

**Minutes of the 13th Meeting of
Yau Tsim Mong District Council (2012-2015)**

Date : 31 October 2013 (Thursday)
Time : 2:30 p.m.
Venue : Yau Tsim Mong District Council Conference Room
 4/F., Mong Kok Government Offices
 30 Luen Wan Street
 Mong Kok, Kowloon

Present:

Chairman

Mr CHUNG Kong-mo, JP

Vice-chairman

Ms KO Po-ling, BBS, MH, JP

District Council Members

Mr CHAN Siu-tong, MH	Ms KWAN Sau-ling
Mr CHAN Wai-keung	Mr LAM Kin-man
Mr CHOI Siu-fung, Benjamin	Mr LAU Pak-kei
Mr CHONG Wing-charn, Francis	The Honourable TO Kun-sun, James
Mr CHOW Chun-fai, BBS, JP	Mr WONG Chung, John
Mr HAU Wing-cheong, BBS, MH	Mr WONG Kin-san
Mr HUI Tak-leung	Ms WONG Shu-ming
Mr HUNG Chiu-wah, Derek	Mr YEUNG Tsz-hei, Benny, MH
Mr IP Ngo-tung, Chris	

Representatives of the Government

Ms HO Siu-ping, Betty, JP	District Officer (Yau Tsim Mong)	Home Affairs Department
Mr LI Ka-kei	District Environmental Hygiene Superintendent (Mong Kok)	Food and Environmental Hygiene Department
Mr WONG Kam-wah	District Environmental Hygiene Superintendent (Yau Tsim)	Food and Environmental Hygiene Department
Mr Duncan Stuart MCCOSH	District Commander (Mong Kok)	Hong Kong Police Force
Mr YU Tat-chung	District Commander (Yau Tsim)	Hong Kong Police Force
Mr CHOY Chik-sang, Mario	Chief Transport Officer/Yau Tsim Mong	Transport Department
Mr WONG Tat-ming, Richard	Chief Leisure Manager (Hong Kong West)	Leisure and Cultural Services Department
Mr WONG Chi-sing, Janson	Chief Engineer/Kowloon 2 (Kowloon)	Civil Engineering and Development Department
Mr LUI Kwong-fai	Chief Manager/Management (Kowloon West and Hong Kong)	Housing Department
Ms WONG Shui-wah	Senior Housing Manager (Kowloon)	Housing Department

West)

In Attendance:

Mr Duncan PESCOD, JP	Permanent Secretary (Housing)/Director of Housing	Transport and Housing Bureau
Mr TANG Chi-leung, Vincent	Principal Assistant Secretary (Housing)	Transport and Housing Bureau
Dr CHAN Hon-ye, Constance, JP	Director of Health	Department of Health
Dr LEUNG Chi-mei, Emily	Community Physician	Department of Health
Mr NIP Tak-kuen, Patrick, JP	Director (Special Duties)	Chief Secretary for Administration's Private Office
Ms CHOW Tsz-ting, Sandy	Administrative Officer (Policy & Project Co-ordination Unit)	Chief Secretary for Administration's Private Office
Dr Albert CHAU	Chairman	Task Force on External Lighting
Ir Simon CHUNG	Member	Task Force on External Lighting
Mrs Dorothy MA	Secretary	Task Force on External Lighting
Ms Lydia SZE	Senior Consultant, Environmental Management Division	Hong Kong Productivity Council
Ms WONG Yin-ye	District Social Welfare Officer (Kowloon City/Yau Tsim Mong)	Social Welfare Department
Mr Nicholas BROOKE	Chairman	Harbourfront Commission
Mr Vincent NG	Chairman, Core Group for Public Engagement	Harbourfront Commission
Mrs KANG LEUNG Wing-ye, Winnie	Principal Assistant Secretary (Harbour)	Development Bureau
Mr YU Wai-shing, Frederick	Assistant Secretary (Harbour) Special Duties/Secretary, Core Group for Public Engagement of Harbourfront Commission	Development Bureau
<u>Secretary</u>		
Ms CHUNG Siu-lan, Joanne	Senior Executive Officer (District Council), Yau Tsim Mong District Office	Home Affairs Department

Absent:

Mr WONG Man-sing, Barry, MH	District Council Member
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Opening Remarks

The Chairman welcomed all to the meeting and welcomed Mr LAM Kin Man from King's Park Constituency to attend the meeting for the first time. He indicated that Mr Barry WONG was absent due to other commitments and had

authorised Mr HAU Wing-cheong to vote on his behalf. He continued that Mr LUI Kwong-fai, Chief Manager/Management (Kowloon West and Hong Kong) of the Housing Department (“HD”) had other official engagements and Ms WONG Shui-wah, Senior Housing Manager (Kowloon West) would join the discussion after Item 2 in his place. Also, the Secretariat had received that morning an email from The Hon James TO, notifying the withdrawal of the paper “Urging the Government to Explain the Licensing Criteria for Free TV Channels”. The revised agenda of the 13th meeting of the Yau Tsim Mong District Council (“YTMD”) had been tabled for participants’ perusal. The Chairman also said that as there were many items on the agenda, participants should speak as concise as possible. He proposed that Councillors who had submitted papers be given two minutes to make supplementary remarks, and that each Councillor be allowed to speak twice on each item: two minutes for the first time and one minute for the second time. Participants had no objection to the proposal.

(Mr Chris IP joined the meeting at 2:39 p.m.)

**Item 1: Visit of Director of Housing to YTMD cum Briefing on
the Long Term Housing Strategy Consultation Document**

2. The Chairman welcomed Mr Duncan PESCOD, Permanent Secretary (Housing)/Director of Housing and Mr Vincent TANG, Principal Assistant Secretary (Housing) of the Transport and Housing Bureau (“THB”) to the meeting.

(Mr Benjamin CHOI joined the meeting at 2:41 p.m.)

3. Mr Duncan PESCOD briefly introduced the Long Term Housing Strategy Consultation Document.

4. Mr Francis CHONG indicated that Mrs LAM CHENG Yuet-ngor, Carrie, former Secretary for Development had once said that there was market demand for sub-divided units. He considered that this remark indirectly encouraged more owners to lease out their premises in sub-divided units. He continued that low-quality works for sub-division of units would affect fire safety of buildings, for instance, causing obstruction to means of escape and creating hygiene problems such as water seepage of drains. Therefore, the Government should curb the problem of sub-divided units.

5. Ms KWAN Sau-ling pointed out that in Yau Tsim Mong District, a large number of sub-divided units had the problem of water seepage in their buildings, causing great nuisance to the residents. She hoped that the Government would honour its promise to increase supply of residential flats and solve the housing shortage problem in Hong Kong.

6. The Chairman indicated that the problem of sub-divided units was mainly regulated by the Development Bureau (“DEVB”) and the Buildings Department (“BD”). He wanted to know whether the THB would consult the opinions of other policy bureaux or departments when it considered to regulate sub-divided units with a licensing or a landlord registration system.

(Mr John WONG joined the meeting at 2:51 p.m.)

7. Mr CHAN Wai-keung considered that the Government should tackle the problem of occupation of public rental housing (“PRH”) units by high-income earners. He continued that property management of some PRH units had been outsourced to private property management companies, hence the front line staff of HD had inadequate knowledge of the management of housing estates.

8. Mr Chris IP indicated that the Authority suggested the production target of the coming decade to be 470 000 domestic units and the public-private housing split to be 60:40. He wanted to know what approaches the Government would adopt to make sure the supply of private housing units reach such standard. Mr Chris IP and Mr HAU Wing-cheong enquired the Government would it consider converting industrial buildings into residential use.

9. Mr HAU Wing-cheong opined that the Government should increase the supply of PRH and Home Ownership Scheme (“HOS”) units. He supported the Authority to develop more land in the New Territories so as to meet the demand for residential sites.

10. Mr Benny YEUNG pointed out that the waiting time for many PRH applicants was far more than three years. He questioned whether the Authority was able to achieve the target of shortening the average waiting time for PRH allocation to three years. In addition, he suggested that the Social Welfare Department (“SWD”) should review the existing system of rehousing on compassionate grounds as soon as possible so as to provide assistance to the public in pressing housing need.

11. Mr Derek HUNG said that he had heard from quite a number of members of the public that in recent years some university students would rather find jobs with lower pay in order to be eligible for PRH for singletons, and such situation had aroused concerns. He suggested that the department should ascertain whether the situation was common among applicants waiting in the queue. Furthermore, he enquired the Authority about the latest number of abuse cases detected and ways to ensure fair and proper allocation of PRH resources.

12. Mr LAM Kin-man was concerned about the problem of subdivided units. He said that given the long waiting time for allocation of PRH units, some applicants had no alternatives but to rent accommodation in subdivided units prior to their approval of allocation, thereby aggravating the problem of subdivided units. He opined that the Government should consider, as a transitional arrangement, converting the use of industrial and commercial buildings so as to meet the short term housing demand of PRH applicants. Moreover, Mr LAM requested the representatives from government departments to elaborate on the existing enforcement actions taken by the Government against subdivided units.

13. Mr Benjamin CHOI pointed out that the serious problems of subdivided flats and cubicle apartments were the consequences of surge in property prices and disequilibrium between housing demand and supply. Therefore, the Government should strive to resolve the issue of housing shortage. He opined that the Government should give active consideration to regularise the conversion of industrial

buildings for residential use so as to increase short term housing supply. He believed that this would resolve the actual problem more effectively.

(Mr Benny YEUNG left the meeting at 3:07 p.m.)

14. Mr WONG Kin-san questioned the effectiveness of regulating subdivided flats through a licensing regime. Moreover, he requested the Government to introduce measures to assist young people in purchasing flats.

15. Mr Duncan PESCOD responded as follows:

- (i) Increasing the supply of public and private housing was the most effective way to address housing problem in Hong Kong.
- (ii) The Long Term Housing Strategy Steering Committee (“Steering Committee”) had conducted a study on the supply and demand of housing in Hong Kong. The vision of the Steering Committee was to provide adequate housing to every household in Hong Kong in the next 10 years, irrespective of whether they live in public or private housing, or in owned or rented accommodation.
- (iii) In its “Long Term Housing Strategy Consultation Document” (“Consultation Document”), the Steering Committee proposed that the total housing supply should range from 440 000 to 500 000 units in the next 10 years, and recommended that the mid-point figure of 470 000 units be adopted as the target.
- (iv) Chapter 4 of the “Consultation Document” introduced the principles and methodology of the projection of the territory’s long term housing demand for the ten-year period. To facilitate the housing demand projection, the Steering Committee assumed that those who were already adequately housed currently would not generate new net demand for housing units. For example, those who were already renting a decent flat in the private sector might want to rent or buy a bigger flat. This would be regarded as movements between different housing units within the existing stock, and not regarded as generating a need for new housing units.
- (v) However, those who were inadequately housed (such as households living in subdivided flats and cubicle apartments) would be regarded as having housing demand. In addition, those who would be displaced by redevelopment and expatriates coming to work in Hong Kong were regarded as new households, which would generate new housing demand.
- (vi) Upon identification of suitable sites, the DEVB would consult various policy bureaux or departments so as to confirm whether the sites could be used for housing development. Furthermore, the Financial Secretary was heading the Steering Committee on Land Supply to co-ordinate the work of policy bureaux and government departments

on increasing land supply.

