

Legislative Council Panel on Home Affairs

Operation and Supervision of the Chinese Temples Committee

Purpose

This paper seeks to inform members of the operation and supervision of the Chinese Temples Committee (the Committee), and the relevant improvement measures to be implemented.

Background

I. Composition and Functions of the Committee

2. The Chinese Temples Committee is a statutory body established under the Chinese Temples Ordinance (Cap. 153). The Committee consists of eight persons and is chaired by the Secretary for Home Affairs. Its members include the chairman for the time being of the Board of Directors of the Tung Wah Group of Hospitals and six persons appointed by the Secretary for Home Affairs through delegated authority by the Chief Executive.

3. The Committee is mainly responsible for the registration, management and inspection of Chinese temples, as well as the management, control and audit of the Chinese Temples Fund and the General Chinese Charities Fund. Among the 44 temples under the control of the Committee, 24 are managed in the form of temple management contracts and temple keepers' contracts, 9 are managed by the Tung Wah Group of Hospitals and the rest by local organizations such as kaifong welfare associations with the authorization of the Committee.

4. The revenue of the Committee mainly comes from worshippers' donations to the temples under its direct control, contractor fees of temple management contracts and temple keepers' contracts, as well as investment income. The revenue is transferred to the Chinese Temples Fund which has been set up under section 8(1) of the Chinese Temples Ordinance. The

purpose of the Fund is to ensure the due observance of the customary ceremonies at temples and the proper maintenance of temple buildings and temple properties. Under Section 8(2) of the above Ordinance, the Committee may, at its own discretion, transfer any surplus of the Fund to the General Chinese Charities Fund for the purpose of any Chinese charities in Hong Kong and the payment of expenses (e.g. secretariat staff's salaries) incurred by the Committee in the exercise of its powers.

II. The Committee Secretariat

5. The Trust Funds, Temples & Cemeteries Section of the Home Affairs Bureau (HAB) provides secretariat service for the Chinese Temples Committee as well as some other committees. Except the seven civil servants on loan from the government for accounting duties, all staff members of the Section, including the Executive Secretary, are non-civil servants employed on non-civil service contract terms. They are paid by the relevant funds managed by the Chinese Temples Committee and seven other committees / boards / Council^{Note 1}.

III. Supervision of the Committee

6. Every year the Committee holds an annual general meeting which is chaired by the Secretary for Home Affairs in the capacity of the Chairman of the Committee. The Committee also meets once in about three months. The HAB sends representatives to attend these meetings to learn about the Committee's work direction and offer advice. All decisions of the Committee are made after discussion by Committee members at meetings or through circulation of papers which seeks to solicit the members' views. All decisions are placed on record. In addition, the accounts of the Committee are audited by the Director of Audit every year and the Committee submits its accounts for noting by Legislative Councillors before the end of December each year.

Note 1

Grantham Scholarships Fund Committee
Sir Robert Black Trust Fund Committee
Board of Trustees of the Sir Edward Youde
Memorial Fund
The Board of Management of the Chinese
Permanent Cemeteries

Brewin Trust Fund Committee
Li Po Chun Charitable Trust Fund Committee
Lord Wilson United World Colleges Scholarship Fund
Council

Improvement Measures

7. The HAB is now working on a series of measures to enhance the system and operation of the Secretariat of the Trust Funds, Temples & Cemeteries Section. These measures mainly cover the following three aspects: -

- (1) **Review of Operational Procedures:** The HAB has asked the Corruption Prevention Department of the ICAC to help conduct an overall review of the organizational structure, rules of procedure and mode of operation of the Committee and its Secretariat (including the tender procedure, contract vetting/awarding and project supervision of the repair works for temples). The proposals put forward by the ICAC will be scrutinized by the Committee for an overhaul of its operational procedure.
- (2) **Formulation of a Declaration of Interest System:** The HAB is assisting the Committee and its Secretariat to formulate a system of declaration of interest, with a view to safeguarding the interests of the Committee and the public at large.
- (3) **Formulation of a Code of Conduct for Staff:** The Secretariat of the Committee is devising a comprehensive guideline on temple work procedures and a code of conduct for staff members. The code of conduct and guideline will serve to regulate staff behaviour in their participation in Committee affairs and execution of duties.

Home Affairs Bureau

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