

## LCQ16: Cleaning and emergency rescue services provided at designated camp sites

Following is a question by the Hon Kenneth Lau and a written reply by the Secretary for the Environment, Mr Wong Kam-sing, in the Legislative Council today (May 30):

Question:

In recent years, more and more Hong Kong people and Mainland tourists go camping in the rural New Territories to get close to nature, filling most of the popular camp sites (e.g. Ham Tin Wan Campsite) with a hubbub from boisterous campers and overloading the relevant facilities during long holidays. On the other hand, some villagers in the vicinity of the camp sites have relayed to me that some campers litter and cause environmental hygiene problems. In this connection, will the Government inform this Council:

(1) of the respective quantities of refuse collected each month in the past three years at the 41 designated camp sites provided in country parks throughout Hong Kong;

(2) whether it has deployed staff to conduct regular inspections on the hygiene conditions at the various designated camp sites and ticketed persons who littered; if so, of the number of persons ticketed in the past three years;

(3) of the plans to step up its efforts in reminding campers to care for nature and public property;

(4) whether it will review the usage of the various designated camp sites and provide more facilities at the camp sites; if so, of the timetable; if not, the reasons for that;

(5) as it has been reported that the various designated camp sites have not been equipped with first aid facilities such as automated external defibrillators, whether the authorities will provide first aid facilities at designated camp sites so that campers who are injured or suffer from bouts of illness may receive first aid treatment; if not, of the reasons for that; and

(6) as one has to tramp over hill and dale in order to go to Ham Tin Wan Campsite and Sai Wan Campsite at present, which is time consuming, whether the authorities will provide landing facilities near these two camp sites to make them conveniently accessible by sea, so as to facilitate cleaning workers to clean up refuse and ambulance personnel to transfer campers who are injured or suffer from bouts of illness to hospital for medical treatment; if so, of the timetable; if not, the reasons for that?

Reply:

President,

Our reply to the question raised by the Hon Kenneth Lau is as follows:

(1) The Agriculture, Fisheries and Conservation Department (AFCD) deploys its staff or contractors to collect litter along hiking trails, at coastal areas and various recreation sites (e.g. campsites, barbecue sites and picnic sites) within country parks. Since litter is mostly collected from the recreation sites and their adjacent country park areas in one go, the AFCD does not have a separate breakdown of the amount of litter collected at designated campsites in country parks. In the past three years, the total amount of litter collected in country parks is as follows:

| Year | Tonnes |
|------|--------|
| 2015 | 3 700  |
| 2016 | 3 400  |
| 2017 | 3 400  |

(2) The AFCD conducts regular patrol at country parks and their respective recreation facilities, including designated campsites. The AFCD staff will pay attention to the hygiene conditions of the areas during patrol and step up cleansing when needed. If non-compliance behaviour such as littering is detected, law enforcement action will be taken. In the past three years, the AFCD instituted 257 prosecutions against littering in country parks and special areas. However, the AFCD does not have a separate breakdown of prosecution figures for cases at designated campsites.

(3) The AFCD encourages the public to carry out recreation activities that are compatible with the environment in country parks, so as to nurture a sense of responsibility towards the environment while enjoying the outdoor activities. The AFCD has displayed camping codes at the designated campsites in country parks to remind campers of the good practices. The AFCD also disseminates relevant information on its website to encourage campers to plan ahead and get prepared before they go camping, and to adopt environmentally friendly measures. These include measures under the concept of "Leave No Trace", including the proper disposal of waste, preserving the naturalness of the environment, minimising the impact from use of fires, respecting wildlife and other visitors, etc. The "Hints for Campers" and "Green Tips for Campers" are available at the following websites:

[www.afcd.gov.hk/english/country/cou\\_vis/cou\\_vis\\_cam/cou\\_vis\\_rec\\_hin.html](http://www.afcd.gov.hk/english/country/cou_vis/cou_vis_cam/cou_vis_rec_hin.html) and [www.natureintouch.gov.hk/outdoor/activity/nit\\_2011/0/762](http://www.natureintouch.gov.hk/outdoor/activity/nit_2011/0/762).

