

立法會
Legislative Council

LC Paper No. CB(2)1117/02-03
(These minutes have been seen
by the Administration)

Ref : CB2/PL/HA

Panel on Home Affairs

**Minutes of special meeting on the
Culture and Heritage Commission Consultation Paper 2002**

**held on Tuesday, 17 December 2002 at 2:30 am
in the Chamber of the Legislative Council Building**

Members Present : Hon Andrew CHENG Kar-foo (Chairman)
Hon IP Kwok-him, JP (Deputy Chairman)
Dr Hon David CHU Yu-lin, JP
Hon Cyd HO Sau-lan
Hon Albert HO Chun-yan
Hon James TO Kun-sun
Hon WONG Yung-kan
Hon Timothy FOK Tsun-ting, SBS, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon Michael MAK Kwok-fung
Hon Albert CHAN Wai-yip
Dr Hon LO Wing-lok
Hon MA Fung-kwok, JP

Member Attending : Hon LEE Cheuk-yan

Members Absent : Hon NG Leung-sing, JP
Hon Andrew WONG Wang-fat, JP
Hon LAU Wong-fat, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk
Dr Hon TANG Siu-tong, JP

Action

Hon Henry WU King-cheong, BBS, JP
Hon WONG Sing-chi

**Public Officers:
Attending**

Ms Lolly CHIU
Deputy Secretary for Home Affairs (3)

Professor CHANG Hsin-kang
Chairman of Culture and Heritage Commission

Mr NGAI Wing-chit
Secretary of Culture and Heritage Commission

**Attendance by
Invitation** : Hong Kong Arts Development Council

Mr Darwin CHEN, ISO
Chairman

Mr Albert CC LAM, OBE, JP
Chief Executive

Hong Kong Arts Centre

Mr Louis YU
Executive Director

Government Cultural Services Grades' Alliance

Mr Isaac LEUNG
Representative

Mr Gray IP
Representative

Government Librarians Association

Mr LEE Chu
Chairman

Miss Ramona CHEUNG
Treasurer

Action

Hong Kong Curators Association

Mr CHAN Shing-wai
Vice-Chairman

Mr CHAN Ki-hung
Secretary

Hong Kong Arts Administrators Association

Mr NG Kau
Chairman

Ms Cecilia WONG
Treasurer

Hong Kong Institute of Archaeology

Ms LIU Mao
Director

Hong Kong Institute of Contemporary Culture

Mr Steven PANG
Project Co-ordinator

Hong Kong Society for Education in Art

Ms WONG So-lan
President

Mr TSANG Kui-woon
Treasurer

Idea 4 HK

Miss Yolanda NG Yuen-ting
Youth Affairs Panel Convenor

Mr Tim WONG
Youth Affairs Panel Member

Zuni Icosahedron Ltd

Mr Mathias WOO
Acting General Manager

Action

Alliance of Hong Kong Youth Groups

Mr CHAN Tak-ming
Chairman

Hong Kong Christian Service

Dr KWOK Ngai-kuen
Professional Assistant

Mrs TSANG KAM Shau-wan
Service Supervisor, Parenting Education and Day Care
Centre Service

Center for the Arts of the Hong Kong University of
Science and Technology

Miss Kandus Y LAU
Manager

Individuals

Mr CHEUNG Yan-hong, member of Wong Tai Sin
District Council

Miss YUNG Wing-sheung, member of Islands District
Council

Mr KWONG Kwok-chuen, member of Tsuen Wan
District Council

Mr YU Shu-tak, member of Hong Kong Arts
Development Council

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

Staff in Attendance : Miss Lolita SHEK
Senior Assistant Secretary (2)7

Action

I. Meeting with deputations

[LC Paper Nos. CB(2)634/02-03(01) and (03) to (10), CB(2)680/02-03(01) to (03), and CB(2)703/02-03(01) to (02)]

The Chairman welcomed representatives of deputations to the meeting. At the invitation of the Chairman, 14 deputations and 4 individuals presented their views on the Culture and Heritage Commission (CHC) Consultation Paper 2002 as summarised in paragraphs 2 to 20 below. Members noted the summary of submissions from deputations/individuals prepared by the Legislative Council (LegCo) Secretariat [LC Paper No. CB(2)680/02-03(03)].