- (vii) Concerning building safety, industrial buildings were not designed for residential use. Moreover, other units in industrial buildings might still be used for storing dangerous and inflammable goods which would pose threat to fire safety of residents living in subdivided flats in the buildings. The Government would not tolerate the use of industrial units for residential purpose and the BD would combat this situation through strict enforcement.
- (viii) Moreover, the BD and the Fire Services Department had all along been taking actions to deal with subdivided units in domestic and composite buildings that violated the Fire Services Ordinance and the Buildings Ordinance.
- (ix) The average letting rate of industrial buildings under the Hong Kong Housing Authority (“HKHA”) was very high. Moreover, the HD had no plans to convert other industrial buildings for residential use.
- (x) DCs of other districts had pointed out that the effectiveness of regulating subdivided flats by licensing regime was limited. The Government should tackle the problem of subdivided flats by means such as rent control or lease enforcement instead. The Authority would study how to tackle the problem of subdivided flats effectively.
- (xi) The supply of new PRH was still maintained at the level of 15 000 units every year and 79 000 PRH units would be completed in five years starting from the year 2012/13. The Government had also decided to increase PRH supply to 20 000 units every year starting from the year 2017/18. Moreover, the HKHA would strengthen enforcement with a view to recovering about 7 000 PRH units for reallocation every year. Concerning private housing, the Government had also promised to supply land in future for property developers to construct 20 000 units every year.
- (xii) The Government would continue to expand land resources through means such as urban renewal, change of land use (including government, institution or community sites), reclamation and rural land resumption etc. to resolve the problem of insufficient land supply for housing in the long run.
- (xiii) The HKHA had no plans to construct single public housing blocks (commonly known as pencil buildings) in existing public housing estates for single persons for the time being.
- (xiv) The Steering Committee mentioned in its Consultation Document that the demand for housing of young people could not be neglected and suggested the Government construct more HOS units to assist them to buy their own flats. He further said that the Government would construct more HOS units to provide property ladder for PRH residents

and young people such that those who were financially capable could realise their dreams of home ownership through purchasing HOS flats.

- (xv) Community members had different views on the ratio of public/private housing proposed by the Steering Committee and he welcomed the public to give views to the Government concerning the supply of public/private housing.
- (xvi) In general, PRH applicants on the waiting list had to wait for around three years on average before they were allocated with PRH units for the first time. However, some applicants refused to accept the first flat offered to them, and therefore they had to wait for the second or even the third offer which resulted in a longer waiting time.
- (xvii) The Government would submit the analysis of housing situation of waiting list applicants to the Legislative Council (“LegCo”) in early November of the current year to facilitate the understanding of the latest situation in this regard.

(The Vice-chairman joined the meeting at 3:37 p.m.)

16. Mr Francis CHONG opined that the Government should identify sites to construct more PRH that were affordable to the general public and set restriction period for resale of those units.

17. Mr Chris IP said that many PRH applicants had waited for more than three years and had yet to be allocated with PRH units for the first time. Moreover, the vacancy rate of many industrial buildings was high and it was a waste of land resources. He opined that the Government should consider large-scale conversion of old industrial buildings for residential use to meet the public housing demand.

18. Mr Derek HUNG said that while the Government was utilising resources to assist young people to secure employment and buy their own flats, it had to consider the housing demand of the grassroots in the society as well. He opined that the Government should adjust the ratio of public/private housing flexibly having regard to the economic environment.

19. Mr HAU Wing-cheong opined that the living environment of the hidden elderly in Yau Tsim Mong District (“YTM District”) was very poor and the Government should consider compassionate rehousing for this group of people. He further said that under the high land-price policy, developers offered luxurious flats in droves and this could not meet the housing demand of the general public.

20. Mr Benjamin CHOI said that the current vacancy rate of industrial buildings was high and the Urban Renewal Authority (“URA”) could convert vacant industrial buildings into compliant residential buildings through industrial building redevelopment projects.

21. Mr Duncan PESCOD responded as follows:

- (i) In addition to constructing HOS units, the Government also hoped that through the increase of private housing supply, better-off households were able to move up the property ladder, thereby improving their living conditions.
- (ii) The new PRH buildings provided lifts that could reach every floor. The HKHA had been continuously adding lifts for those old PRH buildings without lifts to facilitate access by residents.
- (iii) The Government endeavoured to keep the average waiting time for general applicants of PRH flats at around three years in order to make sure that applicants would be allocated with PRH flats as soon as possible. For eligible elderly applicants, the waiting time for PRH flats was normally two years under the prevailing policy. Nevertheless, some elderly were reluctant to move out of their home districts, thus limiting their options of flats which resulted in a longer waiting time.
- (iv) The DEVB also studied the feasibility of converting industrial buildings for residential use. However, due to the fragment ownership in industrial buildings, together with their physical conditions and design that were not intended for residential use, it would be extremely difficult in such conversion.

22. There being no further comments, the Chairman thanked the Permanent Secretary for THB and his colleagues for attending the meeting, and closed the discussion on this item.

Item 2: Visit of Director of Health to YTMDC

23. The Chairman welcomed Dr Constance CHAN, Director of Health and Dr Emily LEUNG, Community Physician of the Department of Health (“DH”) to the meeting.

24. The Director of Health gave a PowerPoint presentation to briefly introduce the major initiatives of the DH against infectious diseases in the current year and the current status of infectious diseases (such as Middle East Respiratory Syndrome, human cases of Avian Influenza A (H7N9), hand-foot-mouth disease and influenza). She also outlined the strategic directions launched by the Government in 2008 for prevention and control of non-communicable diseases, and the tobacco control undertaken by the DH as well as promotional programmes on healthy life styles.

(Mr CHAN Siu-tong joined the meeting at 3:48 p.m.)

(Ms WONG Shu-ming joined the meeting at 3:50 p.m.)

25. Ms KWAN Sau-ling pointed out that after indoor areas of restaurant premises had been designated as statutory no smoking areas, quite a number of cigarette smokers gathered at frontal area of buildings for smoking, as a result, pedestrians passing by were forced to expose to second-hand smoke. She requested that the HD

be actively consider zoning some areas of restaurant premises as smoking area with reference to examples in foreign countries, and enhancing ventilation systems within the smoking area to reduce health hazards of passive smoking inflicted on pedestrians.

26. Mr CHAN Wai-keung said that there was a flushing water pipe burst in one of the buildings of Hoi Fu Court in Mong Kok earlier that flooded a nearby kindergarten. In worrying that the flooding might lead to bacteria breeding within the campus, thus posing health hazard to students, the school principal asked him to seek assistance from the relevant departments. He recalled that the HD officials just gave simple advice to the principal concerned, such as disinfecting the site with bleach. However, the HD refused to send staff to inspect the site and conduct test on bacterial count for kindergarten facilities. He was disappointed with the performance of the HD as he thought that the department rarely deployed staff to understand hygiene conditions of the community.

27. Mr LAU Pak-kei indicated that during the past ten years, the area around Yee Kuk Street in Yau Ma Tei had been developed into residential use. As a methadone clinic was located there, drug abusers often gathered at nearby parks, outside schools or under flyovers, bringing adverse influence on the community. He urged the HD to consider relocating Yau Ma Tei Methadone Clinic to a site remote from residential areas. Moreover, he requested the HD to include specialist out-patient services at Li Po Chun Health Centre to benefit the elderly in the district.

28. The Chairman also wanted the HD to seriously study the feasibility on relocating Yau Ma Tei Methadone Clinic.

29. Mr Benjamin CHOI said that the HD set up working groups under various health topics (such as diets and physical activities) to facilitate public promotion on messages of health awareness. He further said that, in recent years, people in the territory felt nervous and pressed, he suggested that the HD organise activities in collaboration with other departments (such as the SWD) to arouse public awareness on mental health patients.

30. Mr HAU Wing-cheong indicated that besides a number of sex workers in the district, there were also young people engaging in compensated dating and the situation had aroused public concern. In this connection, he would like to know how the HD regulated and controlled sexually transmitted infections effectively. Moreover, he hoped that apart from strengthening publicity on public health, the HD would also deploy staff to conduct regular community visits to learn about the hygiene conditions within the district.

31. The Vice-chairman said that, to her knowledge, there was only one student health service centre in Kowloon and it was located in Lam Tin. She pointed out that there was a number of kindergartens and primary schools in the YTM District. She would therefore like to know whether the DH would plan to set up a student health service centre in the district.

32. Mr HUI Tak-leung recognised the work of DH in the YTM District. The DH staff made active response to Members' questions at the meeting of the Community Building Committee. He disagreed with the DH's proposal of providing

obstetrics and gynaecology services in the community health centre (“CHC”) to be built on the site of Mong Kok Market Complex. As the area in the vicinity of Mong Kok Market Complex was crowded and slippery, pregnant women should avoid going there. In addition, he hoped that the DH could enhance outreach services for sex workers in the district, such as arranging medical examinations for them.

33. Ms WONG Shu-ming opined that a dental clinic should be provided in the proposed CHC so as to meet the pressing demand for dental services of the local community.

34. Dr Constance CHAN responded as follows:

- (i) After discussions over the years, the LegCo decided to extend statutory no smoking areas to indoor areas of restaurant premises. However, it was difficult for the DH to implement the smoking ban in public areas outside buildings as they were not statutory no smoking areas.
- (ii) The DH would continue to remind the public to pay attention to the harmful effects of second-hand smoke through education and publicity.
- (iii) Given that second-hand smoke could not be completely removed even with effective ventilation systems, the proposal of designating smoking areas in indoor areas of restaurant premises should not be supported from the perspective of public health.
- (iv) The DH had maintained close liaison with kindergartens, primary and secondary schools in various districts. The department would continue to strengthen communication with schools and gear up prevention of infectious diseases at community level.
- (v) The methadone treatment endorsed by the World Health Organisation provided a safe and effective alternative to opiate abusers. Currently, there were on the average around 400 people using the service at Yau Ma Tei Methadone Clinic. Security personnel had been arranged to station in the clinic so as to assist in maintaining the order.
- (vi) The DH understood Councillors’ wish of relocating the methadone clinic to an area which was far away from residential buildings. However, the DH appealed to Councillors for their understanding of the difficulty in finding suitable sites for relocation.
- (vii) The DH would enhance the prevention and control of non-communicable diseases and consider that mental health was a significant part of them. The Government had set up a Review Committee on Mental Health, which was chaired by the Secretary for Food and Health, to fully review and map out the direction for development of mental health services in Hong Kong.
- (viii) The Government had collaborated with non-governmental organisations and provided funding support for various types of

outreaching services. Sex workers were the target group. The DH would continue to enhance efforts on outreach work in this aspect.

