.</p>	
012804 – 013252	Chairman Administration	<p>The Chairman enquired about the changes in respect of the monitoring of MTRCL and benefits that would be brought about by the proposed establishment of RD.</p> <p>The Administration responded that instead of focusing on the monitoring and control of the construction of railway projects, the new RD would strengthen the monitoring, control and regulation of new railway projects and operating railways throughout the whole life cycle of railways in the planning, design, construction, operation, and asset replacement stages. Also, the new department would adopt a forward-looking attitude, taking into account a number of factors including social and technological developments when taking forward the railway projects and also identify in early stage the potentially critical issues and the associated risks for timely follow-up actions. To safeguard the long-term safety of operating railways, the relevant staff would inspect the critical tests which could not be repeated when the system was commissioned and ensure proper documentation of the critical safety-related records.</p> <p>Extension of meeting by 10 minutes.</p>	
<i>Agenda Item IV – Progress update of the construction of Shatin to Central Link</i>			
013253 – 013833	Chairman Administration	Briefing by the Administration [LC Paper No. CB(4)453/20-21(04)].	
013834 – 014755	Chairman MTRCL	Briefing by MTRCL with the aid of a powerpoint presentation [LC Paper No. CB(4)489/20-21(02)].	

Time marker	Speaker	Subject(s)	Action required
014756 – 015115	Chairman Deputy Chairman MTRCL	<p>Noting that the route recall issue could possibly lead to trains entering incorrect routes, the Deputy Chairman opined that MTRCL should not take the issue lightly as this might cause chaos during operation. The Deputy Chairman enquired about the details of system overloading which led to the route recall issue and the postponement of the commissioning of the East Rail Line ("EAL") new signalling system. He also asked about the enhancement measures that had been taken by MTRCL to resolve the issue.</p> <p>MTRCL advised that the new software module concerned was specifically built by the contractor to provide real-time train monitoring information to fulfill MTRCL's requirement. Yet, without comprehensive testing when developing the new software module by the contractor, the computer processor was found to be overloaded by this software module, resulting in a delayed stepping phenomenon and a route recall. MTRCL stressed that the route recall issue were only observed during computer simulation and did not actually occur in on-site testing carried out in non-traffic hours. To rectify the issue, the contractor had disabled the new software module concerned which was provided as an add-on feature, and upgraded the computer software and hardware such that the system overloading issue would not occur again.</p>	
015116 – 015403	Chairman Mr LAU Kwok-fan Administration	<p>Expressing concern about the carrying capacity of the new 9-car trains especially during peak hours, Mr LAU enquired if it was possible to continue the operation of 12-car trains on the EAL until the commissioning of the cross harbour section of EAL.</p> <p>The Administration advised that in preparation for the extension of EAL to Hong Kong Island, the new 9-car trains would gradually replace the existing 12-car trains, which were approaching the end of their serviceable life. To facilitate the future operation of new 9-car trains, a new signalling system of EAL would be needed. During the transitional period, there would be a mix of 12-car and 9-car trains running on EAL under the mixed fleet operations. The gradual introduction of 9-car trains was essential to the commissioning of the cross harbour section of SCL.</p>	
015404 –	Chairman	Mr POON enquired about the effectiveness of the	



