

**Sha Tin District Council**  
**Minutes of the Special Meeting of**  
**the Traffic and Transport Committee in 2018**

**Date** : 21 May 2018 (Monday)  
**Time** : 2:30 pm  
**Venue** : Sha Tin District Council Conference Room  
 4/F, Sha Tin Government Offices

<b><u>Present</u></b>	<b><u>Title</u></b>	<b><u>Time of joining the meeting</u></b>	<b><u>Time of leaving the meeting</u></b>
Mr LI Sai-wing (Chairman)	DC Member	2:41 pm	2:51 pm
Mr YUNG Ming-chau, Michael (Vice-Chairman)	"	2:41 pm	5:10 pm
Mr HO Hau-cheung, SBS, MH	DC Chairman	2:41 pm	5:09 pm
Mr PANG Cheung-wai, Thomas, SBS, JP	DC Vice-Chairman	2:41 pm	2:51 pm
Mr CHAN Billy Shiu-yeung	DC Member	2:41 pm	4:27 pm
Ms CHAN Man-kuen	"	2:41 pm	5:10 pm
Mr CHAN Nok-hang	"	2:44 pm	4:03 pm
Mr CHIU Chu-pong, Sunny	"	2:49 pm	4:07 pm
Mr CHIU Man-leong	"	2:41 pm	3:07 pm
Mr LAI Tsz-yan	"	2:41 pm	5:10 pm
Ms LAM Chung-yan	"	2:48 pm	4:07 pm
Mr LI Sai-hung	"	2:41 pm	4:07 pm
Mr LI Wing-shing, Wilson	"	2:41 pm	5:10 pm
Mr NG Kam-hung	"	2:41 pm	3:56 pm
Mr TING Tsz-yuen	"	2:41 pm	4:03 pm
Mr TONG Hok-leung	"	2:41 pm	4:24 pm
Ms TUNG Kin-lei	"	2:41 pm	4:23 pm
Mr WAI Hing-cheung	"	2:41 pm	4:18 pm
Mr WONG Fu-sang, Tiger	"	2:44 pm	5:10 pm
Mr WONG Hok-lai	"	2:41 pm	5:09 pm
Mr WONG Ka-wing, MH	"	2:44 pm	5:10 pm
Mr WONG Yue-hon	"	2:48 pm	5:10 pm
Mr YAU Man-chun	"	2:41 pm	3:59 pm
Mr YIP Wing	"	2:41 pm	4:03 pm
Mr YIU Ka-chun	"	2:41 pm	5:10 pm
Ms YUE Shin-man	"	2:41 pm	4:10 pm
Mr MOK Man-lok, Mannix (Secretary)	Executive Officer (District Council) 1 / Sha Tin District Office		

**In Attendance**

Mr WONG Tin-pui, Simon  
 Mr YUEN Chun-kit, Derek

**Title**

Assistant District Officer (Sha Tin)  
 Senior Executive Officer (District Council) /  
 Sha Tin District Office

**Absent**

Ms WONG Ping-fan, Iris  
 Mr CHING Cheung-ying, MH  
 Mr MOK Kam-kwai, BBS

**Title**

DC Member (Application for leave of absence received)  
 " ( " )  
 " ( " )

**Absent**

Mr LEE Chi-wing, Alvin  
 Ms TSANG So-lai  
 Mr LEUNG Ka-fai, Victor  
 Mr PUN Kwok-shan, MH  
 Mr SIU Hin-hong  
 Mr CHAN Kwok-keung, James  
 Mr CHENG Tsuk-man  
 Mr HUI Yui-yu, Rick  
 Mr MAK Yun-pui  
 Ms PONG Scarlett Oi-lan, BBS, JP

**Title**

DC Member (Application for leave of absence received)  
 ” ( ” )  
 ” ( ” )  
 ” ( ” )  
 ” ( ” )  
 ” (No application for leave of absence received)  
 ” ( ” )  
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 ” ( ” )

**Action**

The Chairman informed the meeting that some people observing the meeting were taking photos, making videos and making sound recordings at the venue.

**Applications for Leave of Absence**

2. The Chairman said that the Secretariat had received applications for leave of absence in writing from the following members:

Ms Iris WONG	Official commitment
Mr CHING Cheung-ying	”
Mr MOK Kam-kwai	”
Mr Alvin LEE	”
Ms TSANG So-lai	”
Mr Victor LEUNG	”
Mr PUN Kwok-shan	”
Mr SIU Hin-hong	Out of Town

3. The Traffic and Transport Committee (TTC) approved the applications for leave of absence submitted by the members above.

**Discussion Item**

Inviting the Sha Tin District Council to provide written comments to the Independent Review Committee on Hong Kong's Franchised Bus Service  
 (Paper No. TT 42/2018)

4. The Chairman said the Secretariat had invited the Independent Review Committee on Hong Kong's Franchised Bus Service (IRC) to send a representative to attend the meeting. However, the IRC said no such operational arrangement was made. The IRC wrote to invite written comments from the Sha Tin District Council (STDC), which could only provide its opinion after discussion in relevant committees. Since the discussion item fell within the area of the TTC, a TTC meeting was convened to discuss the matter. However, as there was not enough time for discussing the item during the meeting on 8 May 2018, a special meeting had to be convened. Given the tight timeline for the STDC to provide written comments, the Secretariat would complete the minutes as soon as possible before submitting them to the IRC and distributing them to TTC members. The minutes would be endorsed at the next TTC meeting. Individual members wishing to comment on the operation

and management of franchised buses could pass their views directly to the IRC.

