

# **OFFICIAL RECORD OF PROCEEDINGS**

**Thursday, 6 January 2005**

**The Council continued to meet at  
half-past Two o'clock**

## **MEMBERS PRESENT:**

THE PRESIDENT

THE HONOURABLE MRS RITA FAN HSU LAI-TAI, G.B.S., J.P.

THE HONOURABLE JAMES TIEN PEI-CHUN, G.B.S., J.P.

IR DR THE HONOURABLE RAYMOND HO CHUNG-TAI, S.B.ST.J., J.P.

THE HONOURABLE LEE CHEUK-YAN

THE HONOURABLE MARTIN LEE CHU-MING, S.C., J.P.

DR THE HONOURABLE DAVID LI KWOK-PO, G.B.S., J.P.

THE HONOURABLE FRED LI WAH-MING, J.P.

DR THE HONOURABLE LUI MING-WAH, J.P.

THE HONOURABLE MARGARET NG

THE HONOURABLE MRS SELINA CHOW LIANG SHUK-YEE, G.B.S., J.P.

THE HONOURABLE JAMES TO KUN-SUN

THE HONOURABLE CHEUNG MAN-KWONG

THE HONOURABLE CHAN YUEN-HAN, J.P.

THE HONOURABLE BERNARD CHAN, J.P.

THE HONOURABLE CHAN KAM-LAM, J.P.

THE HONOURABLE MRS SOPHIE LEUNG LAU YAU-FUN, S.B.S., J.P.

THE HONOURABLE LEUNG YIU-CHUNG

THE HONOURABLE SIN CHUNG-KAI, J.P.

DR THE HONOURABLE PHILIP WONG YU-HONG, G.B.S.

THE HONOURABLE JASPER TSANG YOK-SING, G.B.S., J.P.

THE HONOURABLE HOWARD YOUNG, S.B.S., J.P.

DR THE HONOURABLE YEUNG SUM

THE HONOURABLE LAU KONG-WAH, J.P.

THE HONOURABLE LAU WONG-FAT, G.B.S., J.P.

THE HONOURABLE MIRIAM LAU KIN-YEE, G.B.S., J.P.

THE HONOURABLE EMILY LAU WAI-HING, J.P.

THE HONOURABLE CHOY SO-YUK

THE HONOURABLE ANDREW CHENG KAR-FOO

THE HONOURABLE TIMOTHY FOK TSUN-TING, G.B.S., J.P.

THE HONOURABLE TAM YIU-CHUNG, G.B.S., J.P.

THE HONOURABLE ABRAHAM SHEK LAI-HIM, J.P.

THE HONOURABLE LI FUNG-YING, B.B.S., J.P.

THE HONOURABLE TOMMY CHEUNG YU-YAN, J.P.

THE HONOURABLE ALBERT CHAN WAI-YIP

THE HONOURABLE FREDERICK FUNG KIN-KEE, J.P.

THE HONOURABLE AUDREY EU YUET-MEE, S.C., J.P.

THE HONOURABLE VINCENT FANG KANG, J.P.

THE HONOURABLE WONG KWOK-HING, M.H.

THE HONOURABLE LEE WING-TAT

THE HONOURABLE LI KWOK-YING, M.H.

DR THE HONOURABLE JOSEPH LEE KOK-LONG

THE HONOURABLE DANIEL LAM WAI-KEUNG, B.B.S., J.P.

THE HONOURABLE JEFFREY LAM KIN-FUNG, S.B.S., J.P.

THE HONOURABLE ALAN LEONG KAH-KIT, S.C.

THE HONOURABLE LEUNG KWOK-HUNG

DR THE HONOURABLE KWOK KA-KI

DR THE HONOURABLE FERNANDO CHEUNG CHIU-HUNG

THE HONOURABLE CHEUNG HOK-MING, S.B.S., J.P.

THE HONOURABLE WONG TING-KWONG, B.B.S.

THE HONOURABLE RONNY TONG KA-WAH, S.C.

THE HONOURABLE CHIM PUI-CHUNG

THE HONOURABLE PATRICK LAU SAU-SHING, S.B.S., J.P.

THE HONOURABLE ALBERT JINGHAN CHENG

THE HONOURABLE KWONG CHI-KIN

THE HONOURABLE TAM HEUNG-MAN

**MEMBERS ABSENT:**

THE HONOURABLE ALBERT HO CHUN-YAN

THE HONOURABLE WONG YUNG-KAN, J.P.

THE HONOURABLE LAU CHIN-SHEK, J.P.

THE HONOURABLE MA LIK, J.P.

THE HONOURABLE ANDREW LEUNG KWAN-YUEN, S.B.S., J.P.

**PUBLIC OFFICERS ATTENDING:**

THE HONOURABLE DONALD TSANG YAM-KUEN, G.B.M., J.P.  
THE CHIEF SECRETARY FOR ADMINISTRATION

THE HONOURABLE MICHAEL SUEN MING-YEUNG, G.B.S., J.P.  
SECRETARY FOR HOUSING, PLANNING AND LANDS

DR THE HONOURABLE PATRICK HO CHI-PING, J.P.  
SECRETARY FOR HOME AFFAIRS

THE HONOURABLE AMBROSE LEE SIU-KWONG, I.D.S.M., J.P.  
SECRETARY FOR SECURITY

**CLERKS IN ATTENDANCE:**

MR RICKY FUNG CHOI-CHEUNG, J.P., SECRETARY GENERAL

MR RAY CHAN YUM-MOU, ASSISTANT SECRETARY GENERAL

**MEMBERS' MOTIONS****DEVELOPMENT OF THE WEST KOWLOON CULTURAL DISTRICT****Continuation of debate on motion which was moved on 5 January 2005**

**PRESIDENT** (in Cantonese): We will continue with the debate on the motion "Development of the West Kowloon Cultural District". Dr LUI Ming-wah, please continue with your speech.

**DR LUI MING-WAH** (in Cantonese): Madam President, in the meeting yesterday, I was two minutes shy of finishing my speech. I will now continue with the speech I was giving yesterday and read out the last paragraph of my script.

Madam President, I have no objection to the construction of the canopy or the Government's inclusion of the canopy as one of the requirements of the WKCD development. However, we have to examine its concept and design and determine if the canopy can perfectly tie in with the cityscape culture, ecology, conventional notions, the future direction of cultural development and the needs of the people in Hong Kong. Of course, it is also necessary to consider the cost and benefit. In view of the cursory comments I have made and the responses in society, I hope the Government can reconsider this major initiative to develop the WKCD at a macro level, with a view to building a splendid cultural district with substance which will be the pride of Hong Kong people, a showpiece to the world and a legacy for our posterity. I so submit. Thank you.

**MS AUDREY EU** (in Cantonese): Madam President, on the five points raised by Mr Alan LEONG concerning the West Kowloon Cultural District development (the WKCD development), I wish to comment on point (e) concerning the policy on arts and culture in Hong Kong.

On Tuesday, after the other three Members belonging to the Concern Group and I had visited the exhibition organized by the three consortia, we had the impression that we had been to a property exhibition. The models' exterior and outward appearances are exquisite. After attending the exhibition, we wondered what the main objective of this development was. Is it to build a

canopy, to erect a landmark, to build a large residential and commercial district or really to carry out a cultural project?

The concept of the WKCD development was first proposed in the policy address of 1998. Subsequently, the Hong Kong Tourism Association published a study report in 1999, saying that the utilization of major performance facilities in Hong Kong had reached full capacity and thus proposing that an international performance venue be built in West Kowloon.

However, this begs the question of whether, given that the WKCD development will have great implications on cultural development in Hong Kong, the Government had carefully assessed the needs of cultural development in Hong Kong, so as to formulate a set of long-term cultural policies before making this decision. If tens of billions of dollars are splashed out on this project based on a report prepared by the Hong Kong Tourism Association, will this be much too risky? If this project is intended mainly for tourists, then it is a little bit like an alternative high-class or self-proclaimed high-class theme park. Will this be the outcome? If it is intended for overseas visitors instead of being a real catalyst for local cultural development, then it reminds me of the Harbour Fest which was in fact a miniature of this project. In order to attract overseas visitors to Hong Kong, many concerts were organized and top rate artistes were invited to perform here. The situation then was like the present one involving the WKCD development. Top-notch museums and artists will be brought into Hong Kong, however, for local people, if such a culture cannot take root here, we can imagine its end will be as sorry as that of the Harbour Fest.

In view of this, Madam President, it is certainly necessary to have hardware in the development of arts and culture but software is also needed. Of the two, software is more important. As far as we can see, the WKCD development is mainly preoccupied with the hardware, that is, it is mainly concerned with the landmark and we can catch a glimpse of this from the advertisement slogan of the WKCD development because in the slogan, the most important thing is "an icon for culture". In fact, culture is not meant to be a showpiece, that is, culture is not something intended for showing off, rather, it is necessary for local culture to have substance. However, from the slogan, "an icon for culture and leisure", we can already get a glimpse of the mentality of the people in charge. This is really problematic for cultural projects. There is little wonder that many people in the cultural circle have expressed worries.

There are certainly a lot of cultural and artistic activities in Hong Kong, but compared with other cosmopolitan cities, our cultural refinement is, generally speaking, still in need of elevation. Let me cite some simple figures: the numbers of performance sessions and attendances in the City Hall, the Cultural Centre and the city halls in various districts have been falling continuously for the past three years. Among these venues, the number of performance sessions in the Cultural Centre fell from 893 to 723, its attendance fell from 720 000 to 560 000 and the average attendance in each session also dropped by 3.7%. The attendance in the Hong Kong Museum of Art fell from 540 000 in 1998 to 220 000 last year, a far cry from that of museums in other overseas cosmopolitan cities.

In fact, we have also examined the figures submitted by the Leisure and Cultural Services Department. The numbers of performances and performance sessions in many city halls and cultural venues have been dropping. However, the elevation of cultural standards cannot be achieved in a day. This is surely more difficult than building a massive "icon" and demands even greater patience and dedication from us. The Hermitage Museum in Russia is visited by 2.5 million people each year and the British Museum in London and the Louvre in Paris are visited by over 5 million people. The main reason does not lie in their being "icons" in their appearance but in the priceless collections in them. The Guggenheim Museum in Bilbao has a unique appearance and is a piece of architectural art *per se* and in the first year, it attracted 1.3 million visitors. However, after three years, it became financially unsustainable and its attendance fell by 50%. Many of the Guggenheim Museums at other places were also beset by financial difficulties. We worry very much that if we are concerned only with the hardware, the same difficulties may arise. In the first two years, it may be possible to make a profit and offer an attraction, however, it will not be financially sustainable and this is really a cause for concern.

What Hong Kong badly needs now is not cultural hardware but quality exhibitions and performances, a cultured audience and a social environment that promotes culture and the arts. We may as well ask these questions: At the end of last year, the works of SHI Tao and Ba Da Shan Ren were on exhibition in Macao and the success was resounding. Why were the exhibitions not held in Hong Kong? Why do quite a lot of people always make the mistake of applauding between movements or forget to switch off their mobile phones in the concerts in Hong Kong? Why do art groups in Hong Kong receive less and less subsidy? Has school education in Hong Kong included such subjects matters as

introducing HUANG Bin-hong, FU Bao-shi and Michelangelo to secondary and primary school students?

Cultural and artistic cultivation is a long-term endeavour requiring cumulative input in small quantities. If the Government is serious about promoting culture, it should embark upon this task by working on such substance aspects as planning, development and policies in respect of the cultural district. Moreover, it has to consult art groups and members of the public. Most importantly, it should not harbour the mentality of aiming for the grandiose by creating a landmark without regard for the cultural outlook and substance.

With these remarks, Madam President, I support the original motion and the other amendments with the exception of Mr CHEUNG Hok-ming's amendment.

**MS MARGARET NG** (in Cantonese): Madam President, first of all, I have to set the record straight about one point here. The Chief Secretary for Administration has claimed a number of times that the discussion on the West Kowloon Cultural District development (the WKCD development) has spanned many years, that various sectors have been consulted during this period, that it has won the support of the public and this Council, and that we have backpedalled only recently and landed the Government in a dishonourable pass. Madam President, this is not the truth.

The truth is, in the course of the consultation which lasted many years, we have been in favour of developing a West Kowloon Cultural and Entertainment Development District. Our grave reservations have to do with the manner of financing proposed by the Government all of a sudden in a meeting of the Panel on Planning, Lands and Works in July 2003. We oppose awarding the project by a single tender and make the canopy a requisite. At that time, I could not find any specific analysis and detailed consideration on this proposal to make developers dip into their pockets and take charge of cultural development, not to mention any extensive consultation. However, the Chief Secretary had already taken all these for granted and dismissed all dissenting voices. Why?

On 12 October 2003, the Chief Secretary for Administration, when giving a reply to an oral question at the Council meeting, said that this approach appeared to be the only option. He then asked in retort and with impatience



what would happen if we did not undertake this project. Despite the Government's stringency in resources, there were as much as \$3,000 billion of capital roaming about in the market looking for a place to anchor, or trying to find a project for investment. Besides, interest rates were very low insofar as investment was concerned. Under these circumstances, obviously, there should not be any resistance to adopting the approach of awarding the project by way of single tender, that is, the injection of private sector resources into this WKCD development.

Is this not an excessively simplistic way of looking at things? Concerning such an approach, the Chief Secretary said in a press conference that it is "serving the community by using the private sector". Is such a claim not naive? In fact, this cannot be described as the consortia serving the community, but an exchange of benefits. To put it more simply, this is all about "you have money but no land, I have land but no money". The most polite way to put it is it is just a fair deal. However, the important question is what sort of deal it actually is. Is it fair or not? After the Government has granted the land, what will it get in return for the public? According to the Government, after the developer is granted the land, not only has it to build the specified cultural and arts facilities, that is, the hardware, it also has to be responsible for operating them for 30 years. These are very fine words.

However, the question is: How can that be enforced? This is the so-called problem of enforcement. There is in fact no solution to this problem. If the conditions of grant are used to regulate a developer or consortium, then when the consortium violates the conditions, what legal action can the Government take as a last resort? It is to repossess the land, or to re-enter it, as it is called. However, by then the title will have changed hands and become scattered. How can the Government re-enter the land? Will this again evolve into another case in which the Government obligingly modifies, relaxes or cancels the conditions of grant imposed previously?

In November last year, the Chief Secretary commented on the so-called "operational problems". He said that all proponents had to spell out their approaches in three areas, one of them being the problem of operation. He said that in the course of operation, if the Government considers the performance of the operator in operation or maintenance unsatisfactory, their franchise of operation could be terminated, withdrawn and handed over to other parties. In this event, the Government would also invoke the condition concerning

performance bond, which it intended to add to the conditions, to enable another party to carry out management and all additional costs incurred in the course of operation would be paid from this performance bond. Is this idea of a performance bond not somewhat naive? How much money are we actually talking about? If these consortia think that they do not have any money or cannot make enough money to keep things going, how many people do Members expect will say that they have a great deal of money and can take over? In that event, it will depend very much on how much money there is in this performance bond. However, we have never heard how much the sum concerned is. So far, we still do not know how much the figure in question is, nor have we learned if the Government has calculated how much subsidy or funding is required by each museum, art gallery, concert hall or the water amphitheatre each month and each year. Actually, we can make reference to the funding required by museums around the world. There is no need to look afar and we can look at the Shanghai Museum in China. Somebody told us that the amount of subsidy is \$200,000 monthly. I have not tried to confirm the figure, however, should the Government not tell us how much subsidy will be required, in the event that it is required? We must have objective facts and figures as the basis. So far, we still do not know how much this sum of money will be, or how much money there will be in the trust that the bidding consortia pledged to set up and whether it will be enough.

Before we have any idea how this so-called enforcement will be enforced, it is being insisted that this project must proceed. As a comment on this, I can only borrow a remark by Mr Justice Michael John HARTMANN, a Judge in the Court of First Instance of the High Court, who said, "it seems to me, was bold indeed, some might use a different description". Thank you, Madam President.

**MR ALBERT CHENG** (in Cantonese): Madam President, many people have queries about this West Kowloon Cultural District development (the WKCD development) and everybody is concerned that it will involve the transfer of benefits or collusion between the Government and businesses. The main problem has to do with awarding the project by way of single tender and the public's distrust of developers. However, I also have to put in a fair word for the Government. There should not be any doubt about the motive of the Government in implementing the WKCD development. I believe the Government is sincere about developing a world-class cultural and arts district.

However, the problem is that if the name is not right, the arguments will not be tenable. Most importantly, there are no righteous-sounding justifications. The Government has packaged a real estate project as a cultural cause, and this is a serious blunder. This project is in fact a real estate development and the facilities are simply entertainment facilities.

I also support the view of the Hong Kong Tourism Board, that there is a shortage of performance venues in Hong Kong. If Hong Kong aspires to becoming an international financial centre or tourism centre, then we lack what is called culture — or what Ms Audrey EU described as the so-called high-class cultural performances. However, the Government has for no apparent reason packaged the project as a cultural project, so it is inevitably that it will be queried.

As Members of the Legislative Council, we have been to the exhibition which, as Ms Audrey EU put it, was like an exhibition on a property development. I have also been there. After having a look, we felt that the hardware — and by that I mean the models — was of course very impressive. Many members of the public believe we need such a landmark. However, the problem is that there is no software, no substance. What are the four museums to be built supposed to house? We have asked the person-in-charge of one of the developers. He told us frankly that there would be nothing inside. He was really honest and did not fool us. What would those museums house? Ms Emily LAU then asked, "Do you know that a painting by Monet alone costs US\$200 million?" He said that the items would be procured over time after revenue was obtained from the sale of properties.

In other words, after the WKCD development is completed, it will be a white elephant with everything in place except the exhibits. I have a proposal. Since the Legislative Council is short of space, perhaps a large glass house can be built for us to hold meetings there. In that case, perhaps more people will come to observe the meetings.

In view of what I have said, we cannot support this project, particularly when the approach of awarding the project by way of single tender is to be adopted. How can we trust the developers? Take the shopping malls nowadays as an example, the areas originally intended as passageways are now used for vending purposes. As regards toilets, there is a unique culture in Hong Kong which should be included in the Cultural Museum and Secretary Dr Patrick

HO, who is seated here, should also give this consideration. Such instances cannot be found anywhere else in the world. In many a toilet, one will find that in every cubicle, it is stated for which restaurant the cubicle is reserved and this is also the case with urinals. Are they really reserved? Have Members ever examined what this means? This is because when developers built the toilets, they were originally intended for use by the public in the shopping centre. However, since restaurants are required to provide a certain number of toilets for a certain number of seats, so developers exploited a loophole in law and affixed plates reading "Reserved for the exclusive use of McDonald's" or "Reserved for the exclusive use of Fairwood Restaurant" in the toilets originally intended for public use, so as to exploit the loophole in law. Such is the trick conceived by the so-called paralegals in the British Hong Kong era. One can say that this is really a trick that smells of being conceived in the loo.

How can we trust the developers? The problem now is that we cannot trust the developers in organizing cultural activities. Ms Margaret NG has put it aptly by asking how the conditions can be enforced. We held a meeting this morning and the issue is none other than the construction of footbridges by developers. When plans were submitted, it was stated clearly that a footbridge would be constructed, however, should the fung shui master raise any objection subsequently, no footbridge would be built. What can be done? There will be no footbridge. How can this be enforced? We also know that the frequently cited excuse is oversight in perusing the terms of the contract, as is the case in The Link REIT incident. Secretary Michael SUEN said here yesterday that a loss of \$900 million had been incurred as a result of the failure to list The Link REIT and this was also reported in the newspaper today. I wonder where that \$900 million has gone. If it is really the case that \$900 million has indeed been used, then who drafted that prospectus of initial public offering?

