

立法會
Legislative Council

LC Paper No. ESC153/16-17
(These minutes have been
seen by the Administration)

Ref : CB1/F/3/2

Establishment Subcommittee of the Finance Committee

Minutes of the 15th meeting
held in Conference Room 1 of Legislative Council Complex
on Tuesday, 6 June 2017, at 8:30 am

Members present:

Hon Mrs Regina IP LAU Suk-ye, GBS, JP (Chairman)
Hon Alvin YEUNG (Deputy Chairman)
Hon James TO Kun-sun
Hon Abraham SHEK Lai-him, GBS, JP
Hon WONG Ting-kwong, SBS, JP
Hon Steven HO Chun-yin, BBS
Hon WU Chi-wai, MH
Hon YIU Si-wing, BBS
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Dr Hon KWOK Ka-ki
Hon KWOK Wai-keung
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Helena WONG Pik-wan
Hon IP Kin-yuen
Hon Martin LIAO Cheung-kong, SBS, JP
Hon POON Siu-ping, BBS, MH
Dr Hon CHIANG Lai-wan, JP
Hon CHUNG Kwok-pan
Hon CHU Hoi-dick
Hon Jimmy NG Wing-ka, JP
Hon HO Kai-ming
Hon Holden CHOW Ho-ding
Hon SHIU Ka-fai

Hon SHIU Ka-chun
Hon Wilson OR Chong-shing, MH
Hon YUNG Hoi-yan
Hon CHAN Chun-ying
Hon Tanya CHAN
Hon LUK Chung-hung
Hon Jeremy TAM Man-ho
Hon Nathan LAW Kwun-chung
Dr Hon YIU Chung-yim

Members attending:

Hon LEUNG Che-cheung, BBS, MH, JP
Hon Alice MAK Mei-kuen, BBS, JP

Members absent:

Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon WONG Kwok-kin, SBS, JP
Hon Paul TSE Wai-chun, JP
Hon LEUNG Kwok-hung
Hon MA Fung-kwok, SBS, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon LAM Cheuk-ting
Hon LAU Kwok-fan, MH
Hon KWONG Chun-yu

[According to the Judgment of the Court of First Instance of the High Court on 14 July 2017, LEUNG Kwok-hung, Nathan LAW Kwun-chung, YIU Chung-yim and LAU Siu-lai have been disqualified from assuming the office of a member of the Legislative Council, and have vacated the same since 12 October 2016, and are not entitled to act as a member of the Legislative Council.]

Public Officers attending:

Ms Carol YUEN Siu-wai, JP	Deputy Secretary for Financial Services and the Treasury (Treasury) 1
Mr Eddie MAK Tak-wai, JP	Deputy Secretary for the Civil Service 1
Mr HON Chi-keung, JP	Permanent Secretary for Development (Works)
Mr LAI Cheuk-ho	Principal Assistant Secretary for Development (Works) 5

Mr LAM Sai-hung, JP	Director of Civil Engineering and Development
Mr Robin LEE, JP	Project Manager (Hong Kong Island and Islands), Civil Engineering and Development Department
Mr Laurie LO, JP	Deputy Secretary for Home Affairs (1)
Mr Nick AU YEUNG	Principal Assistant Secretary for Home Affairs (Community Care Fund)

Clerk in attendance:

Ms Connie SZETO	Chief Council Secretary (1)4
-----------------	------------------------------

Staff in attendance:

Mr Keith WONG	Council Secretary (1)4
Ms Alice CHEUNG	Senior Legislative Assistant (1)1
Miss Yannes HO	Legislative Assistant (1)6
Ms Haley CHEUNG	Legislative Assistant (1)9

Action

The Chairman drew members' attention to the information paper ECI(2017-18)3, which set out the latest changes in the directorate establishment approved since 2002 and the changes to the directorate establishment in relation to the seven items on the agenda. She then reminded members that in accordance with Rule 83A of the Rules of Procedure ("RoP"), they should disclose the nature of any direct or indirect pecuniary interest relating to the funding proposal under discussion at the meeting before they spoke on the item. She also drew members' attention to RoP 84 on voting in case of direct pecuniary interest.

Action

EC(2016-17)29 **Proposed creation of four supernumerary posts of one Principal Government Engineer (D3), one Government Town Planner (D2) and two Chief Engineers (D1) in the Civil Engineering and Development Department (CEDD) to lead a new Sustainable Lantau Office (SLO) up to 31 March 2021; and redeployment of three D3, five D2 and 13 D1 directorate posts within CEDD arising from the establishment of SLO and re-organization of the existing Development Offices in CEDD (including the amendments made by the Administration as stated in paragraph (a), Enclosure 1 and Enclosure 2 of LC Paper No. ESC114/16-17(01)) with immediate effect upon approval by the Finance Committee**

2. The Chairman remarked that the staffing proposal was to create four supernumerary posts of one Principal Government Engineer (D3), one Government Town Planner (D2) and two Chief Engineers (D1) in the Civil Engineering and Development Department ("CEDD") to lead a new Sustainable Lantau Office ("SLO") up to 31 March 2021; and redeploy three D3, five D2 and 13 D1 directorate posts within CEDD arising from the establishment of SLO and re-organization of the existing Development Offices in CEDD with immediate effect upon approval by the Finance Committee ("FC"). She pointed out that discussion of the item was carried over from the meeting on 24 May 2017.

