

Independent Review Committee on Hong Kong's Franchised Bus Service to hold hearings to receive oral evidence from invited parties

The following is issued on behalf of the Independent Review Committee on Hong Kong's Franchised Bus Service:

The Independent Review Committee on Hong Kong's Franchised Bus Service will hold hearings to receive oral evidence from nominated representatives of the interested parties as follows:

Date/Time	Venue	Interested Parties
July 14 (Saturday) (9am to 7pm, with a break between 1.30pm and 3pm)	Auditorium of the Central Government Offices, 2 Tim Mei Avenue, Tamar	(AM session) District Councils, representatives of: Tai Po District Council Sha Tin District Council Sham Shui Po District Council (PM session) Black box manufacturer, representatives of: ZF Friedrichshafen AG and its subsidiary Openmatics s.r.o. (Note) (video-linked hearing)
July 16 (Monday) (9am to 1.30pm) (to be continued on July 17, if necessary)	Function Hall, 1/F, Main Wing, Justice Place, 18 Lower Albert Road, Central	Representatives of the Community for Road Safety
July 17 (Tuesday) (10am to 4.30pm, with a break between 1pm to 2.30pm)	Function Hall, 1/F, Main Wing, Justice Place, 18 Lower Albert Road, Central	(AM session) Representatives of the Community for Road Safety (PM session) Mr Alok Jain, a former employee of the Kowloon Motor Bus Company (1933) Limited

The Committee's rules of procedure for the receipt of oral evidence and

notice to the public attending the hearings to receive oral evidence are available on the Committee's website (www.irc-bus.gov.hk/eng/press.html).

Having received and considered written submissions from various interested parties, and in order to obtain further information, the Committee is in the process of inviting specific interested parties to give oral evidence to the Committee through nominated representatives. Four hearings have been held so far to receive oral evidence from representatives of the Transport and Housing Bureau, the Transport Department, New World First Bus Services Limited and Citybus Limited, and the New Lantao Bus Company (1973) Limited. A transcript of that evidence (and a translation in Chinese) is available on the Committee's website (www.irc-bus.gov.hk/eng/transcripts.html).

The Committee wishes to invite family members of the victims and passengers on board the bus involved in the fatal incident on Tai Po Road, and other recent serious incidents involving franchised bus services, to attend the hearings, and invites them to contact the Secretariat in advance of the hearings if they wish to attend. Except for seats reserved for such persons as well as the media and specifically identified interested parties, all available seats in the hearing venues will be open to the public on a first-come, first-served basis. A registration counter will open at 8.30am on July 14 and 16 and 9.30am on July 17.

Enquiries regarding the hearings may be directed to the Secretariat of the Committee at 2867 5324.

Note: ZF Friedrichshafen AG and its subsidiary Openmatics s.r.o. are the manufacturer of black boxes installed on buses of three of the franchised bus operators in Hong Kong, namely the Kowloon Motor Bus Company (1933) Limited, Long Win Bus Company Limited and New Lantao Bus Company (1973) Limited.

LCQ19: Development of horticulture industry

Following is a question by the Hon Leung Che-cheung and a written reply by the Secretary for Development, Mr Michael Wong, in the Legislative Council today (July 11):

Question:

An organisation in the horticulture industry has relayed that the development of the industry has all along been neglected over the years. The horticulture industry is not regarded as a separate trade in the construction industry, and there is currently no registration system for practitioners in

the industry, rendering such practitioners being regarded as general workers only. Moreover, as it is difficult to attract new blood to join the industry due to its remuneration being on the low side, coupled with an ageing workforce, the industry has been beset by a shortage of manpower. The organisation has also pointed out that horticulture contractors often face financial difficulties arising from default on payments by the principal contractors of public works projects (PWPs). On the other hand, the proportion of greening projects in the all PWPs has been rather low in recent years. In this connection, will the Government inform this Council:

- (1) whether the authorities have compiled statistics on the added value of horticulture-related industries, and its percentage in Gross Domestic Product, in each of the past three years;
- (2) of the amount of resources allocated by the authorities in the past three years to assist in and promote the development of the horticulture industry;
- (3) whether the authorities have projected and planned for the manpower requirements of the horticulture industry; if so, of the details, including a tabulated breakdown by trade of the number and age distribution of the practitioners in the past three years, as well as the manpower requirements in the coming three years; if not, whether the authorities will consider conducting relevant projections and planning;
- (4) whether the authorities have plans to implement the initiative of "designated workers for designated skills" to stipulate that only registered workers in the trades of the horticulture industry may undertake the relevant work, so as to assist the industry in moving towards professionalisation; if so, of the details; if not, the reasons for that;
- (5) whether the authorities know if the Construction Workers Registration Board received in the past three years written applications for designating the trades of the horticulture industry as registered trades; if the Board did, of the relevant vetting and approval outcome;
- (6) of the proportion of contracts of greening projects among the PWP contracts awarded in each of past three years;
- (7) whether the authorities will, in the long run, increase the proportion of greening projects in all PWPs, so as to promote greening; and
- (8) whether the authorities will consider separately awarding contracts of greening projects, so as to avoid horticulture contractors being defaulted on payments by principal contractors?

Reply:

President,

The reply to the question raised by the Hon Leung Che-cheung is as follows:

(1) According to the Census and Statistics Department, landscape care and greenery services contributed to 0.02 per cent of Hong Kong's Gross Domestic Product (GDP) in recent years. The value added and GDP contribution of landscape care and greenery services from 2014 to 2016 is set out below. The figure for 2017 is not yet available.

Year	Value added (\$ million)	Contribution to GDP
2014	444.3	0.02 per cent
2015	480.0	0.02 per cent
2016	496.0	0.02 per cent

(2) In the past three years, the Development Bureau (DEVB) organised 120 horticulture related seminars and workshops for horticultural practitioners and students to enhance their professional knowledge and work practices. These seminars and workshops, which included tree risk assessment, pre-wet season tree management, tree inspection after inclement weather, tree identification, proper tree care, urban forestry and management of Brown Root Rot disease, etc., would help support the development of the industry. To further broaden practitioners' professional knowledge, the DEVB also arranged expert members of the Urban Forestry Advisory Panel to deliver talks in urban forestry seminars, and, in collaboration with the Hong Kong Institute of Horticultural Science and the Chinese University of Hong Kong, invited Mainland and overseas experts to attend seminars to share their experience. Organising horticulture related seminars and workshops is an integral part of the work of the Greening, Landscape and Tree Management Section of DEVB. There is no separate breakdown on the resources devoted to such work.

In October 2016, the Qualifications Framework Secretariat of the Education Bureau set up the Arboriculture and Horticulture Industry Training Advisory Committee (A&H ITAC). In the past two years, the Promotion and Consultation Subcommittee of A&H ITAC has introduced the "Award Scheme for Learning Experiences", in which scholarships were awarded to three practitioners in the industry for participating in industry-related learning activities and promoting the Qualifications Framework (QF). In addition, the Subcommittee has also launched the "Pilot Project on QF Promotion in School Sector" to provide experiential activities in arboriculture and horticulture to about 100 secondary school students and to introduce the prospects of the industry in order to attract newcomers to the industry.

With DEVB's assistance, the Horticultural and Arboricultural Trade Confederation (HATC) has been established to facilitate communication in the industry, support the formulation of the Specification of Competency Standards (SCS) and relevant professional code of conduct so as to uphold quality standards, and encourage continuous professional development.

Besides, the Government also provides resources in support of local landscape architecture, horticulture and landscape management, including liaison with relevant organisations to implement education and human

resources plan, and reserving over \$10 million to subsidise relevant Bachelor Degree programmes via the "Study Subsidy Scheme for Designated Professions/Sectors".

(3) In 2015, the DEVB commissioned a consultancy study to assess the manpower supply for the arboriculture, horticulture and landscape management and maintenance industry (greening industry). The study also covered the assessment of education and training for the greening industry and explored measures to tackle short-, medium- and long-term manpower demands. The study was completed in 2017. The projected manpower situation in various years, as well as their age distribution in 2015 are set out below:

Greening Industry-related Workers	2015	2016	2017	2018
Arborist/Arborist Assistant	780	980	960	980
Tree Climber Specialist/ Tree Climber Assistant	220	400	380	360
Horticulturist/ Horticulturist Assistant	100	210	230	230
Landscape Architect	50	70	70	100
Landscape Designer/ Assistant Landscape Designer/ Landscape Draftsman	180	230	230	230
Skilled Horticulture/ Arboriculture Worker	3 150	3 760	3 770	3 950
Unskilled Horticulture/ Arboriculture Worker	2 820	3 520	3 520	3 980
Total	7 300	9 170	9 160	9 830