5. The Chairman asked members to note Mr CHAN Nok-hang's attendance at the meeting and cancelled his application for leave of absence.

6. The views of Mr Michael YUNG were summarised below:

- (a) he was disappointed that the IRC did not arrange for a representative to attend the meeting and thought the IRC showed no sincerity;
- (b) he opined that it was inappropriate for the Secretariat to marshal the relevant information and minute the special meeting as the STDC's advice to be submitted to the IRC, because the minutes might not accurately provide information the IRC needed;
- (c) he revealed that the IRC, in a reply to him, mentioned that fatal traffic accidents involving franchised buses had happened in 17 districts of the territory in recent years, showing the severity of the situation; and yet the IRC sent no representative to the meeting. He opined that the STDC could not effectively express its views to urge the IRC to study and improve the situation; and
- (d) he thought that the arrangement of the IRC had set a bad example and he was worried that other government departments might also decline to send representatives to meetings when they consulted the STDC. He opined that this arrangement did not facilitate effective communication and had failed to put into practice the Chief Executive's policy objective of interactive communication with local communities.

7. The Chairman said that after discussing meeting arrangements with Mr Michael YUNG, Mr Michael YUNG wrote to the Chief Executive and the Chairman of the IRC, Mr Justice Michael Victor LUNN, and received replies from them. Copies of their replies were placed on the conference table for members' reference.

8. The supplementary information provided by Mr Mannix MOK, Executive Officer (District Council) 1 of the Sha Tin District Office was summarised below:

- (a) the Secretariat had prepared copies of the letter from Mr Michael YUNG to the IRC and the IRC's reply for members' reference; and
- (b) the Secretariat had called to invite the IRC to arrange for a representative to attend the meeting. The Secretariat of the IRC replied as follows:

“The aim of the IRC is to comprehensively review the operation and monitoring of franchised buses and provide advice to ensure that the franchised bus services in Hong Kong are safe and reliable. To gather the necessary information, the IRC has since the end of March invited written comments from relevant bodies / persons, including the Transport and Housing Bureau (THB), the Transport Department (TD), franchised bus operators, employee representatives of franchised bus companies and other bodies / persons (such as the Legislative Council Panel on

Transport, District Councils, academic institutions, professional organisations, etc.). The IRC has also invited interested members of the public to provide their opinions.

The IRC is aware that there have been fatal traffic accidents involving franchised buses in the Sha Tin District in recent years. As directed by the Chairman of the IRC Mr Justice Michael LUNN, the Secretariat of the IRC wrote to the Sha Tin District Council (STDC) on 4 May 2018 to invite written comments from it, including its committees and working groups, on the aforementioned fatal traffic accidents, and to ask for the papers and minutes of all STDC meetings having discussed traffic accidents involving franchised buses that took place between 2012 and February 2018. Besides, the IRC also welcomes opinions from the STDC and individual DC Members from a safety perspective on the mode of operation and management concerning franchised buses. The IRC may also invite persons or bodies that have provided written comments, including the STDC and individual DC Members having voiced their opinions, to give supplementary written information and/or oral testimony, if necessary. The first two hearing sessions were already held on 7 May 2018.

The IRC is unable to send a representative to the meeting of the STDC's Traffic and Transport Committee scheduled to be held in the afternoon of 21 May 2018."

9. The Chairman had to temporarily leave the meeting due to certain business and the Vice-Chairman undertook his duties in his absence.

10. The views of Mr YIU Ka-chun were summarised below:

- (a) he said the Government set up the IRC because of the bus accident that happened at Tai Po Road on 10 February 2018. He raised questions regarding the above accident at the TTC meeting on 13 March 2018, and met with different people and handled various matters during the period. He thought it was too late for the IRC to consult the STDC at this stage; and
- (b) he opined that it was necessary for the IRC, the TD and the bus companies to send representatives to attend the meeting to listen to members' views and to follow up accordingly. He therefore thought the TTC should write to the IRC to express its views. However, he thought the TTC should proceed with the agenda item to avoid wasting time.

11. The views of Mr Wilson LI were summarised below:

- (a) he opined that it was necessary for the IRC and the relevant government departments to send a representative to attend the meeting, and he was surprised that they did not. He thus agreed that the TTC should write to the IRC to express its dissatisfaction; and

- (b) he opined that members should seriously discuss traffic accidents involving franchised buses and discuss in great depth matters regarding bus companies, including competition, services, staffing establishment, staff treatment, etc. He thought that the IRC should have at least sent a representative to observe the meeting, and he thus reiterated his disappointment and dissatisfaction.

12. Mr WONG Yue-hon said he had wanted to ask the IRC about its research direction and the content of its review, and was surprised at the absence of an IRC representative. He suggested that the Secretariat alert members to the departments that would be sending representatives to meetings when it issued notices of meeting in the future, so that members could prepare accordingly.