Setting up of a Sustainable Lantau Office

3. The Chairman advised that the Administration had, in response to the comments made by members in the previous two meetings, proposed to amend the post titles of the two Deputy Heads ("DHs") of SLO in a supplementary paper submitted on 5 June 2017, which was circulated to members via email on 5 June 2017 and tabled at the meeting. Furthermore, she said that the Secretariat had received Mr CHU Hoi-dick's letter requesting supplementary information from the Administration, which would be referred to the Government for follow-up.

[*Post-meeting note:* The supplementary information provided by the Administration was circulated to members on 5 June 2017 vide LC Paper No. ESC114/16-17(01).]

4. At the invitation of the Chairman, Permanent Secretary for Development (Works) ("PSD/W") explained to members the amendment

Action

made to the post titles of the two DHs. He said that in response to a suggestion made by members at the meeting on 24 May 2017 on amending the post titles of the two DHs in order to delineate more clearly their responsibilities in relation to development and conservation of Lantau, the Government would amend the post titles of the two DHs of SLO from DH(SLO)1 and DH(SLO)2 to DH(Works) and DH(Planning & Conservation) ("DH(P&C)") respectively. In view of the changes made to the post titles, the conservation team which originally came under the leadership of DH(SLO)1 would be led by DH(P&C). He stressed that despite the amendment made to the post titles and the reassignment of the conservation team, every staff of SLO would place equal emphasis on development and conservation to take forward the various development and conservation projects for Lantau.

5. Dr YIU Chung-yim pointed out that there was no estate surveyor in the establishment of SLO. As the projects undertaken by SLO might involve land resumption, he was concerned about the impact on the relevant work progress if there was no professional estate surveyor in SLO.

6. PSD/W reiterated that SLO was a multi-disciplinary one-stop office responsible for coordinating the various initiatives relating to Lantau development and conservation, but not all the initiatives were executed by SLO. Depending on operational needs, SLO would seek assistance from other professional departments. If a development project involved land resumption, SLO would liaise with the Lands Department. He added that the Government would continuously review the demand for staff of various grades arising from the development and conservation projects for Lantau in considering the need to add staff of other grades to SLO.

7. Noting from Enclosure 1 to the Administration's supplementary paper (LC Paper No. ESC114/16-17(01)) that the SLO would have only one Conservation Officer responsible for conservation initiatives, Dr Fernando CHEUNG was concerned that such arrangement could not reflect SLO's emphasis on conservation. He requested the Administration to explain how it would ensure that SLO would strengthen protection of Lantau's natural ecological environment while pursuing development, and that SLO staff would possess the professional knowledge on conservation.

8. Mr LUK Chung-hung expressed support for the staffing proposal. He was also concerned about the difficulty of taking up the task of Lantau conservation with only one Conservation Officer at SLO.

9. PSD/W replied that SLO would have a team dedicated to conservation comprising three Conservation Officers. In addition, staff of

Action

various grades at SLO would need to consider conservation elements in their scope of responsibilities. Engineering professionals would also acquire professional knowledge on conservation through continuous training in order to achieve the work direction of equal emphasis on development and conservation. He supplemented that the Government had published the "Sustainable Lantau Blueprint" ("the Blueprint") to give a detailed account of the Government's work direction on Lantau conservation, showing that the Government had clear objectives in protecting Lantau's ecological environment.

10. Mr CHAN Chi-chuen commented that SLO's work and the content of the Blueprint were closely related. The Administration should allow thorough discussion of the Blueprint by the Panel on Development before submitting the staffing proposal to the Subcommittee. He enquired whether SLO was entitled to amend the Blueprint, and whether SLO would consult the public again on the changes made to the Blueprint in the future.

11. PSD/W pointed out that the Government had conducted a three-month public consultation in early 2016 on the formulation of the Blueprint. As SLO could not be set up all along, the publication of the Blueprint had been delayed. He added that the Blueprint would offer guidance for SLO's work, and the Government did not rule out the possibility of amending the Blueprint in the future having regard to the actual situation.

12. Mr WU Chi-wai acknowledged the Administration's proposal to amend the post titles of the two DHs of SLO, which he thought would help clarify their scope of responsibilities. He suggested that the Administration set out baselines for Lantau conservation initiatives to quantify the progress of such initiatives, and report to the Panel on Development regularly on conservation initiatives.

13. PSD/W advised that the Government would give an account of the progress of the Lantau conservation initiatives to the Panel on Development regularly and would consider collecting information on Lantau's current situation for future reference.