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015732	Mr POON Siu-ping MTRCL	<p>enhancement measures proposed by MTRCL with regards to the delivery of the SCL project.</p> <p>MTRCL responded that the works for the full commissioning of Tuen Ma Line ("TML") were in good progress and the trial operations had already commenced. As regards the works progress of the "Hung Hom to Admiralty Section", given that the commissioning of the new signalling system and the track bifurcation works were both critical works on EAL, MTRCL believed that the postponement of commissioning of EAL new signalling system announced in September 2020 had impact on the commissioning of the "Hung Hom to Admiralty Section". MTRCL would endeavour to recover the delay and report the assessment of the programme of the "Hung Hom to Admiralty Section" in due course.</p>	
015733 – 020142	Chairman Mr Tony TSE Administration MTRCL	<p>Mr TSE considered that the software issue should not be taken lightly, despite the Investigation Panel's view that it was not a safety issue. Noting that MTRCL had not reported the software issue to the relevant government departments in a timely manner, Mr TSE enquired about the channels to monitor the reporting mechanism of MTRCL by the Administration.</p> <p>The Administration considered that it was an error of judgment not to carry out a more detailed investigation by MTRCL earlier after noting that software issue that could potentially cause deviation of trains from their intended routes. Nevertheless, the Administration stressed that the issue had no impact on railway safety as the Automatic Train Protection System of the new signalling system was functional in full order. According to MTRCL, a dedicated "SCL Technical and Engineering Assurance Team" would be established to monitor the SCL project from both technical and service readiness perspectives and to identify important unknown issues of the remaining works of SCL project for timely reporting and follow-up.</p> <p>Mr TSE asked about the contingency measures formulated by MTRCL to cope with incidents arising from the commissioning of the EAL new signalling system.</p> <p>MTRCL responded that in case of railway service disruptions caused by the commissioning of the EAL new signalling system, MTRCL would immediately</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>activate the emergency response mechanism with a view to minimizing the impact on passengers. MTRCL would also inform media, relevant government departments and other public transport operators where appropriate and necessary.</p>	
020143 – 020454	<p>Chairman Mr Michael TIEN MTRCL Administration</p>	<p>Mr TIEN enquired about the follow-up actions against the contractor of the EAL new signalling system and if any MTRCL engineering staff should be held responsible for the incident.</p> <p>MTRCL advised that it would pursue the responsibility of the contractor concerned in accordance with the contract terms. Besides, MTRCL would follow up with the relevant staff as appropriate pursuant to the established human resources policy.</p> <p>Mr TIEN further enquired whether the Administration would recover the loss incurred from MTRCL in view of the possible deferral of the commissioning of the "Hung Hom to Admiralty Section". The Administration advised that it would seriously follow up the matter with MTRCL and reserved the right to take further action against MTRCL.</p>	
020455 – 020918	<p>Chairman Ir Dr LO Wai-kwok Administration MTRCL</p>	<p>Referring to the final report submitted by EAT in February 2021, Ir Dr LO sought explanations from the Administration and/or MTRCL regarding the significant spare capacity in certain locations of the Hung Hom Station Extension structures.</p> <p>The Administration responded that the final report had set out observations and recommendations of EAT on the SCL project with a view to continually improving the project management of railway projects and the construction industry in Hong Kong. The Administration noted EAT's observations on design-related matters and would review the reasons for the significant spare capacity in the original design. In respect of the implementation of new railway projects, HyD would strengthen its monitoring effort starting from the design stage to cover key elements in the scope of design checking, for ensuring compliance with relevant design requirements and avoiding overly conservative design.</p> <p>Ir Dr LO suggested that the Subcommittee should further deliberate on the EAT final report at a future</p>	

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		meeting.	
020919 – 021224	Chairman Ms Starry LEE Administration MTRCL	<p>Notwithstanding MTRCL's earlier reply that the works for the full commissioning of TML were in good progress, Ms LEE noted with dissatisfaction that no significant works progress had been made in the past year. She was also dissatisfied that the commissioning of the new stations on Kowloon City Section of the "Tai Wai to Hung Hom Section" was delayed until the third quarter of 2021 due to the series of works quality issues, and no compensation or apology was offered to the affected residents. Ms LEE considered this unacceptable and requested the Administration to state its position in this regard.</p> <p>The Administration reiterated its disappointment over the postponement of the commissioning of the EAL new signalling system. The Administration noted the expectations of the residents in the vicinity of Kowloon City and To Kwa Wan for the early commissioning of the remaining "Kai Tak to Hung Hom Section". In this connection, MTRCL advised that it would strive for the early commissioning of the full TML and that the trial operations had already commenced. The incident of the EAL new signalling testing had not affected the target date for the full commissioning of TML.</p>	
021225 – 021619	Chairman Dr CHENG Chung-tai Administration MTRCL	<p>Referring to paragraph 4.5.1 of the Investigation Panel Report, Dr CHENG noted with serious concern that the Independent Reviewer ("IR"), who was employed by MTRCL to advise on the EAL new signalling system, had not been consulted by the MTRCL team even they worked together in the same office space. In view of the above, Dr CHENG considered that the proposed co-location arrangement for Government's relevant staff/consultant at MTRCL's offices, which had been discussed under the previous agenda item, might not be conducive to the enhancement of collaborative culture between the Government and MTRCL for new railway projects.</p> <p>In response, the Administration advised that the working relationship between MTRCL and its consultants as mentioned by Dr CHENG with reference to the Investigation Panel Report should not be directly compared with that between the Government and MTRCL, and between different government departments, upon the establishment of the proposed RD. The Administration advised that</p>	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
		<p>in the light of the past experience, the adoption of collaborative form of contracts (e.g. NEC form) was proven to be successful in promoting collaborative culture.</p> <p>MTRCL added that two independent consultants, namely the Independent Safety Assessor ("ISA") and IR, were employed. Given that this issue was ascertained to be not related to safety, ISA (responsible for safety advice on the new signalling system) was not being consulted. However, the relevant team should have been sensitive enough and consulted the IR on the service reliability aspect in an earlier stage.</p>	
021620 – 021904	Chairman Mr Abraham SHEK	<p>Mr SHEK opined that more time should be allotted to the discussion of the EAT final report, so that the Subcommittee members would be able to discharge their duties to duly monitor the implementation of the SCL project.</p> <p>The Chairman concurred with Mr SHEK's view and would discuss with the Clerk on the future meeting arrangements.</p>	
<i>Agenda Item V – Any other business</i>			
021905 – 021908	Chairman	Closing remarks	