

LCQ10: Nuisance caused by wild pigs

Following is a question by the Hon Mrs Regina Ip and a written reply by the Secretary for the Environment, Mr Wong Kam-sing, in the Legislative Council today (January 9):

Question:

In recent years, the number of complaints received by the Agriculture, Fisheries and Conservation Department (AFCD) about appearance of wild pigs or their causing nuisance has been on the rise, namely from 294 cases in 2013 to 738 cases in 2017, and the number of cases on Hong Kong Island rose from 98 to 324 in the same period, representing the highest rate of increase among all districts. Moreover, it has been reported that the AFCD received 111 reports on appearance of wild pigs or their causing nuisance in the Southern District alone between January and July last year. Such figures reflect that the area of movement of wild pigs has expanded to the urban areas, posing serious threats to the personal safety of members of the public. In this connection, will the Government inform this Council:

(1) of the respective numbers of (i) complaints about appearance of wild pigs or their causing nuisance and (ii) reports on wild pigs damaging public property and injuring people, which were received by the AFCD last year, with a breakdown by District Council (DC) district;

(2) whether it knows the respective current numbers of wild pigs in various DC districts in Hong Kong; if not, whether it will make estimations;

(3) as the Government indicated last year that the AFCD "is conducting a comprehensive review of the current strategies and measures for the management of wild pigs [and therefore] the hunting operations by the [wild pig] hunting teams have been suspended since 2017", and a two-year Pilot Study on the Contraception and Relocation of Wild Pigs (Pilot Study) was launched in October of the same year, of the time when the review will be completed, and the number of wild pigs injected with contraceptive vaccines to date; the effectiveness of the Pilot Study; if the Pilot Study is ineffective, whether it will let the wild pig hunting teams resume their hunting operations; and

(4) of the number of cases in the past five years in which members of the public were prosecuted for feeding wild pigs; whether it will enhance the liaison work with the property management companies, owners' corporations and residents in the vicinity of the locations where wild pigs have appeared before, and provide them with guidance on how to guard against attacks by wild pigs?

Reply:

President,

The Government is very concerned about the nuisance and potential hazards to the public caused by wild pigs. We are reviewing our existing measures and strategies for the management of wild pigs and will submit a discussion paper to the Panel on Environmental Affairs of the Legislative Council in due course.

In consultation with the Agriculture, Fisheries and Conservation Department (AFCD), our reply to the question raised by the Hon Mrs Regina Ip is as follows:

(1) The AFCD received 679 reports on wild pig sighting or nuisance from January to October 2018, of which five of them involved injury to members of the public. The AFCD does not have records of public facilities damaged by wild pigs. The number of reports on wild pig sighting or nuisance and injury with break down by district is tabulated as follows:

District	Number of reports on wild pig sighting or nuisance / number of reports on injury (note)
Central and Western	70 (1)
Wan Chai	69
Eastern	42
Southern	173 (1)
Yau Tsim Mong	0
Sham Shui Po	2
Kowloon City	7
Wong Tai Sin	9 (1)
Kwun Tong	8
Kwai Tsing	8
Tsuen Wan	36
Tuen Mun	38
Yuen Long	10
North	26
Tai Po	40 (2)
Sha Tin	50
Sai Kung	86
Islands	5

Note: Figures in brackets denote the number of reports on injury.

(2) Wild pigs used to be more abundant in the countryside of the New Territories. However, according to the AFCD's surveys, wild pigs are now commonly sighted in various districts of Hong Kong. Since wild pigs are generally solitary or live in small groups, secretive in nature, widely distributed and have very extensive home range, the AFCD does not have the

number of wild pigs in Hong Kong. Technically speaking, there is no reliable approach to estimate the number of wild pigs in Hong Kong.

(3) To address the nuisance of wild pigs, the AFCD adopts a multipronged approach, namely managing wild pig nuisance and monitoring wild pig population, reducing food attraction, strengthening public education to remind the public not to feed wild animals (including wild pigs) with a view to relieving wild pigs' nuisance to the public, and the AFCD will evaluate the effectiveness of the measures from time to time.