I think this is mainly a matter of confidence. We do not have confidence in the Government — not exactly in the Government, since I personally believe that the motive and sincerity of the Government in implementing the WKCD development is acceptable and I have complete trust in it, but I do not trust the developers. How can this piece of the most precious land in the world, this plot at the waterfront in the city centre, be handed over to developers in exchange for the buildings built by them? If the developer hands the properties back to the Government on their completion and also hands back the money to the Government, then there will not be any problem. However, the Government

wants to let a developer manage them. How will it manage them? Those places will easily be turned into venues for performing striptease dances.

I object totally to awarding the project by way of single tender and the arrangement to hand the cultural facilities to developers. When did the several screened-in proponents ever sponsor any cultural activity? Of course, someone will no doubt challenge me, saying that they have sponsored cultural activities before. But how many times were there? Why would they all of a sudden dream of promoting culture? Not anything else but for the sake of that juicy piece of pork, for the sake of profit. After obtaining that piece of land and completing the construction works, and after the buildings have become rundown, it will be difficult for the Government to find them. The Government will not be able to do anything but to foot the bill. Then we can only protest again and ascertain whose responsibility it is. However, by then, this affair may no longer have anything to do with us.

As regards that canopy, I hold a different view. Great architecture throughout the world usually arouses controversy. We do not have to look too far for an example. The Bank of China Building in Hong Kong designed by I.M. PEI was sorely criticized and was accused of damaging fung shui initially, but it has now become more and more pleasing to the eye. The glass pyramid at the Louvre designed by the same PEI was also severely criticized. The Concert Hall being built in Beijing, the design of which is called a "fried egg" and which an Honourable colleague praised yesterday, was also severely criticized. The designer of the Sydney Opera House was even given the sack. Innovative concepts are always controversial at the beginning. The canopy in question has also aroused a great deal of controversy and it has been described as a dragon sprawling on the ground, a tadpole, and so on. Maybe this is a really original idea. I think the canopy is acceptable, however, the overriding consideration must certainly be cost-effectiveness.

I support the original motion. I so submit. Thank you, Madam President.

**MR TIMOTHY FOK** (in Cantonese): Madam President, the WKCD development, a landmark project to make Hong Kong a cultural metropolis, has been hit by waves of pan-politicized disputes. Now, the future of the WKCD development looks a bit obscure because of the emergence of some variables in the icon facility.

The policy blunders made over a prolonged period have made it difficult for the development of Hong Kong's arts and cultural undertakings to move forward. To date, a number of arts and cultural groups still remain amateur or rely on government funding. The lack of suitable performance venues has become even more serious than before. As Members are aware, Cantonese opera, having applied to be included in the world heritage list, is frustrated by the lack of a permanent venue. Finally realizing the importance and necessity of developing arts and culture, the Government has now decided to earmark its last "treasure site" in the urban area for the building of a cultural district. This bold, visionary plan will not only benefit the entire community, but also provide an excellent opportunity for Hong Kong to shape itself into a cultural city. It is such a pity to see that the acclaim heard throughout the city has turned into disputes.

I have previously held a number of seminars with the people in the industry. After repeated discussions, it was unanimously held that the development is strongly justified and that opportunities will wait nobody, not to mention "take two". If we fail to grasp the opportunity today, we may never get another break tomorrow.

While disputes remain unresolved and a consensus has yet to emerge, extending the public consultation period is a pragmatic and responsible course of action. It is imperative for the Government to seize the opportunity to solicit and invite the participation of the industry, listen to public opinion, give a full account and clarification to dispel the misgivings of the public, and improve the development proposal. At the same time, the stakeholders and the public should put forward constructive recommendations in a pragmatic manner.

It must be pointed out that, after an extended period of economic recession and social disputes, Hong Kong society is in urgent need of solidarity and harmony. In addition, it must extricate itself out of the quagmire of pan-politicization back to the easy path to building stability and prosperity. The WKCD development is a project for building a cultural metropolis. It is not meant to be an ammunition depot for a political tug-of-war.

Madam President, it has been a long-standing practice in Hong Kong for public services to introduce commercial *modus operandi* and be financed by land proceeds. This practice has proved to work well too. Judging from its current financial power, it is after all a pragmatic and feasible option for the SAR

Government to foster culture by way of property development, provided that supervision is properly effected and explanation given. Being part of the commercial negotiation, such issues as whether a "single tender" approach should be adopted and the share of land proceeds should be open to public discussion. As long as the Government remains strict in keeping the gate, I think the problems can be resolved easily. As regards the plot ratio, the Government will naturally uphold it and enforce it earnestly since it is a planning indicator proposed by the Government itself.

As a cultural metropolis, Hong Kong ought to have a heavyweight landmark. While the canopy is already remarkable, the picturesque Victoria Harbour may offer us yet another option in the interest of building Hong Kong into a cultural metropolis. Actually, arts and culture, a people-oriented pursuit, call for creativity, feelings, and innovation. The real essence of the WKCD development should embody long-term arts and cultural development policies, cross-generation nurturing of talent, performance opportunities for appreciation and learning, unlimited room for creativity, as well as operation and management that fulfil the needs of the industry. They provide the soil required for arts and culture to germinate and take root. A landmark and venues are nothing but consequential accessories. For this reason, in planning the entire proposal, the Government must clearly manifest the primary and secondary priorities and ensure full participation of the industry to, through interaction between the three parties, namely the Government, the developer and the industry, enable the implication of arts and culture to be fully realized and developed. At the same time, an independent foundation comprising representatives from the three parties should be set up to take charge of the development of the Cultural District and its management upon completion to enable this cultural metropolis to live up to its name.

In the South Asian natural disaster is embodied the benevolence of Hong Kong people. We ought to work with one heart and one mind, as well as putting aside our differences, to make concerted efforts in building Hong Kong into a cultural metropolis with a rational and constructive attitude by clearly distinguishing between culture, property and politics.

I so submit.

**DR YEUNG SUM** (in Cantonese): Madam President, I speak in support of the motion moved by Mr Alan LEONG. I ask Chief Secretary for Administration Donald TSANG to fully appreciate the situation and give careful consideration to the views of all parties. On this cultural project of unprecedented importance to Hong Kong, he should pull back from the brink, put on hold inviting any more tender and carry out planning for the whole project anew. I believe more time and resources will be required, however, this will be worthwhile. This is because the Democratic Party considers cultural development in Hong Kong important and also wants to seize this window of opportunity for development. In Hong Kong, great importance is always attached to the economy but culture is belittled. In school education, only the examination results of academic subjects are considered important and cultural education is belittled. However, human beings do not live on materials alone and intellectual pursuits are also very important. The development of the humanities is indispensable to a civilized society. It is precisely because the Democratic Party values cultural development that it calls on the SAR Government to put on hold any further tendering exercise, and to carry out planning anew instead. To carrying out planning anew does not mean that all work, including the efforts made by the Government, developers and the cultural sector will all go to waste. We can make reference to the efforts made by various parties, draw on other people's strengths to compensate one's own shortcomings, then split the project into smaller units and invite tender again.

Madam President, I must make it clear that the Democratic Party supports cultural development in Hong Kong and does not want the entire West Kowloon Cultural District development (the WKCD development) to fall through. However, on the consultation on and execution of the development, the Democratic Party already moved a motion that expressed its opposition at a very early stage. Therefore, it should not be said that the Democratic Party raised its objection all of a sudden, even though the culture in Hong Kong is one of abruptness.

Firstly, the Government has violated the principle of fiscal prudence and is intent on awarding the project by way of single tender by conducting negotiations with the developer on the value of the land, rather than splitting the land into smaller plots and putting them out to public tender. Based on the prevailing land value, such an approach will definitely cost the coffers a substantial amount of revenue. According to the evaluation of the surveying sector, selling the land in split-up lots will fetch over \$100 billion even by conservative estimation.



The 1 hectare of land on Tin Kwong Road fetched over \$9 billion, even though initially, its price in the application list was set at only \$4 billion. At a time when the finance of the Government is still very stringent, the Democratic Party strongly opposes the cheap sale of land. Therefore, the Democratic Party resolutely opposes awarding the project by a single tender. The Democratic Party hopes that the land can be split up and put out for public tender. The revenue can then be used on cultural and other social services, which will be conducive to the development of society as a whole. This move is very effective in binding the community and eliminating conflicts between different social classes.

Secondly, in the course of consultation, many professionals, including the screened-in developers, all believe that basically, it is technically feasible to split up the project and implement it in phases. We have also made enquiries with the screened-in developers personally and they do not insist on the approach of awarding the project by way of single tender. Moreover, to split up the land will also manifest fair competition in the market and avoid the emergence of oligopoly in the market. Concerning market monopolization, the Democratic Party will continue to lobby for a fair competition law. For the general public, to remove the approach of awarding the project by way of single tender will offer more choices and more competition among developers will also bring efficiency.

Thirdly, the Democratic Party requests that the Government establish a statutory authority to co-ordinate, implement and monitor the entire WKDC development. Madam President, according to the original idea of the Government, the winning developer can operate the development on its own for as long as 30 years. During this period, who will be responsible for monitoring? Although I know many developers have said that they will establish this kind of monitoring and promotional body, how much statutory power and credibility will these groups have? We can see that, in the case of the Marine Police Headquarters Compound in Tsim Sha Tsui, after the developer had made a successful bid, it revised the original plan at will in executing development. Who is there to monitor them? During our discussion on the preservation of the Central Police Station Compound, the Democratic Party also made the request that a statutory body be established, however, it was turned down by the Government for fear that that developers would be deterred from taking part in the tender and development, since developers would be hampered by these groups. It can be seen that the Government has all along looked at this matter

from the perspective of businessmen and facilitating business operation. However, who is there to protect the interests of the public at large? From this, we can see the shortcomings of businessmen ruling Hong Kong.

Finally, on spending \$3 billion to \$4 billion on the construction of a canopy and tens of millions of dollars each year to maintain it, the Democratic Party and Honourable colleagues in this Council have also raised their queries a number of times and I do not wish to go into the details here. The questions posed by Dr LUI Ming-wah about the canopy have struck a chord in me. This is the first time that we see eye to eye, although my position is different from his.

Madam President, recently, Dr LUNG Ying-tai pointed out that the cultural policy in Hong Kong is governed by the values of the "Central District culture". The emphasis of the Government in administration is always on economic benefits and in all matters, it is affected by such ideas as the pursuit of efficiency and concern for immediate benefits. However, the Government has grossly overlooked its way of making decisions (such as that from bottom to top in a civil society) that have a great bearing on sustainable development, the pursuit of social justice, care for the disadvantaged, the importance and protection given to the ecology, and so on. Madam President, I very much agree with the comments made by Dr LUNG Ying-tai on the cultural policy in Hong Kong. The WKDC development before us precisely reflects that the Government is being affected by this "Central District culture". It is precisely the emphasis on economic benefits before our eyes, the importance attached to efficiency and the top-down decision-making approach that oblige Chief Secretary Donald TSANG to insist on the necessity and exigency of the single-tender approach and the canopy.

Madam President, the 40 hectares of land at the waterfront involved in the WKCD development is a precious social asset. I hope the Government can make good use of this asset to promote the long-neglected development of culture in Hong Kong on the one hand, and bring benefits to the general public and improve their conditions and quality of life on the other. However, the present approach taken by the Government gives me the impression that it is eager for grandiose and immediate achievements. I am worried that another white elephant after the Cyberport will appear in Hong Kong. The success or failure of this project will hinge on how a balance can be struck among the different interests so that the Government can keep close tabs on the pulse of society in its administration. If Chief Secretary Donald TSANG takes one step backward,

everything will open up before him, to say that everything has to be overturned and we have to start anew is only a display of the tantrum of the moment.

With these remarks, Madam President, I support Mr Alan LEONG's motion and Mr James TO's amendment.

**MR LI KWOK-YING** (in Cantonese): Madam President, the West Kowloon Cultural District development (the WKCD development) has aroused widespread discussion in society and the discussion has focused on the relationship between real estate and culture and the arts. The worries expressed by the cultural and arts sector have aroused the particular concern of the public. This is in fact understandable.

First, I wish to point out that the manner of consultation on the WKCD development is not open. The public could only express their views within a prescribed framework. Insofar as cultural facilities are concerned, according to the Invitation For Proposal issued by the Government, the bidder has to build four museums the themes of which are modern arts, Chinese ink painting, film and design respectively. Apart from being too restricted, the greatest problem of these predetermined themes is that when the Government formulated these proposals, the public, in particular the cultural and the arts sector, was not consulted extensively. The public can ultimately only express their views on a single domain, therefore, even if the Government is to carry out public consultations a number of times, they are merely a formality and are not fair.

Furthermore, I cannot find any long-term strategy of the Government on local cultural development. At least this is the case so far. This is what is called having the hardware but no substance. This will make it impossible for the facilities to be built in the future to tie in with the as yet indefinite cultural policy, eventually making the WKCD development a repeat of the Cyberport project.

The Cyberport project simply required the developer to build office buildings that were to be rented out to companies specializing in computer technology. It is in fact a very simple commercial project. In the end, the Government could not carry out supervision effectively because of the excessively flexible contract, as a result, the project degenerated into a real estate project.

In fact, the development of culture and arts has to be founded on financial capability. To let developers take charge of the development and operation of a large-scale cultural and arts project is also an unprecedented endeavour. However, this does not mean that the pattern of culture and arts in Hong Kong should be shaped by large consortia, nor does it mean that spending money on arts means supporting culture. At present, the Government has not yet determined a direction for the development of the overall cultural blueprint. To merely hand over the management of the development to the developer will inevitably arouse concern for an inability to attain the objectives of local cultural development. To this end, the Government should establish a statutory body comprising members from the local and international cultural and artistic sector to take charge of the long-term supervision of the operation of the cultural district. Only in this way will it be possible to prevent the WKCD development from becoming a project dominated by real estate in which culture is only secondary.

To be fair, it is never necessary to carry out massive projects in order to develop culture and arts. Take the Bank of China Building designed by the renowned architect, I.M. PEI, as an example, its unit construction price was lower than that of other skyscrapers in Hong Kong. However, in terms of artistic achievement, it is a veritable skyscraper. Therefore, in developing culture and arts, the focus should be on incorporating local historical and cultural characteristics rather than on expensive works of architecture.

Since the Government is determined to make Hong Kong a value-added cultural centre and make West Kowloon a world-class cultural district, it should take this opportunity to review the relationship between the WKCD development and the existing cultural and arts framework, in particular, the future development and roles of the Leisure and Cultural Services Department (LCSD) and the Hong Kong Arts Development Council (ADC), so that the local cultural policy can be developed on a sustainable basis. At present, the ADC is responsible mainly for planning, promoting and supporting arts development and promoting arts education, whereas the LCSD is dedicated to providing cultural and recreational services, so as to give impetus to local arts and sports development. In order to avoid duplication in the resources committed and adverse competition between these organizations and the WKCD development in future, it is imperative for the Government to review the relationship between the WKCD development and existing cultural and arts groups.

In sum, the WKCD development will have implications on the long-term local cultural policy and development. The Government should consult the public extensively to avoid making it the butt of criticisms and eventually let it be strangled by excessive politicization.

I so submit, Madam President.

**MR LAU WONG-FAT** (in Cantonese): Madam President, the West Kowloon Cultural District Development (the WKCD development) has caused quite a furore in society recently. Dissenting voices can be heard everywhere, like surging tides and roaring waves. Being the representative of the District Council Functional Constituency in the Legislative Council, I have specifically consulted members of the 18 District Councils (DCs) on this matter recently. An overwhelming majority of the DC members who have returned the questionnaire supported the extension of the consultation period, opposed "single tender" and the inclusion of the costly canopy as a mandatory component of the development, and demanded that the WKCD development be put on the agenda of all DCs for in-depth and extensive consultation.

The voices of the DCs are, in fact, voices of the grassroots. Their position reflects the position of the majority of people in Hong Kong. Added to this, many professionals, organizations and major political parties and factions have taken an almost unanimous position, proposing all-directional, massive "plastic surgery" seeking to revamp the original proposal of the Government. The situation is very clear and that is, the WKCD development under the present proposal of the Government is not going to have the support of Hong Kong people. To avoid substantial repercussion in society and depletion of energy caused by internal conflicts, the Government must pull back before it is too late and plan anew. What should be done to rectify the situation? I think the lecture given by the highest state leader, President HU Jintao, in person to principal officials of the SAR will provide a positive impetus for improvement.

Madam President, in President HU's lecture, what has achieved the best effect of a head-on blow is his call for "identifying inadequacies", which is the kernel of truth. I believe many people will agree that the SAR Government must really identify its inadequacies before it can draw lessons from its endless

stream of bitter experiences. Only in so doing can the level of governance be raised. Only in this way can Hong Kong be managed in a better way. This is most obvious.

Then how should we identify the inadequacies of the WKCD development? In fact, this could be done as long as the SAR officials could achieve consistency of knowledge and practice in their work. Do our officials not always talk about "people-oriented", "keeping tabs on public sentiments" and "sensing the urgency of the people and thinking in the way the people think", and also the need to listen carefully to the voice of the people? The biggest inadequacy of the WKCD development is precisely the absence of these most fundamental elements of good governance, as the project is only filled with the impractical, arrogant wishes of senior officials.

As an old saying goes: "The universe is ruthless and treats all living things as worthless stuff to be discarded." But a young people whom I know have, in rage, revised this saying as: "The Government is ruthless and treats all the people as fools." He said so out of his feelings on hearing an official say that it would be unjust and immoral to withdraw the WKCD development.

In order to identify inadequacies, a ruler must be humble and come down off his high horse. He must be careful in his words and deeds and he must take on board good advice. When discussing the qualities of a good government official, Confucius said, "With little accusation about what is spoken and with little remorse about what is done, there is the emolument in the official." Government officials should be able to gain some insight from these remarks of Confucius.

Madam President, the lessons of the Hunghom Peninsula incident are close at hand and the heartfelt advice of President HU Jintao still rings in the ear. The SAR Government must read the trend of the times and be careful in its acts. To Hong Kong, there is no urgency at all to develop into a world-class cultural and arts city. The most pressing task that can bring the most practical benefits to the people is to concentrate all efforts on revitalizing the economy and improving the people's livelihood. Given the considerable controversies revolving around the WKCD development, why should we not restart things afresh with the SAR Government conducting comprehensive and extensive

consultations in the second term and making a decision only in the third term after repeated debates and studies?

Madam President, I so submit.

**MR LEE WING-TAT** (in Cantonese): Madam President, I can find one common point in Members' speeches, that is, the issue of the West Kowloon Cultural District development (the WKCD development) now being debated appears to have become very politicized or is fraught with crisis. I think that on the face of it, it is now the worst of times, but in fact, it is also the best of times for us to find a new lease of life and new development opportunities in the predicament, and a time when our resolution and perseverance are put to test.

Just think about this. For many years, has there ever been any project in Hong Kong that could win the full support of the public, so that it can be implemented jointly in the next 10 years, and not only can economic benefits be reaped but a new lease of life also breathed into cultural development, furthermore, a new consensus can be forged and all strata in society can be motivated to work towards one goal? That was what new Members of the Legislative Council said when they met Mr TUNG several months ago. If all of us can discard our biases and work hard together, this will be a good plan that will cement people together and inspire the public to move ahead.

In retrospect, at the time when Mr TUNG assumed office in 1997, some cultural groups, one of which was called the Hong Kong Projects (which is a very apt name), proposed many grandiose plans, but eventually, they could not be delivered or materialize. The lesson that we have learned from these plans is that a good plan that can forge a consensus in society often requires detailed planning and consultation. Even if there are unexpected twists and changes, if the ultimate goal is to make the plan even better, why will the proposals not be accepted?