Work of the Sustainable Lantau Office

14. Ms Tanya CHAN was concerned that while the Administration promoted the development of the East Lantau Metropolis ("ELM") under the concept of low-carbon living, relevant infrastructure projects might lead to substantial carbon emissions, and that was self-defeating. She urged SLO to achieve low carbon emissions while taking forward various

Action

development projects.

15. Project Manager (Hong Kong Island and Islands), CEDD ("PM/CEDD") said that the Government would adopt the low-carbon concept in its planning and design for ELM, including the use of appropriate materials and construction sequences, and would consider adding to the community an environmentally friendly transport system and a district cooling system as well as developing facilities convenient to walkers with a view to promoting green lifestyle.

16. Ms Tanya CHAN and Mr Nathan LAW were concerned that a road system connecting Mui Wo and Kennedy Town of western Hong Kong Island would be developed in the Government's planning for ELM construction. They were worried that such development would damage the natural environment of Mui Wo and lead to traffic congestion at Kennedy Town, thus affecting the residents there.

17. PSD/W advised that the Government was prepared to conduct a detailed study on the development of a road system connecting ELM and western Hong Kong Island as well as Lantau, and a confirmed road alignment proposal was yet to be available. He pointed out that relevant development would not destruct the ecology of Mui Wo, and the Government would also look into the impact of the project on the environment and relevant local residents before planning and would give full regard to public views. PM/CEDD added that a preliminary study showed that Kennedy Town was a suitable landing point on Hong Kong Island for the road system connecting with ELM, and that there would not be any unbearable impact on the land use, community and environment of Kennedy Town.

18. Dr CHIANG Lai-wan commented that it was necessary for SLO to enhance publicity and promotion efforts while taking forward the various development projects for Lantau to facilitate public understanding of Lantau's future development. In addition, she urged the Administration to update the City Gallery in Central to enable more effective promotion of the outcomes of Hong Kong's planning and infrastructure development.

19. PSD/W replied that the Government all along attached importance to promoting Lantau development, and relevant promotion work would be undertaken by the Public Relations and Promotion Subcommittee under the Lantau Development Advisory Committee. The Development Bureau noted Dr CHIANG's suggestion on the updating of the City Gallery.

Action

Pattern of examining Lantau development projects

20. Mr CHU Hoi-dick pointed out that in launching various controversial large-scale infrastructure in the past, the Government very often failed to receive public views effectively in its selection of the final proposal, thus resulting in social conflicts. This had reflected that the Government's current mechanism on launching controversial large-scale infrastructure was not optimal. He requested the Administration to undertake that while seeking funding from the Legislative Council ("LegCo") in the future for the infrastructure projects relating to Lantau development, it would provide three versions, namely the main option, a back-up alternative and a "no-go" option. This would allow Members and the public to weigh the effectiveness of each of the options adequately with a view to reducing social conflicts.

21. PSD/W pointed out that the item under consideration involved a staffing proposal instead of any examination of infrastructure funding. He supplemented that prior to the launch of any infrastructure project, the Government would conduct public engagement exercises, including presentation to the public different options of launching infrastructure projects, to facilitate their analysis of the pros and cons of the options.

Motion to adjourn the discussion on EC(2016-17)29

22. At 9:06 am, Mr CHU Hoi-dick moved a motion pursuant to paragraph 32 of the Establishment Subcommittee Procedure ("ESC Procedure") to adjourn the discussion on EC(2016-17)29. The Chairman instructed that each member could speak once on the motion for not more than three minutes.

23. Mr CHU Hoi-dick introduced his motion. He said that he did not oppose the Administration's approach of "Development at the North; Conservation for the South" to Lantau development, but considered that the development projects would involve a great deal of public money and the land so generated might not be dedicated to housing development. He was worried that the public would not benefit from the development ultimately.

24. Dr Fernando CHEUNG, Mr Nathan LAW and Mr CHAN Chi-chuen spoke in support of the motion. Dr CHEUNG and Mr LAW criticized the Government for spending a huge amount of public money on Lantau development projects with no public participation. They were worried that the land so generated might only be dedicated to the development of luxury properties and commercial buildings, which ran

Action

contrary to public expectations. Mr CHAN reiterated that the Administration should first explain details of the Blueprint to the Panel on Development before seeking the Subcommittee's approval to set up SLO.

25. Mr LUK Chung-hung, Mr SHIU Ka-fai, Mr YIU Si-wing, Mr WONG Ting-kwong, Mr KWOK Wai-keung and Mr Holden CHOW spoke against the motion. They criticized Mr CHU Hoi-dick for moving the motion for the purpose of filibustering, and they were worried that failure to timely establish SLO would delay various Lantau development projects, resulting in increased project cost. Mr WU Chi-wai advised that while the Democratic Party in general supported the setting up of SLO by the Government and the development of Lantau under the approach of "Development at the North; Conservation for the South", it opposed the large-scale reclamation to be carried out in developing Lantau. The Democratic Party was against the motion to adjourn the discussion on this item.