- (ix) There were four student health service centres in Kowloon and they were located in Kowloon Bay, Kowloon City, Tsz Wan Shan and Lam Tin. The DH planned to set up another student health service centre at the proposed West Kowloon Government Offices.
- (x) The DH would establish a CHC and relocate Yaumatei Maternal and Child Health Centre at the ex-Mong Kok Market site. Due to limited choices of suitable sites, it would be difficult to identify another site for reprovisioning. The DH would ensure safe use of services offered by the CHC (including those services for pregnant women) through facility enhancement.
- (xi) The dental services currently provided by the DH mainly included the school dental care service, dental treatment for civil servants and special oral care services for the target needy groups. Moreover, the Government would launch individual pilot project to provide dental assistance to the needy (such as the elderly). The Government would review the effectiveness of the pilot project and examine the scope for improving public dental services.

35. The Chairman said that as the surrounding area of Yau Ma Tei Methadone Clinic had been developed into residential area, drug abusers would cause law and order problems to the neighbouring communities. He hoped that the Director of Health could seriously consider Councillors' demand for relocating the methadone clinic.

36. Ms WONG Shu-ming recalled that the DH had promised to provide dental treatment services in the redeveloped CHC on the ex-Mong Kok Market site in previous meetings, which was different from the oral health care services just mentioned by the Director of Health. She doubted that the department deceived Councillors into supporting the setting up of the CHC on the ex-Mong Kok Market site by promising to offer dental treatment services in the centre. She asked the DH to search the past minutes to learn about the discussion content at that time.

37. Dr Constance CHAN responded as follows:

- (i) The DH rolled out the Pilot Project on Outreach Primary Dental Care Services for the Elderly in April 2011 and commissioned 13 non-governmental organisations to provide outreach primary dental care and oral health care services to elderly in residential care homes and day care centres for three years.
- (ii) In September 2012, the Community Care Fund reserved \$100 million for the implementation of the Elderly Dental Assistance Programme.
- (iii) The Comprehensive Social Security Assistance ("CSSA") provided grant for dental treatment to the needy who were old (60 or above),

disabled or medically certified to be in ill-health. Eligible persons could receive aided dental treatment services in the 56 dental clinics recognised by the SWD.

- (iv) Elderly aged over 70 could also receive dental treatment services by using the elderly health care vouchers of \$1,000 every year.

38. The Vice-chairman said that when the DH introduced the proposal on CHC to the YTMDC, it had promised to provide dental treatment services in the centre and she asked the Director of Health to follow up the matter proactively.

39. Dr Constance CHAN said that she would follow up the matter concerning the provision of dental treatment services in the CHC after learning about the situation after the meeting.

(Post-meeting note: The DH had searched the past minutes and concluded that the department had never promised to provide public dental services in the redeveloped CHC on the site of the former Mong Kok Market complex.)

40. There being no further comments, the Chairman thanked the Director of Health and her colleagues for attending the meeting and closed the discussion on this item.

Item 3: Confirmation of Minutes of 12th YTMDC Meeting

41. The Chairman said that the Secretariat had received from Mr Derek HUNG a proposal for amendment to the minutes of the last meeting. The relevant document (see Annex 1) was distributed at the meeting for Councillors' information.

42. The amended minutes of the last meeting were confirmed.

Item 4: Financial Position of YTMDC Funds as at 21 October 2013
(YTMDC Paper No. 94/2013)

Item 5: Funding Applications from Specified Organisations
(YTMDC Paper No. 95/2013)

Item 6: Funding Application from YTM Road Safety Campaign Committee for Organising YTM Road Safety Fun Day
(YTMDC Paper No. 96/2013)

Item 7: Funding Application from Environmental Improvement Campaign Organising Committee for 2013-2014 for Organising YTM Low Carbon Living Carnival
(YTMDC Paper No. 97/2013)

Item 8: Funding Application from YTM District Youth Programme Committee for Organising Youth Activities in the District
(YTMDC Paper No. 98/2013)

43. The Chairman proposed that the papers of Items 4 to 8 concerning YTMDC funding applications be discussed together and there was no objection. He reminded Councillors to fill in the Declaration of Interests form on the table if necessary.

44. Councillors noted the financial position of the YTMDC funds as at 21 October 2013 and endorsed the funding applications of Items 5 to 8 (YTMDC Paper Nos. 95/2013 to 98/2013).

Item 9: Poverty Line and Strategy for Poverty Alleviation

45. The Chairman welcomed Mr Patrick NIP, Director (Special Duties) and Ms Sandy CHOW, Administrative Officer (Policy & Project Co-ordination Unit) of the Chief Secretary for Administration's Private Office to the meeting.

(Mr HAU Wing-cheong and Mr John WONG left the meeting at 4:32 p.m.)

46. Mr Patrick NIP gave a PowerPoint presentation to briefly introduce the contents of the paper.

47. Ms KWAN Sau-ling pointed out that Hong Kong had no retirement protection system in place. Many senior citizens lived under the poverty line. Some of them even had to spend all their saving in order to afford basic living expenses. She hoped that the Government could set up universal pension in order to ease the living burden of poor senior citizens at their old age.

48. Mr Benjamin CHOI indicated that children were unable to earn a living. He would like to know why the Government regarded children as an independent group when dividing the poverty-stricken population by age.

49. Mr Chris IP indicated that the Government had not formulated any retirement protection policy. He hoped that the Government could actively consider the proposal regarding three-tier senior citizen retirement protection suggested by the political group he belonged to, thus allowing senior citizens to enjoy a dignified life at their old ages.

50. The Vice-chairman indicated that the disparity between the rich and the poor in Hong Kong was serious. By setting the poverty line, the Commission on Poverty would be able to address the issue effectively. She proposed that the Government optimise the Transport Subsidy Scheme and provide more job opportunities, in order to improve the problem of working poverty for the avoidance of mutual influence between working poverty and inter-generational poverty which would result in a vicious cycle. She added that over two third of non-CSSA poor households were senior citizens. Since they were old, their medical expenses increased accordingly, together with the unsatisfactory implementation of Mandatory Provident Fund ("MPF"), the Government should regularly review the amount of Old Age Living Allowance ("OALA") to secure basic livelihood protection for senior citizens at their old age.

51. The Chairman understood that there were considerable limitations on

defining the poverty line. He pointed out that middle-class families had higher education level and earned more income, but they had to bear heavy financial burden. He hoped that apart from using household income as an indicator, the Government should consider the financial affordability of each social class when formulating policies for poverty alleviation.

52. Mr Patrick NIP responded as follows:

- (i) The Government defined the poverty line as half of the median monthly household income of all domestic households in Hong Kong, prior to tax and social benefits transfers. After taking into account taxation and recurrent cash benefit transfer, around 140 000 households were alleviated from poverty.
- (ii) Analysing the characteristics of society, economy, household, age group and districts among the poverty-stricken population would help the Government understand those who lived under poverty line and their characteristics. It could help focus on the poverty group in need. For example, there were 1 020 000 poverty-stricken population, among them, 208 800 were children, accounting for one fifth of the children population in Hong Kong.
- (iii) Hong Kong Poverty Situation Report 2012 listed out data of poverty line analysis, which was of very high reference value to the Government, scholars and concerned groups who were engaged in poverty studies. Moreover, the report also helped the Government measure the effectiveness of poverty alleviation policies.
- (iv) The Government had always paid attention to poverty issues among senior citizens in Hong Kong. The Commission on Poverty had set up a task force on Social Security and Retirement Protection. The Government understood that the protection from MPF might not be able to afford living expenses of senior citizens at their old age as the average life expectancy was rising. The prevailing CSSA served as the ultimate safety net for senior citizens, while the OALA provided financial support to senior citizens in financial need, with currently over 400 000 senior citizens were receiving the OALA.
- (v) The Commission on Poverty had commissioned a consultancy study led by Professor Nelson Chow and his team to study the existing situation and future arrangement of retirement protection. The study covered all options previously proposed by the society, including the universal retirement protection scheme and the three-tier retirement proposal mentioned above. The study was expected to complete in the first half of 2014. The Commission on Poverty would then explore the policy direction of retirement protection by making reference to the findings of the study.
- (vi) In response to the Chairman's remark that the poverty line failed to reflect the situation of middle-class families, he said that the data of

poverty line was based on the data collected during the General Household Survey (“GHS”) conducted monthly by the Census and Statistics Department (“C&SD”), using household income as the single indicator. However, such method had its limitations. It could not reflect monthly expenses and disposable capital of households. After the Household Expenditure Survey (“HES”), a survey conducted by the C&SD once every five years, it was believed that more reference information would be provided for the formulation of poverty alleviation policies and measures.

- (vii) Setting the poverty line was only the first step of poverty alleviation work. The analysis would be conducted in a more in-depth manner in future, in order to assist the formulation of policies. Due to technical restriction, the data collected from the GHS could not reflect the poverty situation of the disabled and ethnic minorities. The C&SD would conduct specific survey on them in future.
- (viii) The Government was very concerned with the problem of working poverty and was currently collecting public opinions on the assistance provided to working-poor households not receiving CSSA. Views from all sectors of the community were welcomed.

53. Mr Derek HUNG wanted to know if the Government’s recurrent cash benefit policies had time limit. He also enquired whether the Government would further categorise the population of private tenants living in poverty by property values when categorising the population living in poverty by housing characteristics.

54. The Vice-chairman considered that regarding the establishment of a social security net, the Government should uphold the principle of encouraging poor people to achieve self-reliance and lift themselves out of poverty as soon as possible to avoid their long-term reliance on welfare policies and loss of motivation to enter the job market.

55. Mr Patrick NIP responded as follows:

- (i) The Government set the poverty line at half of the median monthly household income before tax and social benefits transfers and the size of the poor population after government intervention of cash policies could reflect the number of people who were alleviated from poverty because of these measures. The recurrent cash benefits included measures such as the CSSA, Old Age Allowance, OALA and financial assistance for students. Poverty line analysis could reflect the number of households lifted out of poverty because of the recurrent cash benefit policies but could not reflect how long these households had been receiving welfare benefits. Data analysis of poor households according to various characteristics helped the Government to have an in-depth understanding of the distribution of poor households and the economic activities these households engaged in, which was helpful for the Government to prioritise the assistance given to different poverty groups while formulating policies.

- (ii) The direction of the Government's poverty alleviation policies was to encourage poor people to achieve self-reliance and avoid falling into the CSSA net. Even for those who were in the CSSA net, assistance would be provided so the poor households could leave the safety net within a short period of time. The Government had been providing support services, such as launching the Integrated Employment Assistance Programme for Self-reliance and implementing an incentive scheme under the Community Care Fund, to CSSA recipients. Besides, the Government was studying the feasibility to subsidise working-poor households not receiving CSSA in order to encourage them to work and avoid falling into the CSSA net.

56. There being no further comments, the Chairman closed the discussion on this item.

Item 10: Public Engagement Exercise on Population Policy

57. The Chairman welcomed Mr Patrick NIP, Director (Special Duties) and Ms Sandy CHOW, Administrative Officer (Policy & Project Co-ordination Unit) of the Chief Secretary for Administration's Private Office to the meeting.

