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<p>1 Tuesday, 29 May 2018</p> <p>2 (10.00 am)</p> <p>3 EVIDENCE FROM NEW WORLD FIRST BUS SERVICES LTD AND</p> <p>4 CITYBUS LTD: MR SAMUEL CHENG, MR WILLIAM CHUNG, MR PAUL L.</p> <p>5 MR GARETH NG, MR KENNETH LIT, MR KENNY SO (given in</p> <p>6 Cantonese; transcription of the simultaneous interpretation)</p> <p>7 CHAIRMAN: Good morning. Today we welcome and thank</p> <p>8 Mr Cheng and his colleagues for responding to our</p> <p>9 invitation to assist the committee by giving evidence,</p> <p>10 and he and his various colleagues are available to</p> <p>11 answer as they choose the different questions that</p> <p>12 counsel to the committee pose for them.</p> <p>13 But first of all, Mr Cheng, if I can address you</p> <p>14 directly -- make yourself comfortable with the</p> <p>15 translation, first of all. I understand first of all no</p> <p>16 request has been made of the committee that lawyers</p> <p>17 appear on your behalf, and in those circumstances</p> <p>18 I understand that you wish to make a brief statement at</p> <p>19 the outset, and you propose doing so in Cantonese.</p> <p>20 MR SAMUEL CHENG: Mr Chairman, yes.</p> <p>21 CHAIRMAN: Please do make your statement.</p> <p>22 Opening statement by MR SAMUEL CHENG</p> <p>23 MR SAMUEL CHENG: Thank you.</p> <p>24 Mr Chairman, members, ladies and gentlemen, good</p> <p>25 morning. I would like to thank the committee for</p>	<p>1 Third, providing classroom training, including</p> <p>2 training on customer service and EQ management for newly</p> <p>3 recruited part-time bus captains.</p> <p>4 Fourth, providing refresher training, including</p> <p>5 training on customer service and EQ management, for</p> <p>6 in-service part-time bus captains.</p> <p>7 Fifth, from 1 June 2018 onwards, all part-time bus</p> <p>8 captains will be required to provide information about</p> <p>9 the working hours of their principal employment to</p> <p>10 enable the companies to better understand whether they</p> <p>11 have sufficient rest time.</p> <p>12 Sixth, upon upgrading the companies' black box</p> <p>13 system, in the third quarter of this year, when a bus</p> <p>14 captain exceeds the speed limit, the on-board black box</p> <p>15 will automatically give out alert signal to the bus</p> <p>16 captain.</p> <p>17 Seventh, we have started to explore the feasibility</p> <p>18 of conducting psychological assessment of bus captain</p> <p>19 applicants.</p> <p>20 Eighth, we will continue to explore the feasibility</p> <p>21 of introducing new technologies for enhancing safe</p> <p>22 driving.</p> <p>23 Apart from the above, regarding the recommendations</p> <p>24 to be made by the Independent Review Committee, subject</p> <p>25 to the availability of our financial resources, where</p>
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<p>1 inviting us to attend today's hearing. On behalf of New</p> <p>2 World First Bus and Citybus, I would like to make the</p> <p>3 following brief statement.</p> <p>4 New World First Bus and Citybus have been operating</p> <p>5 franchised bus service for many years. Our core value</p> <p>6 is to provide safe and quality bus service. We have all</p> <p>7 along been in strict compliance with all the</p> <p>8 legislation, regulations, franchise terms governing</p> <p>9 franchised bus service, as well as all the guidelines</p> <p>10 issued by the Transport Department to franchised bus</p> <p>11 operators.</p> <p>12 New World First Bus and Citybus take a positive</p> <p>13 stance towards the present review of franchised buses by</p> <p>14 the Independent Review Committee. In the past few</p> <p>15 months, we have been reviewing the operation of our</p> <p>16 companies, in particular the safety aspect, so as to</p> <p>17 identify room for improvement.</p> <p>18 Recently, New World First Bus and Citybus have</p> <p>19 formed a safety committee, to specifically examine all</p> <p>20 matters related to operational safety. Initially, we</p> <p>21 have identified the following areas for improvement.</p> <p>22 First, strengthening driver training on new bus</p> <p>23 routes for all in-service bus captains.</p> <p>24 Second, increasing the number of driving training</p> <p>25 hours for newly recruited part-time bus captains.</p>	<p>1 feasible, we shall actively consider them.</p> <p>2 Thank you, Mr Chairman.</p> <p>3 CHAIRMAN: Thank you, Mr Cheng.</p> <p>4 I'm now going to ask Mr Duncan, senior counsel, to</p> <p>5 pose questions to you. He will be asking questions in</p> <p>6 English. They will be translated to you into Cantonese.</p> <p>7 And then your answer in Cantonese will be translated</p> <p>8 into English. So we will have to learn together how to</p> <p>9 do this successfully. It will require shorter</p> <p>10 questions, and it will require pauses in answers. So if</p> <p>11 we can all bear that in mind.</p> <p>12 Mr Duncan.</p> <p>13 Examination by MR DUNCAN</p> <p>14 MR DUNCAN: Thank you, Mr Chairman.</p> <p>15 Mr Cheng, good morning, and good morning, gentlemen,</p> <p>16 and again thank you for attending the committee this</p> <p>17 morning.</p> <p>18 Thank you for your opening statement, Mr Cheng.</p> <p>19 There are a number of matters that I would wish to</p> <p>20 explore with you arising from the submissions that you</p> <p>21 have already supplied to the committee.</p> <p>22 CHAIRMAN: Ms Wong, are you able to confirm whether or not</p> <p>23 this is being translated into Cantonese? On which</p> <p>24 channel is the translation?</p> <p>25 MS MAGGIE WONG: It's on channel number 1.</p>

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<p>1 CHAIRMAN: Thank you.</p> <p>2 MR DUNCAN: The first matters arise from the franchise</p> <p>3 agreement under which the company operates. I'd like</p> <p>4 you to turn up the franchise agreement, if you could.</p> <p>5 We will find this at bundle reference TD-2 at page 386.</p> <p>6 Mr Cheng, I'm aware of the fact that you appear on</p> <p>7 behalf of two companies. When I ask you questions,</p> <p>8 I will probably be referring mainly to "the company",</p> <p>9 but by that I will be referring to both companies. If</p> <p>10 you wish to distinguish between one company and the</p> <p>11 other, please feel free to do so.</p> <p>12 The document which you should now have in front of</p> <p>13 you is the franchise agreement under which Citybus Ltd</p> <p>14 operates many of its routes, the latest, I believe, of</p> <p>15 the franchise documents under which the company</p> <p>16 operates. Do you understand that?</p> <p>17 MR SAMUEL CHENG: Yes, I understand.</p> <p>18 MR DUNCAN: Thank you. Can I bring your attention, please,</p> <p>19 to clause 7, which you will find on the bundle reference</p> <p>20 at page 389. Could you just familiarise yourself with</p> <p>21 the provisions of clause 7(1).</p> <p>22 MR SAMUEL CHENG: Yes, I have read it.</p> <p>23 MR DUNCAN: We will see reference in that clause to the</p> <p>24 grantee providing, amongst other things, such safety or</p> <p>25 service enhancement facilities or equipment on its bus</p>	<p>1 the Transport Department?</p> <p>2 MR SAMUEL CHENG: This was not a requirement from the</p> <p>3 Transport Department. The bus manufacturer added this</p> <p>4 facility to the bus.</p> <p>5 MR DUNCAN: So the only requirements which have come from</p> <p>6 the Department are the black box system, seat belts, and</p> <p>7 the guardrails to which you have just referred?</p> <p>8 MR SAMUEL CHENG: Yes. Just now I mentioned two examples</p> <p>9 that I can recall, but I'm not sure whether there were</p> <p>10 just these two facilities. There might be other</p> <p>11 facilities but I'm afraid I cannot mention them; I don't</p> <p>12 know about that.</p> <p>13 Let me put it this way. I defer to Mr Li, head of</p> <p>14 engineering, to provide you with more information.</p> <p>15 MR PAUL LI: Chairman, in the annex of our submission,</p> <p>16 page 29, annex 1.6, that is annex 1.6 of the first</p> <p>17 submission, therein is the agreement between the bus</p> <p>18 company and the Transport Department with regard to the</p> <p>19 safety features. When we order new buses, they have to</p> <p>20 be installed and they have to be considered. They</p> <p>21 include the seats, the design of the seats. For the</p> <p>22 exposed seats, three-point seat belts have to be</p> <p>23 provided. The seats have to have headrests. The design</p> <p>24 of the seats and the design of the seat belts and the</p> <p>25 anchoring points of the seat belts and the design will</p>
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<p>1 as may be reasonably required by the Commissioner for</p> <p>2 Transport from time to time. Do you see that?</p> <p>3 MR SAMUEL CHENG: Yes, I do.</p> <p>4 MR DUNCAN: I understand from the submissions that you have</p> <p>5 provided to the committee that back in 2003, the</p> <p>6 committee determined that a black box system, as it's</p> <p>7 often referred to, should be introduced on all public</p> <p>8 franchised buses. Is that correct?</p> <p>9 MR SAMUEL CHENG: Correct.</p> <p>10 MR DUNCAN: Can I ask you this question: apart from that</p> <p>11 determination by the Commissioner in 2003, has the</p> <p>12 Commissioner required any specific safety features to be</p> <p>13 installed on any of your buses?</p> <p>14 MR SAMUEL CHENG: Yes, there were.</p> <p>15 Let me cite two examples. The Transport Department</p> <p>16 did ask the bus operators -- allow me to use English to</p> <p>17 talk about this term -- in relation to exposed seats,</p> <p>18 seat belts must be fixed.</p> <p>19 In addition, a small number of our buses had</p> <p>20 a straight and long flight of steps, so the Transport</p> <p>21 Department asked us to fix an additional handrail.</p> <p>22 MR DUNCAN: We are aware that amongst the features carried</p> <p>23 on your buses are speed limiters. Do I understand from</p> <p>24 your answer that the introduction of a speed limiter is</p> <p>25 a matter decided by the company, not required of you by</p>	<p>1 have to measure up to the European standard.</p> <p>2 For other safety features, for staircases of</p> <p>3 double-decker buses, we have to provide double</p> <p>4 handrails, guardrails, so that passengers going up and</p> <p>5 down will have the guardrails to hang on to.</p> <p>6 We have to bear in mind the safety of the glass. We</p> <p>7 have to provide a hammer with which to break the glass.</p> <p>8 In an emergency situation the hammer will be needed to</p> <p>9 break the glass. We also need to provide CCTV. When</p> <p>10 buses are reversed, the captain would be able to use the</p> <p>11 camera, and the bus captain will also be able to see</p> <p>12 what's happening upstairs and also the passengers going</p> <p>13 up and down the staircase.</p> <p>14 In terms of fire prevention, all the materials have</p> <p>15 to fulfil the relevant regulations. The relevant</p> <p>16 regulations are set out in a table on page 31.</p> <p>17 In the engine area, we need to install</p> <p>18 high-temperature detector. When a bus catches fire,</p> <p>19 when a bus experiences high temperature, there will be</p> <p>20 alarms emitted in the cabins, in the bus captain's</p> <p>21 cabin.</p> <p>22 In terms of air-conditioning, if the engine area</p> <p>23 catches fire, there is a partitioning between the engine</p> <p>24 area and the air-conditioning. Between the bus</p> <p>25 compartment and the engine area, we need to have metal</p>

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<p>1 partitioning wall. If it catches fire, it will not 2 spread into the compartment of the bus.</p> <p>3 As regards other features, we need to have a meter 4 and a speed limiter. The area designed for wheelchair, 5 no seats, should be installed. For air-conditioning 6 system, we have to have an all-weather control 7 mechanism. Near the passenger seats, we have the 8 air-con fans, for which they can regulate the flow of 9 the air and the direction.</p> <p>10 Thank you, Chairman.</p> <p>11 MR DUNCAN: Thank you, Mr Li.</p> <p>12 I notice that this document bears the date February 13 2012. Is this the latest document to be issued in this 14 respect?</p> <p>15 MR PAUL LI: Yes, indeed, Chairman.</p> <p>16 MR DUNCAN: When would the previous document in this respect 17 have been dated?</p> <p>18 MR SAMUEL CHENG: Chairman, we don't have that document with 19 us now. What you are looking at is the document that we 20 first received.</p> <p>21 MR DUNCAN: Do you know whether this document is reviewed 22 from time to time between the Transport Department and 23 the company?</p> <p>24 MR SAMUEL CHENG: Mr Li?</p> <p>25 MR PAUL LI: With the publication of this document, indeed</p>	<p>1 in 2003?</p> <p>2 MR PAUL LI: Chairman, many years ago the buses had this 3 functionality for the buses, earlier than 2003.</p> <p>4 CHAIRMAN: Can you tell us when it was first introduced?</p> <p>5 MR PAUL LI: In terms of diesel engines, diesel engines have 6 the functionality of cutting the fuel, and 30 or 7 40 years ago the functionality was there, although we 8 couldn't limit the speed to 70kph, maybe 75, 80kph. It 9 depends on the design of the gearbox and the engine.</p> <p>10 When Euro II engines came about, we had the 11 electronic control, and it was easily achievable. We 12 could limit the fuel supply at the speed of 70.</p> <p>13 MR DUNCAN: Leaving clause 7 now, could I take you through, 14 please, to page 393 of the bundle, still with the 15 franchise agreement.</p> <p>16 In your submission, you have referred to the matter 17 of passenger liaison groups, and I just want to ask 18 a couple of matters with regard to those groups.</p> <p>19 Could I ask you, please, to have in front of you 20 clause 15(3) of the franchise agreement, which deals 21 with the matter of passenger liaison groups.</p> <p>22 MR SAMUEL CHENG: I beg your pardon. We can't see this on 23 the screen. What you are referring to we can't see, 24 sorry.</p> <p>25 MR DUNCAN: TD-2, at page 393.</p>
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<p>1 it was reviewed.</p> <p>2 MR DUNCAN: Sorry, there was a review leading up to the 3 publication of the document; is that what you mean?</p> <p>4 MR PAUL LI: Well, this document was discussed at our 5 regular meetings many times, and in 2012 we finalised 6 this document.</p> <p>7 MR DUNCAN: Thank you.</p> <p>8 Just before I leave the document, I notice also it 9 does refer to a speed limitation function. Can you see 10 that in paragraph 4(a)?</p> <p>11 MR PAUL LI: Yes.</p> <p>12 MR DUNCAN: There doesn't appear to be any specifications 13 with regard to the limiting function; is that correct?</p> <p>14 MR PAUL LI: As we all know, for our buses, we have the 15 limiting function, limiting the speed to 70 kilometres 16 per hour, and we all know that the speed limit is 17 70 kilometres, that's the limit.</p> <p>18 MR DUNCAN: So there's simply an understanding between you 19 company and the Transport Department but which hasn't 20 been recorded in detail in the document; is that 21 correct?</p> <p>22 MR PAUL LI: Indeed, yes, sir.</p> <p>23 CHAIRMAN: Forgive me if I interject. Was the requirement 24 for a speed limiter to be fitted to franchised buses not 25 introduced in the aftermath of the Tuen Mun bus tragedy</p>	<p>1 Could you just familiarise yourself, please, with 2 clause 15(3).</p> <p>3 CHAIRMAN: I take it you are able to see that now?</p> <p>4 MR SAMUEL CHENG: Yes, sir. Yes, I can.</p> <p>5 Yes, I have done so.</p> <p>6 MR DUNCAN: Thank you.</p> <p>7 The franchise clause provides for the grantee to 8 promulgate rules for membership and meetings.</p> <p>9 Has the company promulgated any such rules?</p> <p>10 MR SAMUEL CHENG: I defer to Mr Chung, head of operations.</p> <p>11 MR WILLIAM CHUNG: Chairman, this passenger liaison group 12 holds meetings every two months. We will hold the 13 meetings at different bus terminus and passengers will 14 be invited to come in and express their views. At the 15 meetings, we will invite the Transport Department 16 representatives, and our company's representatives will 17 engage passengers and discuss the relevant issues.</p> <p>18 CHAIRMAN: I think the question was more specific: has the 19 company promulgated any rules that govern such meetings?</p> <p>20 MR WILLIAM CHUNG: We did talk to the Transport Department 21 as to how this would be done.</p> <p>22 MR DUNCAN: Yes. Have any rules been issued in writing?</p> <p>23 MR WILLIAM CHUNG: No, we didn't.</p> <p>24 MR DUNCAN: You will see in the same clause provision for 25 the Commissioner for Transport to direct or approve</p>