Age Distribution of Greening Industry-related Workers in 2015				
Greening Industry-related Workers	Age Group (per cent)			
	<25	25-44	45-64	>65
Arborist/Arborist Assistant	16	69	14	1
Tree Climber Specialist/ Tree Climber Assistant	6	54	40	
Horticulturist/Horticulturist Assistant		59	41	
Landscape Architect		69	31	
Landscape Designer/ Assistant Landscape Designer/Landscape Draftsman	2	81	17	
Skilled Horticulture/ Arboriculture Worker		25	70	5
Unskilled Horticulture/ Arboriculture Worker		18	66	16

The study indicated that there was an estimated workforce of approximately 7 300 in 2015 and projected that there would be an additional manpower requirement of about 2 530 in 2018, including 1 370 skilled workers and 1 160 unskilled workers. Based on the findings, the DEVB will undertake a series of measures, including actively working with educational and training institutions to provide more suitable training programmes on horticulture; and collaborating with educational and training institutions to organise activities to promote the industry to a wider audience.

(4) Currently, there is no registration system for horticulture-related work in Hong Kong. The "designated workers for designated skills" requirement is being implemented through contract terms. For example, the use of chainsaws, tree inspection and aerial tree works all require special training and qualifications.

To assist the industry to move towards professionalisation and enhance the knowledge and standard of horticultural practitioners, A&H ITAC is now assisting the industry in formulating the SCS, setting the competency standards for major tasks in the industry and detailing the skills, knowledge, outcome standards, and professional ethics and attitude expected of practitioners. Based on the SCS, training programmes catering for the needs of the industry will be developed. The SCS can provide the basis for industry regulation. Formulation of the SCS will be completed by 2019.

(5) The Hong Kong Landscape and Arboriculture Professionals General Union requested the Construction Workers Registration Board (CWRB) to include the relevant trades under the Construction Workers Registration Ordinance. The Subcommittee on Registration Matters (Subcommittee) under the CWRB considered the proposal in accordance with its workflow and principles of adding new trades (e.g. industry-recognised skill levels, availability of established skill assessment mechanism) and discussed with relevant industry stakeholders. The Subcommittee noted that the DEVB had commissioned a consultancy study to assess the manpower supply for the greening industry, which recommended that training should be provided and a qualifications framework for the industry be established. The CWRB considered that enhancement of training and establishment of a qualifications framework would be more effective in addressing the industry's request for recognising the competency level of industry practitioners and enhancing job opportunities.

(6) The percentage of planting works against total project estimates in public works contracts (Note 1) in the past three years is as follows:

Public Works Category	Year of Works Contracts Awarded		
	2015	2016	2017
New works projects	1.03 per cent	0.81 per cent	1.62 per cent
Maintenance works projects (Note 2)	22.2 per cent	7.21 per cent	16.09 per cent

Note 1: Only works contracts with planting elements are included.

Note 2: As the duration of maintenance works contracts usually spans several years, there is periodic fluctuation on the quantity and cost estimates of this type of contracts.

(7) The Government attaches importance to the quality of our outdoor environment. Landscape and planting requirements are incorporated in all new and maintenance works projects. As works projects differ in nature and development parameters, the percentage of planting works against total project estimates also varies accordingly.

Different types of projects are required through circulars and guidelines to incorporate certain greening percentage. For example, new Government building projects with site area of 1 000 square metres or above require 20-30 per cent green coverage. The Government also require at-grade public roads to reserve sufficient space for roadside planting works, and integrate landscape elements in the highway structure design. Further, there are technical guidelines on the use of vegetation in landslip prevention and mitigation works to integrate landscape works with its surrounds.

(8) Having regard to the type, complexity, technical requirements and costs of projects, works departments will formulate appropriate works contracts or split the project into separate works contracts. As various processes in horticultural projects need to be aligned and coordinated with other works components, singling out horticultural work into separate contracts is not an effective arrangement. This notwithstanding, under special circumstances, government departments may award planting contracts individually taking into account the characteristics of the project and practical circumstances.

Subcontracting is a common practice in the construction industry to facilitate project implementation in a cost-effective and efficient manner. To enhance the transparency of subcontracting arrangements and accountability, all public works contractors are required to submit a "Subcontractor Management Plan" upon contract commencement and provide quarterly updates on details of their subcontracting management during the contract period. Works departments will monitor the contractors' performance. Substandard subcontracting management, if any, will be reflected in the quarterly performance report.

Land premium instalment option made available for private columbaria

The Chief Executive in Council has approved that an option of paying land premiums in respect of unsold niches by instalments be made available to private columbaria seeking a licence subject to the fulfilment of a number of

requirements and terms.

Announcing this today (July 11), a government spokesman said, "The Government has the sole and absolute discretion to decide whether to allow the payment by instalments option depending on the circumstances and merits of a case.

"It is in the overall interest of the community to facilitate the development of private columbaria that have complied with all application requirements for a licence under our regulatory regime to cater for the growing demand for niches."

This initiative aims to help private columbaria overcome difficulties in raising finance from financial institutions. According to feedback received after the enactment of the Private Columbaria Ordinance, raising loans from financial institutions has been increasingly difficult. It is related to the uncertainty associated with obtaining a licence. As the licensing regime is new, it takes time for a financial institution to build up proficiency in assessing whether a private columbarium is likely or unlikely to obtain a licence.

"In other words, a private columbarium operator faces a catch-22 situation. On one hand, he or she needs to pay the land premium in order to obtain a licence. On the other hand, without a licence, he or she fails to obtain a loan for paying the land premium," the spokesman said.

Under the payment by instalments option, the land premium is assessed up front at the time of the land grant/transaction. The interest rate to be charged by the Government will be the rate of investment return on fiscal reserves announced in the latest Budget, subject to a cap at the prevailing best lending rate plus 2 per cent (P+2%). This interest rate is cost-neutral to the Government from the investment perspective as the return on fiscal reserves may be seen as the opportunity cost for money owed to the Government. The maximum number of instalments will be capped at the number of years under the remaining term of the land lease or 10 years, whichever is the less.

As part of safeguard measures, the Lands Department will put in place a control mechanism in the modified lease stipulating the maximum number of niches that could be sold or let out, with each instalment permitting the same number of niches. In any case, the aggregate number of niches that could be sold or let out is not allowed to exceed the total number of niches in respect of which the full land premium has been paid.

In addition, the Private Columbaria Licensing Board has confirmed that it will formulate a suitable control mechanism under the licensing regime after seeking legal advice.

To protect the Government against default risks, there is restriction against the operator selling or letting out niches under the licence concerned beyond the niches under the lease where the applicable premium

instalments have been paid or beyond the validity period of the licence. On grounds of breaching the lease conditions, the Government may also re-enter the columbarium land. Default in payment constitutes a breach of contractual obligation and the operator remains liable to pay all of the outstanding amount to the Government. The Food and Environmental Hygiene Department may also take enforcement actions against illegal operation of private columbaria under the Private Columbaria Ordinance. On conviction on indictment, the sanction could be as high as a fine of \$5 million and imprisonment for seven years.

"We must stress that operators of private columbaria will not automatically get a licence because of the instalment option. The Licensing Board will still consider each application in strict accordance with the requirements for applying for a licence as set out in the Ordinance," the spokesman said.

"Obtaining a licence requires satisfying more than 10 sets of legislative, government and other application requirements, including town planning, land use, building and fire safety, rights to use the premises, environmental protection, electricity and lift and escalator safety, crowd and traffic management, plans covering ash interment layout, ash interment capacity and ash interment quantity, as well as the financial plan for assuring sustainable operation. Applications failing to meet such stringent requirements may be refused by the Licensing Board."

A Legislative Council brief on the detailed arrangements can be downloaded from the Food and Health Bureau's website at www.fhb.gov.hk/en/press_and_publications/otherinfo/160700_columbarium/index.html.

[HAD to open temporary night heat shelters](#)

The Home Affairs Department will open 18 temporary night heat shelters tonight (July 11) for people in need of the service.

The shelters will be open from 10.30pm until 8am tomorrow.

For further information, please call the department's enquiries hotline before midnight on 2835 1473.

The 18 night heat shelters are located at:

Hong Kong Districts:

Central and Western –
Sai Ying Pun Community Complex Community Hall
3/F, Sai Ying Pun Community Complex,
2 High Street, Sai Ying Pun

Eastern/Wan Chai –
Causeway Bay Community Centre
Waiting Lobby, 3/F, 7 Fook Yum Road, Causeway Bay

Southern –
Lei Tung Community Hall
Lei Tung Estate, Ap Lei Chau

Kowloon Districts:

Kowloon City –
Hung Hom Community Hall
Multi-purpose Room, 1/F, Kowloon City Government Offices,
42 Bailey Street, Hung Hom

Kwun Tong –
Lam Tin (West) Estate Community Centre
71 Kai Tin Road, Lam Tin

Sham Shui Po –
Shek Kip Mei Community Hall
G/F, Block 42, Shek Kip Mei Estate,
Nam Cheong Street, Sham Shui Po

Wong Tai Sin –
Tsz Wan Shan (South) Estate Community Centre
Hall, G/F, 45 Wan Wah Street, Tsz Wan Shan

Yau Tsim Mong –
Henry G Leong Yaumatei Community Centre
60 Public Square Street, Yau Ma Tei

New Territories Districts:

Islands –
Tung Chung Community Hall
G/F, Tung Chung Municipal Services Building,
39 Man Tung Road, Tung Chung

Kwai Tsing –
Kwai Shing Community Hall
Podium, Block 6, Kwai Shing West Estate, Kwai Chung

North –

Cheung Wah Community Hall
Cheung Wah Estate, Fanling

Sai Kung –

Hang Hau Community Hall
G/F, Sai Kung Tseung Kwan O Government Complex,
38 Pui Shing Road, Hang Hau, Tseung Kwan O

Sha Tin –

Lung Hang Estate Community Centre
Lung Hang Estate, Sha Tin

Tai Po –

Tai Po Community Centre
2 Heung Sze Wui Street, Tai Po

Tsuen Wan –

Lei Muk Shue Community Hall
G/F, Hong Shue House, Lei Muk Shue Estate, Tsuen Wan

Tuen Mun –

Butterfly Bay Community Centre
Butterfly Estate (near Tip Sum House), Tuen Mun

Yuen Long –

Long Ping Community Hall
Long Ping Estate, Yuen Long

Yuen Long –

Tin Yiu Community Centre
Tin Yiu Estate, Tin Shui Wai

The temporary night heat shelters will resume their functions as either community centres or community halls in the daytime for hire by the local community and cannot continue to be open as heat shelters. People may choose to take refuge from the heat during the daytime in the common areas in any of the 21 designated community centres or community halls. Their opening hours are from 9am to 10pm. For addresses of the community centres or community halls, please browse the following webpage:

www.had.gov.hk/file_manager/en/documents/public_services/emergency_services/List_CH_CC_Day_E.pdf.

LCQ1: Settlement of viaduct piers of

Yuen Long Station

Following is a question by the Hon Kwong Chun-yu and a reply by the Acting Secretary for Transport and Housing, Dr Raymond So Wai-man, in the Legislative Council today (July 11):

Question:

Last month, the media uncovered that the MTR Corporation Limited (MTRCL) had discovered in 2013 that two viaduct piers of the Yuen Long section of West Rail Line showed subsidence of up to 20 millimetres, allegedly due to the construction works nearby. MTRCL had forthwith informed the Buildings Department (BD) but had not made public the incident. In this connection, will the Government inform this Council:

(1) of the relevant government departments and policy bureaux which BD had informed after learning of the incident of the subsidence of the viaduct piers; the follow-up actions taken by such departments and bureaux, and the reasons for not making public the incident;

(2) given that BD and MTRCL had learnt of the incident of the subsidence of the viaduct piers as early as in 2013, why the remedial works did not commence until last year; and

(3) of the mechanism in place for dealing with similar railway works problems in future?

Reply:

President,

Regarding the various parts of the question by the Hon Kwong Chun-yu, the following is my consolidated reply in consultation with the Development Bureau.