26. While speaking, Mr KWOK Wai-keung quoted Mr CHU Hoi-dick's speech, in which Mr CHU described himself as "evil-minded". Mr CHU Hoi-dick raised a point of order that according to the Rules of Procedure, a Member should not use offensive language about other Members in his/her speech. Mr CHU requested Mr KWOK Wai-keung to withdraw his remark.

27. The Chairman sought clarification from Mr KWOK Wai-keung. Mr KWOK Wai-keung said that his remark was only a quote from Mr CHU Hoi-dick's speech. Mr CHU Hoi-dick pointed out that he was not referring to himself as "evil-minded" in his speech.

28. The Chairman advised that she believed that Mr KWOK Wai-keung had misunderstood the meaning of Mr CHU Hoi-dick's speech. She accepted Mr KWOK's explanation and would not request him to withdraw his remark. She also reminded members that they should have rational discussion on the item, and should not make radical remarks against other members.

29. At the invitation of the Chairman, PSD/W responded to the motion moved by Mr CHU Hoi-dick. He pointed out that this staffing proposal had been endorsed by the Subcommittee during the last term of LegCo, but FC eventually failed to consider the item before the end of the term, resulting in the proposal of establishing SLO being postponed for more than a year. He reiterated that Lantau development was beneficial to the overall development of Hong Kong. The Government had also published the Blueprint, which was evidence of its sincerity in developing Lantau

Action

under the direction of putting equal emphasis on development and conservation.

30. Mr CHU Hoi-dick spoke in reply in respect of his motion. The Chairman forthwith put the motion to vote. At the request of Mr CHU Hoi-dick, the Chairman ordered a division, and the division bell rang for five minutes. Nine members voted for the motion and 14 against it. The Chairman declared that the motion was negatived. The votes of individual members were as follows:

For

Mr CHAN Chi-chuen
Mr Alvin YEUNG
Mr SHIU Ka-chun
Mr Jeremy TAM
Dr YIU Chung-yim
(9 members)

Dr Fernando CHEUNG
Mr CHU Hoi-dick
Ms Tanya CHAN
Mr Nathan LAW

Against

Mr WONG Ting-kwong
Mr WU Chi-wai
Mr KWOK Wai-keung
Mr POON Siu-ping
Mr HO Kai-ming
Mr SHIU Ka-fai
Mr CHAN Chun-ying
(14 members)

Mr Steven HO
Mr YIU Si-wing
Dr Helena WONG
Dr CHIANG Lai-wan
Mr Holden CHOW
Ms YUNG Hoi-yan
Mr LUK Chung-hung

Motions proposed by members pursuant to paragraph 31A of the Establishment Subcommittee Procedure

31. At 10:02 am, the Chairman advised that the Subcommittee had received a number of proposed motions to be moved by Mr CHU Hoi-dick and Mr CHAN Chi-chuen pursuant to paragraph 31A of the ESC Procedure. The Chairman ordered that the meeting be suspended so that she could consider the members' proposed motions.

[While the meeting was suspended, Mr Nathan LAW submitted one proposed motion pursuant to paragraph 31A of the ESC Procedure.]

[The meeting resumed at 10:19 am.]

Action

32. The Chairman advised that she had examined a total of 19 proposed motions to be moved by Mr CHU Hoi-dick, Mr CHAN Chi-chuen and Mr Nathan LAW. Upon discussion with Mr CHU and Mr CHAN, each of them agreed to withdraw one proposed motion. She would put forward 17 proposed motions to the Subcommittee for considering whether they should be proceeded, 12 of them were to be moved by Mr CHU Hoi-dick, four by Mr CHAN Chi-chuen and one by Mr Nathan LAW.

33. At 10:20 am, the Chairman put to vote the question that Mr CHU Hoi-dick's proposed motion numbered 1 be proceeded, and asked Mr CHU Hoi-dick, the Chairman ordered a division, and the division bell rang for five minutes. Given that it was a tied vote, the Chairman exercised a casting vote and declared that the motion was negated.

34. At 10:27 am, Mr POON Siu-ping moved, pursuant to paragraph 39A of the ESC Procedure, that in the event of further divisions being claimed in respect of any motions or questions under the item EC(2016-17)29, the duration of the division bell be shortened to one minute. As no members indicated their wishes to speak, the Chairman put Mr POON Siu-ping's motion to vote. The Chairman considered that there was a majority of members voting in favour of the motion, and declared that the motion was passed.

35. The Chairman put to vote the questions, one by one, that the motions proposed by Mr CHU Hoi-dick numbered 2 and 3 be proceeded. At the request of Mr CHU, the Chairman ordered a division, and the division bell rang for one minute. Mr CHU read out the content of each of his proposed motions during the ringing of the division bell. Given the tied votes for both questions, the Chairman exercised a casting vote for each question and declared that both motions were negated.

36. The Chairman then put to vote the questions, one by one, that the motions proposed by Mr CHU Hoi-dick numbered 4 to 9 be proceeded. At the request of Mr CHU, the Chairman ordered a division, and the division bell rang for one minute. Mr CHU read out the content of each of his proposed motions during the ringing of the division bell. All questions were negated.