In the past, when the Government launched projects, it would often take a very speedy course of action, which I will call a "shortcut", by circumventing the Legislative Council and awarding a project by way of single tender, in which case a scrutiny of the financial arrangements by us was not required. In fact, such an approach would be severely criticized. Not only would the Legislative Council and the public criticize it, even some screened-in developers would also

say to the media that it was not right to circumvent the Legislative Council. It is very unacceptable for a development involving 40 hectares of land and nearly \$100 billion not to be subject to appropriate checks and balances. This is also the reason why many members of the public are talking about or even suspecting whether any transfer of benefits is involved. Although so far, we do not have any evidence, the impression that people have of the WKCD development is that it is fraught with flaws, and they remain not convinced.

Chief Secretary Donald TSANG and I have met a number of times. On each occasion, he would raise one question: If the single-tender approach is not adopted, then what is the alternative? In fact, is it true that there is no alternative? I believe there is. The Democratic Party has discussed this internally a number of times. We think there are three approaches that can be considered: first, to sell the land the usual way and to re-plan this development district to carry out real estate, residential and commercial development in a part of it. After making sufficient profit, the basic facilities and buildings for arts purposes can then be built. Sufficient funds will be reserved for future operation. Adopting this method will of course require the Government to apply for funds from the Legislative Council to set up a trust, so that the interest accrued can be used for operational purposes. This approach is not necessarily impracticable.

Secondly, to link certain development projects and arts development projects to the auction of land through linked projects. Such an approach was adopted by the former Land Development Corporation and in land development at other places.

Thirdly, as in the case of Dockland in London in the United Kingdom, a piece of land was granted to a development authority with participation by representatives from various sectors. The cultural and arts facilities were built and funds sufficient for the operation of the facilities for several decades were obtained through the sale of land.

In fact, the Democratic Party believes we can hold public discussion on these three methods. I hope Chief Secretary Donald TSANG will take the initiative to propose these three options for discussion, so that the public will consider him open-minded rather than obdurate on some matters.



As things now stand, the Hong Kong public on the whole supports the WKCD development. Nobody wants to completely wipe out or destroy this plan for a cultural and arts district. Our difference only lies in the different modes of development and we are querying why the public and representatives of the Legislative Council are not allowed to monitor it.

In this process, although the Government may have to give up the approach of awarding the project by way of single tender and expend more effort and time, it can better cater to the views of the public. Although as far as efficiency is concerned, it seems that more time and effort will be required in adopting this course of action, generally speaking, this is the best approach in forging a consensus in society and bringing the public over to the Government's side. As participants in politics, it is often the case that we all have to spend a lot of time and go through a lot of procedures and drudgery, so what does this matter?

The question is not one of personal honour and glory, but whether it is worthwhile to implement this project. The most important thing is whether this is in line with the interest of the people and whether the greatest support from the public can be secured in implementing this project. I can only sincerely hope that the Government and Chief Secretary Donald TSANG can give some thoughts to this, so that a consensus on the WKCD development can be reached in society through the adoption of a new approach, even though he may not see the WKCD development completed within his tenure. However, given that the WKCD development may take a decade to two to complete, who can possibly see the completion the project within his tenure?

Most importantly, this is not about whether we can claim any credit in this WKCD development, but whether we have exerted our utmost in bringing the greatest amount of effort in society to bear on taking forward the WKCD development, so that a cultural and arts district can really be developed in the next decade. Moreover, not only can we build some splendid and beautiful buildings but our posterity can also learn from the discussion on the WKCD development that, apart from economic development, there is also a cultural aspect in the life and values of the people. Through the WKCD development, we will be able to debate and educate, and more importantly, we have taken forward a task which everybody considers very important. Thank you, Madam President.

**MR TOMMY CHEUNG** (in Cantonese): Madam President, the plot in West Kowloon is the last major piece of land in the urban area in Hong Kong with an area of dozens of hectares. This is a precious piece of land at the waterfront. The Government has decided to develop it into a large-scale cultural and entertainment district, the development and operation of which will take on a model of using proceeds from real estate to subsidize arts and culture. I believe Honourable colleagues seated here basically do not have any major objection to this point. The crux of the matter lies in the modes, for instance, whether the project should be awarded by way of single tender and whether the entire development project spanning 30 years should be undertaken by a single developer.

It is precisely because this is an investment involving over \$100 billion dollars and having implications on the development blueprint for culture and arts in the next few decades in Hong Kong that every person in Hong Kong is highly concerned about it. For example, that 20 000 members of the public went to the Science Museum in the first week of the consultation period on the West Kowloon Cultural District development (the WKCD development) to have a look at the development blueprints proposed by the three consortia is evident that the response of the public to the consultation is very enthusiastic. Be it organizations or individuals, they all have a lot of views on the project.

In view of this, the Liberal Party is of the view that after drawing a lesson from the inadequate consultation in The Link REIT affair, the Government's move to extend the consultation period by six months, so as to give the public sufficient time to participate and express their views, is absolutely justified. At the same time, the Government has to disclose the proposals of the consortia concerned so that the public can have a more comprehensive understanding of the details of the plans of various developers during the consultation period, so as to ensure that this cultural and arts development spanning 30 years will not wind up in failure because of a shortage of funds. We believe that disclosing the details will only be conducive to the public's participation in monitoring the WKCD development.

The short publicity film produced by the Government says that the WKCD development is intended as "an icon for culture and leisure ". However, is it necessary for us to build a canopy costing billions of dollars as the world's largest landmark by all means? Moreover, after its completion, how can we be sure that the funds in the operating fund will be used to support cultural development rather than to hire workers to clean the glass?

On another contentious point in the plan — awarding the project by way of single tender, Chief Secretary Donald TSANG has said a number of times that this would create a synergy effect and is the best mode of development. However, professional bodies such as the Hong Kong Institute of Engineers and the Hong Kong Institute of Architects have all pointed out that to carry out overall planning and then split up the project and invite tender in batches will also achieve the same result. Why do we have to give up the potential of generating an additional \$30 billion to \$50 billion in revenue from the sale of land as a result of splitting up the land and allow a single developer to control the fate of the WKCD development instead?

Madam President, now that the property market is looking up, the argument advanced by the Government earlier on its worries about not being able to support the entire development will only be further undermined. Moreover, to split up the WKCD development will only induce greater competition as in the case of the auction of the land on Tin Kwong Road earlier on that fetched a historical high price. Besides, the public need not worry about domination by a single consortium. As the Chairman of the Liberal Party, Mr James TIEN, said earlier on, "Splitting up West Kowloon will pacify the world". Adopting a single-tender approach is totally unwarranted.

In this connection, we support Mr James TO's amendment because he has basically reflected the view of the Liberal Party in proposing the establishment of a West Kowloon Cultural District development authority to take charge of the planning, development and management of the entire project. This move can realize the operational direction of having culture and arts as the major feature and subsidizing them with real estate in the WKCD development. It is necessary to inject only part of the proceeds, rather than injecting all the proceeds amounting to hundreds of billions of dollars from the sale of land in the WKCD development into the authority, to provide abundant financial support to the sustainable development of a cultural policy and promote the development of local culture and arts.

It goes without saying that the Liberal Party supports attaching equal importance to the hardware and software in carrying out this project, that is, while we build the hardware such as performance venues, it is even more important to formulate a well-conceived cultural policy and organize popular arts education, so as to nurture successors for local arts development on the one hand, and to nurture as a matter of necessity an audience with cultural and

artistic knowledge and the capacity of appreciation on the other, in order for the project to continue to develop in a sustainable way.

All these will require government departments to take on board a wide array of public opinions in formulating and enforcing policies, as well as to carry out co-ordination and promotion. We believe the WKCD development belongs to everyone in Hong Kong. A greater input of views from the public will be conducive to the formulation of a cultural blueprint that suits the long-term development of Hong Kong.

We hope that the Chief Executive, Mr TUNG, and the Chief Secretary for Administration, Mr TSANG, can really listen to the voices of the general public and build a thoroughfare for future cultural development in Hong Kong instead of setting their sights merely on building a landmark canopy on the 40 hectares of land.

I so submit. Thank you, Madam President.

**MISS TAM HEUNG-MAN** (in Cantonese): Madam President, besides involving huge investments, the West Kowloon Cultural District development project (the WKCD development) will also closely affect the future development of arts and culture in Hong Kong and determine whether our children can be brought up in a social environment endowed with both material prosperity and cultural sophistication.

The Government has advocated the adoption of the "people-oriented", "community-led" and "partnership" principles to achieve the participation of the community and establish a partnership between private enterprises and the arts and cultural sector, so that they can all contribute to the project with their expertise.

However, as far as the WKCD development is concerned, the Government has never consulted the public widely on the single-tender approach, and not only this, the participation of small and medium developers is also severely restricted. What is more, since there is just a short consultation period of 15 weeks, the general public simply do not have enough time to voice their views. All this runs completely counter to the three major principles mentioned above.

The public objection to the single-tender approach is not without reasons. Members of the public are not blindly opposing the participation of large consortia. They are just worried about the unhealthy relationship between the Government and business, and they are especially worried that the single-tender approach may easily lead to monopolization by one single consortium. Since commercial interests are their priority, consortia will inevitably accord secondary importance to arts and culture in the WKCD development. This is evidenced by the fact that the plot ratios contained in the Proposals of the three short-listed developers, that is, the total floor areas, are all far higher than the standard proposed by the Government. This is just like "crying up wine and selling vinegar", a way of passing off commercial and residential property development as the construction of a cultural district.

The Hong Kong Treasury has been recording fiscal deficits for years in a row. Just in the three financial years from 2001 to 2004, there was already a combined fiscal deficit of \$184.6 billion, and the Government even had to issue bonds amounting to \$20 billion last year. The land lot of the WKCD is full of development potentials, and it alone is already worth billions, a sum almost equal to the cumulative fiscal deficits of the three financial years mentioned above. Is the Government's award of the development project to one single developer consistent with the principles of sound financial management?

The adoption of public auctions for the commercial and residential parts of the WKCD development will not only help increase land sale proceeds for the Government but will also enable it to allocate part of the revenue to the promotion of arts and culture. In brief, this can kill two birds with just one stone. Besides, the splitting up of the land into smaller pieces for bidding will also allow the participation of small and medium developers. Competition is conducive to improvement, as the saying goes. This is the only way to ensure the sound progress of the WKCD development and the better protection of public interest. I hope that the Government can take account of the public interest, pay heed to public opinions and abandon the single-tender approach.

Despite its tight finances, the Government still plans to construct a canopy at a cost of \$4 billion to \$6 billion, and this does not even include the costs of annual maintenance. Is this value for money? The construction of a canopy and the development of arts and culture are totally unrelated. I hope that in handling its finances, the Government can remember the sound principles of

"spending within its means" and "effectively utilizing public money", and that it can thus abandon the construction of a canopy.

The Cyberport project is a good example showing how the strong discontent of society can be aroused by the Government's bigotry, its failure to invite open tenders and its clandestine approach of awarding a whole project to one single developer. The Government must learn a lesson from this experience. Apart from the three short-listed Proposals, it must also make public all the other Proposals that have not been screened in. That way, members of the public can have a fuller picture of the contents of all the Proposals, thus convincing them that the tender exercise is conducted openly and fairly.

The WKCD development will affect the development of our arts and culture in the great many years to come. But there is only a short public consultation period of 15 weeks, so members of the public simply do not have enough time to learn all the details. Since the WKCD development is a project with such far-reaching implications, the Government should extend the consultation period, so that members of the public can have sufficient time for discussion. That way, views can be exchanged and collated for reaching a consensus.

The Government is determined to develop West Kowloon into a world-class cultural district. However, the project itself is not supported by other necessary measures such as a sound cultural policy. I hope that the Government can learn from the experience of other places in the development of arts and culture. A cultural development council is often found in many other places in the world, but Hong Kong is the only exception. The Government has long been criticized for its philistinism, so it should really grasp the opportunity offered by the WKCD development; it should make efforts to set up a statutory cultural development council comprising representatives of the cultural, academic and arts sectors and also members of elected assemblies, professionals and the Government. Such a council should take charge of the planning, formulation and implementation of projects related to arts and cultural development, with the objective of bringing forth a society with cultural sophistication.

Madam President, I hope that in handling the WKCD development, the Government can take the decisive step of changing its approach, paying heed to

public opinions and abandoning the single-tender approach and the construction of a canopy for the cultural centre.

Thank you, Madam President.

**MR WONG KWOK-HING** (in Cantonese): Madam President, the West Kowloon Cultural District is the last valuable site in the urban areas. The Government has all along stressed the development of West Kowloon into a cultural district and so, culture and arts should be the soul of development in West Kowloon. However, over the past few years, has the Government seriously formulated a cultural policy which is suitable for Hong Kong and forward-looking? When formulating the cultural policy, has it seriously considered and incorporated the views of the cultural and arts sectors, and what has it done in relation to the cultural policy that can convince Hong Kong people that the West Kowloon Cultural District development (the WKCD development) will not turn into a blatant property project? To my regret, Chief Secretary Donald TSANG is not here in the Chamber to listen to my speech now, because I would like to ask him if he has read this "Five Year Plan for Culture". I hope that his colleagues can tell him later and ask him to answer my question.

Since the Urban Council and Regional Council were scrapped in 1999, what has the Government done to implement the Five Year Plan for Culture drawn up by the two Municipal Councils? In this Five Year Plan, views were collected from the film arts sector, the sports and arts sectors, covering both active and static forms of arts including music, dance, drama, movie and Chinese opera, and also from government-funded arts groups. It was a product of several years of hard effort to pool collective wisdom. Has the Government ever read it? Does it know the contents? But at the crucial juncture when it is imperative to have a clear cultural policy to guide the WKCD development, the Culture and Heritage Commission disappeared as suddenly as the disastrous tsunami attack, for the Commission vanished all of a sudden on 31 March 2003. This has brought the cultural development and cultural policy in Hong Kong to a standstill, causing irrevocable damage and destruction to the cultural development of Hong Kong and consequently causing the cultural development of Hong Kong to lag behind for an unknown number of years.

Madam President, Miss CHAN Yuen-han's amendment proposes to seize the golden opportunity of the WKCD development and demands the Government to re-establish a cultural and heritage commission in order to make up for the lost time.

Why is it necessary to re-establish a cultural and heritage commission? We think that this is an unshirkable duty of a responsible government. All along, the position of the Government on the development of a cultural district in West Kowloon has not been clear enough for the public to understand. Does the Government hope to encourage the business sector to actively finance cultural and arts development by offering various concessions to them, or does it hope to proactively support cultural and arts development in a way that it will not only provide cultural and arts venues but also actively finance various types of arts, and that it will support not only mainstream music, drama, and so on, but also avant-garde art? For these simple questions, I think the Government may not find it easy to answer them and in fact, there are no answers yet. So, I think the Government should take this opportunity to re-establish a cultural and heritage commission and formulate a cultural policy for Hong Kong. This commission can precisely help the Hong Kong community in repositioning culture and arts. I hope the Government can learn from the spirit of members of the two former municipal councils in formulating the cultural policy.

Without a cultural and heritage commission, it would be impossible to absorb people engaging in different and multifarious cultural and arts activities. Only when the views of different people are absorbed can the needs of cultural and arts development in various aspects be balanced. Only in this way will emphasis be put not on certain types of mainstream arts only, in which case there will also be room for the survival of other types of arts. The cultural sector will certainly know better than government officials or developers about how culture and arts should be developed in the WKCD and even about the kinds of policies on cultural and arts development the community of Hong Kong needs. So, it is essential to set up a commission dedicated to the planning of cultural and arts development. I think a culture and heritage commission is even more important than an independent management committee responsible for the management of West Kowloon, because an independent management committee will only be responsible for the management of hardware in the West Kowloon Reclamation. Other issues and policies relating to the long-term cultural and arts development



are outside the purview of this committee or authority. Nor is this committee capable of carrying out work in this area. So, I must openly make an appeal here: What we need is not only the development of West Kowloon. We need to combine West Kowloon with the long-term cultural and arts development of Hong Kong. Therefore, I propose that not only an independent committee be set up to be responsible for the management of West Kowloon. It is all the more necessary to set up a cultural and heritage commission to formulate and develop policies on the long-term cultural and arts development in Hong Kong.

Madam President, without a correct long-term policy on cultural and arts development to steer the WKCD development, the WKCD development would only be a soulless hardware project of property. The Government would only be portraying West Kowloon as "the Emperor's New Clothes", painting a rosy picture for the people to look forward to. It is said that in the reclaimed zone there will be world-class museums designed by first-class architects in the world to match the exhibits. But would it be just a soulless empty shell? The names of such world-class museums as Pompidou, Guggenheim and Versailles may be attractive. But if we look at this with a sober mind and with further thoughts, will Pompidou, Guggenheim and Versailles use the culture of Hong Kong as the keynote of their design or will it turn out that only spots after spots of tourist attraction are created? In the latter case, how could it be helpful to the long-term development of culture and arts in Hong Kong? Therefore, I hope the Government can seriously consider the amendment proposed by Miss CHAN Yuen-han. Miss CHAN Yuen-han's amendment may not necessarily be carried today, but the Government, being a responsible government, must shoulder its moral responsibility and respond to Miss CHAN's amendment. Does Hong Kong need a cultural and heritage commission? Do we need to formulate a long-term, correct and forward-looking cultural policy? I hope the Chief Secretary can answer these questions later. If the Chief Secretary cannot hear these questions, I hope the Secretary can relay them to him, or else the Secretary will have to respond to my questions.

With these remarks, Madam President, I support Miss CHAN Yuen-han's amendment.

**DR RAYMOND HO:** Madam President, the West Kowloon Cultural District (WKCD) development project is currently a controversial topic in Hong Kong.

The canopy proposed and the single consortium approach adopted by the Government particularly come to the fore.

Since the proposed canopy will cover some 20 hectares of land, a number of issues arise to which the Government must address before coming to the final decision. They include financial, technical and environmental aspects.

Financially, the gigantic canopy will not only incur huge amounts of construction costs but also maintenance costs. If the Government is to adopt a single consortium approach for the project, it will need to consider if the developer has sufficient funding to ensure that the canopy as well as the overall project are sustainable upon completion. At a recent meeting of the Planning, Lands and Works Panel, the developers told us that they would utilize profits obtained from property development to set up a fund for the project.

When the Government is still in the course of public consultation, how could it come up with the required amount of fund for cultural development? How much will be devoted to the future maintenance of canopy? How will the developer guarantee sufficient funds throughout the next 30 years, especially when the property market is in the doldrums? Will the developer guarantee the required amount of fund when the project is handed back to the Government in 30 years' time? All these are questions which we must address to.

Technically, the proposed canopy will be a challenge to engineers. However, I am confident that with the high quality of local engineers who are well experienced in tight construction sites, short contract periods and large projects of substantial scale and considerable complexity, we will be able to successfully complete this mammoth project to the envy of the world. Tsing Ma Bridge, Hong Kong Bank, Hong Kong Convention and Exhibition Centre and the Bank of China Building and many others are all technically complicated projects, but Hong Kong engineers managed to complete them to the highest international standards, and these projects have now become important landmarks of Hong Kong.

Environmentally, I wish to point out that the proposed canopy potentially could lead to heat, light and air pollution. Since the canopy is of such a large scale, air circulation in West Kowloon will be disrupted. If the material is incorrectly selected, the canopy could reflect sunlight causing annoying glare to adjacent areas. As a result, it is expected that the temperature of the areas

under the canopy and in the vicinity of the WKCD, particularly in summer, will become higher. The long canopy may cause funnelling effect during strong winds or typhoons. The Government needs to take all these and many other potential problems into account.

The single consortium approach is another controversial issue in relation to the project. The problem of this approach is that without competition, the costs of the project will become higher. In my opinion, the main parts of the WKCD development project can be carried out by a single tender, but the rest should be shared by others. This approach will not only have the costs reduced but can also shorten the lead time and enhance the flexibility of the project. Nevertheless, effective co-ordination and close monitoring must be effected to avoid substantial contractual claims which had just happened to the Chep Lap Kok Airport project previously.