13. The views of Ms TUNG Kin-lei were summarised below:

- (a) she could not understand why no representative from the IRC and the relevant government departments was sent to the meeting and agreed that the TTC should write to request the IRC to evaluate its practice; and
- (b) she said the meeting lacked discussion themes because there was no paper to refer to, apart from past TTC meeting papers. She opined that if members could only express personal opinions, they had better send individual letters to the IRC instead.

14. The views of Mr Tiger WONG were summarised below:

- (a) he opined that the IRC and the bus companies should have sent representatives to the meeting as communication was mutual; and
- (b) he enquired if the discussion of the meeting focused only on the bus accident at Tai Po Road dated 10 February 2018 or also included providing opinions on franchised bus services.

15. The views of Mr CHIU Man-leong was summarised below:

- (a) he opined that to benefit the overall discussion, the IRC, the TD and the bus companies should have sent representatives to the meeting for members to raise further questions about the representatives' responses; and
- (b) he once raised questions at the TTC meeting on 7 March 2017 with respect to the fatal traffic accident in Lam Tin involving a no. 681 Citybus on 14 January 2017. New World First Bus Services Limited and Citybus Limited (NWFB and Citybus) replied at that time that "NWFB and Citybus have always complied with the Guidelines on Bus Captain Working Hours, Rest Times and Meal Breaks issued by the TD to franchised bus companies when scheduling the working hours and rest times of bus captains to ensure they have adequate rest. The guideline stipulates that driving duty should not exceed 11 hours per working day, maximum duty (including all resting times) should not exceed 14 hours per working day, and the break period between two successive working

days should not be less than 10 hours.” He said the TD only amended the guideline to shorten bus captains’ driving duty to not exceeding 10 hours after the bus accident at Tai Po Road on 10 February 2018. He thought their working hours were still too long after the amendment and that the TD and the bus companies lacked crisis management and neglected the issue. He thought the TD and the bus companies should conduct an in-depth study of the rest times of bus captains and make improvements accordingly.

16. The views of Mr NG Kam-hung were summarised below:

- (a) he opined that it was inappropriate for the IRC to only ask for written comments from the STDC, as it would affect the effectiveness of the meeting; and
- (b) he opined that the work of the IRC was important and urgent and it was necessary for the IRC to send representatives to meetings. The TTC should write to the IRC to express its dissatisfaction with the absence of the IRC’s representative at the meeting.

17. The views of Mr LI Sai-hung were summarised below:

- (a) he opined that the IRC should have explained at the meeting the nature of its work, its purview and follow-up work, and that the aim of the discussion was not achieved due to the absence of the IRC’s representative;
- (b) he opined that the TTC should write to the IRC to express its regret or reprove the IRC for not sending a representative to the meeting; and
- (c) he believed the IRC would only be able to collect the necessary information by attending the meeting to listen to members’ views and even to clarify members’ misunderstandings about its duties.

18. The views of Mr HO Hau-cheung were summarised below:

- (a) even though the letter from the IRC was dated 4 May 2018, he could only discuss arrangements with Assistant District Officer (Sha Tin) Mr Simon WONG last week. Of the IRC’s 3 requests, 2 were more manageable, including the submission of papers and minutes of all TTC meetings having discussed traffic accidents involving franchised buses that happened between 2012 and February 2018 to the IRC and, with the help of the Secretariat, the collection and submission of individual members’ opinions. As for the last request, i.e. submitting the general views of the STDC, Mr Simon WONG then suggested convening a meeting and to handle the matter by way of passing a motion; however, given the haste, he thought the method was not ideal. But at the same time he did not wish to set a precedent for adding an agenda item for a statutory committee of this sort to the STDC meeting on 24 May 2018. Thus, he decided to hand the task over to the TTC;

- (b) he did not prefer this meeting to be regarded as a formal one, as members had various opinions and it would be difficult to represent the entire STDC with one point of view. Under the circumstances, he initially suggested that the TTC hold a forum and then submit member's opinions to the IRC for its reference. After consideration, Mr Simon WONG thought this might not represent the entire TTC and convening a formal TTC meeting would be more appropriate. As a member of the TTC, he respected the opinions of the TTC Chairman and the Vice-Chairman;
- (c) to his understanding, the IRC had never planned to attend the meeting, as it only considered the meeting a channel to collect opinions from the STDC for compiling a report to be submitted to the Chief Executive. He therefore suggested that members, as they saw fit, continue to express their views on the problems arising from the serious traffic accident in February or the duties of the TD, as well as the bus accident at Tai Po Road, the operation of bus companies, the responsibilities of the TD, etc.;
- (d) he opined that members should not be fastidious about whether or not to move a motion of reproving the IRC and that this meeting was not convened by the request of the IRC or any government department. The IRC requested the STDC for its written comments, but how the opinions would be provided would depend on the internal operation of the STDC. He reiterated that he initially supported convening an informal forum to record members' opinions which could then be submitted to the IRC. However, now that the special meeting had been convened, he suggested that members focus on discussing the agenda item; and
- (e) he opined it was forgivable that the IRC set a shorter period for the STDC as it did not understand how the STDC operated. He therefore disagreed with proposing a motion of reproof, but opined that the STDC could hold an internal review and improve the relevant arrangements for convening meetings.

19. The views of Mr TING Tsz-yuen are summarised below:

- (a) he agreed with Mr HO Hau-cheung and thought they should seize the opportunity to express their opinions about the agenda item; and
- (b) he thought that the bus company should have sent a representative to the meeting and responded with ways to improve management and bus captain training so as to reduce accidents.

