

立法會
Legislative Council

LC Paper No. CB(2)555/01-02
(These minutes have been
seen by the Administration)

Ref : CB2/PL/HA

LegCo Panel on Home Affairs

Minutes of meeting
held on Tuesday, 12 June 2001 at 2:30 pm
in Conference Room A of the Legislative Council Building

Members Present : Hon Andrew CHENG Kar-foo (Chairman)
Hon CHOY So-yuk (Deputy Chairman)
Hon Cyd HO Sau-lan
Hon Andrew WONG Wang-fat, JP
Hon LAU Wong-fat, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon Timothy FOK Tsun-ting, SBS, JP
Dr Hon TANG Siu-tong, JP
Hon Henry WU King-cheong, BBS
Hon Albert CHAN Wai-yip
Hon IP Kwok-him, JP

Member Attending : Hon Bernard CHAN

Members Absent : Hon Albert HO Chun-yan
Hon James TO Kun-sun
Hon WONG Sing-chi

Public Officers Attending : Item V
Mr NG Hon-wah
Principal Assistant Secretary for Home Affairs (2)

Mrs Juliana CHEN
Deputy Director (Public Relations)
Information Services Department

Mr Peter LAI
Principal Executive Officer (Administration)
Information Services Department

Item VI

Mr Francis LO
Principal Assistant Secretary for Home Affairs(5)

Miss Stella CHANG
Assistant Secretary for Home Affairs (5)2

Mr MA Kam-ki
Senior Liaison Officer (Building Management)
Home Affairs Department

Item VII

Mr NG Sek-hon
Deputy Secretary for Home Affairs (3)

Mr Eddy YAU
Principal Assistant Secretary for Home Affairs (Recreation
and Sport)

Mr Jonathan MCKINLEY
Principal Assistant Secretary for Home Affairs (Sports
Policy Review)

Mr Alan MCDONALD
Director, Urbis Limited

Clerk in Attendance : Miss Flora TAI
Chief Assistant Secretary (2)2

Staff in Attendance : Mr Stanley MA
Senior Assistant Secretary (2)6

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I. Confirmation of minutes

[LC Paper Nos. CB(2)1672/00-01, CB(2)1673/00-01 and CB(2)1758/00-01]

The minutes of the regular meeting held on 13 February 2001 and of the special meetings held on 20 and 26 February 2001 were confirmed.

II. Endorsement of draft report of the Panel to the Legislative Council

[LC Paper No. CB(2)1753/00-01(01)]

2. Members endorsed the draft report.

III. Information paper(s) issued since the last meeting

[LC Paper No. CB(2)1541/00-01]

3. Members noted the Concluding Observations made by the United Nations Committee on Economic, Social and Cultural Rights after its hearing on the Report of the Hong Kong Special Administrative Region (HKSAR) of the People's Republic of China in the light of the International Covenant on Economic, Social and Cultural Rights.

IV. Items for discussion at the next meeting

[Appendices I and II to LC Paper No. CB(2)1753/00-01]

4. Members agreed to discuss the following items at the next regular meeting scheduled for 10 July 2001 at 2:30 pm -

- (a) Latest position of the Youth Development Centre;
- (b) Concluding Observations made by the United Nations Committee on Economic, Social and Cultural Rights after its hearing on the Report of HKSAR of the People's Republic of China in the light of the International Covenant on Economic, Social and Cultural Rights; and
- (c) Report on HKSAR under the International Convention on the Elimination of All Forms of Racial Discrimination.

On item (b), members agreed that the Panel would only discuss issues in the Concluding Observations which fell within its purview with the Home Affairs Bureau. Relevant Panels should be invited to discuss the Concluding Observations with their corresponding bureaux as appropriate.

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5. Miss CHOY So-yuk proposed and members agreed that a special meeting would be held to discuss the consultation paper on gambling review when it was issued.

6. At the request of Mr IP Kwok-him, members agreed that the Administration should be requested to provide a progress report on the Review of the Roles and Functions of District Councils.

V. Proposed creation of an Administrative Officer Staff Grade C (AOSGC) Post to be the Press Secretary to the Financial Secretary
[LC Paper No. CB(2)1753/00-01(02)]

7. At the Chairman's invitation, Deputy Director (Public Relations) (DD(PR)) of the Information Services Department (ISD) briefed members on the salient points of the Administration's paper.

