

立法會
Legislative Council

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**Paper for the House Committee meeting
on 13 October 2000**

Review of LegCo Panels

Purpose

This paper outlines the changes to the scopes of responsibilities of LegCo Panels resulting from the abolition of the two former municipal councils in January 2000 and the reorganization of the former Trade and Industry Bureau in July 2000. The paper also proposes changes to the names and terms of reference of the Panels concerned as well as options to facilitate monitoring of the relevant policy areas.

Background

Municipal services

2. Following the abolition of the two municipal councils on 1 January 2000, a new administrative structure has been put in place in the Government to take over the provision of municipal services. In this new structure, policy responsibilities for food, food safety, environmental hygiene, environmental protection and conservation rest with the Environment and Food Bureau. Policies on the development of leisure and cultural activities have been taken over by the Home Affairs Bureau with the new Leisure and Cultural Services Department assuming the operational responsibilities for these services.

3. A subcommittee was formed by the then House Committee in December 1999 to consider how LegCo Panels should be restructured to monitor the issues concerned. At the House Committee meeting on 7 January 2000, members noted that members of the subcommittee were generally in favour of expanding the scope of the Home Affairs Panel to deal with issues relating to leisure and cultural services, but they could not reach a consensus on the handling of food safety and environmental hygiene issues. After deliberation, the House Committee decided that the ambit of the Home Affairs Panel should be expanded to take over issues relating to the provision of leisure and cultural services. As regards food safety and environmental

hygiene, the House Committee voted on the following four proposals:

- (a) a new Panel on Food Safety and Environmental Hygiene be formed;
- (b) the terms of reference of the existing Environmental Affairs Panel be expanded to cover food safety and environmental hygiene;
- (c) the terms of reference of the existing Health Services Panel be expanded to cover food safety and environmental hygiene; and
- (d) the Health Services Panel to take up public health education and food safety matters, and the Environmental Affairs Panel to deal with the remaining responsibilities for environmental hygiene.

4. Following two rounds of voting, the House Committee decided at a vote of 20 to 19 in the last round to adopt option (d) as opposed to option (a). No new Panel was thus formed.

5. As the House Committee's decision involved the amendment of the terms of reference of Panels, a motion was moved by Dr C H LEONG at the Council meeting on 26 January 2000. Mr Fred LI moved to amend Dr C H LEONG's motion by including a new Panel to take up food safety, environmental hygiene, public health education, as well as agriculture and fisheries matters. Mr LI's amendment was however not passed. Dr LEONG's motion to amend the terms of reference in accordance with the House Committee's decision was agreed to. The terms of reference of the 17 Panels are in **Appendix I**.

Trade and industry

6. In March 2000, the Financial Secretary announced in his 2000-01 Budget Speech the Government's plan to reorganize the Trade and Industry Bureau and its supporting departments to advance initiatives for promoting innovation and technology, attracting external direct investing and supporting industry and commerce. The proposed organization and staffing structure of the new framework was submitted to the Finance Committee and was approved at its meeting on 9 June 2000. The reorganization took effect on 1 July 2000.

7. Under the new structure, the role of the Bureau is enhanced to take up responsibility for commerce in general, in addition to trade and industry matters, in order to sustain the competitiveness of the industry and commerce of Hong Kong as a whole. To reflect this, the English name of the Bureau has been changed to Commerce and Industry Bureau (CIB), while the Chinese title remains unchanged.

8. The reorganization also involved changes to the structure of CIB and reshuffling of certain responsibilities between CIB and other Bureaux of the Government. The new CIB now oversees the work of the restructured Trade and Industry Department and two new establishments, namely the Innovation and Technology Commission and the Invest Hong Kong Department, as well as and the Business and Services Promotion Unit transferred from the Financial Secretary's Office. Responsibilities for consumer protection, competition policy and regulation of outbound travel agents have been transferred to the Economic Services Bureau. These changes also give rise to the need of a review of the name of the Trade and Industry Panel and the terms of reference of the Panels concerned.

Matters for consideration

Leisure, culture and sport

9. Prior to 1998, there were 18 Panels in the then Legislative Council including a Panel on Recreation, Culture and Sport. In view of the low attendance of members at meetings of this Panel, it was decided in the first term of the HKSAR Legislative Council that there was no need to have a specific panel to deal with leisure and culture matters. Such matters have since then been taken up by the Home Affairs Panel, the scope of responsibility of which corresponds to that of the Secretary for Home Affairs.

10. A proposal to revive the subject was made in December 1999 in the light of the abolition of the two municipal councils. The then House Committee however accepted the view of the subcommittee which studied the matter that a new Panel was not appropriate as there were only six months remaining in the then legislative term. Members also envisaged that the workload of the Home Affairs Panel would not be exceptionally heavy as much of the recreational and cultural promotion work would be taken up by the District Councils. The monitoring of outstanding capital works projects, which were members' main area of concern, were followed up by a special subcommittee formed under the House Committee.

11. From January to June 2000, the Home Affairs Panel continued to hold meetings on a monthly basis and deliberated on four topics relating to leisure, culture and sport matters. No special meetings were held during this period. The outstanding issues on leisure, culture and sport to be taken up by the Panel in this new term are listed in **Appendix II**.

Food safety and environmental hygiene

12. Policy matters relating to food safety and environmental hygiene are the responsibilities of the Secretary for the Environment and Food. In the last

term, Members who were in favour of having a special panel to deal with food safety and environmental hygiene considered that these issues alone would warrant dedicated attention of a panel and that adding these issues to those being handled by the current Panels would render these Panels difficult to operate effectively. Those who were against the formation of a separate panel considered that there were already too many Panels and a quorum problem would arise if Member's work capacity was to be further stretched.

13. Food safety currently falls within the ambit of the Health Services Panel as food safety, being part of public health, is closely related to the services provided by the Department of Health. Three topics on the subject of food safety were deliberated by the Panel on Health Services from January to June 2000.

14. As regards environmental hygiene, the subject was taken up by the Environmental Affairs Panel, under which a subcommittee was formed to deliberate on matters relating to environmental hygiene. The subcommittee held five meetings from January to June 2000 and deliberated on eight topics, while the Environmental Affairs Panel held 14 meetings, including seven joint meetings with the Health Services Panel, Transport Panel as well as Planning, Lands and Works Panel to deliberate on environmental protection issues. The outstanding issues relating to environmental hygiene to be taken or followed up by the Environmental Affairs Panel are listed in **Appendix III**.

Capital works projects of the former municipal councils

15. Out of the 169 outstanding capital works projects taken over by the Government following the abolition of the two municipal councils, there are at present 139 projects relating to leisure or cultural facilities, eight involving both environmental hygiene and leisure/cultural facilities, and 22 relating to environmental hygiene facilities. According to the Administration, many of these projects are still in the initial planning stage and are under review to ascertain if they meet the long-term needs of the community. The monitoring of these projects could either be taken up by the respective Panel(s), or a subcommittee dedicated for the purpose under the House Committee, or by way of periodic reports to the Public Works Subcommittee of the Finance Committee.

Commerce and industry

16. Consequent upon changes in the responsibilities of the Commerce and Industry Bureau, it is considered appropriate to rename the Trade and Industry Panel to make it in line with the corresponding Bureau. It is proposed that the English name of the Trade and Industry Panel be changed to Commerce and Industry Panel, while the Chinese name of the Panel be changed from 貿易及工業事務委員會 to 工商事務委員會. The terms of reference of the

Commerce and Industry Panel should also be changed to cover "commerce, industry, business and services promotion, innovation and technology, intellectual property protection and inward investment promotion matters", as proposed in **Appendix IV**. The proposed changes have the support of the Trade and Industry Panel.

Economic Services

17. As the current terms of reference of the Economic Services Panel do not quite spell out the scope of its responsibilities, it is considered appropriate to revise the terms of reference to cover "air and sea transport facilities and services, postal and weather information services, energy supply and safety, consumer protection and competition policy, tourism, and other economic services", as proposed in **Appendix V**. The proposed changes have the support of the Economic Services Panel.

Advice sought

18. Members are requested to advise on the following:

- (a) whether a new panel to deal with policies and issues relating to leisure, culture and sport should be set up;
- (b) whether a new panel to deal with policies and issues relating to food safety and environmental hygiene should be set up;
- (c) in what manner the outstanding capital works projects should be followed up;
- (d) whether the name of the Trade and Industry Panel should be changed to Commerce and Industry Panel with the terms of reference to be changed as proposed in **Appendix IV**; and
- (e) whether the terms of reference of the Economic Services Panel should be changed as proposed in **Appendix V**.

19. Subject to members' advice on the above, the Secretariat would proceed with the drafting of the resolution to implement changes to the number and terms of reference of Panels. In accordance with past practice, the resolution will be moved by Hon Mrs Selina CHOW LIANG Shuk-ye, Chairman of the House Committee, at a forthcoming Council meeting.

**Resolution on the establishment of Panels
and their Terms of Reference**

(Amended to 26 January 2000)

That pursuant to Rule 77(1) and (2) of the Rules of Procedure of this Council, 17 Panels may be formed in respect of the specified policy areas of the corresponding bureaux and other Government bodies in accordance with the Schedule with the following terms of reference -

- (a) to monitor and examine relevant Government policies and issues of public concern;
- (b) to provide a forum for the exchange and dissemination of relevant policy matters;
- (c) to receive briefings and to formulate views on any major legislative or financial proposals in the relevant policy area(s) prior to their formal introduction to the Council or Finance Committee; and
- (d) to examine and to report on any major issues of wide public concern in the relevant policy area(s) as referred by the Council or House Committee or as raised by the Panel itself.

SCHEDULE

<u>Panel</u>	<u>Corresponding Bureau/Body</u>	<u>Policy Area</u>
1. Manpower	Education & Manpower Bureau	Labour and manpower planning matters
2. Public Service	Civil Service Bureau	Matters relating to the civil service and Government-funded public bodies, and other public service matters
3. Administration of Justice & Legal Services	(a) Judiciary (b) Department of Justice	Matters relating to the administration of justice and legal services

<u>Panel</u>	<u>Corresponding Bureau/Body</u>	<u>Policy Area</u>
4. Home Affairs	Home Affairs Bureau	District, community and rural matters, human rights, civic education, data protection, press freedom, building management, youth and women matters and the provision of leisure and cultural services as well as matters relating to development of arts and culture, public entertainment, sport and recreation
5. Transport	Transport Bureau	Transport matters
6. Housing	Housing Bureau	Private and public housing matters
7. Security	(a) Security Bureau (b) Independent Commission Against Corruption	Security, public order, public safety, corruption-related issues, and nationality and immigration matters
8. Constitutional Affairs	Constitutional Affairs Bureau	Matters relating to implementation of the Joint Declaration and the Basic Law, relations between the HKSAR Government and the Central People's Government and other Mainland authorities, electoral matters and district organizations
9. Financial Affairs	(a) Finance Bureau (b) Financial Services Bureau	Financial and finance matters
10. Education	Education & Manpower Bureau	Education matters
11. Trade & Industry	Trade & Industry Bureau	Trade and industry matters
12. Planning, Lands & Works	(a) Planning & Lands Bureau (b) Works Bureau	Lands, buildings and planning matters, works and water supply and Public Works Programme
13. Welfare Services	Health & Welfare Bureau	Welfare and rehabilitation services matters

	<u>Panel</u>	<u>Corresponding Bureau/Body</u>	<u>Policy Area</u>
14.	Information Technology & Broadcasting	Information Technology & Broadcasting Bureau	Matters relating to information technology, telecommunications, broadcasting, film censorship and services
15.	Economic Services	Economic Services Bureau	Economic matters
16.	Health Services	(a) Health & Welfare Bureau (b) Environment & Food Bureau	Medical and health services, public health education, food safety, agriculture and fisheries matters
17.	Environmental Affairs	Environment & Food Bureau	Environmental and conservation matters, and environmental hygiene

LegCo Panel on Home Affairs

**List of discussion items suggested for future meetings
on culture, recreation and sports**

1. Proposed family entertainment centres and licensing of amusement games' centres

The Administration has advised that it is considering the need for new legislation which aims to have a streamlined and unified regulatory framework for the different types of games and entertainment centres. The Panel will receive a briefing on the legislative proposals when available.

2. Review of the Antiquities and Monuments Ordinance

The Panel received a briefing by the Administration on the review of the Antiquities and Monuments Ordinance at its meeting on 14 December 1998. The Administration was requested to forward concrete proposals to the Panel on the review for discussion.

LegCo Panel on Environmental Affairs

**Subcommittee on matters
relating to environmental hygiene**

List of issues to be considered

1. Proposed fixed penalty system for minor littering offence

Proposed by Hon Fred LI on 16 February 2000. The Administration has advised that the proposal is still under consideration.

2. Policy on Itinerant Hawker Licence

Proposed by Hon Fred LI on 16 February 2000. The Administration has advised that it has no intention to introduce any major changes to the policy for the time being.

3. Management of hawker control teams

The subject was discussed at the meeting on 30 May 2000. The Administration will conduct an overall review of the Hawker Control Force management, which will be completed by the end of 2000.

4. Rental policy for public market stalls

Proposed by Hon Fred LI on 28 March 2000. The Administration has advised that the review of public market rental adjustments will be conducted around December 2000.

5. Open Classification Scheme for food premises

At the meeting on 16 March 2000, members urged the Administration to conduct an early review of the Scheme. The Administration advised that the review would be completed before October 2000.

6. Food business licensing

The consultancy study report on restaurant licensing was discussed at the meeting on 30 May 2000. Members requested the Administration to streamline the application and renewal process for various kinds of food business licences. The Administration has indicated that these will be subjects of separate studies which will be completed around 2000-2001.

7. Fees and charges review

The review to align the various fees and charges of the two former municipal councils will be carried out at the end of 2000 or in early 2001.

8. Problem of water seeping from the ceiling inside domestic premises

Proposed by Hon CHAN Wing-chan on 19 June 2000. Mr CHAN expressed concern about the nuisance caused by water seeping from the ceiling to the residents living inside the premises. The subject was also raised by the Kowloon City District Council members at their meeting with LegCo members on 16 March 2000.

Legislative Council Secretariat

4 October 2000

**Legislative Council
Panel on Commerce and Industry**

Proposed Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to commerce, industry, business and services promotion, innovation and technology, intellectual property protection and inward investment promotion matters.
2. To provide a forum for the exchange and dissemination of views on related policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in the relevant policy areas prior to their formal introduction to the Council or Finance Committee.
4. To examine and to report on any major issues of wide public concern in the relevant policy areas as referred by the Council or House Committee or as raised by the Panel itself.

**Legislative Council
Panel on Economic Services**

Proposed Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to air and sea transport facilities and services, postal and weather information services, energy supply and safety, consumer protection and competition policy, tourism and other economic services.
2. To provide a forum for the exchange and dissemination of views on related policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in the relevant policy area prior to their formal introduction to the Council or Finance Committee.
4. To examine and to report on any major issues of wide public concern in the relevant policy area as referred by the Council or House Committee or as raised by the Panel itself.