In order to alleviate more effectively the potential nuisance caused by wild pigs in residential areas, the AFCD is conducting a comprehensive review on the measures and strategies for the management of wild pigs. Considering different opinions from society, as well as the oppositions from some concern groups on animal interests, the AFCD has suspended hunting operations arranged by the civilian hunting teams since 2017 until the completion of the review on management measures and strategies.

After the suspension of hunting operations, the AFCD has introduced the Pilot Capture and Contraception/Relocation Programme (Pilot CCRP) to handle the immediate nuisance of wild pigs at residential areas. The AFCD will provide contraceptive treatment and/or relocate the wild pigs captured. Since the launch of the Pilot CCRP, an average of three wild pigs were captured in each operation, which is more efficient than the hunting operation (on average less than one wild pig captured per operation). In addition, the trial of treating wild pigs causing nuisance with contraceptive vaccine and sterilisation surgery is the first of its kind in the world. The aim of the trial is to evaluate the effectiveness of the contraceptive vaccine and the feasibility of arranging sterilisation surgery for wild pigs in the field. The trial contraceptive/sterilisation programme was officially launched in February 2018. As at December 2018, the AFCD rendered contraceptive/sterilisation treatments to 54 wild pigs. The AFCD expects to complete the evaluation by the end of 2019.

(4) Under the Wild Animals Protection Ordinance (Cap. 170), feeding of wild animals (including wild pigs) in feeding ban areas, such as Kam Shan, Lion Rock and Shing Mun Country Parks, part of Tai Mo Shan Country Park, Tai Po Kau Nature Reserve, area of Caldecott Road and Piper's Hill section of Tai Po Road, will be liable to prosecution and a maximum fine of \$10,000. The AFCD conducts regular patrols at the feeding ban areas. There were three successful cases of prosecution against feeding of wild pigs in the feeding ban areas over the past five years.

If wild pigs are frequently spotted scavenging for food from feeders in the vicinity of residential areas outside the feeding ban areas, the AFCD will put up banners or posters at suitable places in these areas to remind the public not to feed wild animals. Wherever possible, the AFCD will also set up infra-red automatic cameras to monitor the feeding activities and appearance of wild pigs. The information so collected will be referred to relevant departments, which could issue \$1,500 fixed penalty notices to persons who violate the Fixed Penalty (Public Cleanliness and Obstruction)

Ordinance (Cap. 570) and follow-up on the environmental hygiene problems caused by such feeding. The AFCD will continue to offer advice to members of the public who may be potentially affected, property management offices, owners' corporations and District Councilors on the handling and prevention of nuisance caused by wild pigs.

Besides, wild animals will mistake feeding as a stable food supply and will be attracted to urban or residential areas in the vicinity. To tackle the issue of feeding, the AFCD is conducting a series of publicity and education programmes, including promotion on TV, radio and public transports, organising fun days, roving exhibitions, public lectures and visits, etc. to publicise the negative consequences of feeding wild animals. The AFCD has also recently launched and broadcasted Announcements in the Public Interest together with a series of micro-movies titled "Don't Feed Wild Animals and Feral Pigeons" at social media platforms and public areas, to inform the public about the negative consequences of feeding wild animals. Furthermore, the AFCD has commissioned a contractor to conduct a pilot education programme in the feeding ban area designated under the Wild Animals Protection Ordinance since November last year. The contractor staff will not only share information about wild animals with the public, but also advise them not to feed wild animals (including monkeys and wild pigs).