20. The view of Mr CHAN Nok-hang were summarised below:

- (a) the DC was a representative of the advisory bodies. Even if the IRC had failed to send a representative to answer members' questions, it should have at least sent a staff member to record members' opinions. The IRC mentioned in its letter that it "may invite the STDC and individual DC Members having voiced their opinions to provide further information in writing or orally." He opined that there were too few channels for expressing opinions;

- (b) he thought that opinions in writing could easily cause misunderstandings. It would be more suitable to listen in person and document the views from the districts;
- (c) he thought that the way the IRC handled the matter gave an impression of superiority and grandeur. It would be more appropriate for the TTC to write to condemn such practice;
- (d) he suggested that the Chairman or representative of the TTC attend the hearing of the IRC to express the STDC's opinions orally, which would have a better effect than in writing; and
- (e) before the meeting continued, he thought they should make sure the written record of the meeting would be submitted to the IRC for its reference, or else there was no point in proceeding with the meeting.

21. The views of Mr YAU Man-chun were summarised below:

- (a) he opined that it was acceptable to express regret or reproof for the absence of an IRC representative at the meeting and that the IRC did not sincerely want to evaluate or improve the services of franchised buses;
- (b) he opined that the evaluation and improvement of franchised bus services could not rely only on one-way expression of opinions from members. He believed that members had a lot to say about the current regulatory and monitoring system of franchised bus services and that the IRC, the TD and the bus companies should have sent representatives to attend the meeting;
- (c) he opined that the TTC should express its regret and dissatisfaction to the IRC; and
- (d) to his understanding, although the IRC was set up due to the bus accident at Tai Po Road, it did not only conduct review on a single accident, but comprehensively evaluated the franchised bus services. Therefore, even though no department representative was present, he opined that members could continue the discussion for submission of opinions.

22. The views of Mr Billy CHAN were summarised below:

- (a) he opined that the meeting should be discontinued because it was inappropriate to provide opinions in writing to the IRC and it was the responsibility of the IRC, instead of the Secretariat, to record the STDC's opinions; and
- (b) he thought it was necessary for the TTC to express its dissatisfaction with the IRC, whether it was regret or reproof.

23. The views of Mr LAI Tsz-yan were summarised below:



- (a) he said that the STDC had been providing opinions on the franchised bus services. Now that the bus accident had happened, the IRC should provide information including accident investigation and improvement measures to the STDC, instead of asking for opinions first. Effective discussion was difficult without any representative from the IRC;
- (b) he agreed with reproving the IRC for not sending representatives to the meeting;
- (c) there had been a lot of opinions from the district over the years with respect to the franchised bus services. He asked if the IRC had ever reviewed those opinions since its inception and said that the IRC did not have a contact number; and
- (d) as the Secretariat would summarise members' remarks when writing the minutes, he suggested providing the audio recording of the meeting for the IRC for its complete record of members' remarks.

24. The views of Mr WONG Ka-wing were summarised below:

- (a) in response to the investigation of the bus accident at Tai Po Road on 10 February 2018, the IRC was set up to collect opinions, conduct a comprehensive review and compile a report concerning all aspects of franchised bus services in order to make improvements. Although he agreed the IRC should have sent a representative to attend the meeting and listen to different views, he was doubtful whether the IRC had information paper for members' reference at present;
- (b) he opined that the work of the IRC had yet to mature and information could hardly be provided. The Chairman or the Secretariat could first obtain information on the bus accident at Tai Po Road or other regulatory issues, such as road designs and bus captain working hours, from government departments or bus companies for members' reference, so that they could provide opinions at the meeting for the IRC's reference; and
- (c) he thought that the TTC was not well prepared for the special meeting. With investigation yet to be finished, the IRC would have been unable to respond even if it had attended the meeting. He thus had reservations about proposing a motion of regret.

25. The views of Mr WONG Hok-lai were summarised below:

- (a) besides reproving the IRC, he asked if they should take one step further to reprove the Chief Executive who directly managed the IRC; and
- (b) he agreed with Mr LAI Tsz-yan's suggestion to provide the IRC with the audio recording of the meeting, so that it could listen to the full version of members' remarks.

26. The views of Mr YIP Wing were summarised below:

- (a) he was worried that future meetings would follow suit, with no department representative or discussion paper; and
- (b) he opined that the Chairman should write to the IRC to strongly condemn such a practice.

27. Mr Sunny CHIU asked why the meeting was still convened given the absence of a representative from the IRC.

28. The supplementary information provided by Mr Simon WONG was summarised below:

- (a) he said the IRC mentioned 3 points in its letter: first, it “invites written comments from the STDC, including the provision of the STDC’s papers and minutes of all meetings having discussed the above fatal traffic accident (Note: the bus accident at Tai Po Road in 2018) and other traffic accidents involving franchised buses that happened between 2012 and February 2018”; second, the IRC “welcomes the STDC’s opinions on the mode of operation and management concerning franchised buses”; and third, the IRC “also welcomes opinions from individual DC Members on the mode of operation and management concerning franchised buses”; and
- (b) after discussing with the Chairman of the STDC Mr HO Hau-cheung and the Chairman of the TTC Mr LI Sai-wing, he opined that an overall opinion of the STDC could only be obtained through discussion at the meeting, or else there would only be opinions of individual members. He therefore proposed two options for the two chairmen’s consideration: either convene a special TTC meeting, or discuss the matter at the DC meeting on 24 May. Since the STDC had to provide its written comments for the IRC on or before 24 May, if the above options were not adopted, the STDC could only reply to the IRC that it was unable to comment on the matter, but individual DC Members could still provide opinions. However, doing so would not result in an overall opinion of the STDC. After his discussion with the DC Chairman and the TTC Chairman, the TTC Chairman agreed to convene this special meeting in the hope of providing the IRC with an overall opinion of the STDC in writing.