58. Mr Patrick NIP gave a PowerPoint presentation to introduce the contents of the paper.

59. Mr Chris IP suggested the Government to study the extension of retirement age or follow the practice of foreign countries to encourage retirees to take up jobs with lighter workload as this could alleviate the problem of inadequate workforce in Hong Kong. He continued that with the gradual returning of doubly non-permanent resident children, the problem of shortage of primary and secondary school places would deteriorate and the Government should formulate policies to solve the concerned problems as soon as possible. He also suggested the Government to lower the obstetric fees in public hospitals for Mainland pregnant women whose husbands were Hong Kong residents to encourage this type of pregnant women to give birth in Hong Kong.

60. Mr Francis CHONG asked whether the Government had any planning regarding the population capacity of Hong Kong to ensure members of the public were treated equally in terms of social welfare. He pointed out that around 50 000 people came to Hong Kong on one-way permits every year, posing huge population pressure on Hong Kong. He pointed out that one-way permits were approved by mainland authorities and the Hong Kong Government had no right to assess the concerned applications, it was hard to understand such arrangement. Also, he doubted the "zero delivery quota" policy of private hospitals for expectant Mainland mothers whose husbands were not Hong Kong residents as the policy might not effectively avoid these pregnant women from giving birth in Hong Kong.

61. The Vice-chairman considered that the Government should improve the existing integrated family services to help women who were willing to work after

giving birth to enter the job market again. She also suggested the Government to provide more courses on improving employability skills to enhance the quality of the labour force. She further said that with longer life expectancy of Hong Kong people, the Authority should review the existing policies regarding retirement age and encourage the elderly to continue working.

62. Mr CHAN Siu-tong said that the costs of raising children were huge and the Government should provide more financial incentives such as increasing allowance to encourage parenthood.

63. Ms KWAN Sau-ling wanted to know how many professionals from foreign countries were allowed to take up employment in Hong Kong every year.

64. Mr CHAN Wai-keung considered that to allocate social resources appropriately, the Government should conduct a longitudinal study as soon as possible to estimate the length of stay of doubly non-permanent resident babies in Hong Kong.

65. Mr CHOW Chun-fai indicated that apart from tax concession, the Government should provide birth-related allowance. Moreover, all policy bureaux should work closely to review whether policies in place could address problems caused by population growth effectively.

66. Mr Patrick NIP responded as follows:

- (i) The Government would review the current supporting arrangement of the family services, such as childminding service, in order to encourage more women to take up jobs again. As some women had left the job market for a while, the Government was exploring the provision of more retraining opportunities in order to help them return to the job market.
- (ii) Facing insufficient labour force, the Civil Service Bureau (“CSB”) was examining the feasibility of extending the retirement age of serving and new civil servants.
- (iii) Vocational education would be strengthened, with a view to changing public perception on vocational education, so that it would become another learning and career path other than traditional subjects.
- (iv) Under Article 22(4)(sic) of the Basic Law, the policy objective of the issuance of one-way permits was to facilitate family reunion. The Government was of the view that no other factors should be adopted for selection of persons who would come to Hong Kong through the scheme. Moreover, cases of cross border marriage accounted for 35% of annual marriage figure. To maintain population growth, helping new arrivals to integrate into the local society would be an important topic to be considered.
- (v) To attract more talents to stay in Hong Kong for development, non-local students, being approved by the Immigration Department

(“ImmD”) to study in Hong Kong, were allowed to continue their stay in Hong Kong within 12 months after graduation, so that they could look for jobs. Moreover, the Admission Scheme for Mainland Talents and Professionals had also attracted qualified mainland talents and professionals to work in Hong Kong.

- (vi) Manpower shortage was serious in some sectors, such as catering, construction and residential care services for the elderly. Before considering the introduction of foreign workers for alleviation of manpower shortage, the Government would give priority to the interest of local workers.
- (vii) The Government would discuss with the business sector on how to encourage the ageing population to make continuous contribution to the society through on-going jobs or voluntary work.
- (viii) The ImmD had been conducting questionnaire survey on the returning time of doubly non-permanent resident children. Based on the longitudinal study and the number of doubly non-permanent resident children studying in Hong Kong, the ImmD would formulate population measures, including the increase of primary and secondary school places, to meet future demand.
- (ix) The Steering Committee on Population Policy was chaired by the Chief Secretary for Administration, with six Directors of Bureaux as official members. The committee aimed to provide an effective platform to coordinate population measures among different policy bureaux.
- (x) The Government would estimate population growth according to different local factors and data, including birth rate, death rate and land use, etc.
- (xi) The public engagement exercise on population policy would last for four months. Councillors were welcomed to express their views on the consultation paper to the Government.

67. There being no further comments, the Chairman closed the discussion on this item.

**Item 11: Document for Engaging Stakeholders and the Public published by Task Force on External Lighting
(YTMDC Paper No. 101/2013)**

68. The Chairman welcomed the following representatives to the meeting:
- (a) Dr Albert CHAU, Chairman, Ir Simon CHUNG, Member, and Mrs Dorothy MA, Secretary of the Task Force on External Lighting (“Task Force”); and
 - (b) Ms Lydia SZE, Senior Consultant of the Environmental Management

Division, Hong Kong Productivity Council.

69. Dr Albert CHAU briefly introduced the Document for Engaging Stakeholders and the Public (“Document”) published by the Task Force. Ms Lydia SZE gave a PowerPoint presentation to supplement the relevant information.

(The HON James TO joined the meeting at 6:04 p.m.)

70. Mr HUI Tak-leung considered that the Government should not restrict the scope of views on the Document to be expressed by the public. He objected to the implementation of a charter scheme by the Task Force whereby only owners of the external lighting installations were invited to pledge to switch off their lighting installations at preset time. He stressed that the Government should enact legislation as early as possible, forcing the parties concerned to switch off external lighting installations at specific time slots.

71. Mr Francis CHONG indicated that neon signboards severely affected residents nearby and the Authority should regulate outdoor neon signboards by legislation as soon as possible to solve the problem of light nuisance. Also, the Government should set up a signboard registration or deposit system to handle the problem of abandoned signboards in one go.

72. The Chairman and Ms WONG Shu-ming both considered that the charter scheme had no binding legal effect and suggested the Government consider regulating external lighting installations by legislation. Ms WONG Shu-ming also suggested the Government to develop objective standards of light nuisance, for instance, parameters on obtrusive light, to facilitate public discussion on the concerned matters.

73. Mr WONG Kin-san opined that the Task Force should consider setting different switching-off times for external lighting installations in different districts or with different purposes.

74. Mr LAM Kin-man considered that the Environmental Protection Department (“EPD”) had already called on commercial tenants to lower the level of illumination of signboards depending on individual circumstances, in order to minimise the impact of neon signboards on the nearby residents. He doubted whether the charter scheme suggested by the Task Force could improve the current situation of light nuisance. He urged the Government for early legislation to solve the problem in the long run.

75. The Vice-chairman said that the public generally supported the Government to regulate external lighting installations by legislation. She and Mr WONG Kin-san both suggested the Government to make the agreement of owners’ corporations (“OCs”) a prerequisite while approving applications to install signboards on the external walls of buildings.

76. Ms KWAN Sau-ling said that there were many signboards in Tsim Sha Tsui and the problem of light nuisance was very serious. Since commercial tenants could change their business hours freely, she opposed the exemption of some shops to follow the switching-off requirements according to their business hours.

77. Mr CHAN Wai-keung pointed out that the light nuisance problem in some residential areas was still very serious. Therefore, he did not agree with the Authority's setting of switching-off time according to the levels of commercial activities of different districts. He continued to talk about some practices in foreign cities, such as in London, where law enforcement agencies were allowed to consider various factors before deciding whether a specific case had created nuisance. He considered that Hong Kong should take reference to such practice.

78. Mr Benjamin CHOI said that the Task Force only collected public opinions on the setting of switching-off time. He doubted whether this move was indirectly denying the feasibility of regulating light nuisance according to different environmental lighting zones.

79. Mr Derek HUNG indicated that regarding the regulation of external lighting installations, functional lighting installations, such as the lighting at places like car parks and hospitals, should be exempted. He suggested the Task Force to select appropriate foreign examples according to the actual circumstances in Hong Kong, so that members of the public could focus their discussion on different regulatory options. He agreed with regulating external lighting installations by legislation.

80. The Hon James TO considered that the Authority should trace the source of light nuisance and identify the impact of the light sources on the complainants during law enforcement. He also suggested the Authority to adopt a "warning first, followed by prosecution" strategy to solve the problem of light nuisance.

81. The Chairman said that Councillors generally supported the Authority to regulate light nuisance by legislation. But since the legislative process would take a long time, he considered that the charter scheme should be implemented first at this stage to eliminate the impact of light nuisance on residents before the new legislation came into operation.

82. Dr Albert CHAU indicated that the Task Force did not have a preconceived stance on the options proposed in the Document. The Authority would collect different public opinions and give careful consideration to the feasibility of different options before drawing up concrete recommendations for the Government. He further said that the Task Force understood that there were many voices in the community requesting the regulation of light nuisance by legislation. While considering the concerned suggestions, the Task Force would review the interests of different stakeholders to ensure the laws to be enacted in the future would strike a balance between the interests of different parties in society and minimise the negative impact on the operation of different sectors.

83. Ir Simon CHUNG responded as follows:

- (i) Due to the high building density and close proximity of commercial and residential premises, light trespass in a particular premise could be caused by multiple light sources in the vicinity located at varying distances from the premise. In most cases, light trespass could not be attributed to a single light source. Even if light trespass produced by each nearby light source was below the limit prescribed by the

International Commission on Illumination, their cumulative effect on a particular premise might still exceed the limit.

- (ii) The high level of light trespass caused by the ambient light was not uncommon. As Hong Kong was a city with highly mixed development, light trespass could be caused by multiple light sources. It might not be always practicable to identify the contributing lighting sources and apportion the amount of light received by a complainant among these sources in a fair and objective manner.
- (iii) Some overseas cities had introduced legislative control to switch off unnecessary external lighting installations at mid-night with regard to their energy wastage situation.

84. There being no further comments, the Chairman closed the discussion on this item.

**Item 12: Concern over Hong Kong's Handling of Torture Claims
(YTMDC Paper No. 103/2013)**

85. The Chairman said that the written response jointly made by the Security Bureau ("SB") and the ImmD (Annex 2) and the written response of the SWD (Annex 3) had been distributed to Councillors for perusal before the meeting. He then welcomed Ms WONG Yin-yee, District Social Welfare Officer (Kowloon City/Yau Tsim Mong) of the SWD.

86. Ms KWAN Sau-ling supplemented contents of the paper. She expressed her regret that the SB and the ImmD had not sent representatives to the meeting. She indicated that torture claimants would not make claims immediately upon their arrival in Hong Kong and would generally overstay in the territory. To prevent illegal residence of expatriates in Hong Kong, she suggested that the Government should consider setting a timeframe for them to make torture claims.

(Mr Chris IP left the meeting at 6:58 p.m.)