37. The Chairman then put to vote the questions, one by one, that the motions proposed by Mr CHU Hoi-dick numbered 10 and 11 be proceeded. At the request of Mr CHU, the Chairman ordered a division, and the division bell rang for one minute. Mr CHU read out the content of each of his proposed motions during the ringing of the division bell. Given the

Action

tied votes for both questions, the Chairman exercised a casting vote for each question and declared that both motions were negatived.

38. The Chairman put to vote the question that the motion proposed by Mr CHU Hoi-dick numbered 12 be proceeded. At the request of Mr CHU, the Chairman ordered a division, and the division bell rang for one minute. Mr CHU read out the content of his proposed motion during the ringing of the division bell. Thirteen members voted for the motion being proceeded and twelve against it. The Chairman declared that the Subcommittee agreed that the motion moved by Mr CHU be proceeded. The votes of individual members were as follows:

For

Mr James TO	Mr WU Chi-wai
Mr CHAN Chi-chuen	Dr Fernando CHEUNG
Dr Helena WONG	Mr IP Kin-yuen
Mr Alvin YEUNG	Mr CHU Hoi-dick
Mr SHIU Ka-chun	Ms Tanya CHAN
Mr Jeremy TAM	Mr Nathan LAW
Dr YIU Chung-yim	
(13 members)	

Against

Mr WONG Ting-kwong	Mr Steven HO
Mr YIU Si-wing	Mr POON Siu-ping
Dr CHIANG Lai-wan	Mr Jimmy NG
Mr HO Kai-ming	Mr Holden CHOW
Mr SHIU Ka-fai	Ms YUNG Hoi-yan
Mr CHAN Chun-ying	Mr LUK Chung-hung
(12 members)	

Debate on the motion numbered 12 proposed by Mr CHU Hoi-dick

39. The Chairman advised that as the Subcommittee had passed that Mr CHU Hoi-dick's proposed motion numbered 12 be proceeded, there would be a debate on the said motion. She said that Mr CHU could speak on his motion for three minutes while other members could speak once on the motion for not more than three minutes. Mr CHU would then have one minute to make a reply.

40. Mr CHU Hoi-dick explained his motion. He moved the motion to request that when seeking funding approval for any projects in relation to ELM development, the Government should provide the committees with three versions, namely the main option, a back-up alternative and a "no-go"

Action

option, to enable members and the public to identify the merits and demerits of various options in terms of cost and effectiveness. He believed that such arrangement could ease the social conflicts arising from the delay or cost overruns in major infrastructure projects undertaken by the Government.

41. Mr WU Chi-wai, Mr CHAN Chi-chuen, Dr YIU Chung-yim, Mr Nathan LAW and Ms Tanya CHAN spoke in support of the motion proposed by Mr CHU Hoi-dick. They were of the view that by putting forward various options, the Government could facilitate rational discussion on and analysis of its infrastructure projects by the public, which could increase public participation in the Government's infrastructure development on one hand and help to reduce the prospect of delay or cost overruns in the infrastructure projects on the other.

42. Mr LUK Chung-hung, Mr HO Kai-ming and Mr Holden CHOW spoke against the motion proposed by Mr CHU Hoi-dick. Mr HO opined that the Government would also first put forward various options in public consultations on policies or infrastructure projects for the public to come up with some mainstream views before the formulation of a main option. He did not see anything wrong with the current practice. Mr LUK and Mr CHOW were of the view that the Subcommittee should focus on discussing the staffing proposal rather than complicate the issue with other matters to slow down the progress of the meeting.

[During the debate, Ms Alice MAK requested to speak on the motion proposed by Mr CHU Hoi-dick. The Chairman advised that as Ms MAK was not a member of the Subcommittee, she was not allowed to speak on Mr CHU's motion or vote.]

43. At the invitation of the Chairman, PSD/W responded to Mr CHU Hoi-dick's motion. He pointed out that the Government would all along conduct public consultations on development projects and present to members of the public several feasible options for them to discuss and express their views. Upon completion of a public consultation exercise, the Government was duty-bound to formulate the most appropriate option to be introduced to LegCo for consideration and funding approval. Should a back-up alternative remain in the stage of seeking funding, it would amount to the Government not having given detailed consideration to all feasible options, and that was irresponsible.