The WKCD development project is a large project and will be a landmark for Hong Kong. Under these circumstances, it is necessary to extend the consultation period, make the financial arrangements of the tenders transparent to the public and provide more information to citizens to enable them to appreciate the proposal thoroughly. Apart from that, it is also necessary to set up a monitoring body for the project for the future management of this particular development.

There are now several property developers fighting for the WKCD development project. When selecting the right developer, the Government should take both the canopy and the plot ratio as essential acceptance criteria and not just the provision of the canopy alone.

Last but not least, I hope the Government will implement the project as soon as possible. The land has already been vacant for a long period of time. Leaving it further vacant will mean more resources wasted.

Madam President, I so submit. Thank you.

**MR CHIM PUI-CHUNG** (in Cantonese): Madam President, our debate today is about the development of the West Kowloon Cultural District. First of all, I have seen the design proposals of the three contractors and I am particularly fond of two of them, for they are indeed very beautifully designed, and I know that

tens of millions of dollars were spent on them. Meanwhile, I think the efforts made by Chief Secretary Donald TSANG merit commendation. After shouldering this burden, he has tried his best to do what he should do and finally, owing to the circumstances, he has also stated his position; he has made plans for the worst scenario and is prepared to accept the reality.

First, I have to talk about the several areas in which the West Kowloon Cultural District development (the WKCD development) is considered unsatisfactory. Firstly, it is extremely unfair to property developers interested in tendering for this project. Public opinions have already alleged that they are colluding with the Government, and to them, there has been only expenditure without any revenue. So, the allegation of their collusion with the Government is most unfair to them. Meanwhile, if we oppose "single tender", it will not do any good to all the people of Hong Kong. If the trio is thus compelled to join forces and when they have obtained the site and then share it out among themselves, what would the people get? So, it is actually useless to oppose the single-tender approach.

Secondly, this project of the Government is short-changing the people. We must know why, for such a precious site with a ratio of 1.81 for the gross floor area as argued by the Government, the Government does not, in an upright manner, allow them to build residential buildings at a ratio of 8 or 10 and hotels and commercial premises at a ratio of 17. Why does it forcibly reduce the benefits of the people?

Thirdly, we understand that property developers are made responsible for managing and operating this project for the next 30 years. Why should they be forced to go through the ordeal of having to operate it for 30 years? What good does it bring?

Fourthly, we do understand the cultural scene in Hong Kong in the past. Why is culture considered important all of a sudden? What is more, it is even proposed to introduce world-class culture to Hong Kong, but the cultural level of Hong Kong people is not up to that standard at all. Why bring all the troubles to ourselves by forcing Hong Kong to become a colony in another sense, that is, in a cultural sense? How could we possibly attract world-class tourists to come to Hong Kong to look at those counterfeit exhibits? Why do they not take a flight to Europe, Rome or France where they can appreciate authentic works of art? I hope the Government can think more deeply about this. Do not indulge

in the wishful thinking that our culture can be elevated to a higher cultural stratum.

I personally would like to make the following suggestions. Firstly, we should put resources to the best use. This site measures 40 hectares — Secretary Michael SUEN mentioned 42 hectares on the last occasion, but since reclamation has been ruled out, the size of it is, in fact, 40 hectares. Even the site in Ho Man Tin which was put to auction on 12 October is no match for this site of 40 hectares. Since that site fetched \$9.6 billion, why would this site not worth more than \$400 billion? While we cannot expect this site to be fully utilized, if the land use is changed, no doubt it could generate a revenue of \$300 billion. If we use the latest transaction value as a basis, that is, \$25,000 per sq ft, that would give an astronomical figure. So, in order to avoid collusion between business and the Government as it may be called, planning should start anew and the site be put to auction, so that property developers can truly acquire the site and construct as many buildings as possible, and it is only normal for them to make money out of this. Under such circumstances, the Government would not be accused of colluding with business, while property developers can capitalize on the free development in Hong Kong to make profits legitimately.

Since the Government has long been bothered by the deficit problem over the years, if the site could be sold for \$300 billion, we could just spend 15% or \$50 billion of it on cultural development and the cultural facilities could then be placed on the remaining 10 hectares of land or even on Lantau where a cultural zone could be developed adjacent to the Disneyland. It is best to develop the site of the former Kai Tak Airport into a cultural district. This can also make the district thrive and prosper, thus killing three birds with one stone. Why does the Government not consider this?

With an income to the tune of \$250 billion, I firmly believe that the deficit can be eliminated successfully in the next five to eight years. The elimination of the deficit is a major responsibility of the SAR Government to the Central Government. Why? It is because the Central Government would not consider the economy of Hong Kong a burden anymore, and this will bring multiple benefits. I trust that our clever Chief Secretary Donald TSANG and the SAR Government should hear this at the last minute.

I have said before that let us argue no more on the proposals of constitutional reform. Concerning this WKCD development, we should stand

united to give play to our political powers, so as to make the Government understand that being a government accountable to society and Hong Kong people, it should adopt the attitude of a public servant and it absolutely should not seek to reinforce or stress its own views. Only in this way can the problems of Hong Kong be solved. I firmly believe that this is an internal affair of Hong Kong, but should it become a political row which would arouse the attention and concern of the Central Government, it would be absolutely necessary for the SAR Government to take contingency measures for that. I so submit.

**MR PATRICK LAU** (in Cantonese): Madam President, the West Kowloon Cultural District development (the WKCD development) has recently aroused widespread discussion in the community. This motion today precisely gives Honourable colleagues an opportunity to express their views.

First, I must declare that I am the Vice Chairman of the Town Planning Board (TPB). The WKCD development will need to obtain the approval of the TPB. So, I will listen to and consider the views of Members very carefully.

In fact, I personally think that the Government is in a position to choose the best development proposal, but the precondition is that there must be an uniform, and I stress uniform, plot ratio requirement for residential/commercial development and cultural and arts facilities on the site. Only in this way can property developers take part in the tendering process on an equal footing, while the Government can also obtain more benefits. I agree that the Government should establish with the proceeds from land sale a Cultural and Arts Development Fund for constructing cultural and arts facilities and for maintaining the future development and operation of the cultural district.

As for the mode of operation of the cultural district, I think it is necessary to conduct thorough consultation and encourage participation and discussion by more organizations as far as possible before implementation. For this reason, I agree with the proposal of the Hong Kong Institute of Architects that the Government should proactively work in concert with all non-government organizations interested in the WKCD development to conduct public consultation, instead of the Government leading or dominating the consultation exercise. The consultation does not necessarily have to be confined to choosing one out of the three screened-in proposals. The ideas that have been proposed by other consortiums should also be reconsidered.

Madam President, I think the Government has an unshirkable duty to operate the cultural district. The Government itself should be made accountable, and this responsibility should not be shifted to other consortiums. Therefore, I think the WKCD development does not necessarily have to be awarded by way of single tender. It is most important that the Government can obtain reasonable benefits from the site.

To dispel public concern over a transfer of benefits by the Government to property developers, the Government must ensure reasonable proceeds from land sale. It must ensure that the entire project will be developed in a better way. I, therefore, agree with the establishment of a Cultural and Arts Development Council exclusively responsible for promoting the tendering and management of the WKCD development. Related financial data should be made public, and efforts should be made to embark on the second stage of the "Invitation for Proposals". The merits of the three screened-in proposals and the proposals that have gained public recognition should be combined, and the consultation period should be extended to canvass public support. The mode of development and such issues as the construction of a canopy should be reconsidered in an open manner.

Madam President, the "sudden emergence of cultural bubbles" as a result of the WKCD development have aroused much discussion in the community. Recently, I have received many views from the sectors concerned, and I do share some of these views. I hope Members can consider this issue again, reduce unnecessary disputes and direct their attention to the more constructive issues.

Some people have criticized the Government for not admitting that the WKCD development is a property project, and some people have suspected that the Government is actually transferring benefits to the business sector in the name of cultural development. In fact, for general government sites, residential premises can be built at a ratio of 8, as pointed out by Mr CHIM. In Kowloon, a commercial site can be put to auction with a plot ratio of 12. There is the view that the Government can split the site for public auction in accordance with this convention, and this would generate hundreds of billions of dollars to government coffers, and that it is unnecessary to compress the plot ratio to as low as 1.8, which is far from profitable.

At present, public opinions have generally accepted the use of proceeds from property development to support cultural and arts development. The key lies only in how an appropriate balance can be struck between financial benefits and commitment. I, therefore, agree that under the present economic conditions, it is most opportune to insist on a plot ratio of 1.81, so that the public can compare the design and modes of operation proposed by individual developers based on uniform criteria.

Madam President, although the WKCD development has aroused extensive reverberations and discussions in society, it is not necessarily a bad thing to the upgrading of the local cultural level. The general public has suddenly shown a keen interest in the long-term cultural and arts development of Hong Kong, and this has opened up a new opportunity for this cultural desert of Hong Kong. We should positively, actively and constructively seize this opportunity to resolve disputes, pool the wisdom of all sectors in the community, display the professionalism and forward-looking vision of Hong Kong people and create needs for future cultural and arts development.

Finally, I suggest that the Government should inject resources to continuously move onto the second phase of the planning work. After learning the views of various sectors of the community and collating the design merits of all the proposals, the Government should compile a master blueprint on planning which has the recognition of the cultural sector and the people. It is most imperative that the development should be split into different projects, so that through architectural design competitions, more developers and professionals can be encouraged to participate in the project. We should make concerted efforts to develop a quality and publicly recognized cultural and arts centre, which is the most important. Thank you, Madam President.

**MR LEUNG YIU-CHUNG** (in Cantonese): Madam President, concerning the disputes revolving around the West Kowloon Cultural District, some people have described it as Chief Secretary for Administration Donald TSANG manipulating the situation single-handedly in an attempt to solicit support from consortiums for his taking over as the third Chief Executive. But Madam President, I wish to point out that if there is really a case of somebody manipulating the situation single-handedly, I believe .....



**PRESIDENT** (in Cantonese): Mr LEUNG, please wait. Chief Secretary for Administration, do you have a point of order?

**CHIEF SECRETARY FOR ADMINISTRATION** (in Cantonese): Madam President, concerning Mr LEUNG's earlier remark that I was manipulating the situation single-handedly with the objective of taking over as the third Chief Executive, I would like Mr LEUNG to elucidate what he actually meant.

**PRESIDENT** (in Cantonese): Mr LEUNG Yiu-chung, as the Chief Secretary did not put on the microphone, you may not have heard him clearly.

**MR LEUNG YIU-CHUNG** (in Cantonese): Can I sit down first?

**PRESIDENT** (in Cantonese): Yes. Mr LEUNG, let me tell you what he said. The Chief Secretary for Administration would like you to elucidate a remark made by you just now, that is, your remark that he wished to be the Chief Executive. But under the circumstance, you have the right to choose not to elucidate it and continue with your speech.

**MR LEUNG YIU-CHUNG** (in Cantonese): Madam President, I would like to know if I elucidate the point, will the time so taken be counted as my speaking time?

**PRESIDENT** (in Cantonese): For the time spent on my exchange with you, the Clerk will make it up for you, but the time for your elucidation is part of your speaking time and so, it will be counted as your speaking time. *(Laughter)*

**MR LEUNG YIU-CHUNG** (in Cantonese): Fine. Thank you, Madam President. In fact, I will clarify this point in my following speech. Concerning what I was trying to say, Madam President, I wish to point out that if somebody is manipulating the situation single-handedly, it would not only be the Chief Secretary, but the entire team of SAR officials. As for the suspicion

about the Chief Secretary soliciting support for his taking over as the Chief Executive which may hence involve collusion between business and the Government and a transfer of benefits, it is also not the problem of the Chief Secretary alone, but the problem of the institution as a whole. It is because the institution is not returned by democratic means. Under the existing institution, it can be easily seen that the Government will be easily steered to favour the interest of the business sector. So, the incident is not just the problem of individuals. Rather, it is a culture of governance born of an undemocratic institution. If the existing political system is not reformed, it is unlikely to achieve healthier development.

If we think about this more carefully, it is not difficult to find many similarities between the West Kowloon Cultural District incident and other cases of the Government's policy failures. From the entire process of consultation on the cultural district, we can already see that it is all the same with the consultation on constitutional development, for they are bogus consultation. It is only when there are strong dissenting voices in the community that the Government is willing to slightly extend the consultation period which was originally planned to last an extremely short period of time. But this is not a direct response to public demand. What the public has really demanded is a comprehensive, extensive and open consultation. Regrettably, the Government has set a "restricted area" for the West Kowloon Cultural District development (the WKCD development), just as it did for the constitutional reform. The "restricted area" for constitutional development is the vetoing of universal suffrage, and in the case of the WKCD development, members of the public are only allowed to choose one from three consortiums. This sort of restricted consultation cannot in any way truly reflect public opinions and will even lead to distortion of public opinions easily.

Moreover, there have been many problems in the entire process of consultation on the WKCD development. Many problems can be found in the comment card distributed by the Government to members of the public viewing the models at the exhibition. For example, as regards the physical layout of the cultural district, the people are asked: Which proposal do you like the most? When answering this kind of question, the people are forced to make a choice out of no choice and so, it is not in the least meaningful. This will only help the Government arrive at an answer already chosen by it. The most important question actually is: Why must we choose one out of the three proposals? This is meant only to facilitate the development of single tender. But many people

may actually have many opinions; they may wish to combine the three proposals into one, and there may also be other options. Why must we choose one from these three? This is where the biggest problem lies.

However, the Government has repeatedly stressed to choose one out of the three, perhaps because it wishes to arrive at an outcome of single tender. Why is it necessary to adopt the single-tender approach? Because of the canopy issue. Why is there the canopy issue? The purpose is to achieve consistency. But must there be consistency? Is it necessary and is it a must? Why can there not be more choices? But the Government has insisted on consistency and that is it. But as a member of the public has asked, must we really need the canopy in order to achieve consistency? In this regard, the Government has not given us a good answer. All it has said is that there is the question of icon or landmark. But what the people wish to see in this development is more creativity and innovation. Why does the Government not give the people more opportunities to express their views? If single tender is adopted and if we merely go for a unitary form of consistency, it would give people the impression that the Government will very likely be paving the way for a particular consortium of its choice to develop this project.

If we say that the Government seeks to pave the way for a particular consortium to develop this project, we will certainly be accused of mongering conspiracy theory. Such conspiracy theory is actually unfounded and after all, it is not right to do so. But in spite of this, the Government must tell us why we have to be given three choices. We can actually have a lot more options, but the Government has outrageously deprived us of this opportunity. Take Swire as an example. It does not even have the chance to take part in the exhibition, consultation and discussion. Why? According to the explanation consistently given by the Government, it is because there is no canopy in the design submitted by Swire and so, their proposal does not meet the standard. Such being the case, why did the Government not conduct consultation on whether there should be a canopy in the first place? If the public was not even consulted on this point, what is the meaning of this WKCD development to us? Given so many restrictions and barriers in the entire process of consultation, it is inevitable to cause many suspicions, and the people cannot be blamed for this. If the Government really does not wish to see so many suspicions among the people, why did it not conduct the consultation openly and extensively, and provide more channels for the people to express their views? I think this question has underscored the most important point.

Madam President, I must stress once again that, irrespective of the outcome eventually, the WKCD development is not just a single incident. Today, I very much hope that the Government can really cancel the single-tender arrangement and cease to rigidly require the provision of a canopy which will only be a waste of money and manpower. I also hope that the Government can return to square one and start again from the most basic planning for our cultural policy, in order to provide a solid foundation for cultural and arts development in Hong Kong and to set better and more forward-looking objectives for development.

In any case, I hope the Government can learn a lesson from the WKCD development and realize its policy failures. In the final analysis, an undemocratic institution will result in a lack of check and balance in the Government. Under an undemocratic institution, the Government may easily hear only the views of some consortiums or it may cater for their interest at the expense of public interest. In order to truly do a good job, the Government should reform the existing institution and move towards democratization. In the meantime, no bogus consultation should be conducted anymore. Rather, a true and down-to-earth consultation should be conducted. Madam President, I so submit.

**MR ABRAHAM SHEK:** Madam President, when some of the wonders of the world were built, none of their creators were given due credit. Their beauty was only appreciated by people of the later generations. Donald, I am afraid you will be sharing the fate of these great men. Mr Secretary, your intention for building an icon for Hong Kong must be acknowledged and must not be belittled. I salute you for your foresight and courage in putting forward what you believe. That said, I must say that I have been one of your strongest opponents, for I believe that the West Kowloon Cultural District (WKCD) project is not in the best interests of the Hong Kong public.

Regarding today's debate, there is no doubt that the original motion and all its amendments are of very good intention. But regrettably, I cannot support them, except the one proposed by the Honourable James TO. The major reason being that I oppose the idea of channeling all the proceeds from the 40-hectare project — which could run up to \$100 billion — only to arts and cultural facilities. Honestly, I fail to see the virtue of this objective at a time of critical budgetary deficit, especially when more immediately essential social services, education

and medical care, such as the Comprehensive Social Security Assistance scheme, are deprived of the necessary funding. Arguably, some members of the community can survive with less cultural activities but not with fewer social services. Above all, let me remind the Administration and this Council that our fiscal reserve has been depleted by \$200 billion since 1998 due to fiscal deficits incurred in the past few years.

That said, I agree that the development project in its present form has many faults. Particularly, the sumptuous project as intended by the Administration is being perceived by many in Hong Kong as a project which will only enrich the life of a small bunch of affluent citizens. To them, the project in its present form only perpetuates confrontation between the "haves" and the "have nots" when the latter have realized that funds involved in constructing such a huge white elephant could have been used to narrow the gap between the rich and the poor. If the Administration is foolish enough to believe that it can still ignore the storm of public protest and force through the tendering process as planned, I am afraid the project will only be steered towards an ever closer political impasse. However, there is still time and it is not too late if our Government pauses to reconsider, and takes stock of its plans before setting off again.

The single-tender approach is undesirable for the obvious reason that the sheer size of the development will limit qualified proponents to a very small number, and would therefore unlikely yield the highest return to public coffers.

By now, it must be fairly clear that the WKCD project is indeed a real estate development project despite the Government's strongest denials, and we would be fooling ourselves if we still think that there would be no cost incurred on society, or that all the costs would be borne by the developers. There will be subsidy, but it will be hidden in the forgone land premium. What is worse, this form of secret subsidy does not require the scrutiny of this Council.

The majority of the members of the Real Estate Developers Association oppose the single-tender approach and have counter-proposed that the cultural and arts infrastructure be provided by the Government through a genuine public-private partnership. The rest of the district can be parceled up for sale through the Government's Land Application List system. A portion of the proceeds from land sales, instead of everything, can then be put into a trust fund to finance the construction and ongoing operation of the arts and cultural

facilities, with the rest of the money devoted to promoting other essential social services.

With regards to the canopy, I concur with the Chief Secretary that it would be a global icon which would bring great benefits to Hong Kong both aesthetically and economically, but I am not convinced that we need to have half the site covered by a plastic and metallic shield, especially when it adds so much negative impact to costs and maintenance. If the Government truly believes that the proposed canopy is for the good of Hong Kong, it should put forward this design (and in fact the whole proposal) for genuine public consultation.

Regrettably, the consultation exercise in its present form is unlikely to facilitate any informed discussion. It is deficient in both quantity and quality. In terms of quantity, 15 weeks is a relatively short time when you take into consideration the tremendous cost incurred and the complexity of the issue being discussed.