29. The views of the Vice-Chairman were summarised below:

- (a) with respect to the IRC’s arrangements, he thought there were mainly 2 approaches to handling the matter. First, the TTC Chairman would write to the IRC to express its dissatisfaction; however as the Chairman was absent at the moment, he could not make the decision in his stead. Second, the TTC would pass a motion of regret to express its dissatisfaction with the IRC’s arrangements. If members chose the second approach, the Chairman would not need to write to the IRC. He suggested that, after handling the matter of expressing the TTC’s dissatisfaction with the IRC, they carry on with the meeting in response

to the opinions of Mr Simon WONG and other members, lest the TTC would fail to submit comments to the IRC;

- (b) in response to Mr LAI Tsz-yan's opinion, he said that the contact number of the Secretariat of the IRC was in the top right corner of the letter;
- (c) he said the Secretariat of the STDC would produce a set of minutes and submit it to the IRC. As the audio recording of the meeting would be made available to the public, he suggested giving it to the IRC in advance once it was ready. He said the IRC would outsource the verbatim transcription service of the minutes. According to the minutes of the IRC's hearings, their format was similar to court documents'. He thought the STDC Secretariat, given its insufficient manpower, should not and needed not provide the IRC with additional verbatim transcription service for the meeting;
- (d) he suggested that the TTC continue with the meeting to avoid being misunderstood by the public as unwilling to provide opinions. He would try to guide members to express opinions on each issue;
- (e) he opined that, depending on members' opinions or the result of a vote, they could express dissatisfaction with the IRC by way of either a motion or a letter from the Chairman;
- (f) he thought they could discuss the issue from 3 major aspects:
  - (i) in respect of the first paragraph of the letter in discussion paper TT 42/2018, "propose safety-related measures to the Chief Executive by examining the mode of operation and management of the franchised buses and the relevant regulatory and monitoring system, with a view to sustaining safe and reliable franchised bus services in Hong Kong", he opined that members could express their opinions from a safety point of view regarding bus captain working hours, scheduling system, adjustment of bus frequency, etc.;
  - (ii) in respect of the second paragraph of the letter in discussion paper TT 42/2018, "members will examine the mode of operation and management of bus franchise under the existing law, franchises, other contractual requirements and any relevant guidelines and/or codes of practice", he said that the bus franchise in Hong Kong was based on Chapter 230 of the Laws of Hong Kong, and asked members to refer to the questions raised about the services of franchised buses in discussion paper TT 20/2015;
  - (iii) he suggested that members refer to and give opinions on the 3 main aspects of the IRC's terms of reference; and
- (g) he said if members' opinions requested information from relevant departments, such as the THB, the TD, the Highways Department, etc., the Secretariat could enquire of the relevant departments after the meeting and specify such information as follow-up matters in the minutes

with a 'post-meeting note'. He believed that members' opinions could be summarised and compiled into a report. A motion could be proposed if there were enough members. Otherwise, members' opinions would only be listed.

30. The views of Mr Simon WONG were summarised below:

- (a) he asked if the information that the Secretariat obtained from the relevant departments would be submitted together to the IRC in writing; and
- (b) he said the Secretariat had communicated with the IRC and proposed to provide written comments within one week after the meeting. He asked if the minutes of the special meeting would be submitted to the IRC after they were endorsed in the next TTC meeting.

31. The Vice-Chairman gave a consolidated response as follows:

- (a) he said replies from the departments could be included in the meeting minutes for the IRC to follow up on;
- (b) he thought providing the IRC with the audio recording of the meeting would solve the problem of verbal expression of opinions;
- (c) he said the minutes had to be endorsed in the next TTC meeting and thus the written comments could not be provided within one week after meeting; and
- (d) he suggested providing the IRC with the audio recording of the meeting first and submitting the meeting minutes once endorsed, so as to ensure an accurate representation of members' remarks.

32. The Vice-Chairman asked members to express their opinions on the topic.

33. The views of Mr YIU Ka-chun were summarised below:

- (a) he opined that it would take too long to wait till the endorsement of the minutes at the next TTC meeting before submitting it to the IRC, and suggested submitting a report of written comments of members' opinions together with the audio recording of the meeting first;
- (b) he opined that it took the Government too long to review the franchised bus services in Hong Kong, but better late than never;
- (c) he asked if the TD would consider imposing a deterrent penalty on bus companies for lost trips, and asked about the ways to monitor, the number and times of lost trips, penalty amount, etc.;
- (d) he hoped that the TD would provide a precise monitoring method with a recording function to handle the problem of lost bus trips;
- (e) he opined that the TD should review the mechanism for training and

licensing bus captains, such as training bus captains' adaptability by requiring them to take more complex routes;

- (f) he, with no discrimination intended, asked the TD or the bus companies if there was any review or relevant mechanism stating how long a female bus captain was required to drive before taking the highways or drive a single-deck bus before driving a double-deck one;
- (g) he opined that it was necessary to evaluate if road designs were suitable for double-deck buses; and
- (h) he opined that it was necessary to review if the bus companies' management-to-staff ratio was suitable and if it would cause management issues. He asked if representatives from government departments could join the bus company management for co-management, or if representatives from the STDC or the TTC could participate in certain meetings of the bus companies to voice opinions at the district level.