LCQ1: Methods for selecting the Chief Executive in 2022 and for forming the Legislative Council in 2020

Following is a question by the Hon James To and a reply by the Secretary for Constitutional and Mainland Affairs, Mr Patrick Nip, in the Legislative Council today (January 9):

Question:

The General Secretary of the Central Committee of the Communist Party of China (CPC) pointed out in a report delivered at the 19th CPC National Congress that well-ordered steps must be taken to advance democracy in Hong Kong SAR. Besides, Articles 45 and 68 of the Basic Law stipulate that the ultimate aim of selecting the Chief Executive (CE) and electing all the members of the Legislative Council (LegCo) by universal suffrage (dual universal suffrage) shall be achieved in the light of the actual situation in Hong Kong SAR and in accordance with the principle of gradual and orderly progress. In December 2013, which was 33 months away from the general election for the Sixth LegCo, the Government launched public consultations on the methods for selecting CE in 2017 and for forming LegCo in 2016. Given that the general election for the Seventh LegCo is only 20 months away from

now, will the Government inform this Council:

(1) whether it will consider afresh launching expeditiously public consultations on the methods for selecting CE in 2022 and for forming LegCo in 2020, as well as commencing the "Five-step Process"; if so, whether it has assessed if there is sufficient time for the relevant work to be taken; if it will not, whether it has assessed if this will run counter to the spirit of the aforesaid remarks and to the ultimate aim of dual universal suffrage being achieved in Hong Kong SAR as stipulated in the Basic Law; and

(2) whether CE, during her duty visit to Beijing on the 17th of last month, discussed with leaders of the Central Authorities issues relating to constitutional reform of Hong Kong SAR; if so, of the details; if not, the reasons for that?

Reply:

President,

Article 45 of the Basic Law stipulates that the method for selecting the Chief Executive (CE) of the Hong Kong Special Administrative Region (HKSAR) shall be specified in the light of the actual situation in the HKSAR and in accordance with the principle of gradual and orderly progress, and that the ultimate aim is the selection of the CE by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures. Article 68 of the Basic Law stipulates that the method for forming the Legislative Council (LegCo) shall be specified in the light of the actual situation in the HKSAR and in accordance with the principle of gradual and orderly progress, and that the ultimate aim is the election of all the members of the LegCo by universal suffrage. According to the "Interpretation by the Standing Committee of the National People's Congress of Article 7 of Annex I and Article III of Annex II to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China" (the Interpretation) adopted by the Standing Committee of the National People's Congress (NPCSC) on April 6, 2004, a "Five-step Process" must be followed if there is a need to amend the methods prescribed in the Annexes to the Basic Law for selecting the CE and forming the LegCo. The five steps are: the CE to make a report to the NPCSC on whether any amendment is necessary; the NPCSC to make a determination on whether to make any amendment based on Articles 45 and 68 of the Basic Law in the light of the actual situation in the HKSAR and in accordance with the principle of gradual and orderly progress; the amendment to be passed by a two-thirds majority of all LegCo members; the CE to grant his/her consent; and a report to be made to the NPCSC for approval or for the record.

Since the establishment of the HKSAR, the methods for selecting the CE and for forming the LegCo have been developing towards the ultimate aim of universal suffrage in a gradual and orderly manner and in light of the actual situation of the HKSAR as stipulated in the Basic Law. The method for selecting of CE has evolved from the nomination and election by a Selection Committee with 400 members for the first-term CE to the present Election Committee of 1,200 members. As for LegCo, the number of members has been

increased from 60 for the first-term LegCo to 70 today, and the number of seats returned from direct Geographical Constituencies election has been increased from 20 in 1998 to 35 now. Moreover, the five new Functional Constituency (FC) seats created in 2012 return members through election on the basis of one-person-one-vote by some 3.2 million registered voters who previously did not have a vote in the traditional FC.

My reply to the question raised by the Hon James To is as follows:

(1) Universal suffrage of "one person, one vote" for selecting the CE and electing all LegCo members is enshrined as an ultimate aim in the Basic Law. With this aim in mind, the HKSAR Government of the previous term conducted two rounds of extensive and systematic public consultations spanning seven months in total before putting forward a universal suffrage package for selecting the CE which is constitutionally in order, lawful, reasonable and rational, and on June 2, 2015 moved at the LegCo a motion to amend Annex I to the Basic Law concerning the method for the selection of the CE. Unfortunately, the motion was voted down at the LegCo meeting on June 18, 2015 as it did not obtain support from a two-thirds majority of all members of the LegCo. According to the "Decision of the Standing Committee of the National People's Congress on Issues Relating to the Selection of the Chief Executive of the Hong Kong Special Administrative Region by Universal Suffrage and on the Method for Forming the Legislative Council of the Hong Kong Special Administrative Region in the Year 2016" (the Decision) adopted by the NPCSC on August 31, 2014, if the specific method of universal suffrage for selecting the CE is not adopted in accordance with legal procedures, the method used for selecting the CE for the preceding term shall continue to apply. Hence, the method used for selecting the Fourth Term CE in 2012 continued to apply to the selection of the Fifth Term CE in 2017, which means that the CE continued to be elected by a 1200-member Election Committee.