Hong Kong Arts Development Council

[LC Paper Nos. CB(2)634/02-03(01)]

2. Mr Darwin CHEN, Chairman of Hong Kong Arts Development Council (ADC) informed members that the Council was very concerned about the consultation paper which was directly related to the statutory functions of the Council. ADC had conducted three consultation sessions on the paper with the arts community. He summarised the views collected as follows -

- (a) the principles advocated by CHC, "diversity with identity, evolution through innovation", for culture and arts development were supported by most members of the arts community;
- (b) schools should set aside teaching time and resources specially for education in culture and the arts which was the core of the cultural policy. Arts education should combine arts and daily living and aimed at developing students' intelligence and ability in independent and creative thinking. Given Hong Kong's special background and development, traditional Chinese culture and western culture should be attached equal importance in arts education;
- (c) the reforms in the management of cultural facilities, in particular the enhancement of community involvement, proposed in the consultation paper were supported by the arts community. The notion of community involvement had been adopted by ADC which could be reflected in its composition in which ten of its members were nominated by ten different organisations or groups of organisations which represented the different interests of the arts community;
- (d) the proposal for the establishment of the Culture Foundation and the adoption of a single source funding mechanism should be examined in further detail before implementation since the

Action

mechanism might not be suitable for pluralistic cultural development. Moreover, as details on the composition and functions of the Foundation were not available in the consultation paper, the arts community was not able to assess whether the proposed institutional framework would function better than the existing one. If changes were to be introduced, measures should be taken to ensure continuity especially in management as well as in the provision of sponsorships to arts groups; and

- (e) in chapter 5 of the consultation paper, CHC indicated that resources had been heavily skewed towards the performing arts and recommended gradual redeployment of resources to other areas. According to ADC, resources had been allocated to performing arts taking into consideration their special characteristics and needs. ADC considered that due consideration should be given to the development of culture during resource allocation.

3. Mr Albert LAM, Chief Executive of ADC added that staff of the Council was very concerned and anxious about the recommendation for the dissolution of the Council in paragraph 5.34 of the consultation paper. Most of the staff members of ADC were young staff at middle management level who were not members of any staff associations. He urged the Administration to take into consideration their work prospect when determining the future institutional framework relating to culture and the arts.

Hong Kong Arts Centre

4. Mr Louis YU, Executive Director of the Centre, informed members that the Centre was a statutory self-financing body which did not receive any subsidies from Government. He said that in the last decade, Government had developed numerous cultural and arts facilities. Non-government cultural facilities similar to the Centre had faced keener competition from those operated by Government and hence found it more and more difficult to struggle for their survival in the recent years. He considered that if Government was to advocate for community involvement in the management of facilities as suggested in the consultation paper, it should leave more room for the survival of these non-profit making facilities.

Government Cultural Services Grades' Alliance

[LC Paper No. CB(2)634/02-03(03)]

5. Mr Isaac LEUNG, representative of the Alliance highlighted the salient points in the submission of the Alliance. The Alliance had proposed a new institutional framework under which an independent "Culture and Arts Council" was to be established to oversee the formulation of cultural policy,

Action

funding allocation and management of cultural and performance facilities as well as preservation of antiquities and monuments through four committees and ADC. A "Culture and Arts Division" responsible for execution of policies and management of the facilities would also be formed under the committees.

Government Librarians Association

[LC Paper No. CB(2)634/02-03(04)]

6. Mr LEE Chu, Chairman of the Association introduced the submission of the Association which was summarised in the summary of submissions. Mr LEE added that public libraries should be differentiated into general libraries and thematic libraries. In addition to the existing libraries, Government should develop thematic libraries to cater for the different needs of the community.

Hong Kong Curators Association

[LC Paper No. CB(2)634/02-03(05)]

7. Mr CHAN Shing-wai, Vice-Chairman of the Association presented the views of the Association in its submission. The Association had proposed a new institutional framework similar to the one advocated by the Government Cultural Services Grades' Alliance. Mr CHAN also informed members of the following comments from the Association -

- (a) the Association was supportive of the proposal in the consultation paper that the development of small-scale thematic museums be encouraged. However, it considered that a set of comprehensive guidelines defining the functions, responsibilities and operation of museums as well as a code of practice for professional museum staff should be drawn up to ensure the healthy development and operation of small-scale museums;
- (b) the data on the expenditure on museums and exhibitions quoted in the consultation paper were misleading. They did not reflect the actual operating costs of museums in Hong Kong which were in fact lower than those in other countries; and
- (c) the Association supported the strategy of community involvement but considered that it should apply to the formulation of policy and allocation of public funds on culture rather than management of facilities.

Hong Kong Arts Administrators Association

[LC Paper No. CB(2)703/02-03(01)]

8. Mr NG Kau, Chairman of the Association highlighted the salient points of the submission of the Association as follows –

Action

- (a) the Association was in support of the recommendations of CHC on education in culture and the arts in chapter 3 of the consultation paper;
- (b) Government should take note of the recommendations of the consultancy studies on public libraries, museums, and cultural and performance facilities before finalising its policy on culture;
- (c) the Association supported the establishment of the “Libraries Board” and the “Museums Board” but considered that some members of the Boards should have expert knowledge in the areas. The Association also supported CHC’s suggestion that in the long term, museums should be managed by a Board of Trustees the members of which should include professionals in the field;
- (d) while encouraging the seeking of commercial sponsorship, Government should not reduce its financial resources on museums;
- (e) community involvement should be introduced in the area of performance venues and a statutory “Performance Venues Board” should be established;
- (f) cultural development should be driven by people in the community who had expertise on the subject, with the involvement of other stakeholders including artists, audience and arts administrators;
- (g) with the establishment of the Libraries Board, Museums Board and Performance Venues Board, there would be little function to be performed by the Leisure and Cultural Services Department (LCSD) which should then be dissolved;
- (h) the Association supported the principle of one single source of funding to be provided by the Culture Foundation but advocated that various major venues, given autonomy in programming under the new framework, could provide alternative support for arts companies; and
- (i) an advisory board should be set up to assume the present role of CHC. The Chairman of the Libraries Board, Museums Board, Performance Venues Board and the Culture Foundation should be ex-officio members of the advisory board.

Action

Hong Kong Institute of Archaeology
[LC Paper No. CB(2)634/02-03(06)]

9. Ms LIU Mao, Director of the Institute introduced to members the submission of the Institute which was summarised in the summary of submissions.

Hong Kong Institute of Contemporary Culture

10. Mr Steven PANG, Project Co-ordinator of the Institute briefed members on the views of the Institute as follows –

- (a) CHC should devise a mechanism under which research and comprehensive review on cultural development should be conducted on a regular basis;
- (b) the Institute was supportive of the proposals to encourage community involvement and partnerships in resource deployment and institutional framework related to culture and the arts. However, CHC should provide more details on the implementation of the proposals;
- (c) more avenues should be provided for non-government organisations (NGOs) to express their views on cultural development;
- (d) the possibilities of cultural exchange which was crucial to cultural development should be explored; and
- (e) freedom of expression and speech should be protected.

Hong Kong Society for Education in Art
[LC Paper No. CB(2)634/02-03(07)]

11. Ms WONG So-lan, President of the Society introduced the submission of the Society which was summarised in the summary of submissions.