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<p>1 matters in writing. Do you see that reference?</p> <p>2 MR WILLIAM CHUNG: Yes.</p> <p>3 MR DUNCAN: As far as you are aware, has the Commissioner</p> <p>4 issued any such directions or approvals?</p> <p>5 MR WILLIAM CHUNG: I'm not sure, because that was quite</p> <p>6 a long time ago.</p> <p>7 MR DUNCAN: But these meetings are held, are they not, from</p> <p>8 time to time, even today; is that correct?</p> <p>9 MR WILLIAM CHUNG: Correct.</p> <p>10 MR DUNCAN: Can I ask you to refer to another page in the</p> <p>11 bundle, this time CTB-2 at page 170. There's</p> <p>12 a translation of this in the bundle at page 172-1.</p> <p>13 You will see that this is annex 4.1 to one of your</p> <p>14 submissions, and it seems to constitute notes of the</p> <p>15 meeting of one of these passenger liaison groups on</p> <p>16 27 February 2018. Do you see that?</p> <p>17 MR WILLIAM CHUNG: Yes.</p> <p>18 MR DUNCAN: Now, I cannot see, at least on the translation,</p> <p>19 any record as to how many passengers attended that</p> <p>20 meeting. Is there any entry?</p> <p>21 MR WILLIAM CHUNG: The minutes didn't record the number.</p> <p>22 MR DUNCAN: Would the minutes normally record the number of</p> <p>23 people attending?</p> <p>24 MR WILLIAM CHUNG: These minutes doesn't mention how many</p> <p>25 people attended.</p>	<p>1 bus, urging passengers to attend the meeting.</p> <p>2 MR DUNCAN: Can I take you back to page 170 again, and bring</p> <p>3 your attention to entry number 3 on that document, the</p> <p>4 translation at 172-1. The translation reads:</p> <p>5 "Proposed to add a bus speed indicator (similar to</p> <p>6 that of the minibus) to all buses and emit noise when</p> <p>7 they exceed the speed limit."</p> <p>8 Do you see that reference?</p> <p>9 MR SAMUEL CHENG: Yes.</p> <p>10 MR DUNCAN: Can I bring your attention to what is recorded</p> <p>11 as the company's response:</p> <p>12 "In response to the installation of certain</p> <p>13 facilities on the bus, the company will carry out</p> <p>14 assessments based on factors such as operation costs,</p> <p>15 economic benefits and the technical front. Currently,</p> <p>16 there is no plan to install the relevant facilities."</p> <p>17 Do you see that entry?</p> <p>18 MR SAMUEL CHENG: Yes.</p> <p>19 MR DUNCAN: Has the company, since February 2018, carried</p> <p>20 out any assessments as referred to there?</p> <p>21 MR SAMUEL CHENG: Well, we carried out an assessment in</p> <p>22 another area. We are worried that there would be</p> <p>23 a greater likelihood that the passenger may have</p> <p>24 a confrontation with our bus captain.</p> <p>25 In recent years, we have had confrontation between</p>
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<p>1 MR DUNCAN: If you go through to page 173 of the same</p> <p>2 bundle, CTB-2, page 173, that's apparently notes of</p> <p>3 a meeting on 28 February.</p> <p>4 Are there any indications from those notes as to how</p> <p>5 many passengers attended that meeting?</p> <p>6 MR WILLIAM CHUNG: No.</p> <p>7 MR DUNCAN: How is it decided which passengers would attend</p> <p>8 such a meeting?</p> <p>9 MR WILLIAM CHUNG: We didn't restrict as to which passenger</p> <p>10 may attend. Two weeks before a meeting is to be held,</p> <p>11 through the company's website and at the bus terminus</p> <p>12 where the PLG meeting will take place, a notice will be</p> <p>13 put up to inform passengers about the time and date of</p> <p>14 the meeting. On the relevant date, the passengers can</p> <p>15 freely attend the meeting.</p> <p>16 MR DUNCAN: Typically, how many passengers would turn up?</p> <p>17 MR WILLIAM CHUNG: It depends on the location. Generally</p> <p>18 speaking, there would be eight or ten.</p> <p>19 MR DUNCAN: When you say it's at a terminus, is there a room</p> <p>20 at which the meeting would take place, or does it take</p> <p>21 place outdoors or ...?</p> <p>22 MR WILLIAM CHUNG: We will make arrangements so that there</p> <p>23 would be a bus parked at the bus terminus. On the bus</p> <p>24 body we will put up a notice saying there is a passenger</p> <p>25 liaison group. There are also staff members outside the</p>	<p>1 bus captains and bus passengers, so we are concerned.</p> <p>2 Say, for example, for a particular stretch of road, the</p> <p>3 speed limit may be 50kph, and then at that time a bus</p> <p>4 captain may be driving at, say for example, 52kph. From</p> <p>5 the perspective of the bus passenger, he would regard it</p> <p>6 as speeding, exceeding the speed limit. If the</p> <p>7 passenger chooses to take this up with the bus captain</p> <p>8 right on the spot, this will cause a nuisance to -- this</p> <p>9 will disturb the bus captain.</p> <p>10 Therefore, our company has chosen to work through</p> <p>11 the black box system so that we can become aware of the</p> <p>12 performance of the bus captains, like whether he has</p> <p>13 exceeded the speed limit, and then we can work through</p> <p>14 our internal disciplinary mechanism, and we will follow</p> <p>15 our internal instructions to discipline bus captains who</p> <p>16 have been caught speeding.</p> <p>17 We believe that in this way we won't be creating</p> <p>18 a scenario in which there will be confrontation between</p> <p>19 the bus captain and the bus passenger, while at the same</p> <p>20 time we can monitor whether our bus captains have been</p> <p>21 exceeding the speed limit.</p> <p>22 Thank you.</p> <p>23 MR DUNCAN: So do I understand from that, Mr Cheng, that the</p> <p>24 company has actually decided not to install the speed</p> <p>25 indicators?</p>

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<p>1 MR SAMUEL CHENG: At this moment, our assessment is that 2 there is no need to install such a speed limit display 3 unit. 4 Regarding the monitoring of the bus speed, we will 5 rely on our black box system. We believe that this is 6 more effective. 7 MR DUNCAN: The committee is aware that these indicators 8 have been installed as per a requirement of the 9 Transport Department in public light buses in Hong Kong. 10 You would be aware of that? 11 MR SAMUEL CHENG: Yes, I have seen public light buses 12 equipped with such display units. 13 MR DUNCAN: Has the company made any enquiries as to whether 14 that has caused confrontation between the PLB drivers 15 and their passengers? 16 MR SAMUEL CHENG: Well, many people take public light buses, 17 all because they are driven at a high speed. So I don't 18 think that when passengers see that there is 19 an exceedance of the speed limit, there will be 20 a confrontation. 21 For the people in Hong Kong, for those who take 22 public light buses, especially during nighttime, this is 23 quite common. So, when compared with taking a ride on 24 a franchised bus, this is different. 25 MR DUNCAN: Can we go back to the franchise document,</p>	<p>1 MR WILLIAM CHUNG: No, we did not. That's because we do not 2 have the contact details of the passenger. 3 CHAIRMAN: Did you carry out an assessment? 4 MR SAMUEL CHENG: Mr Chairman, we have not started this 5 assessment. This is because we tried to look at it from 6 another perspective. The concern instead is on the 7 possible confrontation between the bus captain and the 8 bus passenger. We believe that this is the main reason 9 as to why we do not plan to install such a speed limit 10 display unit. 11 CHAIRMAN: Thank you. 12 Mr Duncan. 13 MR DUNCAN: Thank you, Mr Chairman. 14 Could I ask you to go back to the franchise again, 15 and move this time to bundle TD-2 at page 410. Can 16 I bring your attention to clause 33 of the franchise 17 document and just ask you to familiarise yourself, 18 please, with its terms. 19 MR SAMUEL CHENG: Yes, I have done so. 20 MR DUNCAN: Thank you. Can I then ask you to have in front 21 of you a document from CTB-2 at page 32. 22 At page 32, you should be looking at a document, 23 it's a little hard to read, but it's annex 2.1 to one of 24 your submissions, and it's headed, "NWFB Fuller 25 Disclosure 2017". Do you have that in front of you?</p>
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<p>1 please. 2 CHAIRMAN: Before you do that, Mr Duncan -- it appears, 3 then, Mr Cheng, that the companies have decided not to 4 install the speed indicators on buses at the moment? 5 MR SAMUEL CHENG: Unless this becomes a requirement, 6 otherwise we do not have the plan to install such 7 a speed limit display unit. 8 CHAIRMAN: Have you communicated this decision to your 9 passenger liaison group, in view of what was said in 10 February? 11 MR SAMUEL CHENG: Mr Chung will answer this question. 12 CHAIRMAN: Thank you. 13 MR WILLIAM CHUNG: I think on the spot we have given a reply 14 to that passenger, as indicated in the response. That 15 is, at this moment we do not have a plan to install such 16 a facility. 17 CHAIRMAN: Have you communicated the results of your 18 assessment as to the factors such as operation costs and 19 economic benefits and the technical front? 20 MR WILLIAM CHUNG: When we answered the passenger's 21 question, we did mention those factors. 22 CHAIRMAN: Well, you were carrying out an assessment; that's 23 what the minute says. Have you carried out 24 an assessment, and if so have you communicated that to 25 the passenger liaison group?</p>	<p>1 MR SAMUEL CHENG: Yes, sir. 2 MR DUNCAN: Thank you. 3 Then could you go through, into the document, at 4 page 42 of the bundle. It's CTB-2 at page 42. 5 Do you see on that page a heading which reads, 6 "Corporate social responsibility"? Do you see that? 7 MR SAMUEL CHENG: Yes, sir. 8 MR DUNCAN: Do I understand correctly that that is the 9 document, the corporate social responsibility, which is 10 required under clause 33 of the franchise document? 11 MR SAMUEL CHENG: Correct, sir. 12 MR DUNCAN: Thank you. 13 This page, I think it's a page, the corporate social 14 responsibility, is part of this wider document called 15 "Fuller Disclosure 2017". I haven't been able to find 16 reference in the franchise agreement to the requirement 17 for this "Fuller Disclosure" document. 18 Could you inform the committee the basis on which 19 this document is issued, the "Fuller Disclosure" 20 document? 21 MR SAMUEL CHENG: Chairman, this document, we publish it 22 every year, October every year in fact. 23 MR DUNCAN: Is that a requirement, or is it a voluntary 24 thing on behalf of the company, or what? Because 25 I can't see it in the franchise agreement. That's the</p>

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<p>1 only reason I ask.</p> <p>2 MR SAMUEL CHENG: This is a requirement of the Transport</p> <p>3 Department.</p> <p>4 MR DUNCAN: When did this requirement come about?</p> <p>5 MR SAMUEL CHENG: If I remember correctly, it's been more</p> <p>6 than ten years.</p> <p>7 MR DUNCAN: So it's issued annually by the company; is that</p> <p>8 correct?</p> <p>9 MR SAMUEL CHENG: Correct, sir.</p> <p>10 MR DUNCAN: Can I bring your attention to page 39 of the</p> <p>11 bundle, so CTB-2/39, which is headed, "Financial</p> <p>12 information".</p> <p>13 MR SAMUEL CHENG: Yes, I can see that, sir.</p> <p>14 MR DUNCAN: In particular, does it contain a profit and loss</p> <p>15 account for the year ended 30 June 2017?</p> <p>16 MR SAMUEL CHENG: Yes, sir.</p> <p>17 MR DUNCAN: Can I bring your attention to the heading,</p> <p>18 "Turnover". The turnover is constituted by two items:</p> <p>19 first of all, fare receipts, and then advertising</p> <p>20 income.</p> <p>21 Where does the company generate its advertising</p> <p>22 income from?</p> <p>23 MR SAMUEL CHENG: In that year, the advertising income came</p> <p>24 from three sources. First, the advertising at the bus</p> <p>25 stops. Second, the advertising on the side of the</p>	<p>1 MR SAMUEL CHENG: Yes, sir.</p> <p>2 MR DUNCAN: Could you please, if you can, just take me to</p> <p>3 the reference.</p> <p>4 MR SAMUEL CHENG: It is in the first submission. That's</p> <p>5 page 15, paragraph 6(a)(iii).</p> <p>6 MR DUNCAN: Thank you. That contains the name of the</p> <p>7 auditing body who attends to the report; is that</p> <p>8 correct?</p> <p>9 MR SAMUEL CHENG: Yes, sir. That is Hong Kong Quality</p> <p>10 Assurance Agency, HKQAA.</p> <p>11 MR DUNCAN: Would the company be prepared to provide the</p> <p>12 committee with a sample of one of its latest reports?</p> <p>13 MR SAMUEL CHENG: Yes, sir, no problem. We can supplement</p> <p>14 the information.</p> <p>15 MR DUNCAN: Thank you.</p> <p>16 I'm going to leave the franchise document. Thank</p> <p>17 you. And I'm going to ask you now to turn to another</p> <p>18 document in CTB-2, this time at page 64.</p> <p>19 MR SAMUEL CHENG: Yes, sir.</p> <p>20 MR DUNCAN: Are you looking at a document headed,</p> <p>21 "Organisational chart"?</p> <p>22 MR SAMUEL CHENG: Yes, sir.</p> <p>23 MR DUNCAN: Does this illustrate the senior management</p> <p>24 structure of the company?</p> <p>25 MR SAMUEL CHENG: Correct, sir.</p>
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<p>1 buses. Third, inside the buses we have the monitor, the</p> <p>2 screen monitor, on which we also have advertising.</p> <p>3 Starting from last year, we discontinued that, because</p> <p>4 this mode of advertising wasn't popular so we</p> <p>5 discontinued that. So from now we have only two sources</p> <p>6 of income from advertising.</p> <p>7 First, that's the advertising from the bus stops,</p> <p>8 and the second is the advertising on the bodies of the</p> <p>9 buses.</p> <p>10 MR DUNCAN: Does the company have any plans to generate</p> <p>11 advertising revenue from any other source?</p> <p>12 MR SAMUEL CHENG: As a matter of fact, where we can get</p> <p>13 advertising revenue, we have already explored all the</p> <p>14 sources.</p> <p>15 MR DUNCAN: If I could take you back again to the franchise</p> <p>16 document, please, TD-2, at page 410. Can I on this</p> <p>17 occasion bring your attention to clause 34. Could you</p> <p>18 please familiarise yourself with that provision.</p> <p>19 MR SAMUEL CHENG: I'm done, sir.</p> <p>20 MR DUNCAN: This clause refers to an annual system report.</p> <p>21 Does the company issue an annual system audit report, as</p> <p>22 required by this clause?</p> <p>23 MR SAMUEL CHENG: Yes, sir.</p> <p>24 MR DUNCAN: Thank you. Has that been referred to in your</p> <p>25 submission?</p>	<p>1 MR DUNCAN: Does the company have a dedicated safety</p> <p>2 department?</p> <p>3 MR SAMUEL CHENG: Well, in this document, there is the head</p> <p>4 of operations. Under this particular division, there is</p> <p>5 a department which is responsible for service quality.</p> <p>6 If there are bus captains whose service leaves something</p> <p>7 to be desired or he has committed some wrongdoing or if</p> <p>8 he was involved in any traffic accidents, that</p> <p>9 department would be responsible for investigation and</p> <p>10 disciplinary actions.</p> <p>11 Thank you.</p> <p>12 MR DUNCAN: Does the company have a department which is</p> <p>13 looking proactively at the matter of safety, as opposed</p> <p>14 to reacting to breaches of safety requirements?</p> <p>15 MR SAMUEL CHENG: Mr Chairman, for the past practices, if</p> <p>16 there is new technology available, my colleagues would</p> <p>17 make a report to me, and if necessary I would gather</p> <p>18 together the senior management to explore the</p> <p>19 feasibility of these ideas.</p> <p>20 If there is a major traffic accident, for instance,</p> <p>21 my colleagues, Mr William Chung, head of operations,</p> <p>22 Mr Paul Li, head of engineering, and all the relevant</p> <p>23 managers, will review and investigate into the causes of</p> <p>24 the accident.</p> <p>25 Recently, we have formally set up a safety</p>

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<p>1 committee. This safety committee is tasked to review 2 and scrutinise all the safety issues in the company. 3 For this safety committee, the membership includes 4 myself -- I'm the chairman -- as well as the head of 5 operations, the head of engineering, the head of human 6 resources and administration, as well as the senior 7 operations manager and senior engineering support 8 manager. So I've just mentioned the membership of the 9 safety committee. 10 In the bus operating environment in Hong Kong, 11 I think the members are very experienced. I mentioned 12 a few members. Each of us has had more than 20 years' 13 experience in bus operations. 14 Thank you. 15 MR DUNCAN: If I understand it correctly, the formation of 16 that safety committee is a very recent development; is 17 that correct? 18 MR SAMUEL CHENG: Correct. 19 MR DUNCAN: So just when? 20 MR SAMUEL CHENG: Roughly three weeks ago. 21 MR DUNCAN: Right. Prior to that, was there any particular 22 person employed within the company whose responsibility 23 was safety? 24 MR SAMUEL CHENG: No. We didn't have a specific employee 25 for that purpose. This is because, for safety-related</p>	<p>1 safety committee? 2 MR SAMUEL CHENG: Correct. 3 MR DUNCAN: Is it your intention to employ anybody or 4 nominate anybody who would have specific responsibility 5 for matters pertaining to bus safety? 6 MR SAMUEL CHENG: You mean getting somebody from outside of 7 getting somebody from the company itself? 8 MR DUNCAN: Either. Either way. 9 MR SAMUEL CHENG: Okay. Well, as of now, we do not have 10 plan to engage anybody from outside to join this safety 11 committee. As I have said, for this committee, all the 12 members have a long history of experience working with 13 bus operators. 14 As far as the company itself is concerned, my 15 personal view is as follows. For safety-related 16 matters, the scope will cover many departments. We may 17 very well be talking about the facilities on board the 18 bus. It may be related to the training of bus captains. 19 It may also cover the recruitment of bus captains. 20 Therefore, for this safety committee, when we talk about 21 the primary responsibility, the person will be I myself, 22 because I do oversee all the departments. I am the 23 chair of this safety committee. So the person in charge 24 is myself. 25 MR DUNCAN: Are you familiar with the ISO standard</p>
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<p>1 matters, we who are seated here today from the senior 2 management share such responsibility. 3 MR DUNCAN: The committee appreciates that as time goes by, 4 technology with regard to safety devices can change, can 5 evolve. Up until the time of the formation of this new 6 committee, who in the company had the responsibility of 7 keeping up with changes in technology? 8 MR SAMUEL CHENG: For safety-related technologies, as to the 9 source of our information, it mainly comes from the 10 suppliers of our buses. For the bus suppliers, if they 11 become aware of new technologies, and if it has been 12 proven to be effective, they will tell us when they have 13 meetings with our people from the engineering 14 department. 15 Of course, we have to find out about the details, as 16 to how the new technology will work, and we will find 17 out whether it is relevant to the application in 18 Hong Kong. 19 MR DUNCAN: Can I take you to your second submission, at 20 CTB-1 at page 54. 21 Are you at page 54? This is the first page of your 22 submission dated 18 May. CTB-1 at 54. 23 MR SAMUEL CHENG: Yes, I'm there. 24 MR DUNCAN: Is it in the second paragraph of this letter 25 that you have referred to the establishment of the</p>	<p>1 ISO 39001? 2 MR SAMUEL CHENG: I only learnt about it recently. I wasn't 3 aware of it prior to that. No, I'm not familiar with 4 it. 5 MR DUNCAN: I wonder if you could be shown one of the 6 documents that has been provided to the committee, which 7 we will find at TU-1 at page 18. 8 MR SAMUEL CHENG: Yes. 9 MR DUNCAN: Let me tell you, Mr Cheng, this is an extract 10 from one of the submissions that the committee has 11 received, this coming from an organisation called the 12 Community for Road Safety. Are you familiar with that 13 organisation? 14 MR SAMUEL CHENG: No, I do not know that organisation. 15 MR DUNCAN: Could you please just look at the last entry on 16 that page, headed, "Bus safety -- road safety management 17 system", and just read that to yourself, please. 18 CHAIRMAN: Mr Duncan, whilst that's being done, did we not 19 receive something in the middle of the night from the 20 Transport Department setting out the membership of this 21 body? 22 MR DUNCAN: I think we did, Mr Chairman. 23 CHAIRMAN: That might help the witnesses, if some of the 24 names are drawn to their attention. 25 MR DUNCAN: Have you been able to read that, Mr Cheng?</p>