44. Mr CHU Hoi-dick spoke in reply in respect of his motion. The Chairman forthwith put the motion to vote. At the request of Mr CHU Hoi-dick, the Chairman ordered a division, and the division bell rang for

Action

one minute. Thirteen members voted for the motion and fourteen against it. The Chairman declared that the motion was negatived. The votes of individual members were as follows:

For

Mr James TO	Mr WU Chi-wai
Mr Charles Peter MOK	Mr CHAN Chi-chuen
Dr Fernando CHEUNG	Mr IP Kin-yuen
Mr Alvin YEUNG	Mr CHU Hoi-dick
Mr SHIU Ka-chun	Ms Tanya CHAN
Mr Jeremy TAM	Mr Nathan LAW
Dr YIU Chung-yim	
(13 members)	

Against

Mr Abraham SHEK	Mr Steven HO
Mr YIU Si-wing	Mr Martin LIAO
Mr POON Siu-ping	Dr CHIANG Lai-wan
Mr Jimmy NG	Mr HO Kai-ming
Mr Holden CHOW	Mr SHIU Ka-fai
Mr Wilson OR	Ms YUNG Hoi-yan
Mr CHAN Chun-ying	Mr LUK Chung-hung
(14 members)	

Continuation of dealing with motions proposed by members pursuant to paragraph 31A of the Establishment Subcommittee Procedure

45. At 11:20 am, the Chairman put to vote the questions, one by one, that the motions proposed by Mr CHAN Chi-chuen numbered 13 to 16 be proceeded. At the request of Mr CHAN, the Chairman ordered a division, and the division bell rang for one minute. Mr CHAN read out the content of each of his proposed motions during the ringing of the division bell. All questions were negatived.

46. The Chairman then put to vote the question that the motion proposed by Mr Nathan LAW numbered 17 be proceeded. At the request of Mr LAW, the Chairman ordered a division, and the division bell rang for one minute. Mr LAW read out the content of his proposed motion during the ringing of the division bell. The question was negatived.

Voting on the item

47. At 11:29 am, the Chairman put the item EC(2016-17)29 to vote. She reminded members that as the Administration had provided

Action

supplementary information (LC Paper No. ESC114/16-17(01)) on 5 June 2017 to amend this staffing proposal, consideration should be given to the content of both the original paper on the item and the supplementary paper when voting. At the request of members, the Chairman ordered a division, and the division bell rang for one minute. Twenty-two members voted for the item and seven against it. The Chairman declared that the Subcommittee agreed to recommend the item to FC for approval. The votes of individual members were as follows:

For

Mr James TO	Mr Abraham SHEK
Mr WONG Ting-kwong	Mr Steven HO
Mr WU Chi-wai	Mr YIU Si-wing
Mr Charles Peter MOK	Mr KWOK Wai-keung
Mr IP Kin-yuen	Mr Martin LIAO
Mr POON Siu-ping	Dr CHIANG Lai-wan
Mr Jimmy NG	Mr HO Kai-ming
Mr Holden CHOW	Mr SHIU Ka-fai
Mr SHIU Ka-chun	Mr Wilson OR
Ms YUNG Hoi-yan	Mr CHAN Chun-ying
Mr LUK Chung-hung	Dr YIU Chung-yim
(22 members)	

Against

Mr CHAN Chi-chuen	Dr Fernando CHEUNG
Mr Alvin YEUNG	Mr CHU Hoi-dick
Ms Tanya CHAN	Mr Jeremy TAM
Mr Nathan LAW	
(7 members)	

48. Mr CHAN Chi-chuen requested that the item be voted on separately at the relevant FC meeting.

EC(2017-18)1 Proposed retention of one supernumerary post of Administrative Officer Staff Grade C (D2) in the Community Care Fund (CCF) Secretariat under the Home Affairs Bureau for five years from 1 July 2017 to 30 June 2022 to continue to provide dedicated directorate support to the CCF to ensure its smooth operation

49. The Chairman remarked that the staffing proposal was to retain one supernumerary post of Administrative Officer Staff Grade C (D2) in the

Action

Community Care Fund ("CCF") Secretariat under the Home Affairs Bureau (designated as Principal Assistant Secretary (Community Care Fund) ("PAS(CCF)")) for five years from 1 July 2017 to 30 June 2022 to continue to provide dedicated directorate support to CCF to ensure its smooth operation.

50. The Chairman advised that the Administration had consulted the Panel on Home Affairs on this staffing proposal on 21 December 2016. No members of the Panel indicated any objection to this proposal. Some members suggested that the responsibilities of the post of PAS(CCF) should also include assisting CCF in mapping out objective criteria for determining which assistance programmes should be incorporated into the Government's regular assistance programmes, with a view to stepping up the efforts to regularize assistance programmes.

Responsibilities of the post of Principal Assistant Secretary (Community Care Fund)

51. Mr CHAN Chun-ying noted from the Administration's paper that PAS(CCF) was tasked to lead the CCF Secretariat to take forward initiatives of CCF, which was similar to the role played by the CCF Task Force. He enquired about the work distribution between PAS(CCF) and the Chairperson of the CCF Task Force.

52. Ms Tanya CHAN pointed out that the major responsibility of PAS(CCF) was to lead the CCF Secretariat to support the CCF Task Force, and since PAS(CCF) would not take charge of tasks like determining the uses of CCF's funding or investment strategies, the responsibilities of this post were comparatively lesser than other Principal Assistant Secretaries of the Home Affairs Bureau ("HAB"). In her view, the Administration should consider arranging the holder of this post to share some of the work of the other Principal Assistant Secretaries.

