

**Extract from the minutes of special meeting of
the Panel on Home Affairs held on 15 January 2003**

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I. Briefing by the Secretary for Home Affairs on the Chief Executive's Policy Address 2003

Promotion of creative industries and local community economy

16. Noting that both the Commerce, Industry and Technology Bureau (CITB) and HAB were responsible for the development of creative industries, Mr MA Fung-kwok sought clarification on the division of labour between the two bureaux. He also pointed out that protection of intellectual property rights was crucial to the development of creative industries. He therefore expressed concern that although HAB had acknowledged this in page 18 of its booklet on Policy Agenda, CITB seemed to hold a different view as reflected in the remarks of Secretary for Commerce, Industry and Technology (SCIT) at his briefing on Chief Executive's (CE's) Policy Address on 13 January 2003, and the relevant proposed provisions in the Copyright (Amendment) Bill 2001.

17. SHA assured members that Government was determined to protect intellectual property rights and would strike a balance between promotion of culture and meeting the needs of the economy. He explained that industries such as design and fashion which were related to commerce were under the purview of CITB whereas those such as arts and handicrafts which were related to creativity were overseen by HAB. The two bureaux would liaise closely with each other in coordinating the promotion of creative industries.

18. Mr MA Fung-kwok remarked that CITB might be more concerned about the commercial development instead of the promotion of culture. He expressed concern that if the Copyright (Amendment) Bill 2001 was passed, some of its provisions might not be conducive to the development of creative industries in Hong Kong. He urged SHA to liaise with SCIT immediately on this issue as the scrutiny of the Bill would soon be completed.

19. Both the Chairman and Mr WONG Sing-chi criticised that some of the projects to promote local community economy such as the establishment of a flea market in Wong Tai Sin and a bazaar in Sheung Wan had not helped boost up the economy. They had only created competition between the stalls in the markets and the shops in the neighbourhood since they offered similar items for

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customers. Mr WONG Sing-chi added that to implement the same project in several different districts would also reduce the room for creativity of the public. Both the Chairman and Mr WONG urged the Administration to review such an arrangement. Mr WONG further remarked that the proposed legislation for the implementation of BL 23 would also impose restrictions on the creativity of the public. He quoted as an example the restriction on the use of the images of political leaders in advertisements under the proposed legislation. He said that SHA should bring this adverse effect of the proposed legislation to the attention of the Government.

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20. SHA stressed that creativity was crucial for sustaining the development of industries and the economy. The local community economy projects initiated in the districts were therefore just a starting point. The creativity of the operators would enable their business to prosper and become financially viable. In response to a further question from the Chairman, SHA advised that the Administration would brief the Panel on the details of the implementation plan for the promotion of creative industries and local community economy before July 2003.

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Council Business Division 2
Legislative Council Secretariat
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