34. The views of Mr WONG Yue-hon were summarised below:

- (a) he said it was difficult to learn through the legislation or online about the agreement between the Government and the bus companies regarding bus frequencies, staffing arrangements and calculation of vehicle use rates;
- (b) Section 12(1) of the Public Bus Services Ordinance (Cap. 230 of the Laws of Hong Kong) specified that "A grantee shall, at all times during the franchise period, maintain to the satisfaction of the Commissioner a proper and efficient public bus service." Also, Section 16(1)(a) stipulated "the frequency at and the period on each day during which a public bus service shall be operated on a specified route". He thought the current calculating method of suitable bus frequency, the definition of a lost trip, the penalties, etc. were all important items for review which could hardly be effectively regulated without clear guidelines or penalties;
- (c) he opined that the working hours of bus captains should be reviewed and be regulated by the laws in the future to avoid overly long hours which could affect passengers' safety;
- (d) he opined that it was necessary to review the bus companies' calculating method of vehicle use rates and provide clear guidelines; and
- (e) he suggested installing global positioning systems on buses to monitor their location and for the TD's easier monitoring.

35. The views of Mr Tiger WONG were summarised below:

- (a) with respect to the past few bus accidents, he asked if they were caused by the bus captains' lack of awareness of safe driving. He hoped the police would hand the traffic accident investigation reports involving franchised buses to the TD, so that the TD could conclude the causes of

the accidents. If bus captains' lack of awareness of safe driving was one of the causes, he asked if the TD should review the mechanism for licensing bus captains, improve their driving skills and raise their safety awareness. Also, he said that a shortage of bus captains had led to frequent demand for substitute drivers and opined it should be studied if substitute drivers could cause accidents due to unfamiliarity with bus routes; and

- (b) he suggested the police or the TD submit to the IRC the investigation report on franchised bus traffic accidents.

36. The views of Mr Wilson LI were summarised below:

- (a) he opined that the Government should put in place an incentive and penalty mechanism when processing applications for bus franchises to monitor bus companies;
- (b) he said recruitment was difficult for bus companies, which led to bus captains' excessively long working hours. He opined that better remuneration packages should be provided for bus captains to attract young people to join the industry and that training for bus captains should be strengthened; and
- (c) he opined that the problem of lost bus trips should be properly addressed and that improvement was needed.

37. The views of Mr LI Sai-hung were summarised below:

- (a) he opined that the main reason for public transport accidents and violations was that the Government gave priority to the Mass Transit Railway (MTR) over other modes of public transport and neglected their room for survival. Bus companies therefore only considered bus captains their means of generating income and disregarded the problem of their remuneration package and excessively long working hours. When bus captains wished to express their discontent, they were suppressed by the bus companies. In the long run, the government should ensure that bus captains received reasonable remuneration packages and were allowed sufficient rest;
- (b) he opined that data analysis could be used to determine if traffic accidents were caused by insufficient training; and
- (c) he thought that as bus companies were unwilling to invest more resources, bus services were affected when bus captains took leave. Also, unattractive remuneration packages failed to attract new blood.

38. The views of Mr WONG Ka-wing were summarised below:

- (a) he opined that the working hours of bus captains were too long and suggested that bus companies set up common rooms at bus termini to ensure sufficient rest for bus captains;

- (b) he opined that bus companies should review the mechanism for hiring elderly bus drivers and asked if age limit or health standards should be more stringent;
- (c) he said that traffic accidents caused by overloaded buses would affect insurance compensation and that the TD should educate members of the public to refrain from boarding an overloaded bus, or bus companies should strictly forbid passengers from boarding a full bus;
- (d) he suggested that bus companies set up a digital system to monitor the operation of buses so as to add special services in times of traffic congestion or traffic accidents; and
- (e) he opined that digital systems should be set up at bus stops to inform passengers of the waiting time.

39. The views of the Vice-Chairman were summarised below:

- (a) studies revealed that the accident rate of franchised buses was the highest among all types of vehicles. The accident ratio increased from 370 buses per 1 000 licensed vehicles in 2011 to 384 buses in 2016, meaning that on average 1 per 2.6 buses was involved in an accident;
- (b) he asked why the accident rate increased although the safety factor of buses was continuously on the rise;
- (c) he suggested considering the practice of public light buses, i.e. installing seat belts for all bus seats and requiring passengers to buckle them;
- (d) in accordance with the existing regulations, the standing capacity of a bus referred to the area available for standing divided by 0.17, i.e. around 6 persons per square metre whereas the standing capacity of the MTR was 4 persons per square metre. In other words, the situation was very dangerous when a bus was full, and that was the exact reason for the yellow line as a boundary at the front on a bus. He thought this issue should be reviewed when it came to the addition and reduction of services;
- (e) he said existing driving licence holders of vehicle classes 9 and 10 could be exempted from the driving test of vehicle class 17, i.e. the driving licence for public franchised buses. However, the driving tests of vehicle classes 9 and 10 only required driving vehicles not shorter than 7 metres which were different from 12-metre-long double-deck buses in general. He asked if there was a difference in operating the 2 types of vehicles and suggested studying whether driving licence holders of vehicle classes 9 and 10 should be re-examined to obtain a licence of vehicle class 17;
- (f) he opined that bus captains who were deprived of sufficient rest would find it difficult to drive large buses as they, due to the current scheduling

system, had to work 12 to 13 hours continuously or even 14 hours for special shifts;