53. Deputy Secretary for Home Affairs (1) ("DSHA(1)) replied that PAS(CCF) was tasked to lead the CCF Secretariat to support the work of the CCF Task Force, including considering CCF's modus operandi, assisting the CCF Task Force in monitoring the progress of programmes, evaluating the worthiness of implementing or continuing programmes, and conducting effectiveness review for programmes. In addition, PAS(CCF) also had to liaise with relevant bureaux or departments in relation to issues such as monitoring the implementation progress and reviewing the effectiveness of programmes, and in considering whether or not to incorporate such programmes into the Government's regular assistance programmes. Given that these responsibilities were all policy-related, it

Action

was necessary to pitch this post at directorate grade. He supplemented that as the work portfolios of HAB's various Principal Assistant Secretaries were not the same, the workload of different posts could hardly be compared directly.

54. Mr Alvin YEUNG remarked that while the Administration had recommended retaining the post of PAS(CCF) up to 2022, it was pointed out in paragraph 12 of the paper that CCF would operate until 2019. In his view, the tenure of office of the proposed post should align with CCF's operation period and end in 2019, and by that time the new-term Government could determine whether CCF should continue with its work and whether the proposed post should be retained.

55. DSHA(1) advised that the Commission on Poverty ("CoP") had recently endorsed eight new CCF assistance programmes, which were expected to operate until 2020. In addition, as the balance of CCF stood close to \$20 billion currently and it was expected that the new-term Government would continue to keep CCF in operation, retaining the post of PAS(CCF) up to 2022 should be an appropriate arrangement, which would also allow the new-term Government greater flexibility in planning the work of CCF.

Operation of the Community Care Fund

56. Referring to CCF's handsome surplus, Mr CHAN Chun-ying enquired about the Administration's approach in determining CCF's investment strategy.

57. DSHA(1) replied that a total of \$15 billion from CCF's balance had been placed with the Hong Kong Monetary Authority to earn investment returns linked to the performance of the Exchange Fund, while the rest of CCF's funding was placed with banks as Hong Kong dollar time deposit to generate interest. All these investments would generate stable returns and were capital preservation-oriented. He supplemented that CCF's investment strategy was formulated by the CCF Task Force and CoP, and the Treasury Accountant and Accounting Officer of the CCF Secretariat were responsible for discharging duties in relation to CCF's financial management and investment matters.

58. Mr Alvin YEUNG enquired about the review conducted by the Administration on the effectiveness of CCF's operation over the past six years, and whether the Administration had any plan to allow CCF to operate on a long-term basis.

Action

59. DSHA(1) advised that CCF had been playing a remedial role since its establishment, implementing assistance programmes that could not be readily covered by existing policies in a straightforward manner and on a pilot basis, thereby providing support for different needy groups. In reviewing the effectiveness of assistance programmes, the Government would also consider turning the sustainable ones into the Government's regular assistance programmes. He supplemented that so far CCF had launched more than 40 assistance programmes, among which 11 had already been made regular ones, involving an annual recurrent expenditure of some \$700 million. Hence, CCF was proven effective and worthy of retention.

60. Mr SHIU Ka-chun and Dr KWOK Ka-ki criticized that the establishment of CCF as a remedy reflected the lack of proper and long-term planning of the Government's welfare policies such that the existing welfare policies could not cater for the needs of certain groups. They urged the Government to review its long-term welfare policies instead of relying on implementing assistance programmes on a short-term or pilot basis to provide assistance for the needy groups. Mr SHIU requested the Administration to provide the details of the 11 assistance programmes implemented by CCF and subsequently incorporated as regular ones. In addition, Dr KWOK suggested that the Administration should consider setting up a Mental Health Council to support students with mental diseases and provide regular subsidy for patients to purchase new drugs.

61. DSHA(1) replied that the functions of the policy bureaux and CCF could not substitute each other, as the policy bureaux were responsible for formulating policies and considering framework arrangements and even legislative arrangements; whereas through CCF, the Government could try using new approach to offer assistance in a faster way to groups that were unable to benefit from the existing social security net or short-term relief measures introduced by the Government. He added that while CCF's measures would not replace the long-term welfare initiatives of the Government, the Government had in place mechanisms for reviewing its various welfare policies. He undertook to provide the Subcommittee with the details of the 11 CCF programmes that had already been made regular assistance programmes.

[Post-meeting note: The supplementary information provided by the Administration was circulated to members on 12 June 2017 vide LC Papers No. ESC122/16-17(01).]

62. Mr SHIU Ka-chun and Dr KWOK Ka-ki pointed out that when establishing CCF in 2011 the Government had estimated that \$5 billion of

Action

donation could be received from the business sector, but the amount of donation received eventually was far below this level, making it necessary for the Government to finance CCF substantially. They criticized that in financing CCF to implement social welfare policies, the Government had made it impossible for the Legislative Council and the public to monitor the use of public money and thereby set an undesirable precedent in policy administration. Mr SHIU requested the Administration to provide supplementary information to illustrate the donation situation since the establishment of CCF.