According to clause 2 of the Interpretation, the methods for selecting the CE and forming the LegCo may be amended or remain unamended. For any amendment to be implemented in the methods for selecting the CE and forming the LegCo, tripartite consensus among LegCo members, the CE and the NPCSC is required. The HKSAR Government fully understands the aspirations of the community for universal suffrage. Regrettably, universal suffrage of "one person, one vote" was unable to be secured despite 20 months of efforts by the previous term of Government. Rashly starting discussions on political reform will lead to social conflicts, or may even lead to some people resorting to extreme actions, thus seriously affecting the economic and social development of Hong Kong. Rather than acting rashly, it is imperative for the HKSAR Government to prudently consider all related factors, size up the situation, seek consensus, and do the best to work towards creating a favourable atmosphere to take forward political reform.

On the method for forming the LegCo, it is also stipulated in the Decision that "after the election of the CE by universal suffrage, the election of all the members of the LegCo of the HKSAR may be implemented by the method of universal suffrage. At an appropriate time prior to the election of the LegCo by universal suffrage, the CE elected by universal suffrage shall submit a report to the NPCSC in accordance with the relevant

provisions of the Hong Kong Basic Law and the Interpretation as regards the issue of amending the method for forming the LegCo. A determination thereon shall be made by the NPCSC." In other words, we shall first implement the selection of the CE by universal suffrage before the CE selected by universal suffrage and the HKSAR Government under his/her leadership can take forward the method for electing all LegCo members by universal suffrage. Considering the huge controversies it would likely arouse, the HKSAR Government will not propose major amendments to the method for forming the LegCo in 2020. In respect of updating election-related laws and enhancing electoral arrangements, however, the HKSAR Government will continue to propose necessary legislative amendments in the local legislation context and consult the LegCo Panel on Constitutional Affairs.

(2) The details of the discussions between CE and leaders of the Central Authorities during her duty visit are normally not disclosed.

Thank you, President.

ANE: Chairman of SCVPD to meet the media

The Scientific Committee on Vaccine Preventable Diseases (SCVPD) under the Centre for Health Protection (CHP) of the Department of Health (DH) will convene a meeting this afternoon (January 9).

The Chairman of the SCVPD, Dr Chow Chun-bong, will meet the media after the meeting. The Controller of the CHP of the DH, Dr Wong Ka-hing, will also be present.

Coverage is invited. Media representatives are advised to arrive at the Risk Communication Centre, Ground Floor, CHP, 147C Argyle Street, Mong Kok, by 5pm.

EPD convictions in December

Thirty-eight convictions were recorded in December 2018 for breaches of legislation enforced by the Environmental Protection Department.

Five of the convictions were under the Air Pollution Control Ordinance, four were under the Noise Control Ordinance, three were under the Public Cleansing and Prevention of Nuisances Regulation, 24 were under the Waste

Disposal Ordinance, and two were under the Water Pollution Control Ordinance.

The heaviest fine in December was \$10,000, assessed against a person who imported controlled waste without a permit and three companies which installed or altered furnaces/chimney without authorisation, deposited waste unlawfully and contravened the provisions of a licence respectively.