8. Mr Albert CHAN pointed out that the annual remuneration and benefit package for an AOSGC post amounted to about HK\$2 million. He said he was surprised to find that the Financial Secretary (FS), who had assumed office for only a short period of time, had requested to be provided with an additional post of AOSGC (D2) to serve as his Press Secretary. He said that the existing arrangement of having one Press Secretary serving both the Chief Secretary for Administration (CS) and FS had been in place for a long time. He was not convinced that FS needed separate, dedicated press secretary support to cope with increasing demands from the media and public relations fronts, locally as well as overseas, as he saw that such demands had actually been greater at the time of the 1997 transition. He asked the Administration to explain the differences in the scope of duties between the current FS and his predecessor to justify the need for the current FS to have the dedicated service of a press secretary.

9. DD(PR) replied that the duties and responsibilities as well as the workload of the Press Secretary to CS and FS had been under constant review. It was found that the duties and responsibilities of the post had become more complex and the workload had also become heavier over the years. She said that the Press Secretary had to accompany CS and FS to public programmes and functions and to see through the media arrangements. He/she also had to coordinate with various policy bureaux under the different policy portfolios of CS and FS and advise on the public relations dimension for individual policy initiatives. The relevant meetings and activities often clashed and the present arrangement of having one Press Secretary serving both CS and FS was far from satisfactory.

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10. DD(PR) further pointed out that there was a growing expectation from the media and the community for a more open and transparent government. The Administration therefore considered it necessary to strengthen the media and public relations support for CS and FS.

11. Mr Albert CHAN remained dissatisfied with the Administration's reply. He queried whether the current staffing proposal implied that the ability of the current FS was inferior to his predecessor and thus he needed the dedicated service of a press secretary to strengthen the support for him. In response, DD(PR) explained that the current proposal was put up after the Administration had reviewed the workload of the Press Secretary which was considered too heavy. She said that in 2000-01, the number of functions and events including media sessions and interviews that CS had attended was 230, out of which some 80 functions took place during overseas duty visits. The number of functions and events attended by FS during the same period of time was 225, including about 80 functions during overseas duty visits. DD(PR) said that media and public relations support was essential in many of these functions. As a result, there had been events which clashed in timing, resulting in competing demands for the Press Secretary's attention on planning and deployment of resources. Principal Assistant Secretary for Home Affairs (2) (PAS(HA)(2)) further provided figures showing that over the past few months CS and FS had to attend several functions and events concurrently. As a result, the Press Secretary could only accompany either one of them on those occasions.

12. The Chairman asked whether the Administration had considered redeployment of existing staff to assist the current Press Secretary in his service to CS and FS. Mr Albert CHAN suggested that the Administration should provide information and data on the workload of the Press Secretary to CS and FS over the past three years and the projected workload for the coming year. The Chairman requested the Administration to provide the additional information before the Establishment Subcommittee (ESC) meeting at which the current proposal would be discussed.

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13. DD(PR) pointed out that the preparation of the annual Budget was another example to illustrate the problems with the existing arrangements. She pointed out that the mapping out of pre-Budget and post-Budget publicity strategies and plans, and overseeing the implementation programmes to ensure FS' effective response to public reaction to the Budget, required focused attention and full-time efforts of the Press Secretary. As a result, there were difficulties for the Press Secretary to devote adequate time and attention in his service to CS over this period of time. She said that in such cases, ISD had to make special makeshift arrangements to provide CS with the necessary media and public relations advice. DD(PR) said that the same had to be done when the Press Secretary accompanied either CS or FS to overseas functions. She reiterated that the existing arrangements were

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absolutely unsatisfactory in ensuring consistency in service quality and the seeing through of a comprehensive public relation strategy or publicity programme.

14. Mr IP Kwok-him said that the Secretary for Justice (S for J) was only served by a Chief Information Officer (CIO). He asked why the ranking of the current Press Secretary post was much higher than the one serving S for J. He expressed reservations about the need to pitch the Press Secretary post at the level of D2. DD(PR) replied that S for J and the Department of Justice were actually served by a team comprising a CIO, a Principal Information Officer and an Information Officer. Moreover, the CIO was required to look after a smaller scope of policy areas which required a lesser extent of coordination. DD(PR) then gave a brief account of the duties and responsibilities of the Press Secretary and the calibre and core competencies that the incumbents should have to justify why the Press Secretary post should be pitched at the level of AOSGC or D2.

15. Mr IP Kwok-him considered that with the splitting of the current Press Secretary post into two, the scope of duties and responsibilities as well as the anticipated workload of the proposed post of Press Secretary to FS should be reduced. He suggested that the ranking of the post should be pitched at D1 so as to reflect its diminished responsibility. DD(PR) responded that there was no D1 rank in the Administrative Service. D2 was the basic rank in the directorate structure.

16. Mr Henry WU shared Mr IP Kwok-him's views. He requested the Administration to provide more justifications for upholding the ranking of the Press Secretary post to be at D2. In response, DD(PR) said present indications were that the workload of the proposed dedicated Press Secretary to CS or FS would not be reduced. She explained that the current staffing proposal aimed to enhance the quality of support provided to the two principal officials to meet the growing expectation for a more open and transparent government. In reply to Mr WU's further question, DD(PR) said that in view of the heavy workload and growing complexity of the job, the current proposal was to split the current Press Secretary post into two. There was no substantial difference between the duties and responsibilities of the proposed dedicated Press Secretary to CS or FS and those of the current one.

17. Mr Henry WU asked about the financial implications of the current staffing proposal. DD(PR) replied that the additional cost incurred by the proposed creation of an additional AOSGC (D2) post in ISD would be met by the department itself through redeployment of existing resources. She said that ISD also pledged that the current proposal would have no adverse impact on the staff establishment of or services provided by the department.

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18. Mr Andrew WONG concurred with the Administration that it was difficult for one Press Secretary to serve both CS and FS and it was justifiable to split the post into two. He asked about the working relationship between the Administrative Assistant (AA) to CS and FS and the Press Secretary since both posts were at the rank of D2. DD(PR) said that the AA and the Press Secretary had been cooperating very well and there was no subordination between the two.

19. Miss Cyd HO asked whether the proposed dedicated Press Secretary to FS was needed just because very often there was a lack of consensus between FS and CS over public issues or policy matters. She expressed concern that if separate Press Secretary was provided, there might be a lack of consistency in the presentation of the Administration's position on policy issues. As regards the justifications for the current proposal, Miss HO considered that during the overseas duty visits, the relevant media and public relations support to CS or FS could have been provided by the overseas offices of the Government of HKSAR in the corresponding countries. DD(PR) responded that the proposed Press Secretaries, each for CS and FS, would receive professional guidance from the Director of Information Services. Therefore, there would not be any lack of coordination between the two Press Secretaries. As regards overseas duty visits, DD(PR) explained that while the relevant preparation work on the ground could be handled by the overseas offices of the HKSAR Government, the support of the Press Secretary was still needed during the visits, such as in preparing speeches for CS or FS and maintaining links with the local media and the travelling press.

20. Miss Cyd HO pointed out that as far as public communication was concerned, what the community demanded was just timely and accurate release of information on Government policies/decisions. She did not understand why the Administration had emphasised that the Press Secretary should possess competencies like "strategic thinking" and therefore the post had to be pitched at AOSGC level. She was concerned that it might result in manipulation of public opinions by the Government. DD(PR) responded that the purpose of strengthening media and public relations support for the two principal officers was to facilitate public access to information on policies and initiatives and enable the Government to achieve better communication with the media and the community. She emphasised that there was no intention at all for the Government to manipulate public opinions.

21. In response to Miss Cyd HO, DD(PR) said that the Government intended to identify a suitable candidate from within the Government to fill the post of dedicated Press Secretary to FS.

22. Referring to enclosure 2 to the Administration's paper, Miss CHOY So-yuk said she welcomed to see that the Administration intended to strengthen communication between FS and the media. In view of the diverse duties and

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responsibilities of a Press Secretary, Miss CHOY asked how the current Press Secretary could possibly discharge such a wide range of duties given the fact that he/she had to serve both CS and FS. DD(PR) replied that ISD had from time to time deployed additional staff to provide the necessary advice and support for CS or FS as the case might be. She said that the workload of the Press Secretary was very heavy as he/she had to coordinate with various bureau secretaries under the respective portfolio of CS and FS to fine-tune the public relations strategy and publicity programmes.

23. Mr IP Kwok-him remained unconvinced as to why the proposed Press Secretary post had to be pitched at D2 level. Mr Andrew WONG said that while he supported splitting the current Press Secretary post into two, he expressed reservations about the ranking of the post. Mr Henry WU shared the view. He said that it was appropriate to downgrade the two dedicated Press Secretaries, each for CS and FS, after the split. DD(PR) replied that the ranking of the post was decided on the basis of the level of responsibility, service requirements and complexity of the duties and responsibilities involved. She explained that the Press Secretary post was established at AOSGC level as the competencies called for included a good grasp of Government policies and its operation, strategic foresight, media sense, good communication skills and analytical skills. Mr IP Kwok-him requested the Administration to provide more justifications after the meeting for pitching the post at D2 level. Mr Andrew WONG also asked the Administration to provide information on the manpower support for handling media enquiries and providing public relations services for policy bureaux.

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24. Mr Albert CHAN further suggested that the supplementary information paper to be provided by the Administration should include an explanation as to whether the current staffing proposal signified a change in the policy on the growth of civil service. The Chairman asked the Administration to coordinate with the Civil Service Bureau a reply to Mr CHAN's question.

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25. The Chairman said that members in general had reservations about the proposal. He said that since members had raised many questions on the proposal and asked the Administration to provide additional information, he requested the Administration not to submit the proposal to ESC so that the Panel could further consider the proposal at its next meeting on 10 July 2001. Moreover, he did not see any urgency of the proposal. DD(PR) said that the Administration would provide the supplementary information paper as soon as possible. She reiterated the Administration's intention to submit the proposal for consideration at the ESC meeting on 20 June 2001. Mr IP Kwok-him said that he needed to look at the supplementary information first before he would form a view on the proposal. Miss CHOY So-yuk said that she did not object to the proposal.

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26. Mr Andrew WONG said that since the Administration did not agree to revise the current staffing proposal nor to postpone submission of the proposal, he moved the following motion -

"That this Panel does not support the Administration's proposal to create an additional Administrative Officer Staff Grade C post in the Information Services Department to serve as the Press Secretary to the Financial Secretary."

27. The Chairman ordered a vote to be taken by a show of hands. Mr Albert CHAN and Miss Cyd HO supported the motion. No members expressed objection to the motion. The Chairman declared the motion passed.

(Post-meeting note: a letter dated 14 June 2001 was issued by the Clerk to the Secretary for Home Affairs conveying the motion passed by the Panel at this meeting.)

VI. Building Management (Insurance) Regulation

[LC Paper Nos. CB(2)1753/00-01(03) and CB(2)1775/00-01(01)]

28. Noting that the Administration proposed to stipulate in the Building Management (Insurance) Regulation that the minimum insured amount of each insurance policy would be not less than HK\$10 million per event in respect of third party bodily injury and death, Miss CHOY So-yuk asked the Administration to give an estimate of the premium required for a building. She also asked whether the Administration would, on behalf of owners in certain districts, negotiate with insurance companies for the best price of the premium.

29. Principal Assistant Secretary for Home Affairs (5) (PAS(HA)(5)) replied that the Administration had consulted the insurance industry including The Hong Kong Federation of Insurers which had advised that for a single building (supposedly with 100 flats) in normal condition, the premium would be about HK\$3 000 per year. In other words, each owner would have to share about \$30 each year. For buildings which were over 20 years old, the premium would be adjusted by an increase of 20%. For estates with integrated property management, discounts might be offered. PAS(HA)(5) further said that since owners' corporations (OCs) were statutory organisations which functioned independently under the Building Management Ordinance, it was not proper for the Administration to negotiate on behalf of them with insurance companies for the amount of premium.

30. Mr Bernard CHAN informed members that the premium for taking out third party insurance in respect of a building and the common parts depended on different factors such as the type, age and location of the building concerned. He

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said that the premium of the kind of building as mentioned by PAS(HA)(5) could be in the range of \$3 000 to \$10 000 a year (or \$30 to \$100 for each owner per year).

31. Mr Henry WU asked how the Administration would deal with buildings without OCs in enforcing the amended section 28 of the Building Management Ordinance (BMO). PAS(HA)(5) replied that only 20% of the buildings in Hong Kong had formed OCs. Much needed to be done. He admitted that there would be problems in the procurement of third party liability insurance in respect of a building if it had neither formed an OC nor was it under the management of a property management company. He said that the Home Affairs Department was stepping up its efforts to assist owners to form their OCs to improve their building management. Mr IP Kwok-him queried the purpose of enforcing such a law of requiring OCs to take third party insurance in respect of their buildings as the Administration now told members that 80% of existing buildings did not have OCs.

32. PAS(HA)(5) said that this requirement was stipulated in the amended section 28 of BMO. He said that the Building Management (Amendment) Ordinance (BM(A)O) was enacted by the Legislative Council (LegCo) in June 2000 and the purpose of the Building Management (Insurance) Regulation was to stipulate the detailed requirements concerning the mandatory third party liability insurance as provided for under the amended section 28. He explained that for buildings without OCs, the owners concerned were responsible for the necessary compensation in case an accident occurred. They might be personally liable for third party bodily injury and death. He emphasised that owners could not evade their liability simply by saying that their building had no OC. They still had to bear the responsibility when an accident occurred.

33. Miss CHOY So-yuk asked the Administration to consider procuring policy of insurance in respect of third party risks on behalf of buildings which had not formed OCs and establishing a loan scheme to assist owners in insurance procurement. She also asked what measures would be taken for handling discarded advertisement signboards. PAS(HA)(5) said that for discarded advertisement signboards in the common parts of a building, the OC concerned should take prompt action to remove such signboards because the owner and OC concerned would be liable for any accidents arising from the signboards.

34. As unauthorized building works (UBWs) would be excluded from the coverage of the Regulation, Mr Henry WU asked what would be done in case injury or death was caused by UBWs of a building. Mr IP Kwok-him shared Mr WU's concern. He said that most often it was UBW that gave rise to accidents. With the exclusion of UBWs from the coverage of the Regulation, the purpose of the Regulation would be defeated. In response, PAS(HA)(5) referred to paragraph

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8 of the Administration's paper and explained the reasons for the Administration to have concluded that UBWs should be excluded from the coverage of the Regulation. He said that individual owners who erected UBWs should be held liable if their UBWs caused injury or death to a third party. On the other hand, if UBWs were found in the common parts of a building, the OC concerned would be required to take steps to remove UBWs as soon as possible.

35. Mr Bernard CHAN advised that insurance companies would not employ professionally recognised persons to inspect buildings because of the expensive fees involved. Therefore, there should be no problem for buildings with UBWs to be insured. However, when an accident arose from UBWs, insurance companies might not offer any indemnity and in such cases, disputes might arise between owners and insurance companies. Mr Henry WU suggested that the Administration should try to reach an agreement with insurance companies on the principles of indemnification to avoid such disputes. PAS(HA)(5) explained that individual owners should be held liable if the UBWs erected by them caused injury or death to a third party. He said that since no insurance policy would cover UBWs, owners of UBWs should seriously think about the risks entailed by UBWs and take action to demolish the UBWs. Most importantly, UBWs should not be constructed in the first place.

36. Mr IP Kwok-him expressed concern that OC members might be held responsible for making the necessary compensation in case accidents arose from UBWs in the common parts of their building. He considered that the proposed content of the Regulation appeared to be unfair to buildings with OCs, given that buildings without OCs were not subject to the mandatory insurance requirement and their owners were free from any criminal liability. Mr Albert CHAN was of the view that OC members should be exempted from legal liabilities in the present context.

37. Referring to Annex I on the penalty for OCs failing to procure policy of insurance in respect of third party risks, Mr Henry WU was concerned whether owners would be deterred from becoming OC members. Miss CHOY So-yuk expressed similar views. PAS(HA)(5) said that the relevant penalty had been deliberated by LegCo Members in passing the BM(A)O. He invited members to note that under the amended section 28(2) of BMO, provisions had been made to provide for the circumstances under which OCs would not be liable to the penalties even if they did not take out insurance in respect of their buildings. He said that these defence provisions had rendered sufficient and reasonable protection to OCs.

38. Mr Henry WU further asked what action would be taken in case a third party was injured inside or outside a building for which no insurance had been taken out to cover third party liability. He also asked if there were buildings in

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such poor maintenance conditions that no insurance company was willing to provide insurance.

39. Mr Albert CHAN asked whether the Administration would consider imposing the requirement on property management companies by way of stipulation in the deed of mutual covenant, instead of requiring OCs to procure third party liability insurance. PAS(HA)(5) said that this issue was outside the ambit of the Regulation under discussion as the purpose of the Regulation was to stipulate the detailed requirements concerning the mandatory third party liability insurance as provided for under the enacted BM(A)O.

40. Mr Albert CHAN asked whether the Administration would address the grey area that existed over the property right and the responsibility of maintenance of the external walls of a building. Mr Bernard CHAN pointed out that in some cases, the property right of external walls of a flat belonged to the flat owner concerned and the responsibility of maintenance also lay with the owner. In such cases, the external walls in question might fall outside the coverage of the insurance policy taken out by the OC in respect of the relevant building. Mr Bernard CHAN advised that it was therefore desirable for the owner concerned to procure third party liability insurance for his protection.

41. Due to shortage of time, the Chairman asked the Administration to provide more detailed information to address members' concerns when the proposed Regulation was put forward to LegCo for consideration by way of negative vetting.

VII. Policy, structure and facilities for the development of sport and recreation

[LC Paper Nos. CB(2)1753/00-01(04) and CB(2)1803/00-01(01)]

42. The Director of Urbis Limited gave a presentation on their study on the requirements for major new sports and recreation venues in Hong Kong. A copy of the Executive Summary of their report was attached at Annex A to the Administration's paper [Paper no. CB(2)1753/00-01(04)].

43. Mr Albert CHAN said that he was disappointed with the findings of the consultancy study which, in his view, had made many unfair comments and assessments. Mr CHAN pointed out that for example, it was irresponsible for the study to have concluded that problems associated with the development of sport in Hong Kong were attributable to the low importance given to sport at primary and secondary education. He criticised the study for failing to give an account of the constraints and difficulties faced by the National Sports Associations (NSAs) in promoting sport. He also found it illogical for the study to say that some of the sports facilities in Hong Kong were below standard just because they were over 20

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years old. He said that many examples could be found overseas where facilities over 20 years old were used as venues for major sports events. He said that the provision of sports and recreation venues should coordinate with the Administration's sports policy, but details of which would be released only by the end of 2001. He considered that the consultancy study was a waste of public expenditure and it only aimed at paving the way for the privatization of the sports venues in Hong Kong and construction of a new multi-purpose stadium on the South East Kowloon Development. He was of the view that it would be a big planning mistake to construct a multi-purpose stadium in South East Kowloon which, in his view, might turn out to be a white elephant only.

44. Deputy Secretary for Home Affairs (3) (DS(HA)(3)) responded that the Administration had still planned to review the provision of sports and recreation facilities in Hong Kong despite the failure in its bid to host the 2006 Asian Games. He said that as a response to the general expectation from the sports sector and the community, the consultancy study was conducted mainly for the purpose of looking at the requirements for major new sports and recreation venues in Hong Kong. DS(HA)(3) agreed that the provision of sports and recreation venues should dovetail with the sports policy. Hence, the Administration would consider the consultants' findings in the context of the overall policy review being conducted by the Sports Policy Review Team recently set up by the Home Affairs Bureau (HAB).

45. The Director of Urbis Limited pointed out that there were many instances nowadays where stadiums were built on major sites, right next to the Central Business District or right in the waterfront. The purpose was to make the stadiums accessible to the people and encourage their participation in sports activities. He assured members that there was no intention to create a white elephant in putting forward the proposal of constructing a new multi-purpose stadium on the South East Kowloon Development. He said that the consultancy study had looked at what sort of criteria that would be necessary to avoid creating a white elephant.

46. As regards the age of venues, the Director of Urbis Limited pointed out that there were many facilities elsewhere in the world which were quite old but had been effectively upgraded. However, in Hong Kong maintenance for such facilities tended to be done on a remedial basis. The Director of Urbis Limited also clarified that the purpose of the study was not to resolve the problems of NSAs but to look at the need for major new sports and recreation venues based on a survey conducted with NSAs.

47. Mr Albert CHAN reiterated that it would be a serious planning mistake to construct a multi-purpose stadium on the South East Kowloon Development. He said that he agreed that Hong Kong was in need of a large-scale sports venue or, rather, a "sports village". However, he considered that the requirements for major

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new sports and recreation venues in Hong Kong should be examined in the light of the overall sports policy of Hong Kong. He felt that since the policy was under review and a report on that would be issued for public consultation by the end of the year, the requirements for major sports and recreation venues should be determined then. The Chairman asked the Administration to explain why the HAB had commissioned the Urbis Limited to conduct the study as early as October 2000 whereas the Sports Policy Review Team was only established in April 2001.

48. DS(HA)(3) replied that the objectives of the consultancy study and the policy review were not in conflict. He explained that there were recognised needs to review the sports venues and seek necessary improvements. The Chairman said that members disapproved the Administration's approach of commissioning the consultancy study long before the setting up of the Sports Policy Review Team. He said that the Administration must not give the public an impression that the outcome of the policy review was pre-empted by the consultancy findings. DS(HA)(3) assured members that the findings of the consultancy study would be considered in the context of the policy review and wide public consultation on sports development strategies would be conducted.

49. Miss CHOY So-yuk considered that the consultancy report lacked depth and was shallow in its views. It also lacked details to substantiate its recommendations. She shared the view that the Administration was putting the cart before the horse in determining the requirements for major new sports and recreation venues in Hong Kong before formulating the sports policy. Referring to the proposal of building a stadium in Southeast Kowloon as a replacement venue for the Hong Kong Stadium, Miss CHOY asked about the way forward with the Hong Kong Stadium and other existing sports venues on the Hong Kong Island. DS(HA)(3) replied that the Administration had been stepping up promotion to increase the utilisation rate of existing sports venues especially the remote ones. He added that the suggestion made by the consultants on the Hong Kong Stadium site would be taken into consideration, but a final decision on the way forward with the Stadium had yet to be made.

50. Miss Cyd HO said she did not think that the consultancy report was shallow in its views. However, she considered that the need for the proposed new stadium should be examined in the wider context of the overall sports policy, including the promotion of sport at primary and secondary education, the development of community sports facilities, the training of athletic elite for Hong Kong and so on. She requested for the provision of a full consultancy report and the future report on the outcome of the consultation exercise on sports policy. DS(HA)(3) agreed to follow up the request.

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51. Mr Timothy FOK said that the sports sector was concerned about the time schedule of the proposed construction of a new stadium and other sports venues as set out in the consultancy report. He suggested that the Administration should ensure adequate provision of matching facilities for major sports venues. He also supported that the development of sports and recreation venues should be discussed in the context of the overall sports policy.

52. Mr Albert CHAN urged the Administration to devise a policy on the proposed new stadium and decide whether it would mainly be used to host sports or commercial events. He was cautious about the consultant's suggestion of using a "Build-Operate-Transfer" approach for operating the new stadium as he was worried that sports activities would be monopolised by business corporations. DS(HA)(3) responded that the new stadium was intended to be multi-purpose. He said that while it would be primarily used as a sports venue, commercial opportunities would also be explored in its future use.

53. Miss Cyd HO asked for an assessment on the commercial profits of the proposed new stadium. DS(HA)(3) replied that at the present stage, the consultancy study had just completed examining the need for major sports and recreation venues and on that basis come up with the proposal of constructing a new stadium. He said that much information and data would be needed before the Administration could conduct the assessment. The Director of Urbis Limited added that based on overseas experience, commercialization made significant contributions to the overall running cost of stadiums.

54. The Chairman said that members were most concerned as to whether or not the Administration had steered the consultants in drawing the conclusions as given in the Executive Summary. With reference to paragraph 2.5 of the Executive Summary, the Chairman asked the Administration to follow up the view of NSAs that there had been "inequalities in sports funding" and "a more equitable distribution of resources" was called for. He asked what suggestions the Sports Policy Review Team had offered to improve the situation and whether it would consider that LegCo should also play a monitoring role in the resource distribution mechanism for the sports sector. Referring to paragraph 2.2 of the Executive Summary, the Chairman further asked whether the Sports Policy Review Team would address the point made therein that "there is no mandatory requirement to attend physical education classes at secondary school" in collaboration with the Education and Manpower Bureau.

55. DS(HA)(3) and the Director of Urbis Limited responded that the consultancy study had been undertaken independently and no directive had been given by the Administration. In addressing the need to promote sport at primary and secondary education, DS(HA)(3) said that some useful advice in this regard had been received from the Central Policy Unit and it would be studied by the

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Sports Policy Review Team. He said that there was actually a great involvement of LegCo in the resource distribution mechanism for the sports sector since the Council's approval had to be sought in sports funding allocation. However, the Chairman pointed out that there was no involvement of LegCo in the process of resource distribution to NSAs. He requested the Sports Policy Review Team to address this point. Mr Albert CHAN also said that the current consultancy study had not touched on the proposal for a "sports village" as put forward by Mr Timothy FOK previously. The Chairman asked the Administration to follow up these issues. He also requested the Sports Policy Review Team to provide an interim progress report to the Panel when the new LegCo session commenced.

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56. The Chairman thanked the representatives of the Administration and the Director of Urbis Limited for attending the meeting.

57. The meeting ended at 5:25 pm.

Legislative Council Secretariat
30 November 2001