63. DSHA(1) reiterated that CCF did have its worth and various sectors of society all recognized CCF's effectiveness. CCF had all along welcomed donations from the public since its establishment and the total amount of donation received so far was around \$1.8 billion. The Government would make good use of CCF's current balance which stood at some \$20 billion. He agreed to provide the Subcommittee with information on the donation situation of CCF.

[Post-meeting note: The supplementary information provided by the Administration was circulated to members on 12 June 2017 vide LC Paper No. ESC122/16-17(01).]

Discontinuation of assistance programme "One-off Living Subsidy for Low-income Households Not Living in Public Housing and Not Receiving Comprehensive Social Security Assistance"

64. Mr Nathan LAW, Mr SHIU Ka-chun, Dr Fernando CHEUNG and Dr KWOK Ka-ki criticized the Administration for discontinuing CCF's "One-off Living Subsidy for Low-income Households Not Living in Public Housing and Not Receiving Comprehensive Social Security Assistance" ("assistance for the N have-nots") in the second half of 2016, neglecting the requirements of those members of society in dire need of assistance, and thereby causing great repercussions in society. They requested the Administration to provide justifications for discontinuing the assistance programme and urged the Administration to relaunch the programme.

65. DSHA(1) advised that the Government had, for many times, introduced short-term relief measures in annual Budgets in the past, including granting additional Comprehensive Social Security Assistance ("CSSA") payments and paying rent for public rental housing ("PRH") tenants. Taking into account that some of the non-PRH tenants and non-CSSA recipients (i.e. the "N have-nots") could not benefit from such measures, CCF thus rolled out the assistance programme for the N have-nots. Given that the Budgets in recent years had cut back on

Action

short-term relief measures, CCF did not have sufficient grounds to relaunch the assistance programme for the "N have-nots". He supplemented that the CCF Task Force had conducted in-depth discussions regarding the ways to support the N have-nots and reached the conclusion that granting these persons the assistance for the N have-nots might not be able to achieve the best poverty alleviation results. For the longer term, efforts should be made to explore ways to provide these persons with other support, and the CCF Task Force would continue to discuss with stakeholders on the support to be provided for the N have-nots.

66. Dr Fernando CHEUNG and Mr SHIU Ka-chun opined that the CCF Task Force had discontinued the assistance programme for the N have-nots without justifications, reflecting the failure of PAS(CCF) to relay truthfully to the CCF Task Force the dissenting views in society. They also considered that if PAS(CCF) was only tasked to relay views to the CCF Task Force and not charged with any policy-making responsibilities, the proposed post should not be pitched at directorate level.

67. DSHA(1) remarked that the CCF Secretariat had conducted a number of public consultation sessions regarding CCF matters, during which public views against discontinuing the assistance programme for the N have-nots were collected. In this connection, the CCF Secretariat led by PAS(CCF) had relayed truthfully to the CCF Task Force the views collected through different channels. He stressed that rather than merely relaying messages to the CCF Task Force, PAS(CCF) was also required to follow up the various CCF programmes in operation.

68. Mr SHIU Ka-chun pointed out that to express dissatisfaction at CCF's indifference towards the needs of the N have-nots, the Panel on Home Affairs had passed a motion at its meeting on 21 December 2016 to urge the Administration to change CCF's name to "No Care Fund", but the Administration had made no response to the motion so far.

69. DSHA(1) replied that the views expressed by members of the Panel on Home Affairs on the assistance for the N have-nots at the said meeting had been referred to the CCF Task Force for discussion, and the CCF Task Force currently had no decision to change CCF's name.

"Subsidy for eligible patients to purchase ultra-expensive drugs"

70. Mr Nathan LAW asked the Administration whether CCF would consider rolling out a programme to subsidize patients to purchase expensive drugs, with a view to alleviating the financial burden on patients.

Action

71. DSHA(1) replied that CoP had given consent to CCF to implement the programme "Subsidy for eligible patients to purchase ultra-expensive drugs", which was expected to be launched in August 2017.

72. Dr Fernando CHEUNG remarked that in the past, the Government used to subsidize patients through the Samaritan Fund to purchase medical items not covered by the standard fees and charges in public hospitals and clinics. Given that the means test threshold for patients and their families set by the Samaritan Fund was rather high, he enquired whether CCF would lower the means test threshold when launching the programme "Subsidy for eligible patients to purchase ultra-expensive drugs".

73. DSHA(1) advised that CCF would make reference to the Samaritan Fund's vetting approach in implementing the programme "Subsidy for eligible patients to purchase ultra-expensive drugs", and it would also add in a maximum annual contribution from patient which would be capped at 20% of the annual disposable financial resources of the recipient family or \$1 million, whichever the lower.

74. The Chairman said that the Subcommittee would continue to discuss this item at the next meeting.

75. The meeting ended at 12:30 pm.