Besides, the AFCD promotes the relevant codes through publicity and education activities from time to time, such as organising "Go Green Family Camping", roving exhibitions at shopping malls and nature appreciation activities. The AFCD will continue to strengthen its publicity and education efforts, and maintain communication with Tourism Commission to promote to overseas visitors the good practices and codes of green tourism through

various channels (including Hong Kong Tourism Board).

(4) The AFCD reviews the usage of campsites from time to time, and improves the facilities and considers the provision of additional campsites according to the needs of the visitors and specific conditions of the sites. To address the public demand for camping activities, the AFCD has improved campsite services and facilities based on the usage of the campsites and their popularity, e.g. designating the Sai Wan Campsite and Tai Mong Tsai Campsite in Sai Kung in 2014 and 2015 respectively, carrying out turf improvement works of Wan Tsai Campsite in Sai Kung in 2016, and expanding the Chung Pui Campsite in 2017, etc.

Besides, the AFCD has commissioned a consultancy study on the enhancement of the recreation and education potential of country parks for public enjoyment. It is expected that public consultation on the recommendations of the study will commence in 2018.

(5) The AFCD attaches great importance to the safety of country park visitors. At present, all country parks visitor centres are equipped with first aid kits, whereas automated external defibrillators (AEDs) are available at four of these centres for the use of the public when needed. Besides, the Auxiliary Medical Service sets up first aid stations on Sundays and public holidays in country parks and its ambulance motorcycles will patrol country parks and provide first aid services. The first aid stations and ambulance motorcycles are equipped with the AEDs and will provide assistance to visitors as necessary.

Most of the designated campsites are located in the countryside with no offices and shelters. Therefore, there is practical difficulty in providing first aid supplies in the designated campsites. The AFCD will closely monitor the usage of the campsites in country parks and review if the facilities can meet visitors' needs from time to time, and provide the required facilities as far as practicable.

(6) There are currently two kaito routes connecting the vicinity of Sai Wan and Ham Tin Wan to Sai Kung, and there is already a landing facility available at Sai Wan. In consideration of the relevant development plans in the area of Sai Wan and Ham Tin Wan, the Transport and Housing Bureau has no plan to construct a new landing facility near Ham Tin Wan and Sai Wan Campsites at the present stage.

Litter collected in Ham Tin Wan Campsite and Sai Wan Campsite is removed from the sites by contractor's vessels. The operation is generally smooth. In addition, there are helipads in both Sai Wan and Ham Tin Wan for use in cases of emergency such as rescue.

It is never an easy task to manage countryside facilities in remote areas. Visitors could contribute to the upkeep of the environmental hygiene of the relevant sites by adopting the good habit of "Take Your Litter Home" promoted by the Government.

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## LC: Opening remarks by CS for proposed resolution under Basic Law and Court of Final Appeal Ordinance

Following is the opening remarks (translated from Chinese) made by the Chief Secretary for Administration, Mr Matthew Cheung Kin-chung, for the proposed resolution under Article 73(7) of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China and section 7A of the Hong Kong Court of Final Appeal Ordinance (Cap. 484) in the Legislative Council today (May 30):

Mr President,

I move that the motion under my name, as printed in the Agenda, be passed, that this Council endorses the appointments of the Honourable Mr Justice Andrew Cheung Kui-nung (Mr Justice Cheung) as a Permanent Judge, the Honourable Mr Justice Robert Tang Ching (Mr Justice Tang) as a non-permanent Hong Kong judge (HKNPJ), the Right Honourable the Baroness Brenda Hale of Richmond (Baroness Hale) and the Right Honourable Beverley McLachlin, P.C. (Ms McLachlin) as non-permanent judges from other common law jurisdictions (CLNPJs) to the Court of Final Appeal (CFA).

Constitutional and statutory framework

The CFA is the final appellate court in Hong Kong, hearing both civil and criminal appeals. It consists of the Chief Justice (CJ) and the permanent judges. Non-permanent judges may be invited to sit and they may come from Hong Kong or other common law jurisdictions. When hearing and determining appeals, the CFA is constituted by five judges, comprising the CJ, three permanent judges, and one HKNPJ or one CLNPJ.