The Government has always accorded top priority to railway safety and has put in place a stringent regulatory system. The Electrical and Mechanical Services Department (EMSD) regulates and monitors the safe operation of the railway system according to the Mass Transit Railway Ordinance and its subsidiary regulations. The Buildings Department (BD) regulates the planning, design and construction of buildings and associated works on private land to prescribe building safety standards according to the Buildings Ordinance (BO).

To safeguard the safety of railway structures, construction works located within the railway protection area as stipulated under Schedule 5 of the BO should comply with a more stringent set of standards. BD would require the registered building professionals to monitor the effect arising from the building works to the adjacent railway structures according to the requirements set out in the BO and its subsidiary regulations, and the issued

"Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers" (PNAP). Agreement and comments of the MTR Corporation Limited (MTRCL) have to be sought for the plans of the proposed works and the monitoring proposal. The registered building professionals are also required to inform MTRCL direct before the commencement of any building works to enable the formulation of appropriate monitoring plan.

As for MTRCL, its dedicated railway protection team will monitor the status of various railway facilities in accordance with a set of stringent railway protection measures and procedures, including regular machinery inspection of railway structures to ensure that the track is always maintained in a safe and good condition. The contractor responsible for the building works will also be required to set up additional monitoring checkpoints at appropriate locations to assist MTRCL to monitor the situation. If there are any defects, MTRCL will immediately notify the relevant persons. Moreover, MTRCL maintenance team has been conducting annual inspections of the viaducts in accordance with the rigorous railway infrastructure and asset maintenance and repair systems, inspecting the bridges and piers in details to ensure their structural safety.

As to the present case involving settlement of the viaduct piers of Yuen Long Station, after MTRCL and BD were informed about the slight settlement of the two viaduct piers in mid-2012, jointly with the Geotechnical Engineer Office (GEO) under the Civil Engineering and Development Department, they met with the registered building professionals responsible for the piling works for the project, representatives of the developer and the registered contractors (RC), requiring them to increase the frequency of measuring the settlement monitoring checkpoints and to regularly report to BD, GEO and MTRCL on the readings of the settlement monitoring checkpoints and changes of settlement levels of the monitoring checkpoints, so as to be informed promptly of the settlement situation and take necessary follow-up action. In addition, the Registered Structural Engineer responsible for the development project also submitted a revised plan including remedial measures to BD so as to minimise the effect of piling works on the two viaduct piers. After consulting GEO and MTRCL, such revised plan was approved.

Although the settlement has not exceeded the maximum tolerable settlement limit of 20 millimetres which is stipulated in the PNAP, upon the request of MTRCL, the developer of the development project voluntarily suspended the piling works in September 2013, and the situation has remained so until present. After the suspension of the piling works at the site concerned, BD has continued to closely monitor the changes of the settlement levels, and has requested the RC to continue to monitor settlement readings of the monitoring checkpoints, and submit settlement records. During the period, MTRCL has also been closely monitoring the structure of the viaduct piers and the tracks, and confirmed that railway safety has not been affected by the settlement of the two viaduct piers.

At the same time, to further strengthen the relevant railway facilities, MTRCL submitted a proposal for the preventive underpinning works for the two concrete columns to BD in October 2014. It was accepted by BD in June 2015.

As the underpinning works concern the structure of the railway facilities, and involve complicated procedures, MTRCL commissioned an independent consultant to assist in examining the implementation details of the underpinning works to ensure that the works will not affect railway safety and services, and minimise the impact to nearby residents. The underpinning works commenced in September 2017 and are expected to be completed within this year.

I would like to stress that this case has not affected railway safety. BD, EMSD and MTRCL have worked in accordance with the abovementioned mechanism to effectively monitor the safe operation of the railway system, and the building works within the railway protection area. That said, in response to this incident, various government departments, including BD and EMSD, and MTRCL will review the communication and information dissemination arrangements of similar incidents in order to enhance transparency.

We have reviewed information on projects within the railway protection area. According to the MTRCL, there are 64 projects under settlement monitoring within the railway protection area, of which 56 involves construction works in the vicinity of the heavy rail, 8 involves construction works in the vicinity of light rail. There have been 2 cases of suspension of works due to settlement, one concerns the viaduct pier of Yuen Long Station and the other concerns the platform of Tin Wing Stop of the light rail. The future communication and information dissemination arrangements aims to enhance transparency. Thank you, President.