

Bills Committee on Child Care Services (Amendment) Bill 2005

**Administration's Response
to the Follow-up Actions of the Bills Committee Meetings**

Purpose

This paper sets out the Administration's response to the follow-up actions of the Bills Committee meetings held on 12 May and 23 May 2005.

Threshold of children in the definition of child care centre

2. According to our research, it was first proposed to set the threshold of children in the definition of child care centre (CCC) at 3 or more children when the Child Care Centre Bill was first drawn up in 1974. However, there were different views on such threshold when the Bill was considered at the Legislative Council. While some considered that the threshold should be raised to 9 to match the requirement of kindergarten (KG), others considered 5 was a more reasonable threshold. In the end, the majority preferred 5 as the threshold.

No smoking requirement

3. In view of Members' comments, we agree to further tighten up the no smoking requirement in CCCs so that smoking is prohibited at all hours. We will propose a Committee Stage Amendment (CSA) and the proposed wording is at **Annex**.

Long term planning of pre-primary services

4. Upon harmonisation of pre-primary services, the scope of services of KG and CCC will be both extended. Aided CCCs may also offer half-day care to needy children. In view of this development, the Administration will review the service provision of pre-primary services as stated in the Hong Kong Planning Standards and Guidelines. The Social Welfare Department will continue to subvent and monitor the existing ancillary services such as occasional child care service, extended hours service and integrated programme for mildly disabled children. A Steering Group on Harmonisation of Pre-primary Services, with membership drawn from representatives of the sector and relevant Government departments, has been formed to discuss implementation details. These concerns will be addressed.

Staff-to-children ratio

5. If the staff-to-children ratio of pre-primary institutions is improved from 1:15 to 1:14, the number of staff will have to be increased correspondingly, resulting in an increase of inclusive fees, which will be borne mostly by parents and partly by the Government under the Kindergarten Fee Remission Scheme. Since the amount of additional expenditure on teachers' salary and the rise in school fee are business decisions of individual operators, the Administration is unable to estimate the amount of financial implications.

6. As regards the concerns on the staff-to-children ratio raised at the Bills Committee on 23 May, working on the basis of mutual understanding, it was agreed at the Steering Group meeting on 26 May 2005 that the staff-to-children ratio for children aged 2 to 3 should remain at 1:14 while that for children aged 3 to 6 at 1:15. The Administration has made it clear that this will not carry implication on the Kindergarten Subsidy Scheme. The Administration will propose a CSA to delete the relevant amendments in the Child Care Services (Amendment) Bill.

Requirement of kitchen

7. At the Steering Group meeting held on 26 May, it was also agreed between the child care sector and KG sector that this is not a legal requirement and hence should not complicate the legislative amendments. The requirements for handling of meals (either through a kitchen or catering services) will be specified in the Operation Manual for Pre-primary Institutions.

**Social Welfare Department
Education and Manpower Bureau
Health, Welfare and Food Bureau
May 2005**

CHILD CARE SERVICES (AMENDMENT) BILL 2005

COMMITTEE STAGE

Amendments to be moved by the Secretary for
Health, Welfare and Food

<u>Clause</u>	<u>Amendment Proposed</u>
19	By deleting the clause and substituting – “19. Smoking and spitting Regulation 38(1) is amended – (a) by repealing “Except in a room specified by the Director, no” and substituting “No”; (b) by repealing “during the hours that a centre is being operated”.”.