Pursuant to Article 88 of the Basic Law and the Judicial Officers Recommendation Commission Ordinance (Cap. 92), judges of the courts of the Hong Kong Special Administrative Region shall be appointed by the Chief Executive (CE) on the recommendation of the Judicial Officers Recommendation Commission (JORC). Pursuant to Article 92 of the Basic Law, judges of the Hong Kong Special Administrative Region shall be chosen on the basis of their judicial and professional qualities and may be recruited from other common law jurisdictions. In addition, Article 90 of the Basic Law provides that in the case of the appointment of judges of the CFA, the CE shall obtain the endorsement of the Legislative Council (LegCo).

The current appointments

With regard to the current appointment exercise, Mr Justice Tang will

retire as a Permanent Judge of the CFA on October 25, 2018. The JORC has recommended to the CE to appoint Mr Justice Cheung, Chief Judge of the High Court to fill the vacancy. Mr Justice Cheung was a pre-eminent counsel when he joined the Judiciary in 2001 and was appointed the Chief Judge of the High Court in 2011. He has dealt with many high profile cases in the Court of Appeal particularly in the areas of administrative and constitutional law. He is a judge of high standing and reputation. His judgments have made a profound impact on Hong Kong jurisprudence. His term as a Permanent Judge of the CFA is set to take effect on October 25, 2018.

As for non-permanent judges, at present, there are 15 non-permanent judges, comprising three HKNPJs and 12 CLNPJs. Considering the heavy caseload of the CFA and in order to provide more flexibility in judicial deployment, there is a need to increase the number of both HKNPJs and CLNPJs.

The JORC noted that Mr Justice Tang will become eligible for appointment as a HKNPJ upon his retirement as a Permanent Judge of the CFA. Appointed as a Permanent Judge of the CFA in 2012, Mr Justice Tang is a judge of the highest quality and utmost integrity. He is versatile with experience in handling appeals in both civil and criminal matters. He would be a remarkable new member to the list of HKNPJs and would continue, in that new capacity, to make valuable contribution to the CFA. Accordingly, the JORC has recommended to the CE his appointment as a HKNPJ for a term of three years with effect from October 25, 2018.

At the same time, the JORC has recommended the appointments of Baroness Hale and Ms McLachlin as CLNPJs. Baroness Hale was appointed to take office as President of the Supreme Court of the United Kingdom in September 2017. Ms McLachlin served as the Chief Justice of the Supreme Court of Canada from January 7, 2000 until she retired from the office on December 15, 2017. They are judges of eminent standing and reputation, and would be invaluable additions to the list of CLNPJs. If appointed, Baroness Hale and Ms McLachlin will be the first female judges to the CFA. As the CE said in announcing the proposed appointments, "their appointment is a historic moment in Hong Kong". Subject to the endorsement of this Council, the appointments of the two CLNPJs shall take effect in July 2018 for a term of three years.

The CE is pleased to accept the recommendations of the JORC on the appointments of the abovementioned four judges as judges of the CFA.

In accordance with the procedures previously endorsed by the House Committee of LegCo, the Government issued papers on March 21, 2018 to inform the House Committee that the CE had accepted the recommendations of the JORC on the appointments. The curriculum vitae of the four judges were also enclosed in the papers. Representatives from the Government and the Secretary to the JORC attended the meeting of the Subcommittee on Proposed Senior Judicial Appointments on April 27, 2018 and answered Members' questions. I would like to thank Dr Honourable Priscilla Leung Mei-fun, Chairman of the Subcommittee, and other Members of the Subcommittee for their support of the proposed appointments.

President, I invite Members to endorse the appointments. Thank you.

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## LCQ1: Prevention and control of mosquito and rodent problems

Following is a question by the Hon Vincent Cheng and a reply by the Secretary for Food and Health, Professor Sophia Chan, in the Legislative Council today (May 30)

Question:

Some members of the public have relayed to me that poor environmental hygiene in the community will easily cause mosquito and rodent problems, posing direct threat to public health. As hot weather has come back in recent days and the rainy season is approaching, mosquitoes, insects and rodents breed easily, resulting in the risk of an outbreak of infectious diseases growing day by day. It is learnt that a number of District Councils (DCs) have relayed to the authorities that the environmental hygiene at certain streets is unsatisfactory and is even worsening, including illegal dumping of construction waste and illegal littering by members of the public, accumulation of water and food remnants in rear lane drains, etc. Regarding the prevention and control of mosquito and rodent problems, will the Government inform this Council:

(1) given that the Ovitrap Index, which mainly serves to survey the infestation of *Aedes albopictus*, has been formulated for a number of years since 2000, whether the Government will review and improve the Index, including the extension of the surveillance scope to cover the infestation of other mosquitoes and insects, such as Culicine mosquitoes which may transmit Japanese encephalitis, Anopheline mosquitoes which may transmit malaria, as well as biting midges which feed on blood and whose bites produce seriously itchy welts; if so, of the implementation time; if not, the reasons for that;

(2) as a number of members of the public and DCs have complained that the rodent problem of the old districts and districts where many restaurants are located is very serious, and traits of rodents can be found everywhere at night, but the Rodent Infestation Rates (RIRs) in those districts as recorded by the Food and Environmental Hygiene Department (FEHD) are on the low side, whether the Government has studied if RIRs can reflect the actual situation; if so, of the details; as it is learnt that the FEHD completed the first phase of the Anti-rodent Campaign in March this year, of the effectiveness of the Campaign, including the numbers of dead rodents collected and live rodents caught; and

(3) as the Government is installing Internet Protocol (IP) cameras at various hygiene black spots in phases to collect evidence of illegal dumping of refuse by offenders with a view to strengthening the deterrent effect, but the locations selected for installing IP cameras in the first phase are mostly places located outside refuse collection points, of the reasons why the Government has not accepted the several installation locations proposed by DCs such as rear lanes; whether it will consider coordinating various government departments in installing IP cameras at the locations proposed by DCs in future?

Reply

President,

The Government has always strived to maintain the environmental hygiene in Hong Kong, including carrying out mosquito and rodent control. My reply to the Hon Vincent Cheng's question is as follows:

(1) The Food and Environmental Hygiene Department (FEHD) reviews the dengue vector surveillance (DVS) annually as part of the efforts to step up control of *Aedes albopictus*. In response to the local dengue fever cases reported in 2016 and 2017, urban development as well as requests from the public and District Councils (DCs), a total of five additional areas will be covered by the DVS programme starting from July 2018. The survey frequency will also be increased from one week per month to two weeks per month. To strengthen surveillance at the border, the survey frequency at border control points will be increased from two weeks per month to weekly basis.

The FEHD has also devised surveillance programmes targeting Culicine and Anopheline mosquitoes, which are vectors of Japanese encephalitis (JE) and malaria respectively. Culicine mosquitoes are mostly found in the countryside, particularly in flooded rice fields and water-logged abandoned fields. If these fields are close to pig farms or locations frequented by natural hosts of JE virus, such as waders, Culicine mosquitoes are more likely to get infected, and the risk of JE transmission is higher. Monthly JE vector surveillance exercises have been scheduled since 2015 by the FEHD, covering seven districts with relatively higher risk of JE transmission. In these seven districts, there are either pig farms or locations frequented by waders, or that local JE cases have been reported. As for the surveillance of Anopheline mosquitoes, regular surveys have been carried out since 1980 to collect samples of Anopheline larvae at streams to identify the existence of species responsible for the transmission of malaria in Hong Kong.

As regards the surveillance of biting midges, the World Health Organization has not published guidelines for systematic surveillance targeted at biting midges. According to my understanding, other places like the Mainland, Singapore as well as countries in America and Europe have not formulated any surveillance programmes for biting midges. Biting midges found in Hong Kong are not major vectors of any vector-borne diseases. In response to the problem of biting midges in recent years, the FEHD had, on two occasions, invited an expert studying biting midges from the Mainland to

visit Hong Kong, with a view to providing guidance and recommendations to study the local fauna of biting midges in the territory and review the control methodology. Based on the advice of the expert, the FEHD commenced a one-year territory-wide survey in mid-July last year to investigate the species diversity of the midges in Hong Kong, confirm whether there is presence of any disease-carrying biting midges and find out their distribution. The FEHD will continue to keep in view the biting midges situation in public places through routine inspections and handling of complaints. Control measures against biting midges will be strengthened whenever necessary, while efforts have at the same time been stepped up in the publicity and education work. In view of the public nuisance caused by biting midges earlier, the FEHD will continue to conduct joint operations with the Leisure and Cultural Services Department (LCSD) to strengthen the preventive and control work against biting midges at parks under the management of LCSD and their vicinity.