- (g) he opined that it should be addressed as to whether buses starting picking up passengers at en-route stops was a method to compensate for lost trips;
- (h) he thought that the TD did not make good use of the penalties stipulated in the regulations to ensure the services of bus companies were maintained “to the satisfaction of the Commissioner”, which was not an objective indicator;
- (i) he said data recording devices had already been installed on buses but the issue lied in whether the TD could monitor them real-time;
- (j) he said there were 5 franchised bus companies at present: The Kowloon Motor Bus Company (1933) Limited (KMB), Long Win Bus Company Limited, NWFB, Citybus and the New Lantau Bus Company (1973) Limited. Among them, Citybus operated with both franchises for urban routes and airport routes; the KMB was of the largest scale; the rest were of a smaller scale. He opined that if smaller-scale bus companies could not tender for the operation of more promising routes and join in the competition, it would be difficult to ask bus companies to improve themselves;
- (k) he said that some of the KMB’s luxury bus policies had ended up becoming the TD’s policies. With the representatives from relevant departments absent from the meeting, questions remained unanswered as to whether any transfer of interests was involved, whether independent departments such as the Independent Commission Against Corruption or the Civil Service Bureau had investigated such matters, etc.;
- (l) he asked how to reconcile the differences in bus fare tables of various systems among different bus companies. For instance, NWFB, despite belonging to the same group as Citybus did, adopted a bus fare table stemming from that of the China Motor Bus Company and charged a lot more than Citybus did for the same distance;
- (m) he thought that the bus route planning discussed at DC meetings each year was a type of long-term planning programme. However, the TD had failed to explain the standards for approving applications for the right to operate franchised bus routes. As there was no objective standard, he could not understand how the process worked and could only presume that it was a “black box” operation;
- (n) he, through this meeting, hoped to prompt relevant bodies to review the public transport strategy prioritising rail development, to point out the keen demand for cross-harbour bus routes with first number 9, and to review how the express routes could ease congestion in the railway network;



- (o) he opined that as long as the rights of operating individual franchised routes could not be withdrawn and re-tendered due to unsatisfactory bus service performance, such as lost trip rate, complaint rate and accident rate, he saw no incentive for bus companies to improve their services;
- (p) with respect to the opinion of Mr YIU Ka-chun, he said the Secretariat did not have a verbatim transcription arrangement. For a comprehensive record of written comments covering the whole discussion, he would first ask the Secretariat to marshal members' opinions after the meeting and to obtain written replies from the TD or the bus companies to members' questions. Secondly, he would ask the Secretariat to upload the audio recording of this meeting onto the STDC website on or before 24 May and to give the IRC the website, so that the IRC could produce verbatim transcripts on its own when necessary. He believed that the Secretariat did not have the manpower for the task, but the IRC would have the resources. Thirdly, as for the documents and minutes of the previous TTC meetings having discussed bus safety or bus accidents that the Secretariat had prepared, he suggested that the Secretariat enquire if the relevant departments had any updates. If yes, the Secretariat would submit the updated replies to the IRC after collecting and organising them; if no, the Secretariat would submit the papers and minutes of the relevant meetings together with the minutes or follow-up items of this meeting to the IRC. He believed the above arrangement would be more efficient and suitable;
- (q) he said the minutes would have to be endorsed by the TTC and could hardly be submitted within a short period of time. Not only would it take time for the Secretariat to draft the minutes, but members would also have to edit their remarks, so that the IRC would not think the STDC discussion incomprehensive; and
- (r) even though he was chairing the meeting, he only learnt of the meeting arrangements at a later stage and could only raise questions to the IRC as a member. He welcomed advice from other members if his arrangements were not ideal.

40. The supplementary information provided by Mr Simon WONG was summarised below:

- (a) he said the IRC hoped that the STDC could submit the papers and minutes of the relevant meetings before 24 May. He understood that the Vice-Chairman wanted to submit to the IRC the papers and minutes of the relevant meetings together with the updated replies from departments; however, he thought such an approach would take time, and suggested submitting the original version while asking departments for updated replies for later submission; and
- (b) he said the IRC thought it would be too late to submit written comments after the next TTC meeting on 28 June, but he understood members' views and would relay to the IRC that the minutes could only be

submitted after being endorsed in the next TTC meeting.

41. The Vice-Chairman gave a consolidated response as follows:

- (a) he said the Secretariat might not be able to complete the minutes in time. Besides, as members did not possess professional knowledge of transport matters as the TD staff did, he was worried that summarised minutes might not convey members' concern to the IRC; and
- (b) he said the IRC had not sent a representative to the meeting to guide members in expressing opinions, resulting in the lack of a discussion focus or key opinions. He suggested that the IRC first listen to the audio recording of the meeting and produce a verbatim transcript if necessary. He thought this approach could defend members' dignity and allow members to examine the contents of their remarks.