As for its content and scope, more fundamental issues have been completely left out. At least three basic questions have not yet been answered:

- (i) Are the various proposed arts and cultural facilities the ones we really need? Do we need to create a cultural district to house them? Do we have sufficient articles for display in the many new museums constructed at the same time?
- (ii) Given the current fiscal situation, can we afford them, in terms of both capital expenditure and operating costs?
- (iii) Above all, why the urgency? Hong Kong is not in dire shortage of performing venues or museums. Instead, what we lack is a cultural policy to guide where we should go, and how far to achieve our aim. Then, we also need to go about creating a group of large enough arts and cultural audience to have a true appreciation of the likes of PICASSO, TCHAIKOVSKY, Pina BAUSCH, Vladimir and others. To promote culture in a community requires a long education process, it cannot simply be created by building monumental museums and theatres. Thank you.

**MR LEUNG KWOK-HUNG** (in Cantonese): Madam President, I will not repeat the points already made by other Honourable colleagues. First of all, I think the origin of this so-called cultural district development is very laughable indeed. The story goes like this: A performing art troupe came to Hong Kong and could not find a venue for its performance. Then somebody struck on a bright idea, suggesting that some venues should be built, and some property developers subsequently expressed interest in the proposal. This precisely shows that corrupt capitalism is like a centipede in that they can invariably think of a way to make money from everything. This development project is just this simple.

So, that the West Kowloon Cultural District development (the WKCD development) has come to this sorry state is, in fact, the result of some officials casually making a suggestion in the beginning and the developers subsequently seizing the opportunity to profiteer and immediately thinking about reaping profits out of this proposal. I absolutely do not believe that the developers are sincere. Nor do I believe that the Government is sincere. This comment of mine is absolutely not unfounded. Members will know if they can just spend tens of dollars taking a taxi to the Cyberport and see what is going on there. Back in those years when I was not yet a Member of the Legislative Council, I already pointed out that it was not a property project, that it was not, not, not a property project. It is only the result of the Government providing convenience and advantages. What is in this place now? It is Bel-Air now. Is it a property project? How expensive is the selling price? What is more, "tom.com" was allowed to be listed against the rules and it was considered a saviour then. Today, we are saying that the listing of The Link REIT is problematic. But if we said that the listing of "tom.com" was problematic back then, we would certainly be beaten up. Today, in retrospect, that is nothing but a hoax.

Moreover, this Cyberport has given birth to a company called Pacific Century. Pacific Century is at the service of Hong Kong people. It should be chiefly responsible for defending the interest of Hong Kong people in the telecommunications industry. But let us take a look at what happened. What has this Pacific Century done? It has been laying off its staff successively, even at a time just before the Chinese New Year. Someone had telephoned me and told me that (I could not withhold this, and I must use one minute to talk about this) among the 750 employees who were sacked, some had actually volunteered to go to Thailand to help with the rescue operations after the disaster. But after

they had returned to Hong Kong, the company said that the company could do without them and so, they might be given the sack as well. Is this way of "murdering" an act of human beings? The entire world, and the entire Hong Kong have become immersed in rescue operations carried out in a way as if it was an indulgence to redeem their sins. Just when people are going to redeem their souls, it is precisely because they have redeemed their souls that they have lost even their jobs.

Obviously, I do not trust this SAR Government. Nor do I trust the property developers.

(Mr LEUNG Kwok-hung displayed a model)

This is the canopy, and I would like to give it to Chief Secretary Donald TSANG as a gift. You can see two figures here. One is Mr LI Ka-shing and the other is Chief Secretary Donald TSANG. Under the cover of the canopy is a darkroom, or a murky room. After getting the information booklets of the several tenders, I already knew who would win. The information kit produced by Mr LI is heavy and beautiful, whereas the others are flimsy, so flimsy that they can easily be carried away by wind. In fact, the meaning of single tender is to give this cultural district and this very site known as the jewel of Hong Kong people to them as a gift. Worse still, pretexts have been concocted, saying that they would be made responsible for developing this cultural district. This is grossly ridiculous indeed.

Let us take a look at Tsim Sha Tsui East, which is again similar in nature. All the buildings and flats there have become derelict. Why do they suddenly become so interested today? It all boils down to money. Hong Kong people have worked very hard, but what they have gained from their hard work cannot stand the onslaughts of rainstorms. The wealth accumulated by Hong Kong people from their sweat and toil is no match to the profits reaped by the developers in boosting the market. It is like the old charcoal seller depicted by BAI Juyi. The old charcoal seller worked day and night, cutting charcoal day and night. On one cold morning he took the charcoal for sale and in the middle of the journey, he was too tired and sat down to take a rest. Suddenly, two people came to him, one was an envoy in yellow coat and the other in a white shirt. They said to him that the imperial palace happened to be in short of charcoal and they asked the old man to give them the charcoal. Do Members know what the charcoal seller was given in return? It was half a roll of red silk and a single yard of damask, which was then put on the ox cart, and they told the



old charcoal seller that he was generously rewarded, for the stuff given to him came from the government.

The WKCD development is exactly like this. The people have been working and working very hard to accumulate wealth. Then the Government said that I will give you a cultural district, but it turns out to be collusion between business and the Government. He who gets West Kowloon gets the whole territory. This is what the press has written. This may be a bit exaggerated, but even if it is not the truth, it is not far from the truth. The one who will be awarded the contract of the WKCD development will have control over such a large piece of land. The property prices in the future, and even the stock prices, the major constituents of which are property shares, will also be controlled by him. The situation then would aptly echo the notion that "he who gets West Kowloon gets the whole territory".

However, I wish to say that the WKCD development will affect not only West Kowloon, but the land policy of Hong Kong. How much land is left in Hong Kong? How should the land be used, or is there any land left and if so, how should the land be developed? All these have to be discussed by the public. So, "he who gets West Kowloon gets the whole territory" is not right. My view is that where there is referendum, there is no cheating. If a referendum can be conducted, then everything including the WKCD development, The Link REIT, the Hunghom Peninsula and the election of the Chief Executive, can all be open to discussion, and things would not have developed to the present state with someone telling us that there was no other choice, that there was no alternative. We have been told that there was no other choice for seven times in a row. We have been told this once a year and that is why there has been the "Chee-hwa Chaotic Era" for seven years. I repeat, it is wrong that "he who gets West Kowloon gets the whole territory", and only this is correct: "Where there is referendum, there is no cheating".

**MR FREDERICK FUNG** (in Cantonese): Madam President, the Government's West Kowloon Cultural District development project (the WKCD development) will have some positive bearing on upgrading the quality of people's cultural life and the promotion of local culture and arts. At this very time when we are under the impacts of globalization, we especially need to develop the

characteristics and diversities of our local culture, so as to lay a foundation on which to turn Hong Kong into a cultural metropolis of the world.

According to the United Nations Educational, Scientific and Cultural Organization, "culture" in its broad sense denotes all our common beliefs, values, customs and patterns of behaviour. Consequently, we must never restrict our own scope and treat the WKCD as a simple construction project or a mere cluster of cultural and recreational facilities. This very construction project signifies precisely our wish to bid farewell to Hong Kong as a "borrowed place" and a "cultural desert", and to search for a new cultural identity in human history. For this reason, as rightly pointed out by Mr Alan LEONG in his motion, we must formulate a long-term cultural policy. We must also work out measures aimed specifically at assisting the development of local culture, grasp the opportunity brought forth by the WKCD development and incorporate society's views on our overall cultural development into the conceptual design, planning, construction and operation of the whole cultural district.

We have been much too accustomed to copying the cultural "brand names" of other countries and the wholesale transplant of foreign cultures. In the case of architectural designs, there are many examples such as The Arch, the Hong Kong International Airport, the International Finance Centre and the canopy of the future WKCD. Are they not examples of our blind faith in things foreign? If not, are they instances of a total dismissal of our own culture? Once it is said that there is a need for urban renewal, the "wedding card" street in Wan Chai has to be demolished. The culture, human relationships and social fabric in the local community, which can never be reconstructed, will all be destroyed.

Many Members have raised various technical problems relating to the canopy, such as its impractical and expensive design, difficulties in construction and repairs, and, most importantly, inadequate public consultation. All these points are perfectly justified. But I still wish to add an even more important point: the canopy as it is designed can never become a landmark of Hong Kong, because it simply cannot reflect the characteristics of our culture. Can the canopy fit into our city design? Has the design of the canopy taken account of our unique natural endowments — the ridgeline and the coastline? Honestly speaking, the canopy is no more than just an architectural design demonstrating

the personal style of the architect concerned. No consideration whatsoever has really been given to our cultural features.

On the consultation exercise now underway, I must say that the schedule is really very tight, and not only this, people can only have access to the external designs and brief contents of the three screened-in Proposals. As a result, all is just "like water off a duck's back", a fleeting glance. But what is even worse is that the authorities have never released any detailed information about the future operation and financial arrangements of the project. How then can people choose one from the three Proposals? According to the questionnaire survey conducted by the ADPL late last month, more than 70% of the respondents agree that the financial arrangements of the project should be made public. My question is: How can people entrust our future cultural development to just one single consortium in the absence of sufficient information? It must of course be realized that whether the Government will pay heed to public opinions is quite a separate issue. I have heard that under the points system of screening the Proposals submitted by the consortia, public opinions actually carry "zero" weighting. Such a so-called consultation exercise is really unimaginable.

As for the issue of allowing one single developer to operate the cultural district on a commercial basis, I would say that there are indeed some advantages, but we must at the same time set the priority right. The WKCD development is indisputably and wholly a cultural project, which is why we must, when setting the regulations on its commercial operation, ensure that it will not be reduced to a mere property development. Although it may be feasible to "sustain" or "subsidize" a cultural project by commercial activities, there are still some potential risks. First, society may lose the initiative in steering cultural development. Second, commercial principles may dictate the choices of the entire cultural project. Third, cultural development may be sacrificed when business difficulties emerge.

Frankly speaking, the past experience of Hong Kong tells us that we can hardly expect any commitment to cultural development from profit-oriented consortia and businessmen. Before deciding to adopt the single-tender approach, the Government must fully consider all relevant questions, such as:

First, will the single-tender approach adversely affect the development of cultural diversities and lead to the adoption of one single architectural style for all buildings in the district?

Second, why should it choose the single-tender approach and give up the huge proceeds from splitting up the land lot into smaller pieces for public auctions?

Third, will smaller consortia and organizations thus be excluded from the whole development project?

(THE PRESIDENT'S DEPUTY, MR FRED LI, took the Chair)

In the absence of sufficient information, especially when we do not even have any clear information about the financial and operating arrangements, and also when the participation of the civil society and cultural sector is so very limited, I frankly cannot conduct any fruitful analysis that can enable me to answer the above questions. Consequently, I urge the Government to reconsider whether or not the single-tender approach should be adopted, and whether it should split up the land lot into smaller pieces for public auctions in the market.

In line with the "people-based", "partnership" and "community-led" principles set down in the Culture and Heritage Commission Policy Recommendation Report, a "bottom-to-top" participatory approach should be adopted for the WKCD development. The community and the arts and cultural sectors should be allowed to take part in the conceptual design, planning and operation of the entire project. And, there must be sufficient and sincere public consultation. The Government must abandon its blind insistence on high efficiency and executive leadership and also its irrational quest for ruling authority. In particular, it must realize that under the principle of sustainable development, all development initiatives must be targeted on and seek to satisfy the existing and future needs of society, so that every individual in society can share the fruit of development.

With these remarks, I support the original motion and the amendments.

**MR JAMES TIEN** (in Cantonese): Mr Deputy, concerning this topic of the West Kowloon Cultural District development (the WKCD development), it was actually discussed in a similar motion debate on 26 November 2003, and I had also spoken on that occasion.

That was one year or so ago and when I read what I had said back then, I can see that the projections I made then are actually happening now. At that time, I said that if the single-tender approach was adopted, there might be only two or three tenders at the most that could meet the specified requirements. I said then that if the plot ratio was not specifically set, the ratio of 1.8 might be increased to 3.5 by other people. Now, the plot ratio proposed in some proposals is actually as high as 4. At that time, I asked these questions. If we have to build such a huge canopy, how should it be handled? What should we do if there is a fire? Should it be a canopy that covers not the entire area, but only part of the area? Will there be proposals suggesting the construction of a canopy to cover the entire area, whereas in other proposals, the canopy is proposed to cover only half of the area or perhaps even to have many holes in it? In fact, from the three screened-in proposals under consideration, we can see that none of them has proposed the construction of a canopy covering the entire 20 hectares of the site. Perhaps this is due to the concern about how the smoke can be dispersed in case of a fire. At that time, I also asked how such a canopy should be repaired (a question also asked by architects, surveyors, and so on, who came to us to express their views). Can those robots move around both inside and outside the area?

Today, we can see that the several proposals all envisage some difficulties in dealing with this problem. One proposal has even suggested that the canopy be made up of 100 small canopies, rather than constructing just one large canopy, so that rainwater can drip through the gaps between these 100 canopies. It is true that the canopy will be a very appealing icon. But its long-term repairs and maintenance will involve not only a one-off investment of billions of dollars or whether or not the developer has the ability to construct the canopy. Rather, it involves long-term repairs and maintenance work for three, five and 10 years. Therefore, is this project truly practicable? Certainly, this is just estimation, and as technology will continue to advance, perhaps its maintenance could become viable in the next few years. But there is no solution yet. Certainly, all these do give cause for concern.

Back to today's motion and the many amendments to it. Mr Tommy CHEUNG has expressed our views on behalf of the Liberal Party. Perhaps I should further elaborate one of the points made by him about the proposals submitted by the bidders. All the details submitted by them, including the information on financial arrangement, will enable the public to fully grasp their development proposals during the consultation period. On this point, the

Liberal Party and the business community used to think that with regard to any agreement or contract concluded with the Government, if details were to be disclosed, we would think that some details, especially those concerning financial arrangements, should be kept confidential. But under this special circumstance, we consider it necessary to handle it in a special way, and this, we think, is more appropriate. Why? Because in the normal auction of property projects, property developers will only have to go to the auction hall and put up their hands, and all they have to do is to pay the deposit. It is unnecessary for them to provide any proposal containing such information as the financial arrangements. In short, everything is based on what is written in the documents for the auction, such as how many hundreds of millions of dollars the site will cost, and a developer will put up his hand if he is interested. So, there is no financial proposal whatsoever. A company can take part in the auction after paying the deposit.

Nevertheless, this proposal now is, in fact, more complicated. A canopy is proposed to be built, and so many cultural and recreational facilities have to be built too, as 2 million-odd sq ft of cultural and recreational facilities will be included. Moreover, regarding the plot ratio for commercial buildings, is it 1.8 or can it be increased to 3.5 or over 4? All these cannot be decided by raising hands or by offering a figure and saying that we agree to allocate \$30 billion or \$50 billion to the Government.

Speaking of financial arrangements, in fact, the several proposals now only set out part of the financial arrangements. They do not set out the financial arrangements in full. Nor do they provide all the financial arrangements that Members would like to know. For example, in respect of the museums, is equity injection necessary for purchasing worthwhile antiquities for exhibition? Where will these antiquities come from? Are we going to rely only on donations by enthusiasts in the territory? I think collectors in Hong Kong do have some valuable collections, but their quantity will not be enough to enable our museums to reach the world-class standard. We may have to borrow from the Mainland or other countries exhibits for exhibition in the museums. It is difficult for all these financial arrangements to be set out in detail in the proposal. So, I think if some information can be disclosed to some extent, the Government should discuss this with them, so that they will know that it is unnecessary to excessively keep this type of arrangements confidential.

Besides, the Liberal Party already knew this in 2003. Regarding the proposed establishment of a statutory body in the amendment proposed by Mr Albert HO at that time, which, I think, is broadly in line with the concept of item (f) in the amendment proposed by Mr James TO today, we consider that the establishment of a statutory body to restart the planning work is a feasible proposal.

Certainly, I have noticed that as at today, many people are involved in the WKCD development. But I wonder if it is possible for the Government to expressly set the plot ratio at 1.8. With a plot ratio of 1.8, buildings measuring 7.6 million sq ft in floor area can be constructed. Deducting the 2.5 million sq ft for cultural and recreational facilities, we can work out that commercial or residential buildings measuring 5 million sq ft can be built. From this we can work out the relevant benefits, that is, how much the site should worth, and then make a decision. If the single-tender approach is adopted, it should apply only to this site. As for the other sites, they should be put to auction in batches, disregarding whether the plot ratio should be reduced from 3.5 to 1.8, or from 4 to 1.8. I believe this can generate more revenue for the Treasury and also facilitate participation by other property developers or even by a large number of architects and surveyors indirectly in the many projects so derived.

Another point which is more important is that in the future (although we do not know how many years later), when the various projects on the site have completed, the developments there would not be sold as one single property project under one occupation permit. From the angle of land supply, this will enable more property developers to put their flats on sale in the market at different times. To both the sellers and the buyers, this, I think, will enable property developers to play a more positive role in stabilizing property prices.

So, generally speaking, I think it is appropriate to extend the consultation period to six months. I also hope that the Government will consider withdrawing this proposal. We support Mr James TO's amendment.

**MR BERNARD CHAN:** Mr Deputy, I am sure that most of the community strongly agrees that Hong Kong will benefit from having more and better cultural facilities and activities, and I am sure that most people think that it is a good idea to have as much private-sector participation as possible. For these reasons, the aims behind the West Kowloon Cultural District project deserve support.

However, it is clear that this has become a controversial project. The Government has indicated that it wants to listen to all the views of the community on this issue, and it is important that people study the details of this project and make their views known in the months ahead.

I would especially urge people to keep an open mind and not to jump to conclusions without examining all the different angles. For example, the proposal for a single-developer approach has come in for criticism. But people calling for the project to be split should remember that there are very real advantages to having a single tender.

The planning will almost certainly be more co-ordinated, and the final design will probably be more harmonious and cohesive. There will probably be economies of scale, and it is almost certain that the project could be completed more quickly. The bureaucracy — things like land leases — would also be hugely reduced with a single-developer approach.

I appreciate that opponents of the single-tender proposal have valid concerns, but the fact is that there are two sides to it. There are some serious advantages in giving the project to one consortium.

The same goes for the other aspects of this very ambitious project. If people look carefully at all sides of the issue before deciding on the best way forward, it will benefit Hong Kong as a whole in the long run. Thank you.

**MS EMILY LAU** (in Cantonese): Mr Deputy, I rise to speak in support of Mr Alan LEONG's motion.

I shall focus mainly on points (a) and (e) of the motion. Mr Deputy, I of course agree with Mr Alan LEONG that the consultation period should be extended to six months. But as far as I know, the idea of conducting a six-month consultation exercise was in fact raised by the authorities themselves at the very beginning. The sources who leaked this were those participants, people who raised the idea during meetings. As result, everybody was so surprised at learning that the length of the consultation period had been cut so short. Naturally, Mr Deputy, these people will never talk about all this openly. But if the story is true, many people should have heard what they said, so no one will be convinced when they now go back on their words. Anyway, what I



mean is that if everybody agrees, we should make it six months. However, is a period of six months sufficient? I strongly agree that culture cannot be promoted in any hasty manner. We simply should not just select a site, proceed quickly to build several museums and other facilities there, and then say, "Hey, see, here is a cultural district."

I have read once again the speech delivered by the Chief Secretary for Administration in this Council on 10 November. Mr Deputy, at that time, in paragraph 14 of his speech, the Chief Secretary for Administration talked about various world-class cultural facilities found in such places as the South Bank and West End of London. But just how many years has it taken for all these cultural districts to take shape? Could they have emerged once after someone had suddenly selected a piece of land and then started to build something on it? No, Mr Deputy, which is why I really hope that we can first spend more time on exploring what cultural policy we should pursue. As mentioned by Mr James TIEN just now, we have been to the exhibition on the Proposals for the West Kowloon Cultural District (the WKCD development). Mr Deputy, you were also there, when I asked the property developers what they were going to place in the four museums. I told them that there were not many exhibits in our existing museums, and I asked them what they would display in the new museums to make them more appealing than the existing ones.