(2) There is no internationally adopted Rodent Infestation Rate (RIR). When devising the RIR, the FEHD made reference to overseas practices and tried out different methods having regard to a number of factors including local climate, environmental conditions and the habits of rodents. The FEHD considered that adopting the ratio of baits gnawed by rodents as the infestation rate was the most suitable method for Hong Kong. As there have not been major changes in Hong Kong's environment or rodents' habits in recent years, the current survey approach is still appropriate.

As the RIR of a district only assesses the rodent problem in public places within the surveillance areas during the surveillance period, it does not reflect fully the situation of rodent infestation of the district concerned. In addition to the RIR, the FEHD also takes into account the traits left by rodents, complaint figures and views of the local community and the public in targeting rodent prevention and control actions at areas where rodent problems exist.

Noticing that the number of food premises in some districts has increased, the FEHD has, apart from including the rear lanes adjacent to food premises as the target areas of the anti-rodent campaigns, strengthened the cleansing work in these areas. To focus on managing the rodent trouble spots, the FEHD conducted anti-rodent operations in designated target areas in various districts and adopted multi-pronged strategies in selected localities, including cleansing, rodent disinfestation and enforcement action against the survival conditions of rodents, namely food, harbourage and passages. The FEHD staff will enhance street washing and sweeping services at rear lanes where hygiene conditions are relatively poor. Inspections of food premises will be stepped up and public education and enforcement actions will be strengthened. The first round of the anti-rodent operation in designated target areas in various districts was launched in April which will last for two months. The second round operation will commence in October.

The first phase of the territory-wide Anti-rodent Campaign 2018 was completed in March. During the campaign, the FEHD conducted 16 348 inspections, handled 1 147 rat holes, caught 2 337 live rodents and cleared 4

265 dead rodents. The second phase of the campaign will be launched in July and will last for ten weeks.

(3) The FEHD launched a pilot scheme from December 2016 to June 2017 to install camera at hygiene blackspots. Internet Protocol (IP) cameras were installed at six illegal refuse dumping blackspots in Central and Western, Sham Shui Po and Yuen Long Districts to step up surveillance on illegal dumping of refuse and facilitate the planning of more effective enforcement actions. Given the encouraging results the FEHD decided to extend the scheme to all districts progressively on a trial basis for one year. It has consulted the DCs on the illegal refuse dumping blackspots at which the IP cameras are to be installed, and obtained support from them. On the locations, the FEHD has obtained the support from the DCs on their suggestions on the locations and priority of installation of IP cameras with regard to the seriousness of illegal refuse dumping activity at the blackspots. The FEHD has accepted the locations and priority proposed by the DCs and arrangements have been made accordingly. Some of the proposed spots include rear lanes. If the DCs request changing the locations for camera installation in the future, the FEHD will actively seek to meet their demands so long as the suggestions are technically feasible. The contractor engaged by the FEHD will start to operate the IP cameras next week. If the hygiene conditions of a particular location show improvement, the FEHD may consider adding or re-locating the cameras to other spots according to priority.

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## LCQ13: Government's resumption of Lands

Following is a question by the Hon James To and a written reply by the Secretary for Development, Mr Michael Wong, in the Legislative Council today (May 30):

Question:

Regarding the Government's resumption of lands for public purposes in the past by invoking the Lands Resumption Ordinance (Cap. 124), will the Government inform this Council:

(1) of the number of times since July 1, 1997 for which the Government invoked Cap. 124 to resume lands for:

(i) the development of public housing (including public rental housing estates and Home Ownership Scheme courts), and the details of each case;

(ii) the construction of roads, and the details of each case; and

(iii) other public purposes (with a breakdown by purpose), and the details of each case;

(2) in respect of the land resumption cases mentioned in (1), of the number of cases in which the land owners lodged a judicial review (with a breakdown by outcome of the judicial review), and the average time taken from the Court's granting of leave for judicial review to its handing down of judgments on the judicial review; and

(3) whether the North East New Territories New Development Areas Planning involves the need for the Government to resume for public purposes lands owned by real estate developers and lands owned by individuals; if so, whether the approaches for resumption of such lands include invoking Cap. 124; if they do, of the details (including whether Cap. 124 has already been invoked so far); if they do not, the reasons for that; if there are other approaches for resumption of such lands, of the details (including the expenditure involved) (set out the details by land owner being a real estate developer or an individual)?