42. The views of Mr WONG Ka-wing were summarised below:

- (a) he agreed with the suggestion of the Vice-Chairman and opined that it was impossible to finish that amount of work within a week; and
- (b) he thought that members failed to have a focused discussion and that there was quite a huge discrepancy between the discussion and the 3 requests of the IRC. He therefore believed it would suffice to only submit the minutes and the STDC should not be held responsible for whether or not the IRC followed up on the matter.

43. Mr YIU Ka-chun said, to his understanding, members' opinions should be listed first. Secondly, as it would take time for the minutes to be endorsed, he suggested submitting the audio recording of the meeting to the IRC and requesting the IRC to submit its transcript to the TTC. Thirdly, a letter to the IRC should be written to request that the TTC representatives be allowed to attend hearings in order to express members' concern for the bus issue and facilitate communication. Fourthly, the IRC should be informed that replies from the relevant departments would be submitted later and that the minutes would be submitted for the IRC's information once endorsed.

44. The Vice-Chairman said he would communicate with the Secretariat after the meeting that it should send a letter to the IRC to explain the situation and submit the audio recording of the meeting to the IRC before 24 May. Secondly, it should express members' dissatisfaction about the absence of an IRC representative at the TTC meeting. Thirdly, it should explain that the minutes could only be submitted after being endorsed at the TTC meeting on 28 June; meanwhile, the IRC could first listen to the audio recording and even submit a verbatim transcript to the TTC. Lastly, he agreed that relevant papers and minutes could be submitted first and the TTC could simultaneously ask if departments had updated replies.

45. The views of Mr Mannix MOK were summarised below:

- (a) he would discuss with the TTC Chairman after the meeting with respect to the arrangement for writing the letter, which would include the key

points mentioned by the Vice-Chairman and Mr YIU Ka-chun and the website for the audio recording of the meeting; and

- (b) regarding requests for supplementary information from the TD or the bus companies in response to members' opinions or questions, he asked if they would be handled as "Responses of Government Departments and Organisations to Matters Arising from the Previous Meeting" or be annexed to the minutes.

46. The Vice-Chairman gave a consolidated response as follows:

- (a) he agreed that a discussion should be held with the Chairman, who would be the undersigned, on the contents of the letter;
- (b) with respect to handling replies of departments, he suggested that the Secretariat approach departments for enquiry by listing members' questions after listening to the audio recording of the meeting, and draft a paper as a matter arising from this special meeting; and
- (c) he reminded the Secretariat that the letter should reach the IRC on or before 24 May and that it should call to make sure the IRC had acknowledged receipt.

47. Mr WONG Ka-wing said he did not think the IRC had an obligation to attend the meeting. However, since a lot of members mentioned otherwise, he believed members should help the Chairman handle the issuing of the letter by unanimously deciding that the wording of the letter would clearly state the TTC's regret about and reproof for the absence of an IRC representative at the meeting.

48. The Vice-Chairman responded that "regret" would be used if members considered it more suitable, and asked for their opinions.

49. Mr HO Hau-cheung said the IRC was neither a government department nor the one that requested the TTC to convene, and thus it had no responsibility for instructing government departments and bus companies to attend the meeting. He therefore opined that the TTC's "regret" referred to the differences between how the IRC and the STDC handled matters as well as the STDC's difficulty in completing the written comments within a short period of time, instead of the absence of an IRC representative at the meeting. He hoped the Chairman would take his opinion into consideration while drafting the letter.

50. The Vice-Chairman said the subject of the TTCs' "regret" could be deliberated and it was a more neutral way to phrase the matter by expressing regret about the absence of an IRC representative at the meeting. Also, the IRC showed no consideration for the Secretariat's manpower by setting a tight deadline, causing inconvenience to the STDC. He would communicate with the Secretariat regarding the wording of the letter to express both the TTC's regret and opinions.

51. Mr LAI Tsz-yan agreed that the TTC should express its regret but opined that it should also advise the IRC on how to coordinate with the STDC in collecting opinions at the district level in the future.

52. The Vice-Chairman said that the IRC was set up because of a single incident. Other committees might not follow its practice in the future, but he thought the Chairman of the STDC could relay the matter directly to the Chief Executive.

53. Mr HO Hau-cheung said he was willing to convey opinions and encouraged members to actively participate in the IRC's hearings or express their opinions to the IRC directly in writing.

54. The Vice-Chairman said the Secretariat would proceed with the arrangements if members agreed. Members with other opinions could express their views to the IRC.

55. Mr Mannix MOK asked if the updated replies from the relevant departments to the papers and minutes of the meetings concerned would be handled as "Responses of Government Departments and Organisations to Matters Arising from the Previous Meeting".

56. The Vice-Chairman agreed.

57. The discussion of the item was ended.

**Date of Next Meeting**

58. The next meeting was scheduled to be held at 2:30 pm on 28 June 2018 (Thursday).

59. The meeting was adjourned at 5:10 pm.

Sha Tin District Council Secretariat  
STDC 13/15/45

June 2018