87. In respect of the SWD's existing handling of these cases, Ms WONG Yin-yee responded as follows:

- (i) If torture claimants, asylum seekers and mandated refugees were deprived of basic needs during their presence in Hong Kong, the SWD, in collaboration with non-governmental organisations and on a case-by-case basis, would offer in-kind assistance to them on humanitarian grounds.
- (ii) The SWD had commissioned the International Social Service Hong Kong Branch to assess the above persons who were in need of support and provide them with basic in-kind assistance having regard to their individual needs. The assistance covered temporary accommodation, food, clothing, basic necessities and transport allowances.

- (iii) Moreover, service units of the SWD would make recommendations to the Hospital Authority in respect of one-off waiver of medical expenses at public clinics or hospitals for needy torture claimants and asylum seekers on a case-by-case basis.

88. The Vice-chairman would like to know the time and procedures required by the ImmD to assess a torture claim. To shorten the processing time, she requested the ImmD to simplify the procedures when possible and allow the claimant to know the result as soon as possible.

89. Mr Derek HUNG raised a number of queries about the written response made by the SB and the ImmD. He also enquired whether claimants who had withdrawn their claims or whose claims required no follow-up actions would remain in Hong Kong.

90. The Hon James TO pointed out that the ImmD would commence operating a unified screening mechanism (“USM”) to assess, in addition to torture claims, non-refoulement claims on grounds of cruel, inhuman or degrading treatment or punishment or persecution. He worried that the new USM could not reduce the processing time of torture claims, but would increase the number of judicial review cases.

91. The Chairman said that as there were torture claimants committing offences in YTM District, the local community had strong concerns about the issue. He expressed his regret that the SB and the ImmD had not sent representatives to the meeting. He added that Ms KWAN Sau-ling hoped to discuss the item at the meeting between LegCo Councillors and Councillors of the YTMDC on 9 January 2014. However, whether such arrangement would be made would be subject to the voting of Councillors.

92. The Chairman suggested the discussion on the item be continued at the next meeting. There was no objection to the suggestion. He asked the Secretariat to send a letter to the SB and the ImmD after the meeting, inviting them again to send senior government officials to attend the next meeting for discussion of the issue. He then closed the discussion on this item.

Item 13: Police Action Sought against Mainland Women Accosting Clients at Portland Street (between Hamilton Street and Pitt Street)
(YTMDC Paper No. 104/2013)

93. The Chairman welcomed Mr YU Tat-chung, District Commander (Yau Tsim) of the Hong Kong Police Force to the meeting.

94. Mr HUI Tak-leung supplemented the contents of the paper.

95. Mr YU Tat-chung said that as the problem of prostitution was serious at Portland Street, the Police deployed uniformed officers to patrol the area every day and arranged covert operations from time to time to combat the vice establishments at Portland Street. As uniformed officers were easy to recognise, covert operations were generally more effective than patrols of uniformed officers in curbing

prostitution activities. The Police had so far conducted 80 anti-vice operations since January 2013 and 32 women had been arrested for alleged breaching of conditions of stay or soliciting for an immoral purpose in public place.

96. Mr CHAN Siu-tong thanked the Police Yau Tsim and Mongkok Districts for sending representatives to attend meetings of the Yau Tsim Mong District Fight Crime Committee (“DFCC”) regularly to report the progress of the crackdown on prostitution activities in the district. He suggested the Police allocate additional resources and conduct more covert operations.

97. Mr Derek HUNG said that Mr Benny YEUNG left the meeting early due to other commitments. Mr Derek HUNG had been authorised by Mr YEUNG to express views on his behalf. He further said that prostitution activities were rampant in Yau Ma Tei and Jordan, he suggested the Police deploy additional manpower to close down vice establishments and smash vice syndicates through covert operations.

98. Mr CHAN Wai-keung wanted to know if the Police had prosecuted the mastermind of vice syndicates successfully in the past and if yes, he wanted to know the number of cases.

99. Mr LAM Kin-man said that the area of prostitutes accosting pedestrians in the district had been extended to the surrounding area of 510 Nathan Road. He supported the Police in allocating additional resources to combat prostitution activities in the district to reduce the nuisance of on-street prostitutes to residents.

100. Ms KWAN Sau-ling said that the Police had deployed plain-clothed police officers to visit the vice establishments in the Tsim Sha Tsui area and she suggested the Police combat the problem of prostitution in the district in a similar manner.

(The Hon James TO left the meeting at 7:25 p.m.)

101. Mr HUI Tak-leung was unsatisfied that the Police had not immediately followed up complaints lodged by the public concerning prostitutes accosting pedestrians.

102. The Vice-chairman said that the YTMDC had been concerned about the problem and had set up the Working Group on Concern over Vice Problems in the past. She wanted to know whether prostitution activities in the district were controlled by illegal syndicates. She also said that OCs could effectively help prevent building units from changing into vice establishments. As many representatives of OCs attended DFCC meetings, she suggested the DFCC follow up the problem concerned.

103. Mr CHOW Chun-fai hoped that the Police could have more frequent exchanges with Councillors on the problem of prostitution in the district for strategy development, in order to reduce the nuisance brought to pedestrians or residents by prostitutes.

104. Mr CHAN Siu-tong said that some DFCC members planned to inspect black spots of prostitution in the district with the Police in November to learn about how the

Police combated prostitution activities.

105. Mr CHAN Wai-keung wanted to know whether the Police had prosecuted whoremongers before.

106. The Chairman said that if the target area of the Police's crackdown on prostitution activities was too small, it could hardly achieve deterrent effects. He suggested the Police Yau Tsim and Mong Kok Districts cooperate to resolve the problem of prostitution in the district in the long run.

107. Mr YU Tat-chung responded as below:

- (i) The Police would review the current strategies in combating prostitution activities in the district, including considering to increase the number of covert operations.
- (ii) The Police would continue to cooperate with the ImmD to review the aim of visitors to prevent people from engaging in prostitution activities under the disguise of visitors.
- (iii) Even if the Police suspected that prostitutes were controlled by a syndicate or a mastermind, they encountered considerable difficulties when making prosecutions as prostitutes rarely gave evidence against those behind the scene.
- (iv) After receiving complaints from the public, the Police would in general deploy staff to the scene to learn about the situation according to established procedures. He would contact Mr HUI Tak-leung after the meeting to follow up complaint cases that were pending.
- (v) He would review the work of the Police Community Relations Office of the Police Yau Tsim District and strengthen communication with the public to build up a safer community together.

108. Mr HUI Tak-leung said that he had reported to the Police Community Relations Office of Yau Tsim Police District earlier the situation of prostitutes soliciting in the district, however the Police had yet to handle the case properly.

109. The Chairman said that the effective curbing of prostitution in the district required the concerted effort of the Police, OCs of buildings, DC Members and members of the public.

110. There being no further comments, the Chairman closed the discussion on this item.

Item 14: Proposed Establishment of a Harbourfront Authority Phase 1 Public Engagement Exercise
(YTMD Paper No. 102/2013)

111. The Chairman welcomed the following representatives to the meeting:

- (a) Mr Nicholas BROOKE, Chairman of the Harbourfront Commission ("HC") and Mr Vincent Ng, Chairman of the HC's Core Group for Public Engagement; and

- (b) Mrs KANG LEUNG Wing-yee, Winnie, Principal Assistant Secretary (Harbour) and Mr YU Wai-shing, Frederick, Assistant Secretary (Harbour) Special Duties of the DEVB/Secretary of the HC's Core Group for Public Engagement.

112. Mrs Winnie KANG reported that the HC proposed to set up the Harbourfront Authority ("HA") to promote the development of waterfronts in 2012. The Government welcomed the proposal and launched the phase 1 public engagement exercise for the proposed HA jointly with the HC on 4 October 2013 to gauge the views of members of the public on the establishment of the HA.

113. Mr Nicholas BROOKE said in English that the proposal of setting up the HA aimed to improve the current management and planning of waterfronts in Hong Kong, and that the HC would listen to the views of Councillors on the proposal in a humble manner.

114. Mr Frederick YU gave a PowerPoint presentation to briefly introduce the contents of the paper.

115. Mr CHAN Wai-keung pointed out that the Government set up independent ad hoc committees mainly for the purpose of avoiding role conflict in the past. However, he did not see any conflicting roles of the Government on waterfront management. He worried that the HA would lack transparency, making it difficult for the public and DCs to monitor its work and it would eventually become an organisation that was a waste of public money.

116. Mr Derek HUNG recalled his attendance at the briefing on the HA and the seminar on waterfront development on 12 July and 4 October 2013 respectively, and pointed out that the term "waterfronts" should include both sides of the Victoria Harbour as well as the coasts of various parts of Hong Kong waters. He further said that he hoped the proposed HA could draw reference from the experience of the West Kowloon Cultural District Authority ("WKCD") to improve its management mode. In addition, he opined that apart from providing assistance to the HA, the Government should play a monitoring role in waterfront development.

117. The Vice-chairman said that there were a number of departments responsible for designing and managing waterfronts, resulting in duplication and lack of efficiency. Therefore, she supported the setting up of the HA which would be tasked with handling matters in respect of waterfronts. She considered that the HA should plan the waterfront development in a district in accordance with the characteristics and land uses of that individual district. Furthermore, she hoped that the Government could attach importance to the connectivity between the West Kowloon Cultural District ("WKCD") and Tai Kok Tsui District and their accessibility, and take note of integrating the Yau Ma Tei Typhoon Shelter into the waterfront development in Tai Kok Tsui District.

118. Ms KWAN Sau-ling said that although it was emphasised in the paper that the HA would be an independent and dedicated agency, the design and management of waterfronts would inevitably fall under the purviews of a number of government

departments. Therefore, she doubted the independence of the HA, and the roles of the government departments and their respective level of participation in waterfront management after the establishment of the authority was not clear. She supplemented that she would support the setting up of the HA if the Government could ensure its independence.

119. Ms WONG Shu-ming said that the management mode of the proposed HA was similar to that of the WKCD, and worried that the authority would be the same as the WKCD and would seldom consult and collect views of the local community, making it difficult for the public to monitor the work of the authority. She suggested that the Government appoint civil servants to top positions in the HA to enhance the accountability of the authority.

120. The Chairman opined that the current works on harbourfront management involved a number of government departments. The Authority encountered from time to time duplication of efforts in planning and managing harbourfront sites. Hence, through setting up an independent and dedicated agency, it could bring flexibility to the harbourfront development. He believed that upon the establishment of the HA, heads of the departments concerned would be pleased to put forth views in respect of the harbourfront management to it. Besides, he proposed that in order to gather views from districts, the Government should consider inviting representatives from the relevant DCs to join the board or committees under the HA.

121. Mr Vincent NG responded as follows:

- (i) Since established as advisory bodies, the Harbourfront Enhancement Committee and the HC had been keeping in mind the principle of “public engagement”, so as to get the public involved in the works on harbourfront planning.
- (ii) The proposed HA would be accountable to members of the public. In order to let citizens to understand its duties, the HA would send staff to attend meetings under public scrutiny (such as the LegCo and DC meetings) to answer queries.
- (iii) The HA planned to adopt the approach of resolving the simple issues before the difficult ones, i.e. waterfront projects in the districts such as Central and Wan Chai would be developed first so that the public could see outcomes of works under the HA as soon as possible. Afterwards, the HA would work out plans to develop the 73 kilometres of harbourfront sites on both sides of the Victoria Harbour.