Reply:

President,

My reply to Hon James To's question is as follows:

(1) From July 1, 1997 to December 31, 2017, the Government invoked the Lands Resumption Ordinance (Cap. 124) to resume private land for 154 public works projects and for projects of the Urban Renewal Authority (URA) or its predecessor, the Land Development Corporation (LDC).

Amongst the 154 projects, 13 projects are public housing development projects; 55 projects are in support of development projects of URA or its predecessor, LDC; 2 projects involve new town/comprehensive development areas; 3 projects involve village expansion; and the remaining 81 projects involve construction of drainage channels, rectification works to stream courses, waterworks, construction of schools, markets, recreational facilities and residential care homes for the elderly (RCHEs), and for village resite, etc.

As for projects requiring land resumption for construction of road, sewerage or railway works, the Government would invoke other applicable ordinances to resume land concerned. From July 1, 1997 to December 31, 2017, the Government invoked the Roads (Works, Use and Compensation) Ordinance (Cap. 370) for 150 road projects; the Water Pollution Control (Sewerage) Regulation (Cap. 358AL) for 70 sewerage system projects and the Railways Ordinance (Cap. 519) for 9 railway projects.

(2) There were a total of 8 judicial review cases lodged by owners arising from the invocation of the Lands Resumption Ordinance (Cap. 124) for resumption of private land from July 1, 1997 to December 31, 2017. Details are at the Annex.

(3) For the Kwu Tung North and Fanling North (KTN/FLN) New Development Areas (NDAs) (formerly known as the Northeast New Territories NDAs), as a Government's new town development, the Government will mainly resume and clear the private land planned for developments in the NDAs according to relevant ordinances and undertake the necessary site formation and infrastructure works with a view to implementing the planned uses. Nonetheless, prior to the land resumption and clearance, the Government allows in-situ land exchange applications from land owners of sites planned for private developments, subject to them meeting the specified criteria and conditions under the enhanced Conventional New Town (CNT) approach. Any development under such a lease modification application is required to ensure timely supply of housing and other facilities. For applications failing to meet the requirements by the timeframe specified for the development programme, the private land concerned would still be resumed by the Government for development.

At present, land resumption work for KTN/FLN NDAs has not fully commenced. Between 2015 and 2017, two private lots of about 1.5 hectares within the boundary of the KTN/FLN NDAs were resumed under the Lands Resumption Ordinance (Cap. 124) to facilitate the construction of a new RCHE complex. The complex will accommodate eligible elderly residents currently living in the existing RCHEs at the Dills Corner Garden, which will be affected by the KTN/FLN NDAs project. Since claims for statutory compensation from the former owners of those two pieces of land are still being processed, the compensation expenditure involved is not available at the moment yet.

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## Proposed legislative amendments to implement \$200 cap on import and export declaration charges

The Government put forward to the Legislative Council today (May 30) a notice of motion which proposes to amend the Import and Export (Registration) Regulations for capping the charge for each import and export declaration (TDEC) at \$200.

The Secretary for Commerce and Economic Development, Mr Edward Yau, said the amendment would further lower the cost of importing and exporting high-value goods to and from Hong Kong, bringing direct benefit to the local trading and logistics industry and encouraging the industry to move up the value chain.

As announced in the 2018-19 Budget Speech, the proposal seeks to further the Government's strategic objective to develop Hong Kong into a trading,

storage, logistics and distribution hub for high-value goods.

"There is strong potential for the Hong Kong cargo and supply chain management industry. Many high-value goods are re-exported and distributed through Hong Kong. The proposed cap is expected to save the trade about \$458 million a year and benefit about 900 000 TDEC cases involving goods at a value above \$1.644 million, further strengthening Hong Kong's position as a trading hub," Mr Yau said.

The Legislative Council Panel on Commerce and Industry at its meeting in April indicated its support for the Government's proposed legislative amendments.

The amendments, as set out in the Import and Export (Registration) (Amendment) Regulation 2018, will be introduced into the Legislative Council for approval by positive vetting procedures on June 20. Subject to the passage of the resolution within the current legislative session, the amendments will come into effect on August 1.