LCQ20: New railway projects

Following is a question by the Hon Andrew Wan and a written reply by the Secretary for Transport and Housing, Mr Frank Chan Fan, in the Legislative Council today (January 9):

Question:

The Railway Development Strategy 2014 released in September 2014 recommended that the Government should implement the projects of the Tuen Mun South Extension of the West Rail (South Extension) and the Northern Link and Kwu Tung Station (Northern Link) in 2019 to 2022 and in 2018 to 2023 respectively. In her Policy Address delivered in 2017, the Chief Executive undertook that the Government would aim to consult the public on these two railway schemes in 2018. In this connection, will the Government inform this Council:

(1) why the Government did not consult the public on the schemes of the South Extension and the Northern Link in 2018 pursuant to the undertaking made in the 2017 Policy Address;

(2) of, in the light of the current progress, the respective anticipated commencement dates of the construction works and the commissioning dates of the South Extension and the Northern Link; if the anticipated commissioning dates will be behind the originally scheduled commissioning dates, of the measures put in place by the Government prior to the completion of those railway projects to improve the traffic arrangements for residents of the New Territories commuting to and from the urban areas; and

(3) given that problems of non-compliant works were uncovered earlier on in the Shatin to Central Link project, which is implemented under the concession approach, whether the Government will continue to adopt the concession approach for implementing the South Extension and the Northern Link; if so, of the reasons for that; if not, the approach(es) it will adopt for implementing those new railway projects?

Reply:

President,

My consolidated reply to the Hon Andrew Wan's question is as follows:

Having regard to the indicative implementation window recommended in the Railway Development Strategy 2014 (RDS-2014), the Transport and Housing Bureau (THB) had invited the MTR Corporation Limited (MTRCL) to submit proposals for the implementation of the Tuen Mun South Extension and the Northern Link (and Kwu Tung Station). MTRCL submitted proposals for these two railway projects to the Government in end-December 2016 and end-March 2017 respectively. THB, the Highways Department and relevant bureaux/departments have been evaluating the proposals and have requested MTRCL to provide additional information and supplement details. In carrying out the evaluation, our main focus is to ensure that the proposals are practically feasible and can bring maximum benefits to the community.

As clearly stated in the RDS-2014, the taking forward of individual proposed railway projects set out in the Strategy will be subject to the outcome of detailed engineering, environmental and financial studies relating to each project, as well as updated demand assessment and availability of resources. Moreover, for railway projects which are mainly intended to complement new development areas and new housing developments, the implementation timetable for the development areas and new housing developments in question will be an important planning parameter for the railway projects. Therefore, the indicative implementation windows recommended in the RDS-2014 may be adjusted having regard to any change in circumstances. In fact, in MTRCL's project proposals submitted to the Government, their proposed implementation windows are different from those in the RDS-2014.

Railway projects involve huge capital investment, and the Government has to plan in a prudent manner. The new railway projects proposed in the RDS-2014 have different degrees of complexities. In planning the Tuen Mun South Extension, we need to consider the various impact on nearby residents arising from the proposed alignment and the mitigation schemes. In planning the Northern Link (and Kwu Tung Station), we need to assess in details and mitigate the impact on ecologically-sensitive areas (such as the Mai Po Nature Reserve, fishponds, wetlands, egretries and farmlands) along the railway alignment. Meanwhile, in light of the tight housing supply, the Government is reviewing the potential housing supply that may be brought about by the proposals for the Tuen Mun South Extension and the Northern Link (and Kwu Tung Station), and will strive to undertake public consultation on these proposals as soon as possible.

In line with established procedures, prior to the finalisation of any new railway scheme, we will consult the public, including the Legislative Council and the relevant District Councils, on the details of the scheme including detailed alignment, locations of stations, mode of implementation and cost estimate. We understand that the Tuen Mun District Council and the residents expect an early implementation of the Tuen Mun South Extension. We will strive to undertake public consultation on the proposal as soon as possible. In planning the Northern Link (and Kwu Tung Station), we will also

continue to monitor the development of the new development areas (such as the Kwu Tung North New Development Area), to ensure that the implementation of the Northern Link (and Kwu Tung Station) will match the timetable for the development of the new development areas.

The form of funding support for railway projects should be project-specific. We will consider in details and review whether a new railway project shall be implemented under the ownership approach or the concession approach on a case-by-case basis, having regard to the experience of implementing the Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link and Shatin-to-Central Link projects.