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<p>1 MR SAMUEL CHENG: No. I cannot read the membership on the 2 screen. 3 Well, I can see it now. 4 MR DUNCAN: Do the names of the members of that community 5 mean anything to you? 6 MR SAMUEL CHENG: There is only one among the many names 7 that I have seen before. 8 MR DUNCAN: And that is? 9 MR SAMUEL CHENG: Paul Zimmerman. 10 MR DUNCAN: Very good. 11 Can I take you back, please, from the membership, to 12 the document that I wished you to read, which is TU-1 at 13 page 18. It's the last paragraph on that page, 14 Mr Cheng, which continues over the page. Can you just 15 read that to yourself, please. 16 MR SAMUEL CHENG: Yes. I've finished with that page. 17 MR DUNCAN: Could you also look, please, at TU-1 at page 53. 18 This is a separate document also issued by the Community 19 for Road Safety, and I'm asking you to read the 20 paragraph immediately before paragraph 3.5. The 21 paragraph is headed, "ISO 39001 road traffic safety 22 management system". I would like you to read that 23 paragraph to yourself, please. 24 MR SAMUEL CHENG: Yes, I have done with that. 25 CHAIRMAN: It might help, to put things into context,</p>	<p>1 adopting it. 2 As far as our company is concerned, if there is 3 anything that can be done to help safety, as long as it 4 is feasible, as long as we have the financial resources 5 to adopt it, we keep our options open. 6 So, going forward, I think we have to try and 7 understand what ISO 39001 is all about, what country and 8 what company has adopted it, and as a result of the 9 adoption what the effectiveness is. Then we will be in 10 a position to consider adopting it. 11 Thank you. 12 MR DUNCAN: In the context of safety, does the company from 13 time to time ascertain from companies overseas -- 14 CHAIRMAN: I'm sorry, Mr Duncan, forgive me for 15 interrupting, but I think it would be fair to Mr Cheng 16 to draw his attention to how the Transport Department 17 have dealt with this in their overnight submission. 18 It's at paragraphs 24 and 25 of annex 1, which is on 19 internal pagination 8 and 9. 20 MR DUNCAN: I think if that can be brought up on the screen. 21 CHAIRMAN: Yes. I think the problem is that because the 22 material came in overnight, we haven't been able to make 23 arrangements to do it, but I think it's important that 24 you should see what view the Transport Department take. 25 Yes, I think that's it. So if you scroll down, 23</p>
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<p>1 Mr Duncan, if we have page 25 on the screen. That is 2 the front page of the document, is it not? So it's 3 a April 2018 report. 4 MR DUNCAN: Can you look at the front cover of that, 5 Mr Cheng, "Community for Road Safety. Report on bus 6 safety in Hong Kong". 7 Can I perhaps ask you this: are you familiar with 8 that report? Have you seen it? 9 MR SAMUEL CHENG: No, I haven't read it. 10 MR DUNCAN: Those extracts I have shown you suggest that 11 that particular standard would encourage fleet operators 12 to be more accountable and proactive in reducing 13 accidents and risks. Have you seen that in those two 14 extracts? Have you seen reference to that? 15 MR SAMUEL CHENG: Yes, I read it. 16 MR DUNCAN: Having read that, do you consider that that 17 would be worthy of consideration by the company? 18 MR SAMUEL CHENG: First of all, Mr Chairman, this ISO 39001, 19 we don't have any knowledge of it. In Hong Kong, in the 20 public transport sector, I have never heard of any large 21 companies that have adopted this ISO. 22 Earlier, at the hearing involving the Transport 23 Department, it was then that I became aware of 24 ISO 39001, and obviously I didn't have any idea what 25 this was all about, so I cannot say whether we will be</p>	<p>1 and 24. Take a moment to read that, Mr Cheng, 23 first. 2 Could we have paragraph 23 on the screen, and then 24. 3 I'm sorry, it's 24 and 25 that I want. 4 Perhaps to assist you, Mr Cheng, when we received 5 evidence from the Transport Department and the Transport 6 and Housing Bureau, although this standard was 7 introduced in 2012, they regarded that, so they told us, 8 as at an early stage of the development of such a 9 system, and that's perhaps the point they are making 10 here. In other words, they are waiting to see whether 11 or not it is effective, and to what extent it is 12 adopted. 13 It may be that you have nothing to add to your 14 answer. I just wanted you to be aware of what this 15 other material was. 16 MR SAMUEL CHENG: Mr Chairman, for this ISO 39001, I have no 17 knowledge of it, so I'm afraid I don't have anything to 18 add, sir. 19 CHAIRMAN: Thank you. 20 MR DUNCAN: Just before I leave this topic, can I take it, 21 Mr Cheng, that given your coming to know of this earlier 22 than today's hearing, it is something that the company 23 will at least consider in the future? 24 MR SAMUEL CHENG: Well, in future we will explore what this 25 is all about. We will consider it, yes.</p>

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<p>1 CHAIRMAN: Thank you. I think you have already said, if 2 it's feasible, you keep your options open. 3 MR SAMUEL CHENG: Correct, sir. 4 MR DUNCAN: I want to turn now to the matter of recruitment, 5 something you have referred to already this morning. 6 The committee has been informed, through submissions and 7 through its hearings, that over the years there has been 8 a shortage of persons willing to take up the position of 9 a bus captain. Do I assume correctly that that's the 10 experience of your company? 11 MR SAMUEL CHENG: Mr Chairman, in recent years, we do 12 experience difficulties recruiting bus captains. 13 MR DUNCAN: Could I refer you, please, to CTB- 1 at page 24. 14 This is an extract from your first submission. 15 MR SAMUEL CHENG: Yes, sir. 16 MR DUNCAN: Can I bring your attention to the very last 17 paragraph on that page. In that paragraph, have you 18 referred to the fact that in order to comply with the 19 latest guidelines issued by the Transport Department, 20 and in order to meet your own internal targets, the 21 companies will need to engage some 121 additional bus 22 captains? 23 MR SAMUEL CHENG: Yes, sir. 24 MR DUNCAN: Does the company have any plan to increase the 25 remuneration of bus captains, in order to attract them</p>	<p>1 franchised bus captains. 2 So by all means familiarise yourself with the 3 document, but I'm going to ask you specifically about 4 the entry in clause 2.1. 5 CHAIRMAN: Mr Cheng, if you would like to take up 6 Mr Duncan's offer and familiarise yourself with the 7 whole document, we are about to have a morning break and 8 it may be that you could use that time so that you can 9 achieve that. Is that what you would like to do? 10 MR SAMUEL CHENG: Yes, sir. 11 CHAIRMAN: Very well. What we will do is we will take our 12 morning break for 20 minutes. We will resume in 13 20 minutes' time. 14 Yes? 15 MR SAMUEL CHENG: Chairman, sir, I've got a request. Could 16 we have the Chinese version, please, for our reading? 17 CHAIRMAN: Yes, of course. I'm sure a hard copy can be 18 given to you. 19 Mr Duncan, can we do that, a hard copy of the 20 Chinese? 21 MR DUNCAN: Certainly. 22 CHAIRMAN: So a 20-minute break. 23 MR SAMUEL CHENG: Thank you, sir. 24 (11.29 am) 25 (A short adjournment)</p>
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<p>1 to a position in your company? 2 MR SAMUEL CHENG: In March 2018, the company, for the bus 3 captains, in particular the new recruits, has already 4 put up the remuneration. The salaries package of the 5 company has to be in keeping with the labour market 6 situation. 7 MR DUNCAN: What was the increase in March? 8 MR SAMUEL CHENG: For the new recruits, it was 8 to 9 9 per cent increase. Sorry, for new recruits, they have 10 had about 6 per cent increase. 11 MR DUNCAN: The committee has received a number of 12 submissions which suggest that the remuneration 13 available to bus captains is not competitive with the 14 general transport market. I would like just to refer 15 you, please, to two of those submissions. 16 The first you will find in the miscellaneous bundle, 17 MISC-2, at page 644. It's actually a document that 18 starts, I think, at page 643. It's a two-page document, 19 received from the Democratic Alliance. 20 Have you seen this document before, Mr Cheng? 21 MR SAMUEL CHENG: No, sir. I'm reading it now though. 22 MR DUNCAN: Thank you. Take your time. The particular 23 aspect I want to bring to your attention is on the 24 second page, and is headed, under item 2, and in 25 particular 2.1, which talks about the current salary of</p>	<p>1 (11.51 am) 2 CHAIRMAN: Yes, Mr Duncan. 3 MR DUNCAN: Thank you, Mr Chairman. 4 Mr Cheng, did you get a chance to read that 5 document? 6 MR SAMUEL CHENG: I have done it, sir. 7 MR DUNCAN: The clause I was going to ask you about is 8 clause 2.1 on the second page, and in particular the 9 assertion that, according to the Democratic Alliance, 10 the current salary of franchised bus captains is around 11 15,000, which is around 2,000 less than that of 12 a non-franchised bus captain, 17,000. 13 Does that accord with your understanding of the 14 situation? 15 MR SAMUEL CHENG: Well, I'm not sure how many hours of duty 16 they are referring to. There are two figures being 17 cited, \$15,000 and \$17,000. For non-franchised buses, 18 we don't have any information. Then why don't we focus 19 our attention on the remuneration of our company? 20 In our company, the remuneration package of our bus 21 captains is in our first submission. 22 MR DUNCAN: Yes. I don't want to interrupt you. I'm going 23 to go to that in a few moments. So by all means, you 24 will have a chance at that time to explain all of that. 25 Is there anything else you want to say about that</p>

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<p>1 claim, that there's a difference of about \$2,000 between 2 franchised bus captains and non-franchised bus captains? 3 Is there anything that you would wish to say about that? 4 MR SAMUEL CHENG: For our company, I dispute the figure 5 15,000. That's because, for our bus captains, on 6 average they have two hours of additional duty. So 7 let's take ten hours of work on average, this is the 8 figure. And for the monthly salary, they are making 9 something like \$20,000. That's on the basis of ten 10 hours of work. 11 For the non-franchised buses, \$17,000 cited, I don't 12 have any idea how many hours they are referring to for 13 this amount of money. So I don't think I can make any 14 meaningful comparison. 15 MR DUNCAN: Thank you. Just before I take you to your own 16 remuneration figures, there's one other matter I would 17 like to refer to you, it having been provided to the 18 committee. That's to be found also in the MISC-2 19 bundle, this time at page 632. 20 There's a translation, Mr Chairman, at 642-2. 21 CHAIRMAN: Thank you. 22 MR DUNCAN: Could the original Chinese be brought up, 23 please, at page 632. 24 CHAIRMAN: And who is the author of this document? 25 MR DUNCAN: The author of this document, as I understand it,</p>	<p>1 MR SAMUEL CHENG: Mr Chairman, I defer to Mr Gareth Ng, head 2 of human resources and administration. 3 CHAIRMAN: Yes. Thank you. 4 MR GARETH NG: Mr Chairman, as Mr Cheng said just a moment 5 ago, for a bus captain, every month, if he is doing two 6 additional hours of overtime work, the pay will reach 7 something like HK\$20,000. 8 So here they are talking about the basic salary and 9 also the median wage. They are not comparing apples 10 with apples. 11 Thank you, Chairman. 12 MR DUNCAN: We'll get into a little bit more detail on this 13 in a few moments, but one way of interpreting what has 14 been said here is that the base salary of a franchised 15 bus captain, leaving aside overtime, is 15,364, or 16 thereabouts, compared with the base salary of the median 17 wage of land transport at 18,200. 18 Are you able to comment as to whether that's 19 a proper comparison? Leave aside overtime for the 20 moment. 21 MR GARETH NG: Mr Chairman, our understanding is as follows. 22 For this land transport median wage, it does include 23 overtime work, so it is not just covering the basic 24 salary. 25 Thank you.</p>
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<p>1 is the Confederation of Trade Unions, the Labour Party, 2 and the Federation of Bus Industry Trade Unions. 3 CHAIRMAN: Thank you. 4 MR DUNCAN: Mr Cheng, there is just one page to contend with 5 on this occasion. Could you familiarise yourself with 6 the document. I wish to ask you a question or two with 7 regard to the paragraph which appears towards the bottom 8 of the page and which is headed, "Protect the wage level 9 of bus captains, protect bus service quality". Do you 10 see that? 11 MR SAMUEL CHENG: Yes, sir. 12 MR DUNCAN: Thank you. Please take your time to read that, 13 and I'm going to ask you a question or two. 14 MR SAMUEL CHENG: I'm done, sir. 15 MR DUNCAN: The assertion in this document is: 16 "Currently the basic salary of newly joined bus 17 captain of the three bus companies is \$15,364, which is 18 far lower than the 'median range of land transport', 19 \$18,200, bus captains have no choice but work overtime 20 to sustain their living, it is not surprised that the 21 workforce of bus captains has been diminishing 22 continuously." 23 Just leave aside the comment, but the comparison 24 which the author of that document has advanced, does 25 that accord with your understanding?</p>	<p>1 MR DUNCAN: Is it true that the Transport Department does 2 not lay down at all what the salary, remuneration 3 conditions of bus captains should be? This is a matter 4 entirely for the company to determine? 5 MR GARETH NG: Correct. 6 MR DUNCAN: So let us have a look, if we could, just for a 7 few moments, at some of the remuneration figures with 8 which you have supplied the committee, Mr Cheng, and to 9 which you were referring a few moments ago. 10 I think we will find these at CTB-1, page 34. 11 You have set out for the committee there, in 12 paragraph 9, the remuneration packages of your full-time 13 bus captains. We first see those for Citybus, recruited 14 on or before March 1999, and a base salary of \$17,106. 15 Is that correct? 16 MR SAMUEL CHENG: Correct. 17 MR DUNCAN: Then if we turn the page to page 35, there's 18 a second group, recruited between 1999 and 8 March 2004, 19 with a basic salary of 15,874. 20 MR SAMUEL CHENG: Correct. 21 MR DUNCAN: Then there's a third group, those who are 22 recruited on or after 9 March 2004, with a base salary 23 of 15,364 up to 15,764. 24 MR SAMUEL CHENG: Correct. 25 MR DUNCAN: Then we have, not exactly the same, but we also</p>

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<p>1 have classifications for New World First Bus Services 2 Ltd, continuing on pages 35 and 36.</p> <p>3 If I understand matters correctly, the remuneration 4 on or after 9 March 2004 is identical for both 5 companies. So if you look at item (iii) on page 35, the 6 amounts are the same as appear under item (iv) for New 7 World First Bus; is that correct?</p> <p>8 MR SAMUEL CHENG: Correct.</p> <p>9 MR DUNCAN: Thank you. So let us just keep with page 35, if 10 we could. And please, I need to understand this 11 a little further.</p> <p>12 If one looks, as I no doubt have done, superficially 13 at this, one would get the impression, perhaps, that the 14 basic salary of bus captains is actually diminishing 15 rather than increasing. I get that simply by looking at 16 the basic salary of persons recruited between March 1999 17 and March 2004 at 15,874, and then recruited after 18 9 March 2004, 15,364 to 15,764. Are you able to explain 19 that? Are they in fact diminishing or what?</p> <p>20 MR SAMUEL CHENG: Bus captains were recruited at different 21 times and their basic salary was different. This is 22 because we looked at the prevailing demand and supply in 23 the labour market.</p> <p>24 MR DUNCAN: So there was in fact a decrease post-March 2004 25 from the position which had preceded that?</p>	<p>1 actual basic salary rate 15,364 to 15,764, today?</p> <p>2 MR SAMUEL CHENG: Correct.</p> <p>3 MR DUNCAN: So do I read this correctly that there has been 4 no increase in the basic salary since 2004?</p> <p>5 MR SAMUEL CHENG: No. Well, every year our company 6 negotiates and meets with the trade unions and staff 7 representatives over pay rise. For the figures that you 8 see here, in fact you are reading the pay levels for 9 2017. For the year 2018, we have to decide on that 10 after discussion with them. For the past ten years, 11 every year we have provided a pay increase. In fact, 12 I can say that for the past 20 years, other than the 13 time when Hong Kong's economy was in a poor shape, the 14 pay level was frozen. Otherwise, every year we did 15 increase the pay levels for our staff.</p> <p>16 MR DUNCAN: So in 2017, the basic salary for a bus captain 17 is 15,764; is that correct?</p> <p>18 MR SAMUEL CHENG: For a new recruit, 15,764 for 2017. 19 Sorry, it should be 15,364.</p> <p>20 MR DUNCAN: So why have we got "to 15,764"? Who gets 21 15,764?</p> <p>22 MR SAMUEL CHENG: Well, for a new recruit, he will be 23 getting 15,364, and then there will be an increment, 24 depending on the length of service. The longer you have 25 worked for the company, then the more you will get, and</p>
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<p>1 MR SAMUEL CHENG: Correct.</p> <p>2 MR DUNCAN: Right. Now, why is the basic salary of 3 15,364 -- sorry, let me ask you this again. What is the 4 basic salary today, 2018? Where we read "15,364 to 5 15,764", what is it today?</p> <p>6 MR SAMUEL CHENG: This is the basic salary that they are 7 getting, but our company is currently negotiating with 8 different trade unions as to the pay rise for 2018. 9 After the pay rise, the figure will be different.</p> <p>10 MR DUNCAN: So are you able to give an estimate of what the 11 difference will be, in percentage terms?</p> <p>12 CHAIRMAN: Perhaps you could say what the difference is 13 between the two sides.</p> <p>14 MR SAMUEL CHENG: Well, I have heard from the trade unions 15 that they have this claim. Well, some unions have asked 16 for an 8 per cent increase, other trade unions have 17 asked for an increase of 10 per cent.</p> <p>18 For the company, we have yet to decide on the rate 19 of increase. Therefore, at this moment, I cannot guess 20 as to how much more they were getting. Otherwise, 21 I will be sending out a wrong or misleading signal to 22 our trade union representatives, because I just now saw 23 representatives of the trade unions in the audience.</p> <p>24 MR DUNCAN: I understand, Mr Cheng. 25 Today, is the prevailing basic salary rate or the</p>	<p>1 you will reach 15,764.</p> <p>2 MR DUNCAN: So that's the maximum, 15,764, in 2017?</p> <p>3 MR SAMUEL CHENG: Correct.</p> <p>4 MR DUNCAN: Then, if I understand it correctly, that's less 5 than the bus captain would have been getting back in 6 2004, 15,874; is that correct?</p> <p>7 MR SAMUEL CHENG: I don't think you can draw such 8 a comparison. This is because they were recruited at 9 different times and they were subject to a different 10 remuneration structure.</p> <p>11 Now, you can see from the figures from our company, 12 for those recruited many, many years ago, they were paid 13 more. That was because at that time it was even more 14 difficult to recruit bus captains in Hong Kong than now. 15 With the improvement of the economy of Hong Kong, the 16 demand and supply in the labour market has also changed. 17 So, at that time, we offered a lower level of pay and we 18 were still able to recruit bus captains. Therefore, for 19 staff members recruited at different times, they are 20 having a different pay level.</p> <p>21 MR DUNCAN: I understand that, but is this the case -- to 22 make sure I have a correct understanding of this -- 23 a new recruit who joined the company on 7 March 2004 24 would have received a basic salary of \$15,874; is that 25 correct?</p>

Page 45	Page 47
<p>1 MR SAMUEL CHENG: Correct.</p> <p>2 MR DUNCAN: Is it also correct that if a new recruit joins</p> <p>3 the company today, his basic salary is \$15,364, some</p> <p>4 \$500 less than his counterpart joining in 2004; is that</p> <p>5 correct?</p> <p>6 MR SAMUEL CHENG: Correct.</p> <p>7 MR DUNCAN: Thank you.</p> <p>8 Now, there are other allowances to which you have</p> <p>9 referred on page 35. You have indicated just a few</p> <p>10 moments ago that your best bus captains, if I understand</p> <p>11 you correctly, generally, with overtime, would earn</p> <p>12 about \$20,000 per month. Is that a correct</p> <p>13 understanding of your evidence?</p> <p>14 MR SAMUEL CHENG: Correct.</p> <p>15 MR DUNCAN: Could you just break that down so we understand</p> <p>16 how he gets from 15,364 to 20,000?</p> <p>17 MR SAMUEL CHENG: So the basic salary is 15,364. Lower down</p> <p>18 you can see that for the overtime pay per hour, it's</p> <p>19 derived from this formula: basic salary to be divided by</p> <p>20 240 and multiplied by 1.5. So you get a figure. It</p> <p>21 would be around \$96 an hour. That is, if you do</p> <p>22 overtime work, you get \$96 an hour.</p> <p>23 For our bus captains, he works 25 days in a month.</p> <p>24 Every day, on average, he has two hours' overtime work.</p> <p>25 In other words, 50 hours' overtime per month. Then you</p>	<p>1 1998, thereafter, until now, all of them had the rate</p> <p>2 multiplied by 1.5.</p> <p>3 MR DUNCAN: So, given the differences, the 1.75, the 1.5 and</p> <p>4 the 1.35, have the overtimes rates increased over the</p> <p>5 years or have they decreased?</p> <p>6 MR SAMUEL CHENG: Whether there has been a decrease or</p> <p>7 increase, as I said for the Citybus, for the earliest</p> <p>8 stage, they had 1.75 and then 1.5. For First Bus, for</p> <p>9 those who switched over from CMB, it was 1.35, and</p> <p>10 thereafter they all had 1.5.</p> <p>11 So, for the same staff, if he enjoys 1.5, then he's</p> <p>12 always on 1.5. Depending on the basic salary, the</p> <p>13 overtime rate will also increase per hour.</p> <p>14 So, for the same person, for instance, with the</p> <p>15 passage of time, the overtime pay will not experience</p> <p>16 any decrease.</p> <p>17 MR DUNCAN: What about page 34:</p> <p>18 "Overtime paid per hour: basic salary/240 x 1.75".</p> <p>19 That's a higher rate, is it not, than basic salary</p> <p>20 divided by 240, times 1.5?</p> <p>21 MR SAMUEL CHENG: There is a difference when it comes to the</p> <p>22 sum worked out from that.</p> <p>23 MR DUNCAN: The basic salary, if I understand you correctly,</p> <p>24 is reflective of eight hours' work; is that correct?</p> <p>25 MR SAMUEL CHENG: Yes, correct, sir.</p>
<p>Page 46</p> <p>1 apply the figure I mentioned, \$96 per hour, and then you</p> <p>2 will get a figure of \$4,800 a month. That's the</p> <p>3 overtime pay. \$4,800, and to that you add 15,364, which</p> <p>4 is the basic salary, and you will get the figure 20,164.</p> <p>5 That's the basis of what I said earlier on, roughly</p> <p>6 \$20,000 a month.</p> <p>7 Thank you.</p> <p>8 MR DUNCAN: If you look back at page 34 of the bundle, the</p> <p>9 overtime rate which prevailed before March 1999 was</p> <p>10 different from the overtime rate which applies today; is</p> <p>11 that correct?</p> <p>12 MR SAMUEL CHENG: Yes, they are different, correct.</p> <p>13 MR DUNCAN: Likewise, for the period between March 1999 and</p> <p>14 8 March 2004, the overtime rate is different from that</p> <p>15 which applied in 1999?</p> <p>16 MR SAMUEL CHENG: Correct.</p> <p>17 MR DUNCAN: So has the overtime rate increased or decreased?</p> <p>18 MR SAMUEL CHENG: Before March 1999, those who joined would</p> <p>19 have the overtime rate multiplied by 1.75. March 1994</p> <p>20 to March 2004, the overtime rate, it is multiplied by</p> <p>21 1.5. After March 2004, the rate is multiplied by 1.5.</p> <p>22 That's for Citybus.</p> <p>23 For New World First Bus, it is somewhat different.</p> <p>24 For NWFB, for those who switched over from CMB, the rate</p> <p>25 was multiplied by 1.35; that was in 1998. In September</p>	<p>Page 48</p> <p>1 MR DUNCAN: In fact, do any of your drivers work just for</p> <p>2 eight hours?</p> <p>3 MR SAMUEL CHENG: They are in the minority. On average,</p> <p>4 they work for ten hours.</p> <p>5 MR DUNCAN: Is it a significant minority or a tiny minority?</p> <p>6 MR SAMUEL CHENG: My colleague has to have a look at the</p> <p>7 information first.</p> <p>8 CHAIRMAN: Please take your time.</p> <p>9 MR SAMUEL CHENG: If their duty hours are eight hours to</p> <p>10 eight hours and 30 minutes, then the percentage is about</p> <p>11 12 per cent.</p> <p>12 MR DUNCAN: Is there a dynamic here at all? I mean, do most</p> <p>13 drivers want to work the overtime, or is it a situation</p> <p>14 of the bus company saying, "You have no choice, you must</p> <p>15 work the overtime"? What's the climate in that respect?</p> <p>16 MR SAMUEL CHENG: The company makes the arrangement for the</p> <p>17 shifts for the bus captains. If the shift involves</p> <p>18 overtime, then the bus captain will have to work</p> <p>19 overtime.</p> <p>20 MR DUNCAN: He doesn't really have a choice?</p> <p>21 MR SAMUEL CHENG: No, they don't have a choice. However,</p> <p>22 for our bus captains, between them, they can swap their</p> <p>23 shifts or their duties with mutual consent.</p> <p>24 MR DUNCAN: In your view, Mr Cheng, is the amount of</p> <p>25 remuneration that the company is able to provide to bus</p>

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<p>1 drivers an inhibitor to people wanting to apply for 2 a position as a bus captain? 3 MR SAMUEL CHENG: That's not the main reason. Obviously, 4 what level of pay will attract people to join, it varies 5 from person to person. Some may consider 15,000 6 reasonable, whereas some others consider that on the low 7 side. So it varies from person to person. 8 The difficulty with recruitment lies, amongst 9 others, in the fact that those who are willing to sign 10 up to become bus captains are mostly living in remote 11 areas, like in housing estates. If they are required to 12 travel all the way to turn up for work and then travel 13 back after work all the way, then they consider that 14 unsuitable. 15 It is, to our knowledge, the main reason. There are 16 people turning up wanting to be bus captains every day, 17 but there is a difference between the number of people 18 turning up and the number of vacancies. We have 19 consistent vacancies. It doesn't mean that they don't 20 want the salaries. 21 MR DUNCAN: The matter to which you have just referred, the 22 people living in public housing estates in the New 23 Territories, that is something which is in your 24 submission, I think, at page 29, CTB-1/29. 25 MR SAMUEL CHENG: Yes, I did indeed, sir.</p>	<p>1 MR DUNCAN: Mention has been made already of remuneration, 2 mention is made of the difficulty because people live in 3 the outlying areas of the New Territories. Are there 4 any other particular factors which have contributed over 5 the years to what seems to be a shortage of bus drivers? 6 MR SAMUEL CHENG: As a matter of fact, we have difficulties 7 recruiting bus captains. It happens over the past few 8 years. 9 I would like to take this opportunity to make 10 available some information to the committee. 11 For the past few years, we have found that for the 12 spare bus captains, for the purpose to cover staff 13 members on sick leave, have to be increased in the 14 number all the time. I think -- we believe -- well, let 15 me say this. I think the reason being that our bus 16 captains are applying for more and more sick leaves over 17 the past few years, and therefore we have had this 18 problem of not having enough bus captains. This is one 19 of the reasons. We have to recruit bus captains but 20 then there are bus captains who have applied for sick 21 leave, and some of them, we have reason to believe or we 22 have suspected that it's a matter of abuse of sick 23 leave. 24 Of course, when this happens, and if we have hard 25 evidence, we did dismiss the relevant bus captain</p>
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<p>1 MR DUNCAN: Has the company given any consideration to ways 2 in which that problem might be overcome, apart of course 3 from changing all the routes? I'm thinking of shuttle 4 buses, other means of transport for the drivers, things 5 such as that. Has the company addressed measures which 6 might ameliorate that situation? 7 MR SAMUEL CHENG: We have all along provided vehicles to 8 take the staff to and from work. But we will not pick 9 them up at their doorstep. We have different zones in 10 our pickup service. 11 MR DUNCAN: What sort of vehicles do you provide for that? 12 MR SAMUEL CHENG: Our buses. 13 MR DUNCAN: On regular routes? 14 MR SAMUEL CHENG: Yes, indeed, at fixed points, fixed 15 routes. 16 MR DUNCAN: What about shuttle buses, direct routes, so that 17 people can go quickly from their housing estate to the 18 terminus? Has that been considered? 19 MR SAMUEL CHENG: Let me elaborate a little bit further. 20 These are staff buses. They are not the buses for the 21 franchised routes. These are the buses that are 22 deployed to areas where we have a large number of bus 23 captains living there. We pick them up and we will come 24 back to the depot. Our depot is the place where they 25 sign in.</p>	<p>1 immediately. In other cases, it was highly suspicious, 2 we thought it was a matter of abuse of sick leave and we 3 have acted on them. 4 Now, it is always said that there aren't enough bus 5 captains. So it isn't the case that we haven't got any 6 applicants. In fact, every day we have applicants, and 7 for our bus driver training section every day we have 8 new recruits joining the training section and get 9 trained. 10 I think the main point is that the issue of sick 11 leave is causing us a headache. 12 Thank you. 13 MR DUNCAN: Can I take you to page 29 of your first 14 submission. So that's CTB-1/29. 15 At the bottom of the page, there's reference to 16 unsocial working hours. 17 MR SAMUEL CHENG: Yes. 18 MR DUNCAN: Just before I ask a question about that, could 19 I take you, please, also to page 28, the previous page, 20 where you talk about operational efficiency leading to 21 a splitting of 14 hours between a full-time bus captain 22 working for ten hours and a part-time bus captain 23 working for four hours. 24 So, in the light of those comments, could you give 25 the committee some idea of a typical working day for</p>

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<p>1 a bus driver who works the ten hours? When does he 2 start, when does he finish, when does he take his rest 3 time? 4 MR SAMUEL CHENG: May I defer to Mr Chung, head of 5 operations. 6 MR WILLIAM CHUNG: Mr Chairman, for a normal duty shift, at 7 about 6 am -- 8 INTERPRETER: Sorry, the speaker is not close to the mic 9 enough. 10 MR WILLIAM CHUNG: -- for those on the morning shift, they 11 start at about 5 or 6. Generally speaking, at about 1 12 or 2 o'clock, he will finish the duty, and then he will 13 be or his work will be taken over by someone from the 14 night shift. So we have the morning shift as well as 15 the night shift. 16 So, for a night shift bus captain, he will start at 17 2 or 3, up to 12 midnight. In addition, we have got 18 shifts which run longer, so they start at about 6 or 7 19 and work until 7 or 8 in the evening, covering the peak 20 hours. Some would also knock off at 6 or 7 o'clock, and 21 after that, as we have said, we will get part-time bus 22 captains to work for a few more hours so as to cover the 23 evening peak hours. 24 Thank you, Mr Chairman. 25 MR DUNCAN: So those hours would necessitate some rest times</p>	<p>1 make preparation, like inspecting the bus. For every 2 trip, one-way trip, when he comes back to the bus 3 terminus, there is time for layover, so a brief pause. 4 So then he can alight from the bus to go to the restroom 5 or to have a sip of water. 6 MR DUNCAN: So his tea break and his meal break, he is paid 7 overtime for that; is that correct? So, if he works ten 8 hours, an hour or so of which is a meal break, he's 9 getting eight hours at the standard rate plus two hours 10 of overtime; is that a correct understanding? 11 My question is aimed at the meal break. Is he paid 12 for the meal break? 13 MR WILLIAM CHUNG: Correct. The meal break as well as the 14 rest times are paid. 15 MR DUNCAN: Right. 16 Look at page 30, CTB-1, page 30. The writer has 17 referred to "demands and aspirations of bus captains", 18 and amongst them are the aspirations for more facilities 19 at the bus terminals. 20 What exactly are the aspirations in that respect? 21 MR SAMUEL CHENG: At the bus terminus, generally speaking 22 there's a room for the bus captains to take a break. 23 Generally speaking, it is rather small. This is because 24 the company doesn't own the land. Usually, it would be 25 on the property, on a private property. We always want</p>
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<p>1 for the drivers during those different shift periods; is 2 that correct? 3 MR WILLIAM CHUNG: Correct. We follow the guidelines on bus 4 captain duty hours and rest times, so as to arrange for 5 their duty hours and meal hours. 6 MR DUNCAN: So a rest time, if I understand, could be up to 7 two to three hours in the course of a shift; is that 8 correct? 9 MR WILLIAM CHUNG: Could be, but just for a minority. 10 Generally speaking, if we are talking about a longer 11 shift, having 12 or 13 hours, then our arrangement will 12 be such that there will be a tea break, at least 13 30 minutes of tea break. Then there is also a meal 14 break with at least 60 minutes. 15 If we talk about a ten-hour shift, then perhaps he 16 will only get one meal break no less than one hour's 17 length. 18 MR DUNCAN: Right. So, if he is working ten hours from 19 start to finish, for what period would he be driving 20 through those ten hours, approximately, on average? 21 Eight hours? Nine hours? 22 MR WILLIAM CHUNG: Well, if somebody is on a ten-hour shift, 23 then the driving hours would generally be about eight 24 hours or so, because you have to take out an hour's meal 25 break, and before he starts he will be given time to</p>	<p>1 to provide a larger room for our bus captains, and this 2 is exactly what our bus captains would like to get. 3 There is one other point. At the bus terminus, you 4 may not have a toilet nearby, but then our bus captains 5 do have to use a toilet. So there's the demands and 6 aspirations of our bus captains. They are the sort of 7 facilities they want the company to provide. 8 MR DUNCAN: We will look later on at the special shift 9 arrangements that exist under the new guidelines. We 10 will explore those later. But if I could just touch on 11 those for the moment. 12 If I understand things correctly, the company is 13 going to try and limit the duty hours under those 14 guidelines to something like 13 hours as opposed to 15 14 hours, which is the guideline, but there is going to 16 be a limitation within those 13 hours as to the actual 17 amount of time the driver has to spend driving the bus. 18 Is that correct? 19 MR WILLIAM CHUNG: Correct. 20 MR DUNCAN: And built into that arrangement are rest times 21 for the drivers; is that correct? 22 MR WILLIAM CHUNG: Yes. 23 MR DUNCAN: So where would the bus company expect the driver 24 to spend his rest time during those duty hours? Are 25 there any facilities made available to him to have</p>

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<p>1 a rest?</p> <p>2 MR WILLIAM CHUNG: Currently, we don't have such special</p> <p>3 shifts and therefore we haven't got such facilities.</p> <p>4 But then, in the light of the new guidelines, there's</p> <p>5 a need on our part to introduce the special shifts, and</p> <p>6 we have already talked to our staff representatives and</p> <p>7 trade union representatives, at our depots and at places</p> <p>8 where we park our buses we are going to provide such</p> <p>9 facilities, so that bus captains may take a rest at such</p> <p>10 facilities.</p> <p>11 In addition, they don't necessarily have to stay at</p> <p>12 such a facility. If, say for example, their homes are</p> <p>13 nearby, they may go home.</p> <p>14 MR DUNCAN: Given the issues that Mr Cheng has raised, with</p> <p>15 toilets and lack of land that can be occupied at the</p> <p>16 termini, what prospects are there of having appropriate</p> <p>17 facilities for a bus captain who's on duty for 13 hours</p> <p>18 that wants, as he is entitled to under the guidelines,</p> <p>19 to have a rest for two to three hours? What facilities</p> <p>20 are likely to be available?</p> <p>21 MR WILLIAM CHUNG: Just now, I mentioned our depot as well</p> <p>22 as the places where we park our buses. At such</p> <p>23 locations, the site constraints will be different from</p> <p>24 that at bus termini. So, at those locations, we are</p> <p>25 able to provide a larger room for them to take a rest.</p>	<p>1 There are some suggestions to the company that there</p> <p>2 should be more allowance for doctors' visits, more</p> <p>3 visits to the doctor.</p> <p>4 Thank you.</p> <p>5 MR DUNCAN: I don't need details, but is there a bus pass</p> <p>6 system of some sort? Is there a bus pass for families?</p> <p>7 MR SAMUEL CHENG: Yes. We do provide staff members with</p> <p>8 free bus passes. At the moment, they are available.</p> <p>9 However, I have heard from some staff members the</p> <p>10 request that they want one or two additional bus passes,</p> <p>11 and they want less restrictions on the bus passes. This</p> <p>12 is what I have heard.</p> <p>13 MR DUNCAN: There is no medical cover for your employees, as</p> <p>14 I understand it; is that correct?</p> <p>15 MR SAMUEL CHENG: Yes, there is medical cover. That</p> <p>16 includes GP visits and also hospitalisation.</p> <p>17 MR DUNCAN: Again, I wonder if your HR department could</p> <p>18 provide the committee with details of that medical</p> <p>19 cover. Would that be possible?</p> <p>20 MR SAMUEL CHENG: Yes, certainly, sir. My colleague Mr Ng,</p> <p>21 Mr Gareth Ng, can supplement.</p> <p>22 MR DUNCAN: We don't need it now. There is no doubt --</p> <p>23 something in writing which the committee can digest.</p> <p>24 MR SAMUEL CHENG: No problem, sir.</p> <p>25 MR DUNCAN: You mentioned a few moments ago depots and</p>
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<p>1 It will be air-conditioned, there will be refrigerators</p> <p>2 and facilities like microwaves, microwave ovens, and</p> <p>3 there will be chairs for them to take a rest.</p> <p>4 MR DUNCAN: So do I understand that these facilities do not</p> <p>5 currently exist but when the special shifts are</p> <p>6 introduced they will be available?</p> <p>7 MR WILLIAM CHUNG: That's correct, because it will take time</p> <p>8 to make preparation.</p> <p>9 MR DUNCAN: Just before we leave page 30, TD-1/30, there</p> <p>10 seems to be some demands and aspirations from bus</p> <p>11 captains for fringe benefits. What sort of fringe</p> <p>12 benefits have they sought?</p> <p>13 Sorry, I'm looking at the top of page 30, and (ii)</p> <p>14 at the top, "In our view, the demands and aspirations of</p> <p>15 bus captains include the following", and item (ii),</p> <p>16 "Better remuneration and more fringe benefits".</p> <p>17 What sort of fringe benefits have they sought in the</p> <p>18 past?</p> <p>19 MR SAMUEL CHENG: Well, for fringe benefits, they want more</p> <p>20 holidays and they want bus passes for family members,</p> <p>21 and they want less restrictions. For instance, their</p> <p>22 children should have bus passes. There are some</p> <p>23 suggestions that there should not be any age limit.</p> <p>24 Their child can be 40 years old, they still want a bus</p> <p>25 pass for him. That's something I've heard of.</p>	<p>1 termini. How many depots does the company have?</p> <p>2 MR SAMUEL CHENG: Altogether six, big and small -- or more</p> <p>3 than six in fact. Some are smaller, or smaller scale.</p> <p>4 MR DUNCAN: Are they on Hong Kong Island?</p> <p>5 MR SAMUEL CHENG: Yes. On Hong Kong Island there are three</p> <p>6 depots, and on Lantau we have two, and in other places,</p> <p>7 in Kowloon also, but of a smaller scale. Mainly on</p> <p>8 Hong Kong Island, yes.</p> <p>9 MR DUNCAN: Just go back to the question of salaries for</p> <p>10 a moment, remuneration. Could you look at page 36, so</p> <p>11 CTB-1/36, please.</p> <p>12 There is, at the bottom of that page, reference to</p> <p>13 a reward for good performance. CTB-1/36. Do you see</p> <p>14 the reference there, "Reward for good performance"?</p> <p>15 MR SAMUEL CHENG: Yes, sir.</p> <p>16 MR DUNCAN: And there's reference to a safety bonus,</p> <p>17 performance bonus and attendance bonus, and there's</p> <p>18 reference to a demand by staff unions "these bonuses</p> <p>19 were reclassified to basic salaries".</p> <p>20 So do I understand from that that these are paid</p> <p>21 irrespective of whether it's safety or performance or</p> <p>22 attendance; it's simply a supplement to the basic</p> <p>23 salary?</p> <p>24 MR SAMUEL CHENG: Yes, correct.</p> <p>25 MR DUNCAN: So does it follow then that at the moment,</p>

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<p>1 there's no remuneration incentive for a person to 2 maintain a safe driving record? 3 MR SAMUEL CHENG: We do have a discipline system here. If 4 there are problems with safety, there may not be any 5 safety bonus. That can be deducted. However, we will 6 mete out disciplinary action to them. For those who are 7 subject to disciplinary action and they are not making 8 improvements, then the disciplinary action would be 9 escalated, and if it persists, they will be dismissed. 10 MR DUNCAN: So how long were these safety bonuses in place? 11 MR SAMUEL CHENG: Well, this safety bonus has been around 12 for many years. Until March 2018, we merged that into 13 the basic salaries. 14 MR DUNCAN: When you say you merged it into the basic 15 salaries, do the basic salaries then go up? 16 MR SAMUEL CHENG: There are two aspects here. First, there 17 will not be any deduction of the bonus, because it's 18 been reclassified into the basic salaries, and this has 19 become part of the basic salaries. When it comes to 20 working out the overtime pay, the base factor would 21 increase. 22 MR DUNCAN: But also the basic salary would increase 23 reasonably significantly, would it not, if there was 24 a safety bonus of 1,285 to 1,552 a month, that would 25 have quite an effect on the basic salary, would it not?</p>	<p>1 year, when it comes to pay adjustment, there would be 2 an increase as a result of that merge. 3 MR DUNCAN: So if we go back to the day when a safety bonus 4 existed -- 5 CHAIRMAN: Mr Duncan, before we get involved in that, 6 I think we should take the break now for lunch. But can 7 I ask you to ask Mr Cheng or one of his colleagues to 8 provide us with details of how these systems worked. It 9 appears to be something that was in place that you lost 10 or it was deducted if you didn't fulfil certain 11 criteria, and I would invite you to explore that after 12 lunch. 13 MR DUNCAN: Certainly. 14 MR SAMUEL CHENG: Thank you, sir. 15 MR DUNCAN: We will adjourn now until 2.30. Thank you. 16 (12.59 pm) 17 (The luncheon adjournment) 18 (2.31 pm) 19 CHAIRMAN: Good afternoon. Yes, Mr Duncan. 20 MR DUNCAN: Thank you, Mr Chairman. 21 Good afternoon, gentlemen. 22 Mr Cheng, I think before the break I had asked you 23 to look at CTB-1, page 36 -- if we could just bring that 24 up, please -- and I had begun to ask you some questions 25 about the "Reward for good performance" part of this</p>
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<p>1 MR SAMUEL CHENG: Previously, that's not part of the basic 2 salary, right. 3 MR DUNCAN: What drove the staff unions to have this 4 reclassified as a basic salary? 5 MR SAMUEL CHENG: There are three reasons. First, for the 6 three bonuses, if they are not reclassified into basic 7 salaries, then it is likely that there will be 8 deductions. Say, for instance, if a bus captain is 9 unsafe in his driving, it is likely that the safety 10 bonus will be deducted. If a bus captain is impolite to 11 the passengers, then the performance bonus will go. If 12 a bus captain doesn't observe the attendance, then the 13 attendance bonus will be deducted. 14 So, for these three bonuses, if they are 15 incorporated into the basic salaries, then there will be 16 no prospect of deduction. That's reason number one. 17 Second, as I said just a moment ago, the calculation 18 of overtime pay. 19 Third, each year, when it comes to pay hikes, we 20 will adjust the basic salaries. 21 For these three bonuses, there is no adjustment, 22 with the exception of 2017, when we made the adjustment. 23 Prior to 2017, all these bonuses, the level remained 24 unchanged for many years. Now they have been 25 incorporated into the basic salaries. Effectively each</p>	<p>1 page, at the bottom. 2 You told us just before the luncheon break that the 3 safety bonus had been there for quite some time, and we 4 know from your submission that it has now been 5 reclassified to part of the basic salary. 6 Prior to that reclassification, what were the 7 criteria which were to determine whether or not 8 a particular individual was entitled to the safety 9 bonus? 10 MR SAMUEL CHENG: Mr Chung, my colleague, will answer this 11 question. 12 MR WILLIAM CHUNG: Mr Chairman, in relation to the safety 13 bonus, we try to see if the bus captain has committed 14 any mistakes when it comes to driving, and then there 15 will be deductions. Maybe it is due to a traffic 16 accident or he has been complained by passenger for 17 improper driving. It may also be the case that we have 18 found exceedance of the speed limit as a result of the 19 black box data. 20 We have got driving instructors or inspectors. They 21 are on board to assess his performance. If it is found 22 that there has been improper driving, then depending on 23 the extent, there will be deductions. 24 Thank you. 25 MR DUNCAN: When you say there would be deductions, this is</p>

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<p>1 actually termed to be a bonus. It's a plus, isn't it, 2 a bonus? 3 MR SAMUEL CHENG: Mr Chairman, if a staff member has not 4 committed any mistakes, then he's going to collect the 5 full amount of the bonus. However, if he has committed 6 a mistake, depending on the extent, then the bonus will 7 be deducted to a certain extent. 8 Thank you. 9 MR DUNCAN: I understand. 10 What about the performance bonus; what were the 11 criteria for the performance bonus? 12 MR SAMUEL CHENG: Mr Chung, please. 13 MR WILLIAM CHUNG: Yes, for the performance bonus, we mainly 14 look at the customer service. Say, for example, he has 15 been complained by a passenger for poor attitude, and if 16 it has been established, then his performance bonus will 17 be deducted. 18 MR DUNCAN: So no complaint, no deduction; it would be 19 an automatic payment? 20 MR WILLIAM CHUNG: Correct. 21 MR DUNCAN: Attendance bonus: what was the criteria for 22 that? 23 MR SAMUEL CHENG: This is the attendance bonus. Say, for 24 example, for that particular month, he has full 25 attendance. That is, after then the leave he has been</p>	<p>1 World First Bus Services Ltd for disciplinary actions 2 against normal bus terminus supervisor and bus captains 3 who are in breach? Does that contain the guidelines? 4 MR SAMUEL CHENG: Yes, I do see the guideline. 5 MR DUNCAN: If you look at the end of the guidelines, that's 6 page 209-2 in particular of the translation, you will 7 see guidelines which deal with breaches of speed limits 8 by the bus driver? 9 MR SAMUEL CHENG: Yes, I see that. 10 MR DUNCAN: And the sanctions can be seen there as well. 11 MR SAMUEL CHENG: Yes. 12 MR DUNCAN: Oral warnings, written warnings, and ultimately 13 perhaps dismissal, without the need for payment in lieu. 14 Are those the sorts of sanctions that the company might 15 consider? 16 MR SAMUEL CHENG: Yes. 17 MR DUNCAN: So do I understand correctly that under the 18 current system, post-reclassification, there is no 19 provision for any loss of income with regard to a speed 20 breach? 21 MR SAMUEL CHENG: You are correct. 22 MR DUNCAN: That is a different situation from that which 23 prevailed prior to reclassification, in that previously, 24 if a person had breached the speeding limit, then 25 amounts otherwise payable to him would be withheld. Is</p>
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<p>1 assigned, if he has been attending on all the days 2 assigned to him, then he will get the full amount of the 3 attendance bonus. However, had he been absent, then the 4 bonus will be deducted proportionately. 5 Thank you. 6 MR DUNCAN: With regard to the situation post the 7 reclassification, I would like just to ask about 8 a couple of matters. 9 Is it the position at the moment, then, that there's 10 no financial incentive offered to any driver to adopt 11 safe driving measures? 12 MR SAMUEL CHENG: As far as financial incentives are 13 concerned, yes, I agree, there would no longer be 14 an incentive as you have said. 15 But let me say this again. Safe driving is their 16 duty. If a bus driver fails to do that, then we will 17 look at the breach that he has committed, we will look 18 at the degree of seriousness. Depending on the 19 severity, we will hand out different degrees of 20 disciplinary action. 21 Thank you. 22 MR DUNCAN: If I was to take you, please, to CTB-2 at 23 page 209 -- the translation at 209-1 and -2. 24 MR SAMUEL CHENG: Yes. 25 MR DUNCAN: Do we see set out there the guidelines of New</p>	<p>1 that a correct understanding? 2 MR SAMUEL CHENG: Correct. 3 MR DUNCAN: Just with regard to the effect of the 4 reclassification, if we go back to page 36 of CTB-1, if 5 we start with the new recruit at the moment, his 6 basically salary, if I understand correctly, would be 7 \$15,364. Is that correct? 8 MR SAMUEL CHENG: Correct. 9 MR DUNCAN: Then he would have added to that a reclassified 10 safety bonus of at least 1,285? 11 MR SAMUEL CHENG: Well, for the various bonuses, they have 12 already been included in the sum of 15,364. 13 MR DUNCAN: What about the performance bonus of 362 per 14 month? 15 MR SAMUEL CHENG: The three bonuses covering safety, 16 performance and attendance, they have already been 17 included in the sum of \$15,364. 18 MR DUNCAN: I see. When did this reclassification actually 19 take place? 20 MR SAMUEL CHENG: 1 March 2018. 21 MR DUNCAN: So when you have at (iv) on that page, 22 "Recruited on or after 9 March 2004", the figure of 23 15,364 would in fact be much less prior to 1 March 2018? 24 You would have had a figure plus these other bonuses; is 25 that correct?</p>

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<p>1 MR SAMUEL CHENG: All the three bonus have been added and 2 then you will get 15,364. 3 MR DUNCAN: Right. That's today, isn't it? 4 MR SAMUEL CHENG: Correct. 5 MR DUNCAN: Let's go back 12 months. What would the basic 6 salary have been 12 months ago? 7 MR SAMUEL CHENG: Mr Chung, my colleague, will do the sums 8 now. 9 CHAIRMAN: Yes. Take your time. 10 MR SAMUEL CHENG: Thank you, Mr Chairman. 11 MR GARETH NG: I beg your pardon, Chairman. Let me give 12 an example. 13 The bonus reclassified into basic salary went into 14 effect on 1 March. On 1 February, prior to this 15 reclassification, the basic salary was 12,536. 16 MR DUNCAN: Thank you. 17 CHAIRMAN: So on what basis is it asserted on page 36 that 18 if you were recruited on or after 9 March 2004 your 19 basic salary was 15,364, and you now tell us that if you 20 were recruited on 1 February 2018, your basic salary was 21 12,536? 22 MR GARETH NG: Mr Chairman, would you repeat, please? 23 CHAIRMAN: Yes. I'm looking at page 36. In the middle of 24 that page, it asserts: 25 "(iv) Recruited on or after 9 March 2004.</p>	<p>1 MR DUNCAN: Thank you, Mr Cheng. I'm going to move from 2 remuneration now, but keeping with the topic of 3 recruitment, the question of female or lady 4 drivers -- what proportion of your drivers are females? 5 MR SAMUEL CHENG: Less than 10 per cent. However, I would 6 like to stress one point. When we mount recruitment, we 7 give equal treatment to male and female and we don't 8 give any priority to any particular gender. So those 9 who turn up for employment, the number of males 10 outnumbers females. 11 MR DUNCAN: Has the company considered any initiatives to 12 increase the interest in bus captaincy amongst the 13 female population? 14 MR SAMUEL CHENG: We have recruitment advertisements. There 15 are three faces of our bus captains. One of the faces 16 is a female bus captain. That way, we hope that the 17 members of the public will know that female population 18 would be welcome to join as bus captains. 19 MR DUNCAN: Are there any female part-time drivers? 20 MR SAMUEL CHENG: We are not sure, but even if there are, 21 the number would not be high. 22 MR DUNCAN: Can I ask you to look at page 29 of the bundle, 23 again on your submission. So CTB-1/29. It's on that 24 page that you have informed -- 25 MR SAMUEL CHENG: Yes, sir.</p>
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<p>1 Basic salary: 15,364." 2 You now tell us that if you were recruited on 3 1 February 2018, your basic salary is 12,536. 4 MR SAMUEL CHENG: If I may explain once again. 5 Starting from 1 March, the three bonuses were 6 reclassified into basic salaries. Let's say in February 7 2018, the basic salary was 12,536, and the bonuses 8 amounting to 2,328 was reclassified to basic salaries, 9 and the basic salaries were put up by \$500. Adding all 10 together, it amounts to 15,364. Let me repeat the 11 numbers again. 12,536, 2,328 and 500. Adding them 12 together would amount to 15,364. 13 CHAIRMAN: I hear what you say, but I don't understand what 14 you say. 15 MR SAMUEL CHENG: Let me repeat. In February, before the 16 changes took place, the new recruits had the basic 17 salary standing at 12,536. And I mentioned the three 18 bonuses. The three bonuses together amounted to 2,328. 19 On 1 March, this 2,328 by way of bonuses were 20 classified to basic salaries. At the same time, we 21 added or we increased the basic salaries by \$500 for all 22 the bus captains. So, in March, the basic salary comes 23 to 15,364, but the bonuses were not there because they 24 had been incorporated into the basic salaries. 25 CHAIRMAN: I've heard you again.</p>	<p>1 MR DUNCAN: -- the committee as to the number of part-time 2 bus captains registered with the companies. We can see 3 that these, at the time of the submission, totalled some 4 346 bus captains. 5 I understand also from your submission -- this is at 6 page 36 of the bundle -- that the part-time bus captains 7 are paid an hourly rate of \$80. Is that the sum total 8 of their remuneration? 9 MR SAMUEL CHENG: Correct, because each hour, they get paid 10 on an hourly basis. 11 MR DUNCAN: How long has that rate prevailed? 12 MR SAMUEL CHENG: This rate started from 1 March. 13 MR DUNCAN: This year? 14 MR SAMUEL CHENG: 2018. 15 MR DUNCAN: Yes. What was it previously? 16 MR SAMUEL CHENG: It was 75, if my memory serves any 17 correctly. 18 MR DUNCAN: Is this something which is subject to an annual 19 review? 20 MR SAMUEL CHENG: Not necessarily, because we have to look 21 at the market. We have to look at the prevailing market 22 rate for part-time then we have the corresponding 23 number. 24 MR DUNCAN: Do any of your office workers at Citybus or 25 New World act from time to time as part-time bus</p>

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<p>1 drivers?</p> <p>2 MR SAMUEL CHENG: When they finish the work or when they are</p> <p>3 on holiday, yes, sometimes.</p> <p>4 MR DUNCAN: What sort of numbers would be in that category?</p> <p>5 MR SAMUEL CHENG: At the moment, it is 179.</p> <p>6 MR DUNCAN: So roughly half of the current part-time</p> <p>7 establishment are office workers at the company?</p> <p>8 MR SAMUEL CHENG: No. If you look at -- in our previous</p> <p>9 submission which you quoted, 314 is the number for First</p> <p>10 Bus, and there is another number for Citybus, 346.</p> <p>11 Altogether the number stands at 660.</p> <p>12 MR DUNCAN: Oh, I see. Sorry, could you take me to that</p> <p>13 number again? I've got 346 at page 29.</p> <p>14 MR SAMUEL CHENG: Yes, sir. 346 for Citybus, 314 for First</p> <p>15 Bus. Altogether, 660.</p> <p>16 MR DUNCAN: Of which approximately -- you gave a figure --</p> <p>17 179 would work in the offices of either of those two</p> <p>18 companies?</p> <p>19 MR SAMUEL CHENG: That's correct, sir.</p> <p>20 MR DUNCAN: Leaving aside the office workers, most of the</p> <p>21 other part-time works presumably would have other</p> <p>22 employment; is that your understanding?</p> <p>23 MR SAMUEL CHENG: That's correct.</p> <p>24 MR DUNCAN: If we look, please, at page 59 of the bundle,</p> <p>25 CTB-1 at 59.</p>	<p>1 rest time, could I ask you to look at page 401, please,</p> <p>2 the second page of the document. You see the first</p> <p>3 heading, "Important information", and item 3. Does that</p> <p>4 read, "Are you currently working part-time? If yes,</p> <p>5 what is the work nature and the working hours?"</p> <p>6 MR SAMUEL CHENG: Yes.</p> <p>7 MR DUNCAN: So each applicant, either for full-time or</p> <p>8 part-time work, would be required to complete that part</p> <p>9 of the form?</p> <p>10 MR SAMUEL CHENG: Yes.</p> <p>11 MR DUNCAN: Then if you go through to page 402, page 3 of</p> <p>12 the document, we see a declaration, pages 402 and 403.</p> <p>13 MR SAMUEL CHENG: Yes, I see that.</p> <p>14 MR DUNCAN: Do I understand correctly that that is also</p> <p>15 required to be filled out at the time of the</p> <p>16 application?</p> <p>17 MR SAMUEL CHENG: May I defer to my colleague Mr Ng?</p> <p>18 MR DUNCAN: Certainly.</p> <p>19 MR GARETH NG: Mr Chairman, yes. For this particular form,</p> <p>20 the applicant has to fill out this part. But let me</p> <p>21 supplement. If he has omitted anything, it means that</p> <p>22 we will not be able to know. Say, for example, if he</p> <p>23 applies for a post with us, on the right-most side it</p> <p>24 talks about supplementary information. For that</p> <p>25 particular column, if the candidate doesn't write</p>
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<p>1 MR SAMUEL CHENG: Yes.</p> <p>2 MR DUNCAN: I bring your attention, please, to</p> <p>3 paragraph 5(b) on that page.</p> <p>4 MR SAMUEL CHENG: Yes, I've read that.</p> <p>5 MR DUNCAN: In that paragraph, have you stated, amongst</p> <p>6 other things, that at the moment the company does not</p> <p>7 "specifically require part-time bus captains to declare</p> <p>8 if they have adequate rest time before commencing their</p> <p>9 duties"; do you see that?</p> <p>10 MR SAMUEL CHENG: Yes, I see that.</p> <p>11 MR DUNCAN: And I think it's fair to say that in the third</p> <p>12 paragraph under item (b), you have signalled changes</p> <p>13 that you intend to adopt with regard to that aspect of</p> <p>14 recruiting part-time bus captains. Would that be</p> <p>15 correct?</p> <p>16 MR SAMUEL CHENG: Correct.</p> <p>17 MR DUNCAN: If I could take you, please, to CTB-2 at</p> <p>18 page 401 -- actually, 400 I think the document starts --</p> <p>19 there is a form which runs over four pages, 400 to 403,</p> <p>20 "Job application form (driving)".</p> <p>21 MR SAMUEL CHENG: Yes.</p> <p>22 MR DUNCAN: Is this a form which is used for both full-time</p> <p>23 and part-time applicants?</p> <p>24 MR SAMUEL CHENG: Yes, correct.</p> <p>25 MR DUNCAN: Relative to this issue of other employment or</p>	<p>1 anything, we won't insist that he must fill out all the</p> <p>2 parts.</p> <p>3 MR DUNCAN: So I take it there's no independent verification</p> <p>4 of anything that a person might say in this form?</p> <p>5 MR GARETH NG: You may say so.</p> <p>6 MR DUNCAN: Apart from the application form, if the person</p> <p>7 is accepted for a position with the company, is he</p> <p>8 required to sign a formal employment contract?</p> <p>9 MR GARETH NG: Yes.</p> <p>10 MR DUNCAN: And is there a standard form for that, for the</p> <p>11 case of a bus captain?</p> <p>12 MR GARETH NG: It's an employment contract in the form of</p> <p>13 a letter rather than a form.</p> <p>14 MR DUNCAN: Does that address at all the question of working</p> <p>15 in outside employment beyond the company?</p> <p>16 MR GARETH NG: No.</p> <p>17 MR DUNCAN: Would you be able to provide the committee with</p> <p>18 a sample of one of those employment letters, as you have</p> <p>19 referred to it?</p> <p>20 MR GARETH NG: Yes, we can.</p> <p>21 MR DUNCAN: Thank you.</p> <p>22 CHAIRMAN: Is this letter the same for both full-time and</p> <p>23 part-time employees?</p> <p>24 MR GARETH NG: Not the same.</p> <p>25 CHAIRMAN: Do you have sample then of a part-time employee</p>

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<p>1 contract as well, the letter?</p> <p>2 MR GARETH NG: We can provide the information to the</p> <p>3 committee later on, Mr Chairman.</p> <p>4 CHAIRMAN: Yes, that's what I'm asking. This will be</p> <p>5 something that we would invite you to provide</p> <p>6 subsequently. We will give you a list of what it is you</p> <p>7 have undertaken to provide.</p> <p>8 MR GARETH NG: Thank you, Mr Chairman.</p> <p>9 MR DUNCAN: Could I bring your attention --</p> <p>10 CHAIRMAN: Before you move on, Mr Duncan --</p> <p>11 MR DUNCAN: Sorry.</p> <p>12 CHAIRMAN: -- has the format of this letter changed, say in</p> <p>13 the last several years?</p> <p>14 MR GARETH NG: I'm not sure.</p> <p>15 CHAIRMAN: Perhaps you can check and, if there is a change,</p> <p>16 because new references have been made in the current</p> <p>17 letter, provide us with examples of older letters that</p> <p>18 will illustrate to us what the change has been.</p> <p>19 MR DUNCAN: Can I bring your attention now to --</p> <p>20 CHAIRMAN: Is there something you wanted to say, Mr Cheng?</p> <p>21 MR SAMUEL CHENG: No, no. No problem at all. We can</p> <p>22 provide that information.</p> <p>23 CHAIRMAN: Thank you.</p> <p>24 Yes, Mr Duncan.</p> <p>25 MR DUNCAN: Thank you, Mr Chairman.</p>	<p>1 MR SAMUEL CHENG: For full-time employee, they must do so.</p> <p>2 For part-time employees, if they don't declare, as of</p> <p>3 now, we don't have the mechanism to go after them. But</p> <p>4 then, starting from 1 June 2018 onwards, at the time of</p> <p>5 taking up the post and on a yearly basis, a declaration</p> <p>6 must be made.</p> <p>7 MR DUNCAN: When you say the full-time employee must do</p> <p>8 that, obviously he has to fill out a form annually.</p> <p>9 What is the position if he takes on outside work halfway</p> <p>10 through the year? Is there any obligation on him to</p> <p>11 report that?</p> <p>12 MR SAMUEL CHENG: For the details, I would like to defer to</p> <p>13 Mr Ng.</p> <p>14 MR GARETH NG: Mr Chairman, just now the counsel referred to</p> <p>15 this scenario. Well, the employee has the duty to make</p> <p>16 a declaration to us, and upon approval by us he can then</p> <p>17 take up other part-time work.</p> <p>18 Thank you, Chairman.</p> <p>19 MR DUNCAN: Where is the provision for that, which requires</p> <p>20 the employee to do that?</p> <p>21 CHAIRMAN: It might help if you have a look at page 72-1 in</p> <p>22 the English, and no doubt the preceding pages in the</p> <p>23 Chinese. CTB-2, page 72.</p> <p>24 MR DUNCAN: Thank you.</p> <p>25 Does that help, Mr Ng?</p>
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<p>1 Could I ask you to look at one other document,</p> <p>2 please, in this context. Page 404 of CTB-2. The</p> <p>3 translation is at 404-1 and 404-2.</p> <p>4 You should be looking at a document which is headed,</p> <p>5 "Employee code of conduct and discipline/declaration for</p> <p>6 external works". What is the function of this document?</p> <p>7 MR SAMUEL CHENG: Say we have a full-time employee working</p> <p>8 for us. If he has part-time work outside the company,</p> <p>9 then we ask him to inform the company.</p> <p>10 In addition, if he is a part-time employee with us,</p> <p>11 so if he has got a principal employment, again he has to</p> <p>12 give us the information.</p> <p>13 MR DUNCAN: Now, we can see that, according to the document,</p> <p>14 it's annex 7 to your submission, your second submission,</p> <p>15 I believe. If we go back to page 59, please. So CTB-1</p> <p>16 at page 59.</p> <p>17 MR SAMUEL CHENG: Yes, I see that.</p> <p>18 MR DUNCAN: And I think you will see a reference to annex 07</p> <p>19 right at the end of paragraph 5(b).</p> <p>20 MR SAMUEL CHENG: Yes.</p> <p>21 MR DUNCAN: It's referred to there as an annual declaration.</p> <p>22 Is there any requirement within any of these</p> <p>23 documents or any employment letter that an employee is</p> <p>24 obliged to inform you if he changes his outside</p> <p>25 employment or undertakes new outside employment?</p>	<p>1 72-7 in the English, paragraph 26.</p> <p>2 CHAIRMAN: The form that I'm looking at is headed, "Employee</p> <p>3 code of conduct ... declaration of outside work". In</p> <p>4 the middle of the page it reads:</p> <p>5 "I would like to apply for/have the following</p> <p>6 outside work (in accordance with article 26 of the</p> <p>7 employee code of conduct and discipline, full-time</p> <p>8 employees shall apply to the company before accepting</p> <p>9 outside employment and do so annually thereafter)."</p> <p>10 Then there are various headings which provide for</p> <p>11 information to be supplied.</p> <p>12 MR DUNCAN: Thank you, Mr Chairman. Which page is that?</p> <p>13 CHAIRMAN: On my version, it's got "72-1" at the bottom.</p> <p>14 It's described as annex 3.1.</p> <p>15 MR GARETH NG: Thank you, Chairman. Here in this form, we</p> <p>16 have made it very clear that the employee has to make</p> <p>17 the declaration.</p> <p>18 I would also like to say, if I remember correctly,</p> <p>19 we will review this later on. My impression is that in</p> <p>20 the employment letter, we do have the same requirements</p> <p>21 specified.</p> <p>22 Thank you.</p> <p>23 MR DUNCAN: Thank you, Mr Ng.</p> <p>24 I think also, if you look at page 72-7 of the</p> <p>25 translation, and if you are looking at the original</p>

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<p>1 document, paragraph 26, there is reference to the same 2 point, as I understand it. 3 Is my understanding correct? 4 MR SAMUEL CHENG: Correct, sir. 5 MR DUNCAN: Thank you. 6 So the improvements or the changes that you are 7 considering implementing in this respect are designed 8 more at the part-time employees than the full-time 9 employees; is that a correct understanding? 10 MR SAMUEL CHENG: That's correct, sir, because for 11 full-time, we do have adequate declaration system. 12 MR DUNCAN: Could I ask you, please, to -- 13 CHAIRMAN: Are you moving to another topic, Mr Duncan? 14 MR DUNCAN: Yes. 15 CHAIRMAN: Before you do so, what is it that you propose 16 asking part-time employees to do once they are employed, 17 if they are going to take up different or extra other 18 part-time work? What are you asking them to do? 19 MR SAMUEL CHENG: Starting from 1 June, if an applicant 20 comes forward to apply to be a part-time bus captain, he 21 has to fill out a form which spells out the principal 22 employment, the working hours, what hour to what hour, 23 and what days of the week he's supposed to work and what 24 days he is not supposed to work. Then we will be in 25 a position to ascertain whether he is suitable to become</p>	<p>1 employment in that one-year period? 2 MR SAMUEL CHENG: If he takes up other extra work, he has to 3 make the declaration to us. That way, we will be able 4 to understand the working hours he's putting in, whether 5 he would have the energy to become part-time bus captain 6 with us. 7 CHAIRMAN: Is this requirement reflected in forms, 8 documents? 9 MR SAMUEL CHENG: Starting from 1 June, yes, there will be. 10 CHAIRMAN: Right. Have we been provided with this 11 prospective form or not? 12 MR SAMUEL CHENG: Not for the time being. We will make 13 these available. 14 CHAIRMAN: Thank you. 15 MR DUNCAN: Could I take you back to the document, "Employee 16 code of conduct and discipline". The original Chinese 17 version is at page 66 of CTB-2, the translation from 18 page 72-2. 19 Could I ask you this. This employee code of conduct 20 and discipline, does it apply to both full-time and 21 part-time employees? 22 MR SAMUEL CHENG: Yes, all of them, yes. 23 MR DUNCAN: If I could take you back to paragraph 26 -- the 24 translation at page 72-7 -- there's a heading there, 25 "Outside work", and a reference to what a full-time</p>
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<p>1 a part-time bus captain. 2 Say, for instance, if someone has to be working for 3 a dozen hours of work every day, then we will not employ 4 him because there would not be enough rest time. If 5 somebody has to work eight hours a day, and if he were 6 to tell us that maybe he would be making himself 7 available on Saturdays and Sundays to become part-time 8 bus captain, then there will be no problems and we would 9 put him through the normal procedures. If he is 10 suitable, then he would be taken on as part-time bus 11 captain. 12 Other than making the declaration when he first took 13 up the job, every year he has to make the same 14 declaration. If there are no changes, he would fill out 15 the same stuff in the form. If there are some changes, 16 then the new nature of work will be declared to the 17 company. That's what we are going to do starting from 18 1 June. 19 CHAIRMAN: So this is an enquiry you make when you recruit 20 somebody, and then a year later he's got to confirm what 21 the position is? 22 MR SAMUEL CHENG: Yes, that's correct, sir. 23 CHAIRMAN: Is there any obligation, proposed obligation, to 24 be imposed on such a part-time bus captain if he was to 25 take up part-time employment or additional part-time</p>	<p>1 employee should do if he's going to take up concurrent 2 employment, either on a regular or consulting basis. Do 3 you see that? 4 MR SAMUEL CHENG: Yes, I do. 5 MR DUNCAN: Given what you have told the chairman just a few 6 moments ago, is there any reason why that sort of 7 provision should not apply to part-time employees? 8 MR SAMUEL CHENG: Well, the part-time staff in our company, 9 they are mainly bus captains. Bus captains are working 10 part-time for us. Whatever their principal employment 11 is, the likelihood of any conflict of interest would be 12 negligible. It would be zero, in fact. 13 MR DUNCAN: So the intention is to provide a different sort 14 of form for the part-time employee who changes his 15 outside work during the course of the year between the 16 annual declaration; you would have a different sort of 17 form for that? 18 MR SAMUEL CHENG: Yes. That's when conflict of interest 19 arises or the potential of conflict of interest arises, 20 that's where they have to fill that out. 21 MR DUNCAN: Right. Let us move away from that and back to 22 your submission, CTB-1, this time at page 61. 23 May I bring your attention to paragraph 7, headed, 24 "Customer service and EQ management training"; do you 25 see that?</p>

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<p>1 MR SAMUEL CHENG: Yes, sir.</p> <p>2 MR DUNCAN: It's paragraphs (b) and (c) in which I'm</p> <p>3 interested at the moment. Could you just read through</p> <p>4 those paragraphs to familiarise yourself with what is</p> <p>5 being communicated to the committee, please.</p> <p>6 MR SAMUEL CHENG: We have read it, sir.</p> <p>7 MR DUNCAN: You refer to the fact that in March of this</p> <p>8 year, a study was commenced to explore the feasibility</p> <p>9 and effectiveness of conducting a psychological</p> <p>10 assessment in order to screen out applicants who either</p> <p>11 have an inclination to drive aggressively or who are</p> <p>12 easily provoked and therefore lose control and drive in</p> <p>13 an aggressive manner.</p> <p>14 What is the progress that has been made with regard</p> <p>15 to that step?</p> <p>16 MR SAMUEL CHENG: I defer to Mr Gareth Ng, please.</p> <p>17 MR GARETH NG: Chairman, after March, we have started the</p> <p>18 study. Other than downloading the information online</p> <p>19 regarding the evaluation in the public domain out there,</p> <p>20 we also had meetings with a practising clinical</p> <p>21 psychologist and also a psychologist academic. We had</p> <p>22 meetings with these two people about the feasibility and</p> <p>23 effectiveness of this kind of assessment.</p> <p>24 At the present moment, we are trying to meet</p> <p>25 a mechanical engineering professor who has been having</p>	<p>1 MR DUNCAN: Have you explored this issue with any other</p> <p>2 local bus companies?</p> <p>3 MR GARETH NG: Not in that area, no.</p> <p>4 MR DUNCAN: Have you explored this issue by making contact</p> <p>5 with any overseas bus companies?</p> <p>6 MR GARETH NG: No, sir.</p> <p>7 MR DUNCAN: Are you able to give the committee any idea as</p> <p>8 to when you think you might be able to make progress</p> <p>9 with regard to this study?</p> <p>10 MR GARETH NG: As I have said, there is a professor from the</p> <p>11 mechanical engineering faculty who has said that he</p> <p>12 could only meet with us in June, so I believe that the</p> <p>13 earliest would be end of June that we would be able to</p> <p>14 come back to the committee in relation to the progress.</p> <p>15 Thank you.</p> <p>16 MR DUNCAN: Thank you. I'm going to move now from</p> <p>17 recruitment to the matter of training, the training of</p> <p>18 bus captains. If I could ask you this. Do I understand</p> <p>19 correctly that what training is required is entirely</p> <p>20 a matter for the company? It's not a matter where you</p> <p>21 receive any directive from the Transport Department?</p> <p>22 MR SAMUEL CHENG: Yes, decided by the company.</p> <p>23 MR DUNCAN: And there is no scheme, there's no training of</p> <p>24 any sort, offered by the government authorities over and</p> <p>25 above or separate from any training scheme which the</p>
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<p>1 a lot of expertise regarding the EQ management vis-a-vis</p> <p>2 driving, and we try to meet him about this.</p> <p>3 Thank you, sir.</p> <p>4 MR DUNCAN: The meetings that you have had, are these with</p> <p>5 local psychologists?</p> <p>6 MR GARETH NG: Yes.</p> <p>7 MR DUNCAN: And the professor, have you actually identified</p> <p>8 the professor? Do you have somebody particular in mind?</p> <p>9 I don't need a name. I just need whether you have</p> <p>10 actually identified somebody.</p> <p>11 MR GARETH NG: He is a professor from CUHK, Chinese</p> <p>12 University of Hong Kong, in the faculty of psychology.</p> <p>13 MR DUNCAN: Has he been given a brief?</p> <p>14 MR GARETH NG: It was on an exploratory basis. We are</p> <p>15 exchanging ideas, our background purposes, our purposes,</p> <p>16 and what areas we want him to enlighten us on regarding</p> <p>17 the practices in the industry, in the field.</p> <p>18 MR DUNCAN: When you say "the practice in the industry, in</p> <p>19 the field", what does "the field" comprise of? Is it</p> <p>20 a Hong Kong field? Is it a China field? What's the</p> <p>21 field?</p> <p>22 MR GARETH NG: As a matter of fact, the world over, we are</p> <p>23 looking for some psychological assessments that can be</p> <p>24 applicable to bus captains, and our discussion</p> <p>25 surrounded this area.</p>	<p>1 company operates? Is that a correct understanding?</p> <p>2 MR SAMUEL CHENG: Correct.</p> <p>3 MR DUNCAN: And because of that, do I understand correctly</p> <p>4 that whatever training you provide is totally</p> <p>5 independent of what training might be provided by other</p> <p>6 franchised bus operators in Hong Kong?</p> <p>7 MR SAMUEL CHENG: We are only responsible for the training</p> <p>8 of our own company.</p> <p>9 MR DUNCAN: With regard to what training is required, are</p> <p>10 these decisions made solely by your company, or would</p> <p>11 you make them after consultation with perhaps some of</p> <p>12 your counterparts in overseas jurisdictions, other bus</p> <p>13 companies? Is it entirely your decision or do you check</p> <p>14 out with other bus companies how they might go about</p> <p>15 their training?</p> <p>16 MR SAMUEL CHENG: Entirely decided by our company.</p> <p>17 MR DUNCAN: If we look, please, at CTB-1, page 37. I just</p> <p>18 want to run through what the current situation is with</p> <p>19 regard to the training, first of all of persons who</p> <p>20 become full-time bus captains.</p> <p>21 Do we have page 37 available?</p> <p>22 MR SAMUEL CHENG: Yes. We can see that.</p> <p>23 MR DUNCAN: Thank you. So we see that at (i), full-time bus</p> <p>24 captain without a bus driving licence has 15 days'</p> <p>25 driving training before attending the driving</p>

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<p>1 examination which is required by the Transport 2 Department. If he doesn't pass, he has another five 3 days of training. Once he's passed that and obtained 4 the licence, employment is offered and induction 5 training is arranged. 6 Is that correct? 7 MR SAMUEL CHENG: Correct. 8 MR DUNCAN: Thank you. And that induction training consists 9 of two parts. The first is a one-day classroom 10 training, and the second is 10 to 15 days of driving 11 training. 12 MR SAMUEL CHENG: Correct. 13 MR DUNCAN: Then if we go down to (ii), those who become 14 full-time bus captains but already have a bus driving 15 licence, they will be provided with the induction 16 training. 17 MR SAMUEL CHENG: Correct. 18 MR DUNCAN: The one day in the classroom and the 10 to 19 15 days of driving training? 20 MR SAMUEL CHENG: Correct. 21 MR DUNCAN: As a matter of interest, is there much movement 22 amongst bus captains from one bus company to another in 23 Hong Kong? 24 MR SAMUEL CHENG: Yes, they do transfer, but not too many. 25 MR DUNCAN: Just going back to page 37, moving to the</p>	<p>1 So, for the two-day driving training, it's mainly 2 route training. 3 MR DUNCAN: So he would receive two days' training 4 irrespective of the degree of experience that he's had 5 in driving a bus? It doesn't matter whether he's had 6 one month or ten years; he still just gets the two days? 7 MR SAMUEL CHENG: In relation to the driving experience of 8 heavy vehicles or large vehicles, if he is not too 9 experienced, we are not going to take him on. In other 10 words, for those who would like to be part-time bus 11 captains, those that we engage, they are all 12 experienced. 13 MR DUNCAN: Sorry, do you want to refer to something else 14 there? 15 MR SAMUEL CHENG: Yes. Well, while we are still on this 16 page, towards the end, we have got some supplementary 17 information. Whether we are talking about full-time or 18 part-time bus captain, after the bus captain has 19 completed all the training, he will be assessed by our 20 driving instructor. If the assessment is not 21 satisfactory, there will be further training for the bus 22 captain. 23 Therefore, as far as part-time bus captains are 24 concerned, yes, indeed they get two days, but after 25 training them for two days, if they cannot pass the</p>
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<p>1 question of part-time bus captains who have a bus 2 driving licence, do I take it from the headings here 3 that you wouldn't take on a part-time bus captain unless 4 he held a bus driving licence? You wouldn't provide him 5 with the 15 days' driving training which you make 6 available to full-time applicants; is that a correct 7 understanding? You only take part-time people on if 8 they are already holders of a bus driving licence? 9 MR SAMUEL CHENG: Correct. All part-time bus captains must 10 possess bus driving licences before we would consider 11 employing them. 12 MR DUNCAN: Thank you. 13 Now, as far as those persons are concerned, they 14 will be provided with two days of driving training; is 15 that correct? 16 MR SAMUEL CHENG: Correct. 17 MR DUNCAN: As opposed to the 10 to 15 days of driving 18 training which the full-time driver gets. Is that 19 a correct understanding? 20 MR SAMUEL CHENG: Yes, your understanding is correct. This 21 is because for someone who would like to become 22 a part-time captain with us, he must be somebody who is 23 already driving a bus or a heavy vehicle. In other 24 words, he is already experienced in driving large 25 vehicles.</p>	<p>1 assessment, such a bus captain would not be deployed to 2 drive on the road. 3 MR DUNCAN: You said a few moments ago that you wouldn't 4 employ somebody on a part-time basis unless they were 5 very experienced. Can you give us some idea as to what 6 sort of experience would be required? Is there any 7 criterion for that? 8 MR SAMUEL CHENG: Not so much a particular criterion. For 9 experience part-time bus captains, some of them were 10 previously bus captains. They were former franchised 11 bus captains. They might have worked for us in the 12 past; they left for a period of time. But in fact they 13 have had a lot of experience. That's the first group. 14 The second group, they may be retirees who used to 15 be franchised bus captains for other companies. 16 So these are the two main sources, and we believe 17 they possess adequate experience in driving buses. 18 MR DUNCAN: They don't get the classroom training before 19 they are able to take up their duties; is that correct? 20 MR SAMUEL CHENG: Not as of now, but later on we are going 21 to make arrangements for them to be given classroom 22 training which will cover customer service and EQ 23 management as well. 24 Thank you. 25 MR DUNCAN: The question of driving instructors. How does</p>

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<p>1 one become a driving instructor in your company?</p> <p>2 MR SAMUEL CHENG: First of all, he must have obtained</p> <p>3 a driving instructor licence from the TD for driving</p> <p>4 vehicles of the same type as that in our company. Then</p> <p>5 he may become a driving instructor. And for our driving</p> <p>6 instructors, most of them or all of them have been very</p> <p>7 experienced bus captains and they have been driving</p> <p>8 instructors for a long time.</p> <p>9 Thank you.</p> <p>10 MR DUNCAN: How many driving instructors does the company</p> <p>11 employ?</p> <p>12 MR SAMUEL CHENG: Currently, there are 15 who are full-time</p> <p>13 driving instructors, two part-time driving instructors.</p> <p>14 In addition, we have five bus captains in the near</p> <p>15 future will take an examination with the Transport</p> <p>16 Department so as to get the driving instructor licence.</p> <p>17 Thank you.</p> <p>18 MR DUNCAN: Now we turn the page to page 38 of the bundle,</p> <p>19 so it's CTB-1/38. We see the topic of "Refresher</p> <p>20 training", and the statement that you provide refresher</p> <p>21 training to in-service full-time bus captains, and it is</p> <p>22 said:</p> <p>23 "We pledged to the [Transport Department] that the</p> <p>24 refresher training should be provided to every</p> <p>25 in-service full-time bus captain at least once every</p>	<p>1 assigned to the routes that they have been trained."</p> <p>2 MR SAMUEL CHENG: Yes, correct.</p> <p>3 MR DUNCAN: In the course of being trained to be a bus</p> <p>4 driver, how many routes would a bus driver be required</p> <p>5 to undertake?</p> <p>6 MR SAMUEL CHENG: I defer to Mr Chung who has detailed</p> <p>7 information.</p> <p>8 MR WILLIAM CHUNG: It would depend on which depot he is</p> <p>9 assigned to. Some three routes, some four, some five.</p> <p>10 Even for five routes, some of the routes are duplicated.</p> <p>11 In other words, the starting point and the end point may</p> <p>12 be different but a lot of the routes will be</p> <p>13 overlapping. Let's say Moreton Terrace, they start from</p> <p>14 Moreton Terrace in Causeway Bay, going to the south, and</p> <p>15 will go through the Aberdeen Tunnel, and the route</p> <p>16 before the tunnel would be the same, and then they split</p> <p>17 up, some would go to Wah Kwai, Wah Fu, and some would go</p> <p>18 to South Horizons.</p> <p>19 MR DUNCAN: So would he be then stuck with those routes</p> <p>20 forever?</p> <p>21 MR WILLIAM CHUNG: They would be driving on these routes for</p> <p>22 some time, maybe a couple of months, and thereafter they</p> <p>23 will be redeployed to other routes.</p> <p>24 For these routes, we categorise them as more</p> <p>25 straightforward routes. The number of stops would be</p>
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<p>1 3 years.</p> <p>2 Only classroom training is provided ..."</p> <p>3 And you then go on to describe the course contents.</p> <p>4 Now, the classroom training, is this the same</p> <p>5 classroom training that is provided as part of the</p> <p>6 induction training, when a person first joins the</p> <p>7 company? Is that the sort of material which is covered?</p> <p>8 MR SAMUEL CHENG: Yes, most of them are the same. However,</p> <p>9 in the last sentence of this submission, we look at the</p> <p>10 analysis of traffic accidents. From the first inception</p> <p>11 with us to the training, it may be one or two years</p> <p>12 already, and within these one or two years, maybe</p> <p>13 something had occurred that would be of reference value</p> <p>14 to them, some traffic accidents, and we would bring up</p> <p>15 these cases and share with them during the classroom</p> <p>16 training. That way, we will try to tell them how to</p> <p>17 avoid these kinds of accidents.</p> <p>18 MR DUNCAN: When was the pledge given to the Transport</p> <p>19 Department?</p> <p>20 MR SAMUEL CHENG: That was many years ago. We don't have</p> <p>21 the precise information with us now.</p> <p>22 MR DUNCAN: Just going back to the previous page for</p> <p>23 a moment. Right at the end of the page, page 37, you</p> <p>24 state:</p> <p>25 "After passing the assessment, they are sten</p>	<p>1 smaller, and the road conditions would be less</p> <p>2 complicated. Things would be more straightforward. We</p> <p>3 would let them familiarise themselves with the driving</p> <p>4 skills and the routes, and then they would be deployed</p> <p>5 to other routes.</p> <p>6 MR DUNCAN: So if a driver is required to take on a new</p> <p>7 route, is he provided with familiarisation process, or</p> <p>8 does he, to coin a phrase, learn on the job?</p> <p>9 MR SAMUEL CHENG: Mr Chung.</p> <p>10 MR WILLIAM CHUNG: For new routes, we have a number of ways.</p> <p>11 We see whether he has been instructed about the route or</p> <p>12 whether he has declared that he is familiar with the</p> <p>13 route. If he is familiar with the route, then we will</p> <p>14 let him drive on the route, but if he is unfamiliar with</p> <p>15 the route, then we will arrange him to ride on a serving</p> <p>16 bus to get him familiar with all the bus stops en route</p> <p>17 and how he should go about taking on this route. This</p> <p>18 is how we deal with it now.</p> <p>19 MR DUNCAN: If I understand correctly from your submissions,</p> <p>20 the company utilises buses from three different bus</p> <p>21 suppliers. Is that correct?</p> <p>22 MR SAMUEL CHENG: Mr Li.</p> <p>23 MR PAUL LI: Yes, that's correct, sir.</p> <p>24 MR DUNCAN: Just for the record, which companies are those?</p> <p>25 MR PAUL LI: Mainly the main suppliers: Alexander Dennis,</p>

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<p>1 Volvo and MAN.</p> <p>2 MR DUNCAN: Again, if I understand matters correctly, these</p> <p>3 individual companies will have different models from</p> <p>4 time to time?</p> <p>5 MR PAUL LI: Yes.</p> <p>6 MR DUNCAN: So, when a bus captain undertakes his initial</p> <p>7 training, how is it determined which bus he does his</p> <p>8 training on, which model?</p> <p>9 MR SAMUEL CHENG: I defer to Mr Chung, please.</p> <p>10 MR WILLIAM CHUNG: We look at the routes that are going to</p> <p>11 be deployed and the types of buses that will be used.</p> <p>12 For a new recruit, we would coach him on a number of</p> <p>13 models. For the 15 days, other than coaching him about</p> <p>14 the routes, every day we would coach him on the</p> <p>15 different models of buses.</p> <p>16 So, for the 15 days of training, he would be</p> <p>17 familiar with different models of buses.</p> <p>18 MR DUNCAN: I think you mentioned a few moments ago perhaps</p> <p>19 four to five routes during the course of the training.</p> <p>20 Is that correct?</p> <p>21 MR WILLIAM CHUNG: Yes, correct, sir.</p> <p>22 MR DUNCAN: So how many different models of buses would you</p> <p>23 expect a trainee to encounter during his training</p> <p>24 period?</p> <p>25 MR WILLIAM CHUNG: Yes, a moment ago we said that there are</p>	<p>1 familiar with. Let's say there are some electric buses,</p> <p>2 the control, the buttons and everything are different,</p> <p>3 so it would take a longer time.</p> <p>4 When we order the buses, we require the suppliers,</p> <p>5 for the control panel and so on, we try to have the</p> <p>6 system standardised instead of having different control</p> <p>7 mechanisms. That's to facilitate the familiarisation.</p> <p>8 MR DUNCAN: If we go back to page 38 of the bundle, so</p> <p>9 CTB-1/38, you then provided the committee with a section</p> <p>10 on "Remedial training".</p> <p>11 CHAIRMAN: Before you embark on that, Mr Duncan, now you</p> <p>12 have gone back to that page -- Mr Cheng, can I ask you</p> <p>13 this. Under the heading "Refresher training", and from</p> <p>14 what you've said in evidence, the refresher training is</p> <p>15 provided for full-time bus captains at least once every</p> <p>16 three years. How is it that that time period was</p> <p>17 decided, rather than, for example, once a year?</p> <p>18 MR SAMUEL CHENG: We don't feel that there is a need for</p> <p>19 them to come back every year, not that frequent.</p> <p>20 CHAIRMAN: Are you aware of the practices of other bus</p> <p>21 companies in Hong Kong in this regard?</p> <p>22 MR WILLIAM CHUNG: Mr Chairman, as far as I understand,</p> <p>23 other bus operators have the pledge with the TD that it</p> <p>24 is once every three years.</p> <p>25 CHAIRMAN: And are you aware of practices in overseas</p>
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<p>1 three suppliers. Most of the buses are the Alexander</p> <p>2 Dennis model, to be followed by Volvo. These are the</p> <p>3 main suppliers. In the course of the training, mostly</p> <p>4 we would use ADL, Alexander Dennis, for training</p> <p>5 purposes.</p> <p>6 MR DUNCAN: Any reason for that?</p> <p>7 MR WILLIAM CHUNG: Mainly because most of the buses are</p> <p>8 Alexander Dennis's bus.</p> <p>9 MR DUNCAN: And what if a driver is required to drive a new</p> <p>10 bus on a new route subsequently in his career? Is there</p> <p>11 any training provided for the new type of bus?</p> <p>12 MR WILLIAM CHUNG: If there are new models that the bus</p> <p>13 captain has to drive, we will arrange for training to be</p> <p>14 provided.</p> <p>15 MR DUNCAN: What does that training consist of?</p> <p>16 MR WILLIAM CHUNG: The driving instructors would show the</p> <p>17 meters, the seats and all the instruments, all the</p> <p>18 buttons, on the meters, all the warning signals, warning</p> <p>19 lights, and under the guidance of the instructor they</p> <p>20 would be allowed to drive some distances to familiarise</p> <p>21 themselves with the operation.</p> <p>22 MR DUNCAN: So would that be half a day's work, a day's work</p> <p>23 or ...?</p> <p>24 MR WILLIAM CHUNG: It would depend on the model and how</p> <p>25 different it is from the original buses that he's</p>	<p>1 jurisdictions as far as this is concerned?</p> <p>2 MR WILLIAM CHUNG: We didn't make the comparison.</p> <p>3 CHAIRMAN: Thank you.</p> <p>4 MR DUNCAN: Another point with regard to refresher training.</p> <p>5 Do I understand correctly from that section that no</p> <p>6 refresher training is currently provided to part-time</p> <p>7 employees?</p> <p>8 MR SAMUEL CHENG: Not for the time being, no. However,</p> <p>9 later on, we are going to provide that to the part-time</p> <p>10 workers.</p> <p>11 MR DUNCAN: When you say "later on", when?</p> <p>12 MR WILLIAM CHUNG: Well, that we have to discuss with the</p> <p>13 part-time drivers, because they hold down a principal</p> <p>14 employment. We have to work out the time. But we hope</p> <p>15 we can arrange for a suitable time as soon as possible,</p> <p>16 to facilitate the part-time drivers to come for these</p> <p>17 refresher training.</p> <p>18 MR DUNCAN: Have you made any contact with the part-time</p> <p>19 drivers yet in that regard?</p> <p>20 MR WILLIAM CHUNG: Not yet, no.</p> <p>21 MR DUNCAN: If you then turn to "Remedial training", please,</p> <p>22 page 38. In the first paragraph, you refer to the fact</p> <p>23 that both companies require full-time and part-time bus</p> <p>24 captains to report their driving offence points, and</p> <p>25 there is then a points system which will determine</p>

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<p>1 whether a remedial training course is required. 2 Do you see that? 3 MR SAMUEL CHENG: Yes, sir. 4 MR DUNCAN: Now, are you totally reliant then on the bus 5 captains to report their driving points? 6 MR SAMUEL CHENG: For the precise operation, I defer to 7 Mr Ng, please. 8 MR GARETH NG: Chairman, for the bus captains, they have the 9 obligation to make the declaration. That's number one. 10 Number two, every single month we would random 11 check. We will randomly select some bus captains and 12 they have to sign a consent form for us to check the 13 points record with the Transport Department. 14 Thank you, sir. 15 MR DUNCAN: How long has that system been in place, that 16 system of registration with the Transport Department? 17 MR GARETH NG: My recollection is it has been so for a few 18 years. It should be five years. 19 MR DUNCAN: Have you encountered any faults in the system at 20 all? Have people suffered from incurring points but not 21 reported to you? Have you come across that at all? 22 MR GARETH NG: Yes. When we find this out, we will resort 23 to disciplinary action. 24 MR DUNCAN: You have a need for that from time to time, do 25 you? Has that actually happened?</p>	<p>1 a similar incident, then we will escalate the 2 disciplinary action. It may even result in dismissal. 3 MR DUNCAN: Is that figure a cause of concern for the 4 company, that that proportion would be disciplined for 5 blameworthy accidents subsequent to receiving remedial 6 training? Is that a matter of concern? 7 MR SAMUEL CHENG: I agree, it is a matter of concern. 8 MR DUNCAN: Has the company addressed how the situation 9 might be improved? Does something need to be done to 10 the remedial training, for example? 11 MR SAMUEL CHENG: I think this is one of the directions. We 12 need to carry out a further analysis as to why, despite 13 attending the remedial training, they are still involved 14 in accidents. In fact, each accident has its own cause. 15 They are different, and we need to go back to carry out 16 a more detailed analysis. 17 MR DUNCAN: Are you planning to do that? 18 MR SAMUEL CHENG: Yes. 19 MR DUNCAN: Now, could I raise the matter of simulator 20 training. We all know that pilots of aeroplanes, as 21 part of their training, operate simulators. Is there 22 a similar system available for a person who wishes to 23 take on the responsibility of driving a bus, which often 24 involves as many passengers as you would find on 25 an aeroplane? Is there such a system?</p>
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<p>1 MR GARETH NG: I remember that it did happen. Sorry, it did 2 happen but not too many. 3 MR DUNCAN: If I could refer you to the third paragraph 4 under that heading, "Remedial training", please: 5 "In 2016, 198 bus captains attended the remedial 6 training." 7 I just want to understand the sentence which 8 follows: 9 "76.3 per cent of these bus captains did not have 10 been disciplined for blameworthy accidents in the 11 subsequent 6 months." 12 I think there's a grammatical error in there 13 somewhere, but do I understand this correctly, that if 14 76.3 per cent have not been disciplined for blameworthy 15 accidents in the subsequent six months, does it follow 16 that some 23.7 per cent have been disciplined, even 17 after remedial training; is that how I should read that? 18 MR SAMUEL CHENG: Yes, you are right. 19 MR DUNCAN: So these persons have incurred eight or more 20 points, they've been through remedial training, and 21 notwithstanding that, they've had to be disciplined 22 subsequently? 23 MR SAMUEL CHENG: Yes, they did, but of course we have to 24 understand the degree of severity of their mistakes. 25 If it is serious and if they have already had</p>	<p>1 MR SAMUEL CHENG: We don't have such a system, because we 2 believe that for someone to practise driving, it is 3 better to drive a real bus on a real road in reality. 4 That's the better version. 5 CHAIRMAN: But to answer the question directly, do such 6 systems exist? 7 MR SAMUEL CHENG: We don't have it in our company, but 8 I have heard that it does exist. 9 MR DUNCAN: What have you heard? 10 MR SAMUEL CHENG: In the past, I heard there was another bus 11 company which had such a simulator. 12 MR DUNCAN: Which was this company? 13 MR SAMUEL CHENG: KMB. I heard about that. I didn't see it 14 myself. 15 MR DUNCAN: Have you heard of any bus companies overseas 16 operating a simulator system? 17 MR SAMUEL CHENG: Yes, I have heard that Singapore has got 18 this system. 19 MR DUNCAN: And where did you hear that from? 20 MR SAMUEL CHENG: Just now, my colleague sitting next to me, 21 Mr Chung, told me so. 22 CHAIRMAN: Are you aware that in Singapore the government 23 takes on the responsibility for training bus captains? 24 MR SAMUEL CHENG: Perhaps I would like to defer to Mr Chung 25 MR WILLIAM CHUNG: Mr Chairman, yes, we have heard about</p>

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<p>1 that. Well, two years ago my colleague went to 2 Singapore to visit their simulator system, and he also 3 looked at the operations of the Land Transport Authority 4 in Singapore. 5 Thank you. 6 MR DUNCAN: So your colleague went to Singapore? 7 MR WILLIAM CHUNG: Correct. 8 MR DUNCAN: Is this sent by the company? 9 MR WILLIAM CHUNG: Yes, sent by our company. 10 MR DUNCAN: And what level was he at? Was he a senior 11 manager in the company? 12 MR WILLIAM CHUNG: Yes, a manager. 13 MR DUNCAN: Did he come back and write a report as to what 14 he had seen, and so on? 15 MR WILLIAM CHUNG: After they have returned, they did give 16 a presentation to me. 17 MR DUNCAN: Was that in writing? 18 MR WILLIAM CHUNG: No. It was a presentation. Other than 19 looking at the simulator, they also looked at the bus 20 operation in Singapore. 21 MR DUNCAN: And what was the thrust of what he had to say 22 about the simulator? 23 MR WILLIAM CHUNG: As the chair has said, for this 24 simulator, it was subsidised by the government. This is 25 because the simulator is rather expensive. Then, for</p>	<p>1 CHAIRMAN: I don't think we were told it was the bus 2 supplier. It was the black box supplier. 3 MR DUNCAN: I beg your pardon. 4 CHAIRMAN: The black box supplier is NEC, is it not? Is 5 that right? 6 MR WILLIAM CHUNG: (Nodded head). 7 CHAIRMAN: So NEC invited you to this UITP. Can you give us 8 the meaning of that acronym? 9 MR WILLIAM CHUNG: UITP, the international transport 10 organisation. 11 CHAIRMAN: What's the acronym? International Transport? 12 MR WILLIAM CHUNG: I'm not too sure but I can provide the 13 information later. 14 CHAIRMAN: It has a website, doesn't it, public transport? 15 MR WILLIAM CHUNG: Correct. 16 MR SAMUEL CHENG: My colleague is trying to look it up right 17 now. 18 CHAIRMAN: Very well. If you get the answer, tell us. 19 And it was on the occasion of this visit that you 20 took the opportunity, because you were in Singapore, to 21 examine the bus simulator, and at whose suggestion was 22 that? 23 MR WILLIAM CHUNG: It was NEC which made the suggestion. 24 MR DUNCAN: Did you yourself attend that? 25 MR WILLIAM CHUNG: I didn't.</p>
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<p>1 this simulator training, different scenarios would be 2 shown on the screen, so as to test the response of the 3 driver. 4 MR DUNCAN: I'm sorry, this was two years ago, did you say? 5 MR WILLIAM CHUNG: Correct. 6 MR DUNCAN: Right. Whose idea was this? Was it your 7 company's idea or was it the idea of the government that 8 this be looked at? 9 MR WILLIAM CHUNG: I'm not sure whether it was an initiative 10 from the Singaporean government or an initiative from 11 the Singaporean bus company. 12 MR DUNCAN: Was it an initiative of your company or some 13 other organisation? 14 MR WILLIAM CHUNG: You mean the Singapore visit? 15 MR DUNCAN: Yes. I mean was this something that your 16 company came up with, or was it provided to you by 17 somebody else as a proposal? 18 MR WILLIAM CHUNG: For this visit, our black box supplier 19 had a UITP conference in Singapore, so they invited us 20 to go there to participate. So outside of the 21 conference we made arrangements to visit the authorities 22 and look at the simulator. 23 MR DUNCAN: So it was the bus supplier who suggested you 24 look at the simulator, or was it your company which 25 decided off its own bat to look at the simulator?</p>	<p>1 MR DUNCAN: It was your colleague who subsequently gave you 2 a report; is that correct? 3 MR WILLIAM CHUNG: Correct. 4 MR DUNCAN: But did I understand you to say earlier that the 5 government had provided some sort of subsidy for this? 6 CHAIRMAN: I think he was suggesting the Singapore 7 government subsidised the use of this training facility. 8 Is that right? 9 MR WILLIAM CHUNG: Yes, that's how I understood it. 10 CHAIRMAN: Because they provide the training of bus 11 captains; it's not done by the bus companies, it's done 12 by the government of Singapore, through the Land 13 Transport Authority. Is that correct? 14 MR WILLIAM CHUNG: Correct. 15 CHAIRMAN: Before we leave the topic -- if that's what you 16 were about to do, Mr Duncan -- 17 MR DUNCAN: Sure. 18 CHAIRMAN: -- your colleague came back and reported to you, 19 and so far you have told us one element of the report, 20 that it was rather expensive. Was there anything else 21 he reported? 22 MR WILLIAM CHUNG: My colleague reported that the simulator 23 wasn't real enough, the simulator couldn't move, and 24 there was the absence of the 3D element there, or 4D. 25 CHAIRMAN: Do you know who were the manufacturers of this</p>

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<p>1 bus simulator?</p> <p>2 MR WILLIAM CHUNG: That I'm not aware of.</p> <p>3 CHAIRMAN: Yes, Mr Duncan.</p> <p>4 MR DUNCAN: Thank you, Mr Chairman.</p> <p>5 So, after that, did you carry the matter forward at</p> <p>6 all within the company, as to whether any further</p> <p>7 consideration should be given to engaging some sort of</p> <p>8 simulation?</p> <p>9 MR SAMUEL CHENG: No, we didn't consider adopting it.</p> <p>10 CHAIRMAN: That's because of a preference you have for</p> <p>11 reality practice driving; is that right, Mr Cheng?</p> <p>12 MR SAMUEL CHENG: That's correct, sir.</p> <p>13 MR DUNCAN: Now, if we could move from the current training</p> <p>14 to what you propose for the future, and you have</p> <p>15 indicated, Mr Cheng, in your submission that there are</p> <p>16 some changes afoot.</p> <p>17 Could I ask you to look at page 54, so CTB-1/54. If</p> <p>18 you look first of all at paragraph (a) on that page.</p> <p>19 MR SAMUEL CHENG: I've done it, sir.</p> <p>20 MR DUNCAN: The first thing I notice is that you said:</p> <p>21 "In our recent review of various safety-related</p> <p>22 matters, we identified the following areas for</p> <p>23 improvement".</p> <p>24 Could you tell us a little bit more about this</p> <p>25 review? Who took part in it? How long did it take?</p>	<p>1 bus captains when we make arrangement for them to sit</p> <p>2 through this kind of training. And in each of these</p> <p>3 areas, we have to look at the actual timing.</p> <p>4 MR DUNCAN: So the review itself, was this done in writing,</p> <p>5 through communications, memos, and so forth, or did you</p> <p>6 have a sit-down meeting, or what was the process?</p> <p>7 MR SAMUEL CHENG: We have just had the first meeting. We do</p> <p>8 have the minutes. After the meeting, we have the</p> <p>9 supervisor or the senior manager who would be following</p> <p>10 up. Maybe there would be more than one supervisor would</p> <p>11 be in charge. And they would be tasked to see when</p> <p>12 these are implemented, all the details that will be</p> <p>13 involved.</p> <p>14 Once we have identified all the details, then they</p> <p>15 will come back to the safety committee and make a report</p> <p>16 there, and the whole committee will be discussing the</p> <p>17 issues and work out the actual implementation timetable.</p> <p>18 That's how we plan to proceed.</p> <p>19 Other than conducting the review at the committee,</p> <p>20 we also discussed the fact that once a review has been</p> <p>21 undertaken, once implementation has been undertaken, the</p> <p>22 follow-up work would also be terribly important. How we</p> <p>23 are going to follow up this, the safety committee will</p> <p>24 take the decision also.</p> <p>25 Thank you.</p>
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<p>1 MR SAMUEL CHENG: That review, I referred to the safety</p> <p>2 committee this morning, and that's part of it. Our</p> <p>3 company has set up the safety committee which has not</p> <p>4 been around for so long and the membership of the safety</p> <p>5 committee is set out in our submission.</p> <p>6 Basically myself, Mr Chung next to me, Mr Ng, Mr Li,</p> <p>7 Mr So, and also the one who cannot make it today,</p> <p>8 Mr Fung, the six of us are standing members.</p> <p>9 MR DUNCAN: How did you go about the review?</p> <p>10 MR SAMUEL CHENG: Well, we have identified what we set out</p> <p>11 in the submission, (a) to (f), and these are the areas</p> <p>12 that we have identified for improvement.</p> <p>13 As to the specifics, how we are going to go about</p> <p>14 it, and the time frame, we have assigned the job to</p> <p>15 different departments to carry out the review. But</p> <p>16 there are things that can be undertaken straightaway,</p> <p>17 like, for example, the part-time bus captains, they have</p> <p>18 to declare the working hours of the principal</p> <p>19 employment, these can be undertaken immediately. We</p> <p>20 have decided this would go into effect come 1 June.</p> <p>21 There are other areas where it would be rather</p> <p>22 difficult to get on top of, like for instance the</p> <p>23 classroom training being made available to the part-time</p> <p>24 bus captains. As Mr William Chung said just a moment</p> <p>25 ago, we have to tie in with the timing of the part-time</p>	<p>1 MR DUNCAN: Is there a proposal for a second meeting?</p> <p>2 MR SAMUEL CHENG: Our committee would like to have the</p> <p>3 meeting every two months. If the managing director sees</p> <p>4 fit, then we can have extra meetings scheduled.</p> <p>5 I have been enquiring my colleagues, of course, in</p> <p>6 the office, how they are progressing and whether there</p> <p>7 are any difficulties they encounter. If I see the merit</p> <p>8 of having additional meetings, I will do so; I will</p> <p>9 convene extra meetings.</p> <p>10 Thank you.</p> <p>11 MR DUNCAN: Would it be possible to provide the minutes of</p> <p>12 the first meeting to the committee?</p> <p>13 MR SAMUEL CHENG: Most certainly, sir.</p> <p>14 MR DUNCAN: Thank you.</p> <p>15 In paragraph (a) on that page, there is indication</p> <p>16 that the committee proposes to "enhance new route</p> <p>17 driving training for all bus captains".</p> <p>18 Sorry, we are still on page 54.</p> <p>19 MR SAMUEL CHENG: Yes, sir.</p> <p>20 MR DUNCAN: Both for full-time and part-time drivers.</p> <p>21 MR SAMUEL CHENG: Yes.</p> <p>22 MR DUNCAN: Have you been able to detail just exactly how</p> <p>23 that training is to be enhanced as yet?</p> <p>24 MR SAMUEL CHENG: For the details, I defer to Mr William</p> <p>25 Chung, please.</p>

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<p>1 MR WILLIAM CHUNG: For the new route, the bus captain will</p> <p>2 have to ride on the bus of the relevant route. Other</p> <p>3 than riding on the bus, we would let him drive a bus on</p> <p>4 that route. Now, that's not a passenger-carrying bus.</p> <p>5 That will familiarise him with all the route details.</p> <p>6 MR DUNCAN: And the plan to increase the driving training</p> <p>7 hours for newly recruited part-time bus captains, what</p> <p>8 is the plan?</p> <p>9 MR WILLIAM CHUNG: For new part-time bus captains, the</p> <p>10 driving hours will go up from eight hours to 16. And</p> <p>11 also we will have a four-hour classroom training which</p> <p>12 will include customer services, EQ management, traffic</p> <p>13 safety awareness and knowledge, and the relevant laws</p> <p>14 and regulations, drug driving, drink-driving, and also</p> <p>15 the Discrimination Ordinance regarding disability, and</p> <p>16 so on.</p> <p>17 MR DUNCAN: Do we see other proposals at the bottom of</p> <p>18 page 54 under (b)(i) and (ii)?</p> <p>19 MR SAMUEL CHENG: Yes. What's your question, sir?</p> <p>20 MR DUNCAN: I'm just asking you to confirm that the</p> <p>21 enhancement that you have referred to includes what we</p> <p>22 can all read in paragraph (b)(i) and (ii) on pages 54</p> <p>23 and 55.</p> <p>24 MR SAMUEL CHENG: Yes, sir, they are included.</p> <p>25 MR DUNCAN: Now, at page 55, the provision of refresher</p>	<p>1 need to undertake procedures which can minimise safety</p> <p>2 concerns?</p> <p>3 MR SAMUEL CHENG: As a matter of fact, for the refresher</p> <p>4 training, we feel that it doesn't have 100 per cent</p> <p>5 correlation with driving safety. It is partially</p> <p>6 related to that. The thing is, we have to monitor the</p> <p>7 driving behaviour of the bus captains. That's far more</p> <p>8 important.</p> <p>9 For the once every three years refresher training,</p> <p>10 we haven't heard from the bus captains any suggestion</p> <p>11 that it is too long a cycle, but when we meet the</p> <p>12 unions, we will explore with them and hear their views</p> <p>13 as to whether there is a need to increase the frequency.</p> <p>14 We would like to hear from them because they are the</p> <p>15 beneficiaries. We would like to hear from them.</p> <p>16 MR DUNCAN: The reason that I ask that is that we seem to</p> <p>17 have encountered a situation where the remedial training</p> <p>18 doesn't seem to be as successful as perhaps it might</p> <p>19 have been intended to be. Does that alert you to the</p> <p>20 fact that some more training of a remedial fashion might</p> <p>21 be considered? Sorry, refresher training might be</p> <p>22 considered.</p> <p>23 MR SAMUEL CHENG: Having heard your suggestion today, when</p> <p>24 we go back to our safety committee meetings, we will</p> <p>25 explore the idea.</p>
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<p>1 training to all in-service bus captains, will that apply</p> <p>2 to both full-time and part-time bus captains?</p> <p>3 MR SAMUEL CHENG: The earlier page, (b), we are talking</p> <p>4 about enhancing the training for part-time bus captains.</p> <p>5 For the part-time bus captains training, it is divided</p> <p>6 into two parts, (i) and (ii). As a matter of fact, we</p> <p>7 are talking about part-time bus captain training,</p> <p>8 because full-time training for full-time bus captains,</p> <p>9 they will already have this kind of training.</p> <p>10 MR DUNCAN: Thank you. I see. Thank you very much.</p> <p>11 The chairman asked you a question earlier on with</p> <p>12 regard to the period between one refresher training and</p> <p>13 another, and I think in the case of full-time bus</p> <p>14 captains it's once every three years. Is that correct?</p> <p>15 MR SAMUEL CHENG: Yes, at least they have to have one every</p> <p>16 three years.</p> <p>17 MR DUNCAN: Do I assume that the same period is proposed to</p> <p>18 be applied to the part-time bus captains?</p> <p>19 MR SAMUEL CHENG: In future, yes. At the moment, that</p> <p>20 doesn't include the part-time bus captains, but in</p> <p>21 future, yes.</p> <p>22 MR DUNCAN: Right. The chairman asked why three years was</p> <p>23 selected. Is there any proposal to review the periods</p> <p>24 at which refresher training should be provided to the</p> <p>25 bus captains in order to keep them reminded as to the</p>	<p>1 MR DUNCAN: Just before we finish today, you have touched on</p> <p>2 a matter that I was going to ask you about. The safety</p> <p>3 committee has been set up. You've had one meeting.</p> <p>4 You've delegated certain work to other people. What</p> <p>5 sort of communication has there been with the bus</p> <p>6 captains and/or the unions so far with regard to these</p> <p>7 different proposals?</p> <p>8 MR SAMUEL CHENG: Not yet. We haven't, not yet, because we</p> <p>9 have only just had our first meeting. In fact, in</p> <p>10 future, for the safety committee, if we are to conduct</p> <p>11 a review, if there are changes, we will only communicate</p> <p>12 with the trade unions once they have been finalised.</p> <p>13 This is because before it is finalised, and if we start</p> <p>14 to talk to them, it may cause confusion in the messages.</p> <p>15 MR DUNCAN: When you say "finalise", do you mean you've made</p> <p>16 the decision and you tell the unions, or you've made</p> <p>17 a preliminary decision which you are then going to</p> <p>18 discuss with the unions, and then make a final "final"</p> <p>19 decision?</p> <p>20 MR SAMUEL CHENG: It depends whether it is controversial in</p> <p>21 nature. If it is not controversial, say for example,</p> <p>22 I suggest that I would like to increase the number of</p> <p>23 training hours, I believe it is not going to be</p> <p>24 controversial. In this case, I don't think there is</p> <p>25 a need to have prior discussion with the trade unions.</p>