Idea 4 HK
[LC Paper No. CB(2)703/02-03(02)]

12. Miss Yolanda NG, Youth Affairs Panel Convenor of Idea 4 HK informed members of the following views of the organisation on the consultation paper –

- (a) involvement of youth in the promotion of cultural development should be encouraged;

Action

- (b) Government should enhance Hong Kong people's affiliation with their ethnic cultural identity;
- (c) an implementation schedule should be set for the realisation of the notion of community-driven in cultural development. The areas which should be driven by the community should also be specified;
- (d) the Education Department and schools should cooperate in enhancing arts education in school which should not stress on examination or evaluation of students;
- (e) the professional standard of arts administrators and front-line workers should be enhanced. Existing staff of LCSD should be redeployed to manage cultural facilities under the new institutional framework with appropriate training; and
- (f) the organisation did not support CHC's proposal to reorganise the Antiquities and Monuments Office under LCSD. A separate body should be formed to undertake the responsibilities of heritage conservation.

Zuni Icosahedron Ltd

13. Mr Mathias WOO, Acting General Manager of Zuni Icosahedron Ltd summarised the views of the organisation as follows –

- (a) more frontline arts workers should be invited to present their views on the consultation paper;
- (b) the paper had not addressed the immediate problems faced by the arts groups. Government should listen to the views of the arts groups and provide short term, intermediate and long term solutions to their problems; and
- (c) the role of LCSD and ADC in the development of pluralistic culture should be reviewed. The Panel on Home Affairs should consider obtaining more data on LCSD's operation and funding allocation for consideration and discussion.

Alliance of Hong Kong Youth Groups
[LC Paper No. CB(2)634/02-03(08)]

14. Mr CHAN Tak-ming, Chairman of the Alliance presented the submission of the Alliance as summarised in the summary of submissions. He

Action

support the suggestion of Mr Mathias WOO that more frontline arts workers should be invited to give their views on the consultation paper.

Hong Kong Christian Service

[LC Paper No. CB(2)634/02-03(09)]

15. Mrs TSANG KAM Shau-wan, Service Supervisor, Parenting Education and Day Care Centre Service of the organisation briefed members of the submission of the Hong Kong Christian Service which was summarised in the summary of submissions. She added that Government had not only ignored the needs of small children but also those of the elderly in its cultural policy.

Center for the Arts of the Hong Kong University of Science and Technology

16. Miss Kandus LAU, Manager of the Center presented the views of the Center as follows –

- (a) the Center was supportive of the strategy of “community-driven”. However, as CHC had not provided details about the implementation of its proposals in this respect, much anxiety had been caused among staff of the organisations and Government departments concerned;
- (b) Government should enhance arts education at all levels;
- (c) ADC might not need to be dissolved but its functions should be reviewed; and
- (d) the implementation of the reforms proposed by CHC should be reviewed regularly so that adjustments could be made, if necessary.

Mr CHEUNG Yan-hong, member of Wong Tai Sin District Council

[LC Paper No. CB(2)634/02-03(10)]

17. Mr CHEUNG Yan-hong said that he was supportive of the recommendations in the consultation paper. He then presented his submission to members which was summarised in the summary of submissions.

Miss YUNG Wing-sheung, member of Islands District Council

[LC Paper No. CB(2)680/02-03(01)]

18. Miss YUNG Wing-sheung briefed members of her submission which was summarised in the summary of submissions. She commented that the existing system of appointment of members of Government advisory boards

Action

and committees was not transparent. It could not effectively recruit the appropriate personnel and experts from the community into these organisations.

Mr KWONG Kwok-chuen, member of Tsuen Wan District Council

19. Mr KWONG Kwok-chuen informed members of his following views on the consultation paper -

- (a) cultural development should not be controlled by a small group of people since the public, in particular the next generation, would not benefit from it;
- (b) Government should realise the notion of community-driven in the development of culture and ensure that the provision of cultural and arts facilities and activities was free from Government regulation;
- (c) the role of District Councils (DCs) had not been mentioned in the consultation paper. Instead of delegating more powers and responsibilities of the former Municipal Councils to DCs as promised before the dissolution of the Councils, Government had tried to centralise powers and impose more restrictions on DCs' involvement in cultural activities;
- (d) respect to the culture of the different races in Hong Kong should be ensured;
- (e) commercial sponsorships might result in domination of cultural development by the donors; and
- (f) he was not supportive of corporatisation of existing Government departments which had been functioning quite well in cultural development.

Mr YU Shu-tak, member of Hong Kong Arts Development Council
[LC Paper No. CB(2)680/02-03(02)]

20. Mr YU Shu-tak highlighted the salient points in his submissions which was summarised in the summary of submissions. He proposed to incorporate the Cultural Services Branch of LCSD into ADC so that the latter would be expanded into a middle size statutory body. He said that the proposed reorganisation would achieve flexibility in and optimisation of resources utilisation.

Action

Discussion

21. Mr MA Fung-kwok declared interest as a member of CHC. He noted that the Government Cultural Services Grades' Alliance and some other deputations had proposed a new institutional framework under which a new statutory body, the "Culture and Arts Council" would be established to oversee the formulation of cultural policy, funding allocation, and management of cultural and performance facilities through relevant committees. Mr MA commented that there was not much difference between the proposed framework and the existing one. He enquired on the rationale behind and whether there would be changes to the functions of the Cultural Services Branch of LCSD.

22. In response, Mr CHAN Shing-wai, Vice-Chairman of Hong Kong Curators Association explained that the proposed institutional framework was different from the existing one in that the proposed Culture and Arts Council was independent of the Home Affairs Bureau (HAB). The Council was an independent statutory body responsible for overseeing the formulation of cultural policy, funding allocation and the four committees set up to oversee museums, libraries and performance venues as well as preservation of antiquities and monuments. The Association had also proposed that the existing Cultural Services Branch of LCSD should be re-organised to form the Cultural and Arts Services Division operating under the four committees so that the expertise of the professional staff in the Branch could be retained and further developed.

23. Mr MA Fung-kwok asked how the present concerns of the arts groups about their lack of involvement in the allocation of cultural resources and management of cultural and performance facilities could be addressed under the proposed framework. Mr CHAN Shing-wai replied that the feedback from some of the arts groups indicated that they were satisfied with the existing funding mechanism which was conducive to the development of new arts groups. He explained that those groups did not have the resources to employ full-time staff to deal with applications for funding from ADC. They might choose to apply for funds and assistance from LCSD which, on top of funding the activities of the groups, would also assist them with publicity and other logistics of their activities.

24. Mr Issac LEUNG, representative of Government Cultural Services Grades' Alliance supplemented that the arts groups were normally accorded priority in the use of cultural and performance facilities. Their complaints were mainly concerned about the failure to extend their booking of the facilities within short notice such as one month before the performance. Mr LEUNG explained that in those cases, it would be extremely difficult to approve the requested extension as the reservation of the facilities concerned by other organisations would have already confirmed by then.

Action

25. Pointing out that the proposed Culture and Arts Council was a statutory body similar to the Libraries Board and Museums Board proposed by CHC, Mr MA Fung-kwok enquired why the Government Cultural Services Grades' Alliance and other deputations did not support the establishment of the latter. Mr CHAN Shing-wai clarified that setting up four committees under the Culture and Arts Council to oversee the cultural and performance facilities would enable sharing of resources such as expertise in the management and marketing of the facilities which would help reduce expenses. This could not be achieved by establishing the Libraries Board and Museums Boards which operated separately.

II. Meeting with the Culture and Heritage Commission and the Administration

[LC Paper No. CB(2)289/02-03(02)]

“Community-driven”

26. In response to some of the concerns and issues raised by the deputations, Professor H K CHANG, Chairman of CHC (the Commission Chairman) informed members that many of the concerns had been addressed in the consultation paper. He explained that the strategy of “community-driven” meant that the driving forces of the development of culture, such as the provision and management of cultural facilities and activities, and the required resources, would be derived from the community. It was hoped that the cultural scene would be evolved from the existing Government-led situation to the ultimate “community-driven” situation. However, because of the recent economic downturn and other factors, the private sector might not be ready to take over Government’s existing role. The gradual involvement of the private sector in the provision of cultural facilities and activities was therefore a necessary transitional arrangement. Hence “community involvement” was adopted as a transitional strategy and Government should continue to allocate sufficient resources before the private sector assumed a leading role.

Education in culture and the arts

27. Noting that CHC had recommended in paragraph 3.22 of the consultation paper that schools should be used as a platform for arts education, Ms Cyd HO questioned what measures would be taken to ensure that the recommended policy would be implemented in the face of education reforms and cuts in budget. She also expressed reservation on the proposal in paragraph 3.21 to strengthen parents’ input in providing resources for their children’s extra-curricular arts activities amid the current economic climate.

Action

28. The Commission Chairman responded that Home Affairs Bureau should liaise with the Education and Manpower Bureau on further details of the education reforms and their possible restrictions on the implementation of the proposals of CHC on promoting education in culture and arts. He said that he was confident that the proposals, if accepted by Government, would be able to be implemented successfully and contribute to the cultural development in Hong Kong.

Resource deployment and institutional framework

Community involvement

29. Mr IP Kwok-him said that he was supportive of the major principles and strategies for cultural development recommended in the consultation paper, in particular those relating to Hong Kong's cultural position in chapter 2. On the proposed Libraries Board and Museums Board, he enquired how community involvement would be achieved in their composition. The Commission Chairman responded that CHC had recommended that the majority of the members of the Boards should come from the private sector and be able to represent the different interests of the community.

30. Mr Albert HO said that he was supportive of the main principles put forth in the consultation paper but was concerned about the implementation of CHC's proposals. He pointed out that past experience had cast doubt on Government's sincerity in upholding the principle of "community-driven" or "community involvement" in cultural development. He remarked that if Government had really advocated community involvement, it should not have abolished the former Municipal Councils which had made a lot of contributions towards the cultural development in Hong Kong. He was disappointed that their efforts had not been recognised in the consultation paper, which reflected that Government had not attached any importance to the elected members of public bodies.

31. In reply, the Commission Chairman clarified that the "community-driven" directive was not aimed at undermining the achievements and contributions of the Councils and LCSO but a strategy to further the development of culture in Hong Kong. He stressed that the contributions of the Councils had been recognised and acknowledged in paragraph 5.10 and other parts in the consultation paper.

32. In response to the concerns raised by members on the notion of community involvement, Mr Albert LAM, Chief Executive of ADC informed members that the principle had been adopted by ADC which could be reflected in its composition. Ten of ADC's 27 members were nominated by ten different organisations or groups of organisations representing the different interests of the arts community.

Action

Corporatisation of cultural facilities

33. Mr LEE Cheuk-yan commented that the proposals for the establishment of the Libraries Board and Museums Board and encouragement of community involvement and partnership in the management of cultural and performance facilities might eventually result in corporatisation of these facilities. The employees concerned might suffer since they would then be re-employed on contract terms with a reduction in their salaries and benefits. He queried the intent of Government in introducing these reforms as they would not promote community involvement but reduce Government expenditure on culture and the arts only.

34. Referring to the proposals on the new institutional framework in chapter 5 of the consultation paper, Mr LEE Cheuk-yan further pointed out that the role of LCSD employees was mentioned only in the transition from the Government-led stage to community-driven stage for the management of cultural facilities. He expressed concern that their employment might be terminated upon completion of the transitional period. He urged Government to allay their anxiety by retaining these experienced staff members even after the transition. He also suggested that if a statutory body was established to formulate cultural policy while LCSD remained to be the executing department, there would not be a need for corporatisation.

35. Referring to the recommendation for corporatisation of public libraries put forth in the consultancy study on the future development of public libraries, Ms Cyd HO considered that the ultimate aim of the recent reviews of cultural and performance facilities was to reduce Government expenditure and increase income from other sources. Little had been mentioned in the study about the improvement in the facilities or services concerned. She urged CHC to ensure that the implementation of its proposals would not become another excuse for Government to cut its expenditure but should aim at raising the standard of cultural services and facilities.

36. The Commission Chairman reiterated that the proposed reforms in the institutional framework were not aimed at corporatising cultural facilities but raising the standard of the services, enhancing further development of culture and increasing community involvement. He reiterated that CHC recognised the expertise of existing employees of LCSD and ADC which was crucial to the successful implementation of the new structure. It therefore recommended that these staff members should continue to be involved in the community involvement stage. The Commission Chairman further explained that should ADC and LCSD staff be re-employed on other employment terms under the new structure, the detailed terms of employment would be determined then.

Action

Establishment of the Culture Foundation

37. Ms Cyd HO noted that in paragraph 5.34 of the consultation paper, CHC had recommended a new institutional framework under which HAB would be fully responsible for the formulation of policies and overall resource deployment while the Culture Foundation would allocate funding according to the overall policy direction of HAB. She expressed reservation on how pluralistic cultural development could be safeguarded under this proposed framework with the Culture Foundation as the only organisation established for the promotion of culture which would function according to the policies formulated by the Secretary for Home Affairs (SHA) who was politically appointed. She pointed out that in comparison, ADC enjoyed more autonomy as it operated independently of HAB.

38. In reply, the Commission Chairman said that he did not see any contradictions between the establishment of the Culture Foundation and the promotion of pluralistic cultural development. Although there would only be a single funding source, public funds would be allocated for diversified cultural and arts groups and activities. He quoted the experience of the United Kingdom and the United States of America to illustrate that pluralistic cultural and scientific development could be achieved under the leadership of a single funding body. Mr Albert CHAN, however, considered it not appropriate to compare the situation of Hong Kong with that in other countries since unlike other governments, Hong Kong Government seldom listened to the views of the public.

39. As regards Ms HO's concern about the influence of SHA on cultural development, the Commission Chairman explained that the recommendations in the consultation paper, once adopted by Government, would become the broad direction for Government policy on cultural development. SHA would only formulate policies along this direction. He added that Government would only set the parameter of resource deployment and the Culture Foundation would operate independently in allocating public funds on culture and arts.

40. The Commission Chairman said that the composition of the Culture Foundation would help ensure that public funds would be allocated to different cultural and arts groups. CHC had recommended that the majority of the members of the Foundation should come from the private sector and that a system similar to ADC's "Arts Interests Representatives Nomination" should be established to ensure sufficient democratic involvement in the Foundation. The Commission Chairman considered that if compared with the existing arrangements under which the bulk of cultural and arts funds were directly controlled by Government officials, the proposed funding mechanism was a step forward.

Action

41. Mr Albert HO, however, commented that the allocation of public funding by the Culture Foundation might not be transparent and would be governed by Government policies. He was also worried that conflicts of interest might arise if members of the Culture Foundation would represent the interests of their respective arts groups and, at the same time, be responsible for allocating public funding to those arts groups. To enhance community involvement and ensure fairness in the deployment of resources on culture, Mr HO suggested that cultural policy should be formulated by a statutory body with its members elected from the community while funds on culture should be allocated by Government departments.

42. Sharing a similar concern, Mr LEE Cheuk-yan pointed out that under the proposed institutional framework, the cultural scene might be dominated by the Culture Foundation which in turn might be controlled by Government through appointment of its supporters as members of the Foundation. He also opined that a single funding source might not best serve the interests of the community organisations which might prefer the opportunity to apply funds from more than one source.

43. The Commission Chairman replied that CHC considered that culture was part of everyday life of members of the community and should hence be driven by the community. CHC had therefore advocated the strategy of "community-driven" in all aspects of cultural development, including resource deployment and institutional framework. For the same reason, CHC had recommended that the majority of the members of the Culture Foundation should come from the community and he personally believed that the number of representatives elected by the arts groups concerned to the Foundation should not be smaller than that in ADC.

44. In response to a further question from Mr LEE Cheuk-yan on the estimated amount of public funds available for allocation by the Culture Foundation, the Commission Chairman reckoned that it should be comparable to the subvention of ADC and the presentation budget of the LCSD combined.

45. Mr Albert CHAN said that although he was supportive of the main principles for cultural development put forth in the consultation paper, he was concerned that as cultural policy would be formulated by Government, culture would ultimately become the tool of Government to achieve its political goals. He added that the proposals on the deployment of resources and institutional framework in the consultation paper might lead to commercialisation of culture which in turn would result in cultural development being "politically-driven". By then, Government might subsidise only those cultural and arts groups which identified with its political orientation.

46. The Commission Chairman opined that a community-driven strategy would not necessarily result in commercialisation of culture. Under the

Action

proposed institutional framework, community involvement would be increased in the formulation of cultural policies.

Alternative institutional frameworks

47. The Chairman noted the recommendation in paragraph 5.34 of the consultation paper for the dissolution of ADC after the establishment of the Culture Foundation. He queried the need for the Foundation as ADC could be reformed so as to take up the functions of the former. Mr Albert CHAN also asked whether CHC would consider other alternative institutional frameworks such as the one proposed by Government Cultural Services Grades' Alliance.

48. In response to the Chairman's remarks on the role of ADC, Mr Albert LAM informed members that most of the proposals put forth in the consultation paper had been adopted and implemented by ADC. He considered that the terms of reference of ADC stipulated in the Hong Kong Arts Development Council Ordinance (Cap. 472) had enabled ADC to engage in a wide range of functions and contribute towards the development of culture in Hong Kong and, at the same time, left much room for its development. He said that he was supportive of the major principles put forth in the consultation paper and was not concerned about the name of the new funding body. However, he urged members to ensure that freedom of expression and creation in arts would be protected in future.

49. Mr YU Shu-tak, member of ADC, supplemented that to improve the existing framework, ADC might be combined with the Cultural Services Branch of LCSO with its functions expanded. Such an arrangement would help eliminate political influence on cultural development. ADC would also be able to enjoy a higher status equivalent to that of its counterparts in other countries. This would help enhance Hong Kong's image as an international cultural metropolis.

50. In response to the comments from members and deputations on the institutional framework, the Commission Chairman explained that it would be necessary to enlarge the ambit of ADC if it was to assume the full role expected of the Culture Foundation in overseeing funding allocation for both arts and cultural activities. As the jurisdictions of ADC was governed by the Hong Kong Arts Development Council Ordinance, amendments to the Ordinance would be required. The Commission Chairman pointed out that there were limitations on the development of ADC. He, however, agreed that with its functions and role expanded, ADC might assume the responsibilities of the Culture Foundation. He further explained that "Culture Foundation" was just a name for the proposed statutory body recommended to be set up under the new structure. This might be a reformed ADC or a completely new organisation. He stressed that CHC had not finalised its recommendations and was opened to the views and suggestions from the public. He added that CHC

Action

would not be in a position to "guarantee" the effectiveness of all its proposals in promoting cultural development. However, it believed that reforms were necessary for the further development of culture and had therefore recommended changes to the existing structure.

51. To conclude, the Chairman thanked the deputations and representatives from CHC and the Administration for presenting their views on and participating in the discussion of the consultation paper. He informed members that Mr MA Fung-kwok would sponsor a debate on the consultation paper at the Council Meeting on 18 December 2002.

III. Any other business

52. There being no other business, the meeting ended at 5:35 pm.

Council Business Division 2
Legislative Council Secretariat
13 February 2003