Mr Deputy, as far as I can observe, and as mentioned by some Members already, the utilization rates and patronage of most existing cultural facilities have been on a general decline in recent years. For example, the number of visitors to the Hong Kong Heritage Museum has dropped from some 800 000 in 2001-02 to just 460 000 in 2003-04. In the case of the Hong Kong Museum of Art, there used to be 250 000 visitors a year, but now there are just 220 000. As for the Hong Kong Film Archive, the number has dropped from 120 000 to 85 000. When it comes to performance venues, the number of visitors to the City Hall has, for example, dropped from 400 000 in 2001 to 370 000 at present. The utilization rates of the Ko Shan Theatre, Ngau Chi Wan Civic Centre, Sai Wan Ho Civic Centre, Sheung Wan Civic Centre, Hong Kong Coliseum and the sports complexes in Tsuen Wan, Tuen Mun, the North District, Tai Po, Sha Tin, Kwai Tsing and Yuen Long have all been declining. The only exception is the Queen Elizabeth Stadium. When the utilization rates of these facilities are all declining, how can we be so confident that all the new facilities in the WKCD development will not become white elephants? And, what kinds of exhibits will

be displayed? Can these new facilities attract world-class talents and exhibits? Will people be cultured enough to appreciate the exhibits, and will they visit the venues at all? To answer all these questions, as advised by Members just now, we must conduct thorough discussions beforehand.

Besides, Mr Deputy, I am also very worried about our financial situation in the future. Where are we going to get the money required for maintaining and operating these facilities after their construction? We may look at some past cases — the Hong Kong Academy for Performing Arts (HKAPA), for example. Mr Deputy, the HKAPA has a very long history. I have been studying the information of the HKAPA in 1985, the year when it was founded. The cost of construction was \$370 million, with \$300 million coming from the Hong Kong Jockey Club and the remaining \$70 million from the public coffers. At that time, the Government said, "Alright, we will allocate \$33 million a year for your operation." This level of funding was set at the 1982 prices. However, in 1985, just six months after the HKAPA's opening, the then Chief Secretary, Sir David AKERS-JONES (that is, the gentleman now under investigation by the Public Accounts Committee of the Legislative Council), immediately hastened to appoint a task force headed by the then Deputy Secretary for Lands and Works, Mrs Elizabeth WONG (a one-time member of The Frontier who subsequently ran into huge troubles for reasons of her membership), with the purpose of tidying up the books of the HKAPA.

However, Mr Deputy, there was already no turning back. As a result, in 1985, some \$30 million was allocated to the HKAPA. But then, the funding went up to some \$40 million in 1986-87, some \$50 million in 1988 and some \$70 million in 1989. From then onwards, the funding went further up to some \$80 million, \$90 million, \$100 million, \$120 million, \$130 million, \$160 million, \$170 million and \$180 million. That was how it happened, Mr Deputy. We must therefore ask ourselves whether we have thought about the WKCD development clearly. I believe that before the construction of the HKAPA, for instance, the Government would never have imagined that things would turn out that way. But as Mr Michael SUEN once asked, "Are we supposed to blow it all up?" Naturally not, right? That is why we must think about and discuss the whole thing carefully.

Mr Deputy, lastly, I wish to quote the remarks of Ms Ada WONG and Ms KAM Pui-wai, both being core members of the People's Panel on West

Kowloon. They have remarked that the WKCD development is a project involving highly complex issues, so in order to facilitate fruitful discussions, all participants must be equipped with some basic knowledge. The People's Panel on West Kowloon provides a cross-sector platform where everybody mindful of their rights and obligations can exchange their views. They wish to tread a third path alongside the existing paths of support and objection. Their wish is to work out a consensus and set a positive example of how the civil society can participate in town planning. But will they succeed? We will have to wait and see.

Mr Deputy, their success or otherwise will depend very significantly, among other things, on whether or not the Chief Secretary for Administration and his colleagues will allow sufficient room for genuine participation of the civil society of Hong Kong. Much will have to depend on whether, in the words of Prof LUNG Ying-tai, the task of promoting culture is delegated to some property developers who have little knowledge of culture. I so submit.

**MR SIN CHUNG-KAI** (in Cantonese): Mr Deputy, there are already some precedents of the Government making use of property development projects to finance projects not related to property development. The MTR Corporation Limited is one of the examples.

I can remember that in 1999, the Government also deployed the incumbent Chief Secretary for Administration (then the Financial Secretary) to market the Cyberport. At that time, the Government submitted to the Legislative Council an application for funding of roughly \$1.1 billion. This aroused huge controversies in the Council at that time, but the project was still passed at voting. At that time, I raised a question, and my point of raising it was that if the Government could negotiate with the relevant consortium on the inclusion of this \$1.1 billion in its overall expenditure on the entire Cyberport project, the Government would actually be possible to bypass the Legislative Council altogether. Certainly, there can be no denying that the Government was comparatively honest at that time, for it still wanted to put the project before the Legislative Council for a vote. And, despite the opposition of many Members, the Government eventually managed to obtain enough votes to approve the appropriation request related to the Cyberport project.

Can one say that in the case of the current West Kowloon Cultural District development project (the WKCD development), the Government has adopted a worse approach? One thing which is certain is that, in the case of the Cyberport project, the Government simply conducted secret negotiations with the consortium concerned and it only brought the matter once before the Legislative Council for voting. This time around, it seems that the Government's approach is a bit fairer. There was first a screening process, and as claimed by the Chief Secretary for Administration, the whole process has been monitored by a whole team of ICAC staff, allowing no room for any dishonest practices. But I still have one question: Which part of the project will be put before the Legislative Council for voting?

Suppose the Government is to apply for funding to construct the \$4 billion canopy, do Members think that the Legislative Council will endorse it? I doubt it. And, suppose the Legislative Council really endorses it, it is at least social consensus. But the Government has chosen to bypass the Legislative Council.

Second, when it comes to funding the project by awarding the operating franchise to the developer for 30 years, that is, when it comes to making use of a property development project to finance cultural activities, Dr Fernando CHEUNG may exclaim, "Why not also do so with social welfare, education and public health?" It may well be argued that this is a policy (a major policy it indeed is), but it must still be pointed out that this policy has never been endorsed by any votes in the Legislative Council. In other words, it does not have the "blessing" of the Legislative Council. And, we may also ask whether it is possible to compute the total funding for cultural activities in the next 30 years. The Government is in fact able to do so and submit the results to the Legislative Council in the form of an information paper. This paper may, for example, tell us how much is needed in expenditure in the next 30 years — \$1 billion, \$2 billion, or even \$3 billion. The Government is perfectly able to tell us how much has to be allocated to promotion of cultural activities. As for whether or not the Legislative Council will endorse it, I cannot tell. But I must still ask the Government why it has failed to do something so basic. The Government is just trying to bypass the Legislative Council. But the fact is that it is not supposed to do something like this. This is an major expenditure item, and we must not forget that the approval of the Legislative Council is required for any government expenditure item that exceeds \$10 million.

Over the past few years, the Chief Secretary for Administration has been stressing the need for improving the relationship between the executive and the legislature. But the current approach of the Government will precisely damage this relationship. Some Members (I cannot recall who — Mr Abraham SHEK, may be) have talked about landmarks. In this connection, we must not forget how some of the world's largest landmarks first came into existence. The Great Wall was, for example, constructed under the order of a despot, the Shi Huangdi of Qin. Nowadays, it is actually very difficult for us to reach any consensus on what landmarks should be constructed. Admittedly, there is the Sydney Opera House, which is no doubt an exception, for it is now both a landmark and a very popular cultural facility. But still, do we really have to build something purely for the sake of building a landmark?

People in Hong Kong naturally wish to have a landmark. But how much has to be spent on building one? Why does the Chief Secretary for Administration refuse to compute the costs involved and apply for funding to finance the construction of this landmark? There are three questions here. How is it that the funding for promoting cultural activities is not worked out and tabled before the Legislative Council for approval? Many Members have expressed their views on this actually. Generally speaking, even by conservative estimation, if the Government can split up the whole land lot for auction, then it will not be difficult to get a profit ranging from \$50 billion to \$80 billion, assuming the plot ratio is 180% (When Mr CHIM Pui-ching said the profit could be as large as \$400 billion, everybody laughed, and I also think that this figure is a bit exaggerated). Estimated on this basis, how much will be require to finance cultural activities? How much will be required for the construction of the proposed landmark? How much will be required to develop arts activities in various other domains?

As a matter of fact, all of these three issues can be submitted to the Legislative Council for the approval of the Finance Committee. If they can really obtain the approval of this Council, we can at least be satisfied that there is a consensus in society. However, the Chief Secretary for Administration has sought to bypass the Legislative Council altogether. Is this a reflection of his superiority complex? If not, what else can it be? All is just the wish of the Chief Secretary for Administration and the SAR Government. In brief, it is not the wish of the community at large. Is Mr Donald TSANG the only smart person, while all of us are just fools?

Mr Deputy, another point is about risk management. From the practical perspective, everyone will agree that it is best to pocket all the money first. We should first sell all the land and pocket the money first. Then, we can always decide what to do later on. It is always best to have the money in our purse. It is now claimed that future profits can be used to finance cultural activities. But what are we going to do if there are not enough profits for the purpose in the future?

Finally, there is the question of fair competition. I do see that some Members do not quite agree that the developer which is awarded the WKCD development will gain market dominance. But it cannot be denied that the luxury flats in the WKCD development will account for a very substantial proportion of luxury flat supply in the foreseeable future (that is, in the next five to seven years). And, this substantial proportion will inevitably go to one single consortium. Since the policy itself is not fair, the action of the Government will in fact lead to the emergence of a King of Property Developers in all objectivity. Is the Government's approach consistent with the principle of fair competition? Is this the policy advocated by the Chief Secretary for Administration's fair competition commission?

With these remarks, I support Mr James TO's amendment.

**DR FERNANDO CHEUNG** (in Cantonese): Mr Deputy, the West Kowloon Cultural District development project (the WKCD development) is something very good. Why is it so good? Good in the sense that it is just like a Foe-Glass. What has it revealed? At least, even the Chief Secretary for Administration has fled before it. In it, we can see the Government's ignorance of culture and the vanity and high-handedness of top government officials. In it, we can see how the Government has depraved to the extent of blatantly ignoring what is itself already an outlandish consultation mechanism. In it, we can see the stupidity of government officials, who even think that they can fool all of us, the people of Hong Kong. In it, we can also see how the Government has taken the lead in undermining its paramount principles of fair competition and market economics, "demonstrating" once again that it is determined to funnel benefits to a handful of property consortia.

What is so good about the WKCD development? It is good in that it has enabled more people to realize the downright absurdity of the Government, bringing home to us the need to analyse facts and keep a rein on our own rights.

So many things have been happening to Hong Kong, and the WKCD development can aptly manifest the many gloomy aspects and depravities of our society. All these are indeed deplorable, the tragic results of Hong Kong people's lack of individuality dating back to the colonial past.

For more than a hundred years in the past, Hong Kong people lived under colonial rule. Many of our forebears, battered by social upheavals, natural disasters and man-made calamities in their hometowns, had to flee the Motherland and take refuge in Hong Kong for survival. Before 1997, many families regarded Hong Kong as just a temporary shelter, so they all raced against time and worked very hard to earn money, in the hope of accumulating enough capitals for emigration to other countries as soon as possible. As a result, many people did not even have any time to bother about their basic human rights. In that case, how would they attach any importance to their cultural life, or have any long-term commitment to the social values of Hong Kong for that matter? To them, Hong Kong was nothing but a stepping-stone.

Another deplorable social feature is the "comprador complex", which has left its imprint on Hong Kong people to varying degrees. Compradors were employees of foreign hongs in Hong Kong during the Qing Dynasty, serving mainly as middlemen in the trade between China and foreign countries. Compradors could justify their existence only by helping to bring about business deals, which was why they never bothered about the kinds of goods in a deal — whether they were opium, culture or land, so they would still go ahead as long as there were chances of bringing about a deal. The most notorious "misdeeds of compradors in Hong Kong" over the past few years have been the Cyberport project and WKCD development. Those helping to bring about the deals never criticized their "rice-givers", and not only this, after getting all the benefits, they even told all sort of lies on how reasonable things were.

(THE PRESIDENT resumed the Chair)

Cultural promotion is not as simple as constructing some hardware facilities such as a "giant canopy" designed by British architect Norman FORSTER and several museums. Whether a society can thrive culturally, and whether there can be any richness in its culture will all depend directly on the individuality of its people. Arts and culture owe their origin to labour and "the

expression of one's mind in the form of poetry". When the people on the whole do not have any individuality to speak of, they will not have any commitment to society. Injustices will not arouse their indignation, and even the obscurantism of the power that be will rouse no response from them. In this way, how can they be expected to write any poems and odes to satirize and complain about the realities? There will be no culture to speak of in the first place.

What is most ridiculous about the WKCD development is that the cart of cultural hardware is put before the horse of cultural software. It is true that in the past hundred years or so, the colonial overlord did try to curb and dampen Hong Kong people's political individuality by resorting to high-handed suppression and mollification through education. Compradors, on their part, were naturally only too happy to sell recreational activities instead of any worthy cultural pursuits. This indeed explains why Hong Kong was ridiculed as being a cultural desert in the past.

However, following the reunification, the people of Hong Kong should really start to manifest their individuality and take strides to promote their culture. But it is totally beyond our imagination that the top officials of our SAR Government have still failed to progress with the times both in terms of mindset and vision. Under the excuse of cultural development, they are still trying to "sell" the precious skies and land belonging to Hong Kong people, who will just get a white elephant and a number of property development projects in West Kowloon in return.

If we really want Hong Kong to thrive culturally, we must, in the long run, establish our individuality. Those in power must first learn how to respect the people, instead of falling into the habit of hoodwinking the people and stigmatizing dissidents just for the sake of political expediency. The SAR Government must also abandon its paternalism and systematically devolve authority of decision-making and resource deployment to local communities, so that they can all develop their own economies and cultures on the basis of their respective features and needs. That way, local community cultures marked by humanism and vitality will emerge, and they can in turn form the very foundation of our metropolitan culture. Besides, we also need to formulate a long-term cultural policy on allowing both resources and room for assisting the development of community cultures. What is more, it is also necessary for society as a whole to abandon its shallow materialistic attitude and comprador complex; values relating to human relationships, spiritual well-being and love for



Mother Nature should also be re-established step by step. Besides, we must also rid our education system of its materialistic orientation, so as to make sure that the creativity of our children will not be stifled by heavy schoolwork, and that they can all develop their respective personalities and grow up healthily.

The most important thing now is to truly let the people decide how best to utilize the skies and land covered by the WKCD development. No more bogus consultation should be conducted to distort public opinions. I think that in addition to widely gauging the views of the cultural sector, the Government may even consider the possibility of commissioning some independent academics to conduct an objective opinion poll on the WKCD development.

The WKCD development is really a test, both for the people and the Government. This time around, if public opinions can prevail and the Government can really heed the people's advice, the civil society of Hong Kong will be able to take a big step forward.

With these remarks, Madam President, I support Mr Alan LEONG's motion.

**MRS SELINA CHOW** (in Cantonese): Madam President, I must first declare that I do not have any interest at stake. However, I did take part in the competition at the initial stage of the West Kowloon Cultural District development project (the WKCD development). At that time, many different design teams participated in the Concept Plan Competition. The design of the proposed canopy is precisely the choice and decision of a 10-strong panel comprising members from overseas and Hong Kong.

I can recall that after this design had been selected, a large-scale exhibition was organized. Many people were thus able to inspect the design model, and there was also widespread public acclaim. Understandably, in all places, especially Hong Kong, which aspires so much to becoming a world city, people will inevitably long to have a quality landmark. As I observed at that time, in many cases, public acclaim was due largely to this reason. But still, there is the issue of financing. How can we ensure the success of the project? And, more importantly, some people think that since this is essentially a cultural project, arts and culture should be accorded priority.

We have heard many criticisms this time around, and they can basically be divided into two categories. First, there are criticisms that it is not proper to adopt the single-tender approach, because it is a *de facto* property development project, instead of a cultural and arts project as claimed by the Government. Second, some have pointed out that with the adoption of the single-tender approach, the property portion of the project will become a form of benefits transfer. We have even heard how some liken the WKCD development to the Cyberport project. Today, for example, Chairman of the Real Estate Developers' Association of Hong Kong Stanley HO is reported by the local press as commenting that everybody should be given a share of the pie. Therefore, in the final analysis, it can be said that people's objection to the single-tender approach boils down to the failure to achieve this end. Property developers will naturally find this approach hardly acceptable. But looking at things from the perspective of the Government, we also do not think that we can just make a simplistic comparison of the WKCD development and the Cyberport project either, because in the case of the latter, there was no invitation of tenders, nor was there any screening based on objective standards. As a matter of fact, this is not the first time that land is offered in exchange for public facilities. Mr Abraham SHEK, who is not in the Chamber now, should know this more than anybody else. Many years ago, the then Land Development Corporation also did this, and the Mass Transit Railway system was also constructed with land as a means of financing. Therefore, in the final analysis, all the disputes this time around have been caused by the failure to let everybody share the pie.

So much for the property aspect of the project. But when it comes to the arts and culture aspect, the problem is even greater. Back then, we knew that there would be a concept plan, and that it was about the provision of hardware. We of course knew that some fine-tuning would be required, but we still thought that all problems would be confined to the hardware side. But it has turned out that things have gone wrong with the software side of the project. At the beginning, we thought that since there was some 10 months, we would still have plenty of time to consult everybody and hold discussions with the arts and cultural organizations and other stakeholders. Unfortunately, we are so surprised to see that many people from the cultural sector have voiced their dissatisfaction so very loudly.

Is this entirely bad? No. All the Proposals submitted by the consortia this time around have in fact been drawn up with the direct participation of various arts organizations. As late as last night, I was still asking the chairman

of one of the arts organizations whether they would like to abort this project. He answered in the negative, adding that they still wanted it and even hoped that it could be launched as soon as possible. But he added that they did not want it to progress in its present manner, because so far, there had not been enough discussions. In other words, they want more time for discussions, so that they can have more opportunities to think about what they want and what they would like to include in the project. This is in fact very good, something which the Government very much welcomes. The Government is, for example, more than happy to give the relevant sectors more time for consideration because their views and discussions are all very significant.

I do not agree that the Government should just think that only those consortia taking part in the tender exercise should be awarded the right of undertaking the project. The Government was well-meaning at the beginning, thinking that given their business sense, the consortia would do better than the Government if they could be charged with the provision of both hardware and software. However, can we not see that in the case of many existing venues, there are many criticisms about the lack of business acumen? If we look at the Metropolitan Museum in the United States and the museum management specialists in the United Kingdom, for example, we will see that we are lagging far behind. But the cultural and arts sectors of Hong Kong would still like to take part.

What is more, I do not quite agree with some Members who hold that software should come before hardware. According to Ms Emily LAU, since the patronage rates are dropping, there is simply no need for all these hardware facilities. This is very wrong. In fact, the absence of such hardware may precisely be the reason for the low patronage. We must first have all these hardware facilities before we can hope to gradually attract world-class performance troupes to Hong Kong. But now, there is a shortage of venues in Hong Kong. The standards of our arts performances and patronage will certainly rise if our hardware facilities can be beautified and upgraded. Therefore, I hope that Members can consider the matter from a different perspective. Thank you, Madam President.

**MR ALBERT CHAN** (in Cantonese): Madam President, some years ago the Government invited interested consortia to submit designs on the West Kowloon Cultural District (WKCD) project in an open competition. At that time, I had

an inexplicable liking for designs by FOSTER and it might be due to this reason that I supported the single-tender approach proposed by the Government. I hoped that this special approach would in the end produce some magnificent buildings for Hong Kong and that some timeless icons would emerge.