122. Mr Nicholas BROOKE emphasised in English that the proposed HA would be accountable to the community, and would not become an “Independent Empire” that was beyond the supervision of the public and the Government.

123. Mr CHAN Siu-tong indicated that there was quite a large area of harbourfront sites in the YTM District (e.g. the Tsim Sha Tsui East waterfront, the Star Ferry Pier, a part of waterfront in Tai Kok Tsui as well as Hung Hom). He was concerned that if the

HA took over the harbourfront sites, this might greatly diminish the right of the YTMDC to use them.

124. Mrs Winnie KANG clarified that the proposed HA would be responsible for planning on the development of undeveloped waterfront sites. She quoted the Central and Wan Chai new reclamation as an example, the site was currently planned mainly for leisure use. She hoped that the HA would adopt a more innovative and flexible approach for the implementation of harbourfront development, and added that the existing management mode would be continuously adopted for those developed harbourfront sites.

125. Mr Francis CHONG said that the undeveloped harbourfront sites would be managed by the LCSD under the existing management mode. When comparing the said sites with those taken over by the HA, he wanted to know their difference in expenses.

126. Mrs Winnie KANG supplemented that the harbourfront along the Victoria Harbour was some 73 kilometres long that 60 to 70 percent of it was managed under different government departments, with the remainder owned as private lands.

127. Mr Vincent NG said that as the Victoria Harbour had experienced a hundred years of development, the management of its sites were more complicated when compared with other waterfront sites. He continued that the existing management mode on harbourfronts was limited by Government systems. Hence, with reference to overseas examples, the HA suggested that an independent agency be dedicated to follow up on harbourfront issues in respect of planning, management and operation. As to the proposed HA, it would first develop undeveloped harbourfront sites with a flexible approach. He said that the proposal on establishment of the HA was still at an early stage. Given that the proposed framework as well as the scope of management had yet to be finalised, he was unable to reply Mr Francis CHONG's question regarding the financial expenses of the HA at the meeting.

128. Mr CHAN Wai-keung said that the DEVB failed to provide sound justification and supporting data in regard to the proposal on the establishment of the HA. He opined that if the Government intended to standardise the development of harbourfront sites in the territory, it could set up a new department and hire consultants to give professional advice, which not only could bring in new ideas and flexibility for harbourfront development and management, but also maintaining accountability.

129. Mr Derek HUNG said that the consultation paper submitted by the DEVB caused confusion. It was misleading that the future HA would be dedicated to manage all harbourfront sites in the territory. As a member of the WKCD consultation panel, he also thought that the existing management mode of the WKCD was undesirable, leading to the construction cost overruns of the WKCD and the need to increase the plot ratio of cultural district in order to cover the expenditure. He hoped that the proposed HA would learn from such experience for improvement.

130. Ms KWAN Sau-ling reaffirmed that if doubts were cast over the independence of the HA, she would not agree to its establishment.

131. The Vice-chairman said that the quick-win harbourfront enhancement projects mentioned in the consultation digest attached to the paper would make Councillors feel confused about the scope of management of the HA. Due to the management problems of the WKCDA, she understood that Councillors had reservations on the establishment of the HA. However, from the perspective of harbourfront enhancement, she supported the establishment of the HA. She urged the DEVB to provide more information about the proposed HA at the next round of public consultation exercise.

132. The Chairman said that as the proposal was still at a preliminary stage, it was too early to discuss its details on financial arrangement. He hoped that the DEVB and HC would seriously consider the views collated from various DCs to improve the current proposal and put forward a more specific plan for establishing the HA at the next round of public engagement exercise.

133. Mr Vincent NG thanked Councillors for their valuable comments. He said that the HC would take stock of the experience in harbourfront management gained from over the past nine years and promote harbourfront development in Hong Kong with an innovative mindset through the setting up of a new HA.

134. There being no further comments, the Chairman closed the discussion on this item.

Item 15: Request for Installation of Valves to Drains in Open Markets in Mong Kok (YTMD Paper No. 105/2013)

135. The Chairman said that the written responses of the Drainage Services Department and the Highways Department (“HyD”) (Annexes 4&5) had been distributed to Councillors for perusal before the meeting. He then welcomed Mr LI Ka-kei, District Environmental Hygiene Superintendent (Mong Kok) of the Food and Environmental Hygiene Department (“FEHD”) to the meeting.

136. Ms WONG Shu-ming said that the HyD had repeatedly ignored Councillors’ demands for sending representatives to the meeting. She pointed out that in its written response, the HyD proposed installing “a special gully grating” in “one of the markets” for a nine-month trial, but the market location was not provided expressly. She reprimanded the HyD for its failure to send representatives to attend the meeting and respond to Councillors’ queries on the installation of valves to drains in the market concerned. Moreover, she requested to deal with the issue under “Matters Arising” at the next meeting.

(Mr Francis CHONG and Mr LAM Kin-man left the meeting at 8:52 p.m.)

137. The Chairman suggested the discussion on the item be continued at the next meeting. There was no objection to the suggestion. He then closed the discussion on this item.

Item 16: Progress Reports

- (1) **District Management Committee**
(YTMDC Paper No. 108/2013)
 - (2) **Community Building Committee**
(YTMDC Paper No. 109/2013)
 - (3) **District Facilities Management Committee**
(YTMDC Paper No. 110/2013)
 - (4) **Food and Environmental Hygiene Committee**
(YTMDC Paper No. 111/2013)
 - (5) **Housing and Building Management Committee**
(YTMDC Paper No. 112/2013)
 - (6) **Traffic and Transport Committee**
(YTMDC Paper No. 113/2013)
 - (7) **Working Group on Women's Affairs**
(YTMDC Paper No. 114/2013)
 - (8) **Working Group on Promotion of Tourism and Local Community Economy**
(YTMDC Paper No. 115/2013)
 - (9) **Working Group on Concern for Yau Ma Tei Fruit Market**
(YTMDC Paper No. 99/2013)
 - (10) **Working Group on Care for the Community**
(YTMDC Paper No. 100/2013)
 - (11) **YTM Area Committees**
(YTMDC Paper No. 107/2013)
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138. Councillors noted the contents of the progress reports.

Item 17: Any Other Business

(1) Cycling for Health Marathon Challenge 2014

139. The Chairman said that Vita Green Charitable Foundation would organise the Cycling for Health Marathon Challenge 2014 in Central and Wan Chai on 12 January 2014. The entry fee would be \$1,110 for each team enrolled under the name of a DC. He supplemented that in the last session of the same event, the YTMDC had sent three Councillors, namely Mr CHAN Siu-tong, Mr Derek HUNG and Mr WONG Kin-san, to participate in team competition. Mr CHAN was the contact person of the team. He asked whether Councillors agreed to have Mr CHAN forming a team to participate in the activity again this year on behalf of the YTMDC and there was no objection.

140. Mr CHAN Siu-tong said that he was glad to form a team for the competition and be the contact person of the team. He called upon participants of the meeting to donate actively in order to support the event with concerted efforts.

(Post-meeting note: Mr CHAN Siu-tong, Mr Chris IP and Mr WONG Kin-san would represent the YTMDC to take part in the above charity activity.)

(2) **“Green Stalls” Activity in Hong Kong Flower Show 2014**

141. The Chairman said that the LCSD would organise the Hong Kong Flower Show in the Victoria Park on Hong Kong Island from 7 to 16 March 2014. The Show Committee of the Hong Kong Flower Show invited DCs to participate in the “Green Stalls” activity of the show to promote greening awareness to the public. He further said that the YTMDC had also participated in this activity in 2013. Mr Derek HUNG was responsible for coordinating participation in the show at that time and the YTMDC allocated \$8,000 as expenses for the activity.

142. The Chairman suggested the YTMDC continue to participate in the “Green Stalls” activity this year and, in line with the practice last year, allocate \$8,000 as expenses for the activity. There was no objection.

143. Mr Derek HUNG said that Mr HAU Wing-cheong had also served as the coordinator of this activity before and he nominated Mr HAU to coordinate YTMDC’s participation in the show this year.

144. The Chairman said he knew that Mr HAU Wing-cheong was willing to serve as the coordinator of the “Green Stalls” activity this year. He then asked Councillors if they agreed with this arrangement and there was no objection.

145. The Chairman announced that Mr HAU Wing-cheong would serve as the coordinator of the “Green Stalls” activity of the Hong Kong Flower Show this year and the YTMDC would allocate \$8,000 as expenses for the activity. The Secretariat would seek Councillors’ endorsement of the funding proposal by circulation of papers after the meeting.

(3) **48th Hong Kong Brands and Products Expo of Chinese General Chamber of Commerce**

146. The Chairman said that the Chinese General Chamber of Commerce invited each of the 18 DCs to arrange a performing unit to give performance to the public in the Expo. A grant of \$3,000 would be given to the performing unit for covering the expenses required. He supplemented that Mr Derek HUNG, chairman of the Working Group on Ethnic Affairs, had invited ethnic minority groups in the district to give performance in the Expo last year. He asked if Councillors agreed if Mr HUNG continued to liaise with district ethnic minority groups for their participation in Expo performance this year and there was no objection.

147. Mr Derek HUNG said that he was willing to discuss with members of the Working Group on Ethnic Affairs to arrange ethnic minority groups in the district to give performance in the Expo this year.

(4) **Nomination of DC Member for Secretary for Development to Consider Appointment as Member of Disciplinary Board under Sections 5(3A) and 11(4A) of Buildings Ordinance (Cap. 123)**

148. The Chairman said that he had received a letter from the Building Authority

(Annex 6) which invited the YTMDC to nominate one Councillor as a lay person such that when there was a need for the Secretary for Development to convene a disciplinary board, the Building Authority could nominate such person for the Secretary for Development to consider for appointment to the board. He supplemented that the YTMDC had nominated Mr CHAN Siu-tong as the member of the board before. He asked Councillors if they agreed to nominate Mr CHAN Siu-tong for appointment as the member of the board again and there was no objection.

149. Mr CHAN Siu-tong said that he was willing to serve as the member of the board.

(5) Nomination of DC Member as Member of Hospital Governing Committee of Kwong Wah Hospital & TWGHs Wong Tai Sin Hospital

150. The Chairman said that the Hospital Authority had written a letter (Annex 7) to invite the YTMDC to nominate one Councillor for the authority to consider for appointment as the Member of Hospital Governing Committee of Kwong Wah Hospital & TWGHs Wong Tai Sin Hospital. He said that Mr CHOW Chun-fai had been nominated as the member of the committee in the last term. He asked Councillors if they agreed to continue to nominate Mr CHOW Chun-fai as member of the committee and there was no objection.

151. Mr CHOW Chun-fai said that he was willing to serve as the member of the committee.

152. There being no other business, the Chairman closed the meeting at 9:00 p.m. The next meeting would be held at 2:30 p.m. on 12 December 2013 (Thursday).

Yau Tsim Mong District Council Secretariat
November 2013

**Proposed Amendments to the Draft Minutes of
the 12th Meeting held on 22 August 2013
Yau Tsim Mong District Council (2012-2015)**

Paragraph 30:

Original Text: “Mr Derek HUNG said that District Councillors only received remuneration rather than salaries and he did not understand why the relevant income was subject to salaries tax. Moreover, he opined that District Councillors was obliged to know clearly whether the premise leased was appropriate for use as office under the provisions. Therefore, he agreed with the arrangement that the HAD refused to provide subsidy to Councillors for renting residential units as offices.”

Proposed Amendment: “Mr Derek HUNG said that he had also attended earlier the public consultation session on the territory-wide review of remuneration of District Councillors held by the HAD and he believed that the Hon IP Kwok-him should have noted the views of participants of the meeting. District Councillors only received remuneration rather than salaries and he did not understand why the relevant income was subject to salaries tax. Moreover, he opined that District Councillors was obliged to make it clear whether the premise leased was appropriate for use as office of District Councillors under the existing provisions. Concerning the prohibition on the use of residential units as offices of District Councillors, he opined that the existing provisions should be maintained or other problems might arise if it allowed flexibility.”

Paragraph 68:

Original Text: “Mr Derek HUNG said that Legislative Councillors opined that it was inhumane to set up street sleepers’ services units above the RCP and therefore rejected the original proposal. He suggested the Authority to add one or two floors between the RCP and street sleepers’ services units for separation purpose when re-submitting the original proposal to the LegCo.”

Proposed Amendment: “Mr Derek HUNG said that Legislative Councillors opined that it was inhumane to set up street sleepers’ services units above the RCP and therefore rejected the original proposal. He suggested the Authority to add on the current plan one or two floors between the RCP

and street sleepers' services units for the provision of special community facilities when re-submitting the proposal to the LegCo. Apart from separating the RCP from street sleepers' services units, the added facilities might cater for uses that would meet the needs of the community. For instance, they could be served as emergency support centres in case of emergency, so as to reduce the need for borrowing community facilities that were already in severe shortage at the moment."

Paragraph 71:

Original Text:

"Mr Derek HUNG suggested the Authority to consider increasing the uses of the building for reprovision of the RCP at Shanghai Street and street sleepers' services units, in order to enhance Legislative Councillors' perception upon the building."

Proposed Amendment:

"Mr Derek HUNG suggested the Authority to consider his suggestion of building one to two additional storeys of community facilities in order to diversify the uses of the reprovisioned building, such as having some facilities for emergency response use. He requested the departments to study the feasibility of this suggestion, taking into account the base structure, construction and costs."

回應

「關注本港「酷刑聲請」個案的處理」事宜

「酷刑聲請」與「難民」的分別

1. 酷刑聲請人爲沒有權利進入及停留於香港的人士，絕大部份爲非法入境者或逾期逗留人士，按《入境條例》應被遣返。不過，根據法院裁決，只要他們聲稱被遣返後會遭受酷刑、不人道處遇、或迫害，入境處必須暫緩遣返聲請人，並須以合乎「高度公平標準」的審核程序處理其聲請，若聲請不獲確立，方可將他遣返。
2. 以酷刑、不人道處遇、或迫害等理據提出「免遣返聲請」，要求香港暫時不將聲請人遣返，與尋求庇護（包括居留、工作、領取福利等）的難民申請是兩回事。聯合國《難民公約》從來未曾適用於香港，特區政府不會向任何人提供庇護，或爲任何人核實難民資格。

處理聲請的時間

3. 據資料顯示，聲請人一般不會在抵港後立即向處方提出聲請。平均而言，逾期居留人士在進入香港約 21 個月後才會提出聲請；絕大部分聲請人都是在被捕或服刑，或被安排遣返或遞解出境時，才提出聲請，以抗拒遣返。
4. 入境處會按序處理所有聲請。不論聲請人是否正在服刑，入境處均會展開審核程序，包括爲聲請人安排啓動審理程序的簡報會面並向他提供公費法律支援、要求他完成酷刑聲請表格、安排進行審核會面等。聲請人是否服刑中及其刑期的長短，並不影響入境處審批其聲請的時間。
5. 審核酷刑聲請所需時間受眾多因素影響，尤其繫於聲請人是否與處方合作，適時提供資料和配合審核程序。在收到填備足夠資料的聲請表格、有關文件及佐證後，處方平均需約 2 個月完成審核聲請。聲請被拒者可於 14 天內提出上訴，由酷刑聲請上訴委員會處理。上訴委員會一般可於 4 星期內就上訴

作出裁定(如進行聆訊則需較長時間)。總括而言，連同聲請人提交聲請表格及文件佐證的時間，行政當局一般需時 6 至 9 個月處理聲請。

6. 但是，部分聲請人會試圖於各階段拖延審核程序，例如缺席啓動審理程序的簡報會面、不與獲委派的當值律師接觸、不斷以各種理由要求延期提交聲請表格、在無合理辯解下而缺席事先預約的審核會面、要求入境處暫緩作出決定以提供相關文件及佐證但延期後無法提交有關資料等，令入境處難以盡快完成審核。法定審核機制於去年生效後（特別是規定聲請人必須於 28 天內完成及提交聲請表格），情況已有所改善。

聲請概況

7. 有關酷刑聲請的數字，請參閱附件一、二及三。

統一審核機制

8. 為符合終審法院在 2012 年 12 月及 2013 年 3 月就兩宗司法覆核所作的判決，政府已於本年 7 月 2 日向立法會保安事務委員會簡介，將會實施「統一審核機制」，按現行《入境條例》下的酷刑聲請法定審核機制的程序，一併審核聲請人聲稱畏懼酷刑、不人道處遇、或迫害因而提出的免遣返聲請，並預計於本年年底前開始實施新機制。已提出酷刑聲請並尚待處理的人士，其個案將納入統一審核機制下一併處理。

9. 除考慮兩項額外理據（即不人道處遇及迫害）外，新機制的程序與現時法定機制一致。但由於審核個案所需的時間取決於聲請人是否與處方合作提供資料，因此現時難以預計新機制下審核每宗個案所需的時間。但新機制實施後，可望解決聲請人以不同理據分階段提出聲請的問題。

人道援助

10. 基於人道理由，經聯合國難民事務高級專員署香港辦事處證實為難民或尋求庇護者，或已向入境事務處提出免遣返聲請的人，若在香港等候審核期間未能應付基本的生活需要，社會福利署會透過非政府組織香港國際社會服務社(服務社)按有關人士的個別需要提供基本的實物援助。政府當局提供的實物援助包括臨時住屋、膳食、衣履、其他基本日用品、交通費、基本醫療、及(為未成年聲請人提供)教育等。

11. 有關實物援助屬於人道援助，並非福利服務，其目的是讓有關人士不致陷於困境，同時又不會產生磁石效應或吸引大量非法入境者來港，因而對香港入境管制及支援系統的長遠承擔能力等造成嚴重影響。

保安局

入境事務處

2013年10月26日

酷刑聲請個案

年份	接獲聲請	完成審核 ¹	撤回或 無需跟進	未完成個案 (累計)
2005 以前	53	0	4	49
2005	211	1	30	229
2006	528	43	54	660
2007	1 584	82	51	2 111
2008	2 198	179	132	3 998
2009	3 286	0	1037	6 340
2010 ²	1 809	214	1186	6 749
2011	1 432	932	802	6 447
2012 ³	1 174	1 575	1154	4 892
2013 (截至 9 月底)	427	1 228	625	3 466
總計	12 702	4 254	5 075	3 466

1 - 指入境處已作出決定個案。

2 - 2009 年 12 月，入境處啟動經改善的審核機制。

3 - 2012 年 7 月，立法會通過《2012 年入境（修訂）條例》，訂立法定酷刑聲請審核機制。法例於同年 12 月 3 日生效。

聲請處理進度 (至 2013 年 9 月底)

完成審核 (自 2009 年 12 月經改進審核機制開始運作)	3 949 (當中 11 宗個案獲確立)
聲請遭撤回	3 624
無法處理 (如: 聲請人棄保潛逃)	242
尚待處理	3 466
總數	12 702*

*另有 1 421 宗個案在前行政審核機制 (2009 年 12 月前) 下已獲處理 / 撤回

附件三

過去4年，獲擔保外釋的非中國籍非法入境者或逾期居留人士（當中絕大部分為酷刑聲請人）中，觸犯刑事罪行而被捕的人數表列如下：

年份	非法勞工*	其他罪行**
2009***	36	473
2010	172	506
2011	156	476
2012	190	493
2013 年	116	384
	1 月至 9 月	1 月至 7 月

*因觸犯《入境條例》第 38AA 條而被入境處拘捕的非法勞工人數

**因觸犯其他刑事罪行而被警方拘捕的人，主要涉及盜竊、毆打或與毒品有關罪行

***《2009 年入境(修訂)條例》於 2009 年 11 月 14 日生效

油尖旺區議會第103/2013號文件
(供2013年10月31日會議參考)

在香港的酷刑聲請人、
尋求庇護者及難民的人道援助

目的

本文件旨在回應陳少棠議員、鍾港武議員、葉傲冬議員、楊子熙議員、孔昭華議員、關秀玲議員、蔡少峰議員及劉柏祺議員就社會福利署(社署)現時對「酷刑聲請」個案的處理的提問。

提供的人道援助

2. 基於人道理由，若酷刑聲請人、尋求庇護者及難民在留港期間未能應付基本生活需要，當局會與非政府機構合作，按個別情況提供實物援助。
3. 為酷刑聲請人、尋求庇護者及難民提供的實物援助，並不是提供予合資格香港居民的福利援助。實物援助的目的是提供支援，讓有關人士不致陷於困境。現時，社署委託國際社會服務社香港分社(服務社)專責處理這類個案。服務社為這些有需要支援的人士作出評估，並因應有關人士的個別需要提供基本的實物援助，援助項目包括臨時住屋、食物、衣履、基本日用品和交通津貼。
4. 此外，社署轄下的服務單位亦會按個別個案的情況，向醫院管理局建議為有需要的酷刑聲請人及尋求庇護者提供一次性公立診所或醫院的醫療費用減免。
5. 向個別人士提供的實物援助水平會因應有關人士的需要和個人情況(包括他們本身擁有和從其他途徑獲得的資源)而有所不同。每位有確切需要的受助人可得到的支援，並無設定相等的金額值上限。

社會福利署
2013年10月

要求為旺角區內露天街市渠口加裝渠口活門
(油尖旺區議會第 105/2013 號文件)

渠務署的書面回應

● 中文回覆:

本署經油尖旺區議會秘書處收到黃舒明區議員於 10 月 16 日的文件，要求為旺角區內露天街市渠口加裝渠口活門，並邀請路政署、食物環境衛生署及本署出席將於 10 月 31 日舉行的油尖旺區議會會議討論，現回覆如下：

路面渠口的設計、建造及維修保養屬於路政署的職責範圍，相信該署能於油尖旺區議會會議上作出適當回應，本署暫不會委派代表出席以上會議。

如有任何查詢，請致電 2300 1519 與本署工程師林偉華先生聯絡。

● English Reply:

I refer to your letter enclosing the paper titled "要求為旺角區內露天街市渠口加裝渠口活門" dated 16.10.2013 from Ms. WONG Shu Ming, Yau Tsim Mong District Councillor inviting Highways Department, Food and Environmental Hygiene Department and this department to discuss the issue. Please note my response below:

The design, construction and maintenance of roadside gullies are under the jurisdiction of Highways Department. I trust that Highways Department will reply adequately on this issue and this Department will not send representative to attend the meeting.

For further queries, please feel free to contact Engineer Mr. LAM Wai-wah at telephone no.2300 1519.

油尖旺區議會第 105/2013 號文件

路政署的書面回應

要求為旺角區內露天街市渠口加裝渠口活門

回應提問一

在街市環境中，無可避免地會有一些有機廢物或碎屑掉入集水溝中。假若這些集水溝設有渠口活門，有機廢物或碎屑在厭氧環境下，可能會產生易燃的危險氣體，讓這些易燃氣體積聚在密閉的集水溝或排水系統內，是極不可取及可能會對附近區域造成潛在危害。此外，集水溝加裝了渠口活門會對日常的清理工作造成不便。鑑於上述情況，路政署並不推薦將渠口活門加裝在街市的集水溝內。

回應提問二

旺角區曾試行在少量的集水溝內安裝渠口活門以減輕箱形雨水暗渠所引致的臭味問題，但其位置均不在街市範圍。此外，有關試用情況並不理想，渠口活門有時被異物阻滯或因其他機械問題而引致活門不能維持緊閉情況。

替代建議

鑑於有關街市鼠患嚴重，我們建議嘗試使用特殊水渠蓋（見附圖）以取代正常的水渠蓋，它的排水孔只有25mm x 25mm，有助防止老鼠進出集水溝。儘管如此，由於此特殊水渠蓋排水孔面積較小，下雨時的去水流量將會減少，這些特殊水渠蓋需要更頻繁的清潔和檢查，以確保排水孔暢通。因此，我們建議在其中一個街市開展為期九個月的試驗計劃，以觀察有關特殊水渠蓋對鼠患的效用及在大雨時能否適當疏導雨水。

九龍聯運街三十號
旺角政府合署四樓
油尖旺議會主席
鍾港武先生

Annex 6

傳真：2722 7696

鍾主席：

提名人選以供發展局局長考慮
根據建築物條例（第123章）第5(3A)及第11(4A)條委任為
紀律委員會成員

發展局局長會不時根據《建築物條例》第5(1)條委出認可人士、註冊結構工程師及註冊岩土工程師紀律委員會或註冊檢驗人員紀律委員會，以及根據《建築物條例》第11(1)條委出註冊承建商紀律委員會。根據《建築物條例》第5(3A)條及第11(4A)條的規定，建築事務監督須邀請其認為適合的團體提名人選，供發展局局長考慮委任為每一紀律委員會中其中的一位成員。為增加紀律處分程序的公開性及透明度，此成員應為「業外人士」，即具公民意識而與建築業無任何聯繫的個別人士，並將從市民大眾的角度提出建議及意見，以協助紀律委員會。

就此，建築事務監督會不時制定紀律委員會「業外人士」侯選名單。當需要召開紀律委員會時，紀律委員會秘書便會在侯選名單中挑選人選供發展局局長考慮委任。

新一屆「業外人士」侯選名單的有效期為2014年1月1日至2016年6月30日。預計在這有效期內，被納入侯選名單內的成員可能須出席不超過兩次的聆訊，但這取決於有多少個紀律委員會在有效期內召開。聆訊時間須視乎各宗個案的複雜程度而定，通常為期大約半天至兩天不等。現時成員的酬金為2,500元（1天）及1,250元（半天），交通費已包括在內。

本人希望邀請 貴區議會提名一位適合的議員以個人身份為「業外人士」。提名一經接納，便會被納入侯選名單內，其有效期為2014年1月1日至2016年6月30日。獲提名人選須符合以下準則：

- (a) 獲提名人士須與建築業並無關連。
- (b) 他們不應為根據《建築物條例》所委出的認可人士註冊事務委員會、結構工程師註冊事務委員會、岩土工程師註冊事務委員會、承建商註冊事務委員會或註冊檢驗人員註冊事務委員會的成員。
- (c) 他們須為香港永久居民。
- (d) 他們須無偏頗的意見。
- (e) 能操中英雙語的獲提名人士可獲優先考慮。
- (f) 曾擔任類似的紀律委員會成員或公職者，可獲優先考慮。

請留意，政府現時的政策，是各委員會非官方成員的委任期最長為6年，以便加入新的成員。此外，亦不希望有關成員參與超過6個不同的政府委員會。
〔註：委任期是指由發展局局長委任日期起計，至該紀律委員會工作完成日期之間的時段。因此，此政策不會涉及在候選名單內沒有被委任的人士。〕請你將上述政策告知有關的獲提名人士。

因應政府推廣女士參與公共事務的政策，請你考慮會否提名女士，以供委任為今屆成員。

此外，現請你要求獲你提名的人士填妥夾附的提名表，並於**2013年11月20日**前將該表格交回本署。

如有疑問，請致電 2626 1170 或電郵至 chunkilau@bd.gov.hk 與劉鎮琪先生聯絡。

承蒙你就此事給予協助，謹此致謝。

建築事務監督

(談永祥



代行)

2013年 10月 15 日

**Nomination for appointment to the Authorized Persons', Registered Structural
Engineers' and Registered Geotechnical Engineers' Disciplinary Board, the Registered
Contractors' Disciplinary Board and the Registered Inspectors' Disciplinary Board**
Section 5(3A) and 11(4A) of the Buildings Ordinance, Cap 123
(Validity Period for Nomination: from 1 January 2014 to 30 June 2014)

Name	_____	_____
	(English)	(Chinese)
District Council	_____	
HKID Card No.	_____	
Date and Place of Birth	_____	
Working Experience	_____ _____ _____	
Details of Occupation	_____ _____ _____	
Correspondence Address	_____ _____	
Company Name and Address	_____ _____ _____	
Tel No.	_____ (Office) _____ (Mobile)	Fax No. _____
E-mail address	_____	
Signature of Nominee	_____	
Date	_____	

Notes on Collection of Personal Information

1. The information provided will be used for purposes in connection with the administration of the Buildings Ordinance and its related Regulations.
2. The information may be disclosed to other government departments or other parties for the purposes related to the administration of matters related to the Buildings Ordinance and its related Regulations.
3. For correction of or access to personal data after submission of the forms, please address to the Secretary of the Disciplinary Board (Attn : BS/JA of Buildings Department, 18/F, Pioneer Centre, 750 Nathan Road, Kowloon) in writing.



醫院管理局
HOSPITAL
AUTHORITY

檔號：HA 313/6/2-14

電話：2300 6851

Annex 7

九龍聯運街三十號
旺角政府合署四樓
油尖旺區議會秘書處
油尖旺區議會主席
鍾港武先生

鍾先生：

廣華醫院及東華三院黃大仙醫院醫院管治委員會成員人選建議

本局謹邀請閣下協助建議一名合適的油尖旺區議會區議員，供本局考慮委任作為廣華醫院及東華三院黃大仙醫院醫院管治委員會的社區成員。現時，區議員仇振輝先生為上述醫院管治委員會的成員，其任期將於 2014 年 3 月 31 日屆滿。

根據醫院管理局條例附表 3，醫院管治委員會的職能是：(a) 就有關公立醫院提供醫療服務的需要及為應付該等需要所需的資源，向醫管局提供意見；及 (b) 監察有關公立醫院的管理，以達致善用資源、改善醫院環境，以及吸引、激勵和留用合資格的職員。醫管局在委任社區成員時，會考慮有關人士的專業及專長、對健康服務的興趣，以及他們對社區或地區組織的參與。

上述醫院管治委員會下一屆任期為 2014 年 4 月 1 日至 2015 年 3 月 31 日。為此，希望閣下提名油尖旺區議會一名區議員，供本局考慮委任為廣華醫院及東華三院黃大仙醫院醫院管治委員會的成員。該位區議員如獲委任，將以個人身份出任此職。隨函奉附一份資料表格以供填寫。閣下所提供的資料，均予絕對保密。

如你需要更多有關醫院管治委員會一般運作的資料，請與經理(醫院管理局秘書處)林蔡麗清女士聯絡(電話：2300 6742)。

請閣下填妥表格並在 **2013 年 11 月 29 日(星期五)**或之前寄回，謝謝你的協助。

醫院管理局機構事務主管
張秀玲

副本致：
油尖旺民政事務專員(何小萍女士)
九龍西醫院聯網總監
廣華醫院及東華三院黃大仙醫院行政總監

2013 年 10 月 25 日

Hospital Authority Building
147B Argyle Street,
Kowloon, Hong Kong

香港九龍亞皆老街 147B
醫院管理局大樓

與民攜手
Helping People Stay Healthy
保健安康

**Suggestion for appointment to the Hospital Governing Committee of
Kwong Wah Hospital and Tung Wah Group of Hospitals Wong Tai Sin Hospital**
廣華醫院及東華三院黃大仙醫院醫院管治委員會成員人選建議

Name of Candidate :

(Both English & Chinese)

(英文及中文)

Correspondence Address :

通訊地址

Telephone No. :

電話

Mobile Phone No. :

手提電話

Fax No. :

傳真

E-mail address:

電郵

Organisation/Position held :

機構及擔任職位

Other Community Service 其他社會服務#:#:

(Please use separate sheet if necessary)(如有需要請另紙書寫)

<u>Boards / Committees / Organisation</u> <u>董事局 / 委員會 / 機構</u>	<u>Capacity 身份</u>	<u>From 由</u>	<u>To 至</u>

in descending chronological order 日期由近至遠排列

Signature 簽署:

Name 姓名:

Organisation 機構:

Date 日期:

醫院管理局（「醫管局」）轄下醫院管治委員會成員委任提名之 個人資料須知

在向醫管局提供你的個人資料前，請先細閱本須知。

謹請注意，你的個人資料可能會被轉交予：

- 醫管局內的有關人士；
- 需要這些資料以處理你出任醫管局大會／其委員會成員／醫院管治委員會成員之有關事宜的任何其他相關人士；或
- 相關法例規定醫管局須就有關法例所述目的而向其提供這些資料的任何有關政府部門／管理機構。

除上述者外，醫管局只會在下列情況下使用、披露或轉交你向本局提供的個人資料：

- 因應你出任醫管局大會／其委員會成員／醫院管治委員會成員之有關事宜；
- 法律允許的情況。

本局如擬將你的個人資料作其他用途，會先行徵求你的同意。

如欲查閱及／或更改你向本局提供的個人資料，請致電2300 6742聯絡經理（醫院管理局秘書處）林蔡麗清女士。

醫院管理局總辦事處醫管局秘書處
2013 年 10 月