I would think that courage and a readiness to take up challenges would be required to accomplish any great task. So I accepted the idea of single tender, but with two qualifications. First, the cultural project should be built by a statutory body which will also take charge of co-ordination and service delivery, instead of by a consortium. Second, Chief Secretary for Administration Donald TSANG pledged at that time that this single-tender exercise would be an international event as international consortia were expected to take part. But one year has hurried by and these two qualifications of mine have not been met. I used to have hopes that this project would create an icon for Hong Kong and that ultra-modern cultural facilities would be built, making Hong Kong a true international metropolis. Now I do not think this dream of mine would ever come true.

Recently, this project has become the focus of public attention and there are discussions going on every day about it. A while ago I had a dream. It was a nightmare, though. In that dream the Government finally awarded the project to a consortium which according to many speculations was hand-picked by the Government. And this consortium began to commence works of the project. Spates of accidents happened and countless workers died. Constructing the canopy was a gigantic task and after it was built, cracks appeared and it was infested with the problem of leakage. The situation was like flats produced by a well-experienced developer. That the canopy leaked came as no surprise because the same thing happened in residential buildings. Then came a typhoon and signal number 10 was hoisted. The entire canopy just collapsed, causing heavy casualties. This nightmare has made me rethink my support for the project. I recall what C. M. LEUNG, Permanent Secretary for Housing, Planning and Lands, said when he announced the listing of The Link REIT. He said in English, "I have a dream." He said that he hoped to sell the 180 markets, shopping malls and car parks. At that time, Mr Albert CHENG and "Long Hair", who sat by me, said that this dream could be a nightmare. The same thing may happen to this project. I do not hope at all that this site which is one of the most precious in Hong Kong would turn into a nightmare and bring the territory into disgrace.

The Chief Secretary knows very well that I support the development of West Kowloon. On the question of the canopy, I think that we really have to study it again. My mind would be more at ease if the canopy is proved to be technically viable and that it would not become a leaking structure built by a developer which is notorious for producing leaking flats. If the structure of the canopy and the associated works are feasible, plus it is also cost-effective, then I may change my mind about the canopy. But the single tender of the project must start all over again. This is because of the reason cited by me, that is, the two basic requirements which made me support the project previously are not met.

We can actually consider it this way. It has been government policy for so many years to back up cultural projects with real estate or other forms of financial arrangements. In the past when the two Municipal Councils built town halls and provided other cultural facilities, these large-scale projects were financed by government rates and some kind of tax on properties. The recurrent expenditure of these projects were also provided in this way. So I think what the Government can do is to divide West Kowloon into two districts. One is a cultural district and the other is a property development district. The cultural district is to be planned and managed by a statutory body which should also be tasked with service delivery. As to the question of how many facilities should be built in that cultural district and at what costs, this should be tackled by allocating all the revenue generated from the property development district to this independent statutory body. All relevant planning and management should be done by this body and the giant consortium should not be allowed to exert any control on cultural activities in Hong Kong.

And how about the development of the property development district? As this is another kind of planning, the Town Planning Board should decide on how the land there is to be used. On the question of recurrent income, the Government may set up a fund through the developers or it may devise a permanent tax to be levied on this property development district in West Kowloon, especially on the shopping malls. Another alternative is to set aside a certain proportion of income from rents collected for that purpose. For example, 10%, 15% or 20% of the rents collected may be allocated to the cultural district for the purpose of providing leisure and cultural activities. Such an arrangement resembles the allocation of 5% of the government rates collected to the two former Municipal Councils. In my opinion, such an arrangement would serve to silence accusations that the Government is favouring

a certain consortium and it can also ease strong oppositions to single tender among the people. Mr Abraham SHEK once told me that even the greediest developer in the world would oppose to single tender. This shows that something is obviously wrong with that approach.

Moreover, if a statutory body can be tasked with the entire WKCD project, this would give the WKCD a chance of chartering its own course of development and this would obviate any need to beg any favour from the consortia. Madam President, it has been a long time since Mr TSANG has caught himself in such an impasse over this project. Now it is high time that he changed his position, for if not, his West Kowloon dream would turn into a nightmare. Moreover, this project would deal a fatal blow to this lame and frail government. Thank you, Madam President.

**PRESIDENT** (in Cantonese): Does any other Member wish to speak?

**MR CHAN KAM-LAM** (in Cantonese): Madam President, the West Kowloon Cultural District (WKCD) development project has been under discussion for a long time in the community. Though I am not a member of the Legislative Council Panel on Home Affairs or other panels which have discussed the WKCD project, I am also very concerned about this project to be carried out in West Kowloon. During these past few days, many Honourable colleagues have raised many views on the WKCD which are in my opinion ludicrous. This makes me think that the Chief Secretary should really work more on this project because some of the reactions to the project are very "funny" indeed.

The WKCD project was mooted back in 1996. At that time, Hong Kong was not yet reunited with China and people had this idea of building a cultural district because the standard of living at that time was high and they hoped that the quality of culture in Hong Kong could be upgraded. Then in 1998, the Chief Executive made first mention of this idea in his policy address. A lot of work was done afterwards and a steering committee was set up to take the project forward. Mr TSANG, the Chief Secretary for Administration, was appointed the chairman.

The WKCD project has been discussed in the community for a long time. The authorities have frequently briefed this Council on the project developments.

Maybe the community was not too concerned about the discussions held in the past as they were not too controversial. However, when this project is brought up for discussion again today, I think that we should adopt a pragmatic approach to it because the project has reached a crucial and decisive stage. If at this stage now we are still looking at the matter from an emotional or irrational point of view, that would be very unfair to the community at large. It is likewise unfair to the government departments concerned, the officials, the Legislative Council and all those who have taken part in this project at the international level.

Many people are saying that it is like culture appears in Hong Kong all of a sudden. Ms Emily LAU has cited many figures to prove that the utilization rates of many community centres and civic centres are falling all the time. She concludes that this project should not be launched. This I do not quite agree. It is because in terms of hardware, we indeed lack such large-scale venues for arts and culture. We do not have any facilities that can be considered attractive on an international level or are large enough. If we are going to build Hong Kong into a place with an ethos of culture and the arts, it is essential that we possess some large-scale and international hardware.

Of the few issues which have been discussed very much recently, there is one on financial arrangement. We think that the Government should enhance the transparency of the existing financial arrangements. We also know that at this stage it would not be practical to make all financial information public. Given that we hope to build a cultural district rather than a district for property development, so why should we look at money matters first instead of the contents? What we can do now is to visit the exhibition on these three models. Then we can make a comparison, give our comments and decide on which one we would prefer. With respect to these three models on display, if it is thought that there are any inadequacies with the contents of the three models proposed by the developers, we can suggest adding some other things. I think this would be more constructive. If we think that it is like culture appears all of a sudden in Hong Kong and that there is a channelling of interests in the WKCD project, that would be too hasty a conclusion to draw. I think that we should be sensible in looking at the issue. Though discussions should be open, they must be rational and constructive.

The second issue is about single tender. I understand that many people are worried that the single-tender approach may lead to a channelling of interests

or that certain developers may reap excessive profits, and so on. However, we cannot ignore the merits of single tender as it is conducive to the overall co-ordination, the control of the construction process, the liability concerned in future, regulation of the progress of the project, and so on. Recently, we went to visit the university city in Guangzhou. The university city is built on a lot of some 10 sq km where 13 universities are located there. A single contractor was assigned the construction and design work. The company was very efficient and 10 universities were completed within 19 months. Therefore, when we consider whether to adopt single tender or separate tender, we cannot overlook the advantages offered by single tender. With respect to this issue of single tender, I think that the Government can give more thoughts on whether to adopt single tender for some parts of the 40-hectare plot in West Kowloon and parcel out the rest to other contractors. This is something the Government may consider.

On the issue of conducting consultations, we met some members of the District Councils today and they also had some misapprehensions on that issue. We hope that the Government can extend the consultation period and intensify the consultation work. Thank you, Madam President.

**PRESIDENT** (in Cantonese): Does any other Member wish to speak?

(No Member indicated a wish to speak)

**PRESIDENT** (in Cantonese): If no other Member wishes to speak, then Mr Alan LEONG, you may speak on the amendments. You have five minutes.

**MR ALAN LEONG** (in Cantonese): Madam President, first of all, I am very grateful to the three Honourable colleagues who have read my motion carefully and proposed their amendments.

Though Mr CHEUNG Hok-ming is reluctant to seal the fate of the canopy and the single-tender arrangement before the expiry of the public consultation period, what Mr CHEUNG and most Members from the DAB who have spoken have in fact indicated their reservations about these two issues clearly. These



Members tendered a reminder to the Government, urging it to be sincere, honest and serious in consulting the public. These Members opine that the way in which consultation is being conducted can be improved and they reserve the right to demand that the canopy and single-tender approach be scrapped.

I hope Members can be persuaded to agree that this postponement decision is absolutely not necessary. It is because if we read the newspapers, listen to phone-in programmes on the radio, things which taxi drivers say or what people in Wong Tai Sin and Kwun Tong say when they are having tea in a restaurant, we will know what public opinion is. It is clear enough. This is more so the case when we have listened to what surveyors, engineers, architects, urban planners and the cultural sector say. Their views are quite unanimous. So I hope that Mr CHEUNG Hok-ming can be persuaded to agree that it is not necessary to hold any reservations in this regard. Moreover, the five requests which I have made in my motion have taken into account public opinions *per se*.

As for the amendments proposed by Miss CHAN Yuen-han and Mr James TO respectively, they have in fact taken one more step ahead than the original motion proposed by me.

I have not put in my original motion how a cultural policy is to be implemented. It is because I think this is quite a controversial topic and the consensus reached in the community on this is not as obvious as that on the other issues. That is why I have phrased part (e) of the original motion as it is. However, if Honourable colleagues think that a clear consensus has been reached in the community on these two issues, then there is no reason why I should not support these two amendments.

As to Mr James TO's addition of the words "part of" in his amendment to part (e) of the original motion, I do not wish to repeat what I said in moving the original motion. I do not think there is any need for that as the Council would make arrangements as appropriate when scrutinizing applications for funding.

Madam President, I have always been an advocate for communication. The first step to communication is to step into the shoes of other people and try to understand how they feel. If I were the Chief Secretary for Administration, I would not just sense the pressure after listening to the debate on a project which I

have handled for many years and in which I have put so much hard work. I would also get a bit upset when I do not get the support of most Members of this Council. But I hope very much that the Government can make use of this opportunity to say it clearly to the people of Hong Kong that it is determined to meet the expectations held by a modern society for a return to effective governance. In my speech moving the original motion, I stated clearly that all the policies devised by the Government must be fair, meet the requirements of the rule of law and be open and transparent. The consultations to be undertaken should be sincere and serious. The community groups should be allowed adequate and institutionalized participation. All institutions or policies should be based on objective research data and that there should be consistency throughout. I hope very much that the Government can make good use of the opportunities offered by the WKDC development project to renew its commitment and truly embrace public opinion, so that an open and civilized society as well as a government of the same can be built. Such is the aspiration we all share. Thank you, Madam President.

**CHIEF SECRETARY FOR ADMINISTRATION** (in Cantonese): Madam President, today, we are discussing the WKCD for the 19th time in this Council. I can recall clearly that an in-depth discussion and debate with Members on the subject was held on 26 November 2003, and the Government eventually received blessing from the Legislative Council to go ahead with the WKCD development. During the Council meeting on 10 November last year, I announced that, of the five proposals received by the Government, three had been screened in for meeting the basic requirements set out in our Invitation For Proposals (IFP). With the support of the general public, a public consultation began in mid-December last year on the three screened-in proposals and will last until the end of March this year.

Today, Mr Alan LEONG has moved a motion, followed by amendments proposed by three other Members. Their concerns, including some old issues such as the "single development approach" and the canopy, have all been discussed in depth in 2003. Yet, Members have also raised some issues not mentioned on the last occasion, such as extending the public consultation period, disclosing the financial information, and so on. Although these issues were not covered in our previous debate, I have exchanged relevant views with Members

in panel meetings and in answering Members' oral questions. In any case, I am very pleased to explain once again to Members the Government's position on these issues today.

To start with, I must reiterate our long-standing principle and that is, we will deal with various controversial issues in public interest: public interest will always come before political expediency. This overriding principle will not change.

Let me respond to the views expressed by Members earlier *seriatim*.

First of all, the single development approach. Members have repeatedly raised the issues of whether the comprehensive or single development approach should be adopted. I have explained in public repeatedly the reasons for supporting the comprehensive development approach. I would like to recapitulate them as follows:

First, the WKCD development *per se* is a major, comprehensive cultural project. We very much hope that various facilities can tie in with one another in producing a synergy effect to pool and gather visitors. For instance, we hope that people visiting shopping arcades or finding the design of the buildings appealing can be attracted to the museums. It is our hope that people previously not very interested in arts and culture will develop an interest over time. To achieve this effect, the designs, layouts, and so on, of the buildings have to work in concert with one another so that visitors can be naturally attracted to different venues. Comprehensive development can help centralize planning and co-ordination so as to prevent the occurrence of major convergence blunders. Moreover, it can serve the purpose of enhancing the effectiveness of management, save costs, and shorten the development period.

Second, if we are to split the project for tendering, the Government will have to make assumptions without any certainty on issues such as commercial efficiency, market inclination, and so on, in which the Government lacks professional experience. Moreover, the Government will have to, according to these assumptions, formulate a master layout plan as reference for supplying land for commercial and domestic development uses. This course of action involves a definite measure of risk.

Third, under the current situation in which the Government is facing a shortage of resources, even if split tendering can bring revenue to the coffers, it

is still very difficult for such a colossal cultural project as the WKCD development to be accorded priority. As uncertainties will thus be created, the entire project might eventually fall through.

We did consider these factors in detail before deciding to adopt this only option we could think of, namely the single development approach. After repeated consideration, I still find all factors applicable. The only difference between the current situation and the time when the single development approach was discussed is that the current property market situation is much better. Some people are thus worried that there is a possibility that the proponent will reap exorbitant profits by way of the single development approach. This is entirely understandable.

I am confident that we can, under the prerequisite of adopting the single development approach, ensure that public interest is fully protected and the proponent can in no way make excessive profits. I would like to point out that the relevant parameters of the project, including the plot ratio, density, height of buildings, different combinations of land usage, and so on, have to be submitted to the Town Planning Board for approval. The Government will, in accordance with these parameters, evaluate the possible benefits to be gained by the proponent in developing the WKCD by a professional means widely acceptable to the public. In order to fully protect public interest and prevent the winning proponent from making excessive profits, one of the options we have considered is to, after assessing the construction costs of the WKCD and operating expenses for 30 years, require the proponent to set up an independently-operated fund to enhance its commitment to operating arts facilities, or further require the proponent to share its profits with the Government so that the Government could use the funds to support the development of arts and culture or other social uses. Furthermore, we can even require the proponent to pay a one-off land premium to the Government's coffers to be set aside as public money. Madam President, I hereby promise the public that the Government will definitely put the overall public interest first in fighting for a proposal that benefits the public most.

Another issue of concern to Members is related to the design of the canopy and construction costs. In this connection, I would like to give Members an account of some background information first.

In 2001, the Government held a WKCD Concept Plan Competition. The entries were assessed by a 10-member international panel, comprising

internationally and locally known figures and renowned professionals from the construction field. The panel announced in early 2002 that the winning entry was Foster & Partners, whose work was characterized and highlighted by a canopy.

In May 2002, we reported to the Legislative Council the results of the competition and introduced to Members the winning design. During the period from March to October 2002, the winning design was publicly displayed in a number of venues throughout the territory. The fact that the design was supported by the public and there were not many negative comments can indeed be confirmed by the media reports at that time. After considering the public's comments on the design, the Government announced in October 2002 that it had in principle accepted the winning design as the basis of the WKCD development. Later, we consulted the Panel on Planning, Lands and Works of the Legislative Council on our draft outline plan and IFP. The views expressed by Members at that time were also positive. After several rounds of consultation, we therefore believed that using the winning entry as the base of the project was widely accepted by the public and the Legislative Council. The IFP was thus formally issued in September 2003. The request made by some Members to scrap the canopy would therefore force us to abandon the existing development plan and work done, and planning would have to start all over again. I am indeed disappointed by such a request.

Actually, the canopy is the highlight and an integral component of the winning design. In addition to performing such practical functions as protecting the facilities beneath it from the elements, lowering the noises generated when outdoor activities are staged in the WKCD, lessening the air-conditioning load of the buildings, lowering temperatures during the hot summer, and so on, the canopy can also create a unique visual effect and link up facilities of different purposes, thus serving as the soul of the overall layout and design of the WKCD.

As regards the issue of construction costs, all the proponents have proposed their own design with respect to the canopy and financial arrangements. I will respond to the issue of construction cost in conjunction with the issue of disclosing the financial information later in the meeting.

I appreciate Members' concern about the disclosure of financial information. I also very much hope to provide the public with the relevant information to enable them to gain a better understanding of the details of the

proposals. Let me give Members here in this Chamber a sincere undertaking. We will, before signing a provisional agreement and after obtaining the agreement of the proponents, release to the public all relevant financial information, including construction costs, operating expenses of the arts and cultural facilities, and so on. We will disclose not only the financial proposals submitted by the proponents in June last year, but also other revised proposals submitted later on financial arrangements as well as the final proposal of the selected proponent. At the present stage, however, the Government has not yet completed the assessment of the proposals and started negotiations with the proponents over their proposals. Premature disclosure of the financial information would not only affect the ongoing assessment work, which needs to be kept confidential to ensure it is fair and impartial, but would also weaken the Government's position in future negotiations. This is because competition among the proponents will become less intense if the proponents learn of the offer of their rivals for they may, for instance, lower their own offer. As a result, the Government will be unable to secure a package that is in the interest of the public. A responsible government will not allow this to happen. In other words, disclosure of the financial information at this stage will make it difficult for the project to proceed. Consequently, the WKCD development will face the destiny of premature death.

Here, I think I am obliged to point out that the canopy is a basic requirement of the IFP, whereas the single development approach is the base of the entire development proposal. In the process of issuing the IFP, we cannot alter the approach or requirement as we wish. Should the single development approach be abandoned, as demanded by some Members, or the basic requirement of building the canopy be scrapped, I am afraid the entire IFP procedure will have to start all over again. In that case, our past efforts will be completely wasted. Similarly, as mentioned by me earlier, if we choose to disclose the financial information at this stage, we will encounter difficulty in taking care of the public interest. There is also a possibility of aborting the project. This is indeed a major decision. I hope the Legislative Council will not pass this motion hastily while the public consultation is still in progress.

What worries me most is that, should this project really be scrapped, it will take us several years to plan afresh. Moreover, we will be influenced by the market and other uncertainties. In the end, the implementation of the WKCD development might be put off to the indefinite future. Hence I implore Members to fully consider this risk when they vote on the motion. I am not

saying this in pique, nor am I trying to threaten Members, in explaining to Members here earnestly and patiently the possible consequences of following the various proposals raised in the motion. I am merely trying to sincerely explain to Members and the public the highly probable consequences so as to enable the public to make an informed decision.

More importantly, we must give the public, arts groups, culture lovers and members from various sectors of the community a reasonable explanation and an account of any decisions we make. Why should the Government bring these efforts to a complete halt in the middle of the consultation and even tell the public to examine the models? As I mentioned earlier, the interest of the general public is the starting point of the entire project. It was precisely for this reason that we have always based on public opinion in taking the project forward. Enormous efforts of preliminary consultation were made during the period from 1996 when the concept of building a cultural district was conceived to September 2003 when the IFP was issued. As I already explained the relevant details to the Legislative Council in November 2003, I do not wish to repeat them here.

The only point I wish to raise concerns Ms Audrey EU and Ms Emily LAU, who referred to a substantial drop in the utilization rate of the existing cultural facilities and their fear that these facilities would become a cultural white elephant eventually. I would like to remind the two Members that they were referring to the figures of 2003, the year when a major incident happened, when Hong Kong was hit by SARS. In 2002, the attendance of the museums managed by the Leisure and Cultural Services Department (LCSD) was 4.6 million, which was double the attendance five years ago. The attendance of 2004 also saw a sharp rise. In many cases, the utilization rate exceeded what was planned in 2002. We therefore have to understand that we cannot base our observation on the figures of 2003. In particular, subsequent to our consultation with the Culture and Heritage Commission, we understood it very clearly that the utilization rate of the venues managed by the LCSD had exceeded 90%. Such performing venues as the Cultural Centre and City Hall have almost reached saturation now.

Regarding our preliminary consultation work, the IFP has absorbed the public's aspirations. We announced in March 2004 that the Government would further consult the public on the proposals that meet our basic requirements to enable the proposal ultimately selected to be recognized and accepted by more people. The public consultation already started on 15 December 2004. The

exhibitions have recorded more than 50 000 person times so far. We have also received more than 7 000 comment cards. If we announce at this moment that we will discard these exhibits, how can we face these 50 000 members of the public? How should we deal with the specific views submitted to us?

It is evident from the speeches delivered by Members earlier that some Members have some misunderstanding of the Government's current consultation exercise with respect to the three specific development proposals, thinking that the public can only choose one of the three proposals, the Government has not announced the ways to quantify public views, the consultation period might be too short, and so on. Actually, during the consultation period, the public can freely express their views on issues related to the WKCD development by different means such as seminars, comment cards, post, facsimile, email and so on. Our purpose of designing the comment cards is to listen to and systematically collect the views of the public. We have not forced them to choose one out of the three proposals. In fact, we do ask the public in the sixth question of the comment card to tell us the proposal they consider worthwhile for follow-up. They may choose one proposal, two or even three, or indicate that none is worthwhile for the Government to follow up. We have also encouraged them to explain their reasons. Therefore, it is not the case that they are asked to choose one out of three proposals.

It is precisely due to the variety of the views expressed by the public that it is inappropriate, and impossible, for all the views to be quantified. On the contrary, we will consider each of the views expressed by the public. If there is no objection, we will disclose the views we have collected for the public's final inspection so as to enhance the transparency of this public consultation exercise. These arrangements fully reflect our sincerity in conducting consultation.

We are keeping an open mind on the consultation period although we consider that 15 weeks are sufficient. If it is generally felt by the public in end-March that they need more time to express their views, we will be pleased to extend the consultation period. However, we need not rush to a decision immediately. The public's views are crucial to our next stage of work.

Some Members have requested disclosure of the proposals rejected by the Government. It was set out clearly in the IFP that the proposals must meet



certain basic requirements, including the provision of core arts and culture facilities in the WKCD, construction of a canopy, and so on. It was also specifically pointed out that proposals failing to meet the basic requirements will not be considered further.

As it has been provided in advance that the proposals rejected by the Government will not be considered further, we have decided not to consult the public on these proposals. Otherwise, we will be issuing confusing messages to the public, and they will be at a loss as to what they should do. Actually, we have returned the models to the rejected proponents. They have absolute freedom to decide how to dispose of the models.

Regarding the proposal raised by Members to set up a management authority, I would like to point out that the IFP has not provided for the establishment of a statutory body. We are of the view that the planning of the WKCD development is already regulated by the Town Planning Board, whose members include members of the community. As such, setting up another statutory body to oversee the planning of the WKCD will apparently create unnecessary overlap. The Government keeps an open mind on the organization and operation of the facilities provided in the WKCD in the future. In our opinion, in addition to the government or statutory body model, there are many other feasible ways (such as a trust fund, non-profit-making company, and so on) to operate the relevant facilities. Different facilities can be operated by different modes too. For instance, the commercial and cultural facilities within the WKCD can be operated and managed in different ways; different cultural facilities can also be managed by different organizations. For example, a performance venue with 10 000 seats can be managed in a more commercialized manner, whereas a museum can be managed by a non-profit-making trust fund.

Nevertheless, regardless of the approach adopted to run the WKCD, the proponent must ensure that the operation of the WKCD can foster the long-term cultural development of Hong Kong and induce the support of the various sectors of the community and members of the public. Furthermore, professionals and people from all walks of life should be enabled to take part in its governance and to be accountable to the public. In particular, the requirements of the agreement must be enforced in every aspect to meet the legal and financial commitment, so as to enable the WKCD to operate in a sound manner. We will

also require the proponent to operate the WKCD in an effective, flexible, efficient and cost-effective manner.

More importantly, we will ensure that members of the community, particularly the arts and cultural sector, the Government and developer, will jointly participate in the operation and management of the cultural facilities. The expertise of the cultural sector, the input of the Government and the financial commitment of the developer underpin the successful operation of these cultural facilities.

The WKCD is a cultural project. It is only natural that Members are concerned about the sustainability of the cultural policy. First of all, let me explain to Members our cultural policy before responding to Members' request to re-establish a cultural and heritage commission.

Our basic principle is to strive to create an environment conducive to free expression and creation of arts and encourage more members of the community to take part in cultural activities. The Government is mainly functioning as a catalyst to, through the provision of fund, education and publicity, promote arts and cultural development. The Culture and Heritage Commission (CHC), set up by the Chief Executive in 2000, has taken forward many initiatives after three years of efforts. It has also submitted a Policy Recommendation Report containing 108 recommendations to the Government.

The Report submitted by the CHC is a visionary document. After a long period of consultation and study, it outlined a long-term direction for Hong Kong's cultural development. In early 2004, the Government gave a positive response by accepting most of the recommendations made by the CHC. Actually, 94 of the 108 recommendations have been accepted, put into implementation gradually and taken forward by the Government. As such, on the cultural policy front, the Government has already had a package modelled on the CHC's Report.

The CHC has basically completed its mission after submitting the Report to the Government. As the recommendations made in the Report cover a great many domains, the Home Affairs Bureau set up three committees in November last year for three different domains, namely performing arts, museum and library, to follow up and implement the CHC's policy recommendations. The first meetings of the three committees have already been convened.

I would like to point out in particular that the CHC's Report has, in Chapter six, indicated clearly its support for the development of the WKCD. In its opinion, the birth of the WKCD is a once-in-a-lifetime opportunity. It is also pointed out that the planning and development of the WKCD must adhere to the principles of people-oriented, partnership and community-driven. Furthermore, importance should be attached to the planning of cultural software. The Government has fully accepted the recommendations put forth by the CHC and incorporated the relevant principles and notions into its IFP.

Culture exists not only in alleys, but also in a great variety of arts and cultural venues. Reviewing our experience over the past decades, we will find that innovative and energetic arts and cultural facilities do have a part to play in promoting cultural development. According to the mode of development currently proposed by the Government, the WKCD will provide brand new facilities and additional resources to promote Hong Kong's arts and culture. It should also be noted that the Government has never intended to reduce the resources currently provided for arts and culture. In other words, the development of the WKCD is merely part of, definitely not all of, Hong Kong's overall cultural development. As such, Members need not, and should not, treat the WKCD as a panacea for all arts and cultural ills. The Government will continue to utilize its resources to maintain co-operation with the arts and cultural sector in promoting the overall cultural development. As usual, we will follow up the views expressed by Members in this respect.

Before making my concluding remarks, there is one point I must make. Both Dr YEUNG Sum and Mr LEUNG Kwok-hung criticized that the Cyberport was purely a property project. Let me cite an example to respond to such criticism. The film "Kung Fu Hustle", starring Stephen CHOW and is currently shown, has stunned the whole world. It was produced by Centro Digital Pictures at Cyberport. I have four complimentary tickets from the company. I will give one to Dr YEUNG, and one to Mr LEUNG, in the hope that they can go to watch the film and examine the power of the Cyberport.

Madam President, Honourable Members, I have just explained one more time the principle, notion and position held by the Government with respect to a number of controversial issues relating to the WKCD development. I appreciate that some Members may hold divergent views and I do respect them. As I repeatedly stressed earlier, the Government is consulting the public on the WKCD development at the moment. Hence, the executive and the legislature

should keep an open mind to provide wide scope for the public to express their views. I hope Members will not draw premature conclusions and hastily pass any motions to overturn their previous decision to compel the Government to abort the project and terminate the public consultation currently conducted under the layout plan. The Government regrets that it cannot act in this way.

The WKCD development, being the most important development project of cultural facilities in Hong Kong history, will have far-reaching impact on our next generation. I was told by many in the community that they hoped the project could be successfully implemented. The last thing we wish to see is excessive politicization of the issue and, as a result, the project is aborted prematurely because of political disputes. Therefore, I implore Members to, in the interest of the public, collaborate with the Government in capitalizing on the existing public consultation mechanism and opportunity to listen to the views of the public, so as to ensure that the future WKCD can meet the expectations of the public at large.

Thank you, Madam President. Thank you, Honourable Members.

**PRESIDENT** (in Cantonese): I now call upon Mr CHEUNG Hok-ming to move his amendment to the motion.

**MR CHEUNG HOK-MING** (in Cantonese): Madam President, I move that Mr Alan LEONG's motion be amended, as set out on the Agenda.

**Mr CHEUNG Hok-ming moved the following amendment: (Translation)**

"To delete "the Administration has decided to award" after "That, as"; to delete "40-hectare" after "the development of the"; to add "has aroused extensive discussions and concerns of various sectors of the community, and such concerns include the Administration's decision to award the WKCD development" after "('the WKCD development)"; to delete "allows the public" after "in one go and" and substitute with "the provision of"; to delete "to comment on the three proposals selected in the first stage, such course of action has failed to ensure the optimal use of precious land resources in Hong Kong and safeguard public interests

while nurturing arts and culture" after "only 15 weeks" and substitute with "for public consultation"; to delete "remove the requirement that" after "(c)" and substitute with "after fully consulting the public and summing up their views expressed during the consultation period, evaluate whether it is necessary to make"; to delete ", which requires huge funds to construct, be" after "the canopy"; to delete ";" after "mandatory component of the WKCD development" and substitute with ", review"; to delete "(d) withdraw"; to delete "break" after "one single tender, and" and substitute with "examine whether"; to add "should be broken down" after "the lot"; to add ", and consider setting up a statutory body with broad representation to further promote and take forward the WKCD development" after "proceeds from the land sale"; to delete the original "(e)" and substitute with "(d)"; to add "lest the WKCD development become a property-oriented project" after "the related policies"; and to add "take into account the blend of eastern and western arts and culture to highlight the edge of Hong Kong as the meeting point of East and West, as well as" after "implementing the policies, "."

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mr CHEUNG Hok-ming to Mr Alan LEONG's motion, be passed.

**PRESIDENT** (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

**PRESIDENT** (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Mr LEE Wing-tat rose to claim a division.

**PRESIDENT** (in Cantonese): Mr LEE Wing-tat has claimed a division. This Council will proceed to division immediately after the division bell has been rung for three minutes.

**PRESIDENT** (in Cantonese): Will Members please proceed to vote.

**PRESIDENT** (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Mr Timothy FOK, Ms LI Fung-ying, Mr WONG Kwok-hing, Mr WONG Ting-kwong and Mr KWONG Chi-kin voted for the amendment.

Ms Margaret NG, Mr CHEUNG Man-kwong, Mr Bernard CHAN, Mr SIN Chung-kai, Dr Joseph LEE, Dr KWOK Ka-ki, Dr Fernando CHEUNG and Miss TAM Heung-man voted against the amendment.

Mrs Sophie LEUNG, Dr Philip WONG, Mr Howard YOUNG, Mr LAU Wong-fat, Ms Miriam LAU, Mr Tommy CHEUNG, Mr Vincent FANG, Mr Jeffrey LAM and Mr CHIM Pui-chung abstained.

Geographical Constituencies:

Miss CHAN Yuen-han, Mr CHAN Kam-lam, Mr LAU Kong-wah, Miss CHOY So-yuk, Mr TAM Yiu-chung, Mr LI Kwok-ying and Mr CHEUNG Hok-ming voted for the amendment.

Mr LEE Cheuk-yan, Mr Martin LEE, Mr Fred LI, Mrs Selina CHOW, Mr James TO, Mr LEUNG Yiu-chung, Dr YEUNG Sum, Ms Emily LAU, Mr Andrew CHENG, Mr Albert CHAN, Mr Frederick FUNG, Ms Audrey EU, Mr

LEE Wing-tat, Mr Alan LEONG, Mr Ronny TONG and Mr Albert CHENG voted against the amendment.

Mr James TIEN and Mr LEUNG Kwok-hung abstained.

THE PRESIDENT, Mrs Rita FAN, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 22 were present, five were in favour of the amendment, eight against it and nine abstained; while among the Members returned by geographical constituencies through direct elections, 26 were present, seven were in favour of the amendment, 16 against it and two abstained. Since the question was not agreed by a majority of each of the two groups of Members present, she therefore declared that the amendment was negatived.

**MS MIRIAM LAU** (in Cantonese): Madam President, I move that in the event of further divisions being claimed in respect of the motion on "Development of the West Kowloon Cultural District" or any amendments thereto, this Council do proceed to each of such divisions immediately after the division bell has been rung for one minute.

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the motion moved by Ms Miriam LAU be passed.

**PRESIDENT** (in Cantonese): Does any Member wish to speak?

(No Member indicated a wish to speak)

**PRESIDENT** (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

**PRESIDENT** (in Cantonese): Those against please raise their hands.

(Members raised their hands)

**PRESIDENT** (in Cantonese): I think the question is agreed by a majority respectively of each of the two groups of Members, that is, those returned by functional constituencies and those returned by geographical constituencies through direct elections, who are present. I declare the motion passed.

I order that in the event of further divisions being claimed in respect of the motion on "Development of the West Kowloon Cultural District" or any amendments thereto, this Council do proceed to each of such divisions immediately after the division bell has been rung for one minute.

**PRESIDENT** (in Cantonese): Miss CHAN Yuen-han, you may move your amendment.

**MISS CHAN YUEN-HAN** (in Cantonese): Madam President, I move that Mr Alan LEONG's motion be amended, as set out on the Agenda.

**Miss CHAN Yuen-han moved the following amendment: (Translation)**

"To add "Hong Kong does not have a culture and heritage commission at present and" after "That, as"; to delete "and" after "proceeds from the land sale;" and add "(e) re-establish a culture and heritage commission dedicated to the planning of cultural development projects; and" thereafter; and to delete the original "(e)" and substitute with "(f)"."

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Miss CHAN Yuen-han to Mr Alan LEONG's motion, be passed.



**PRESIDENT** (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

**PRESIDENT** (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Miss CHAN Yuen-han rose to claim a division.

**PRESIDENT** (in Cantonese): Miss CHAN Yuen-han has claimed a division. This Council will proceed to division immediately after the division bell has been rung for one minute.

**PRESIDENT** (in Cantonese): Will Members please proceed to vote.

**PRESIDENT** (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Ms Margaret NG, Ms LI Fung-ying, Mr WONG Kwok-hing, Dr Joseph LEE and Mr KWONG Chi-kin voted for the amendment.

Mr CHEUNG Man-kwong, Mr Bernard CHAN, Mr SIN Chung-kai and Dr Fernando CHEUNG voted against the amendment.

Mrs Sophie LEUNG, Dr Philip WONG, Mr Howard YOUNG, Mr LAU Wong-fat, Ms Miriam LAU, Mr Timothy FOK, Mr Tommy CHEUNG, Mr

Vincent FANG, Mr Jeffrey LAM, Dr KWOK Ka-ki, Mr WONG Ting-kwong, Mr CHIM Pui-chung and Miss TAM Heung-man abstained.

**Geographical Constituencies:**

Miss CHAN Yuen-han, Ms Audrey EU, Mr Alan LEONG and Mr Ronny TONG voted for the amendment.

Mr LEE Cheuk-yan, Mr Martin LEE, Mr Fred LI, Mrs Selina CHOW, Mr James TO, Mr LEUNG Yiu-chung, Dr YEUNG Sum, Mr Andrew CHENG, Mr Frederick FUNG, Mr LEE Wing-tat and Mr Albert CHENG voted against the amendment.

Mr James TIEN, Mr CHAN Kam-lam, Mr LAU Kong-wah, Ms Emily LAU, Miss CHOY So-yuk, Mr TAM Yiu-chung, Mr Albert CHAN, Mr LI Kwok-ying, Mr LEUNG Kwok-hung and Mr CHEUNG Hok-ming abstained.

THE PRESIDENT, Mrs Rita FAN, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 22 were present, five were in favour of the amendment, four against it and 13 abstained; while among the Members returned by geographical constituencies through direct elections, 26 were present, four were in favour of the amendment, 11 against it and 10 abstained. Since the question was not agreed by a majority of each of the two groups of Members present, she therefore declared that the amendment was negatived.

**PRESIDENT** (in Cantonese): Mr James TO, you may move your amendment.

**MR JAMES TO** (in Cantonese): Madam President, I move that Mr Alan LEONG's motion be amended, as set out on the Agenda.

**Mr James TO moved the following amendment: (Translation)**

"To delete "and" after "proceeds from the land sale;"; to add "part of" after "Hong Kong's arts and culture, use"; and to add "; and (f) set up a West Kowloon Cultural District development authority, which should be a statutory body comprising members from various sectors, to take up the planning, development and management of the West Kowloon Cultural District" after "the local art and cultural sectors"."

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mr James TO to Mr Alan LEONG's motion, be passed.

**PRESIDENT** (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

**PRESIDENT** (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Mr James TO rose to claim a division.

**PRESIDENT** (in Cantonese): Mr James TO has claimed a division. This Council will proceed to division immediately after the division bell has been rung for one minute.

**PRESIDENT** (in Cantonese): Will Members please proceed to vote.

**PRESIDENT** (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

**Functional Constituencies:**

Ms Margaret NG, Mr CHEUNG Man-kwong, Mrs Sophie LEUNG, Mr SIN Chung-kai, Mr Howard YOUNG, Mr LAU Wong-fat, Ms Miriam LAU, Mr Abraham SHEK, Ms LI Fung-ying, Mr Tommy CHEUNG, Mr Vincent FANG, Mr WONG Kwok-hing, Dr Joseph LEE, Mr Jeffrey LAM, Dr KWOK Ka-ki, Dr Fernando CHEUNG, Mr KWONG Chi-kin and Miss TAM Heung-man voted for the amendment.

Mr Bernard CHAN voted against the amendment.

Dr Philip WONG, Mr Timothy FOK, Mr WONG Ting-kwong and Mr CHIM Pui-chung abstained.

**Geographical Constituencies:**

Mr James TIEN, Mr LEE Cheuk-yan, Mr Martin LEE, Mr Fred LI, Mr James TO, Miss CHAN Yuen-han, Mr LEUNG Yiu-chung, Dr YEUNG Sum, Ms Emily LAU, Mr Andrew CHENG, Mr Albert CHAN, Mr Frederick FUNG, Ms Audrey EU, Mr LEE Wing-tat, Mr Alan LEONG, Mr Ronny TONG and Mr Albert CHENG voted for the amendment.

Mrs Selina CHOW voted against the amendment.

Mr CHAN Kam-lam, Mr LAU Kong-wah, Miss CHOY So-yuk, Mr TAM Yiu-chung, Mr LI Kwok-ying, Mr LEUNG Kwok-hung and Mr CHEUNG Hok-ming abstained.

THE PRESIDENT, Mrs Rita FAN, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 23 were present, 18 were in favour of the amendment, one

against it and four abstained; while among the Members returned by geographical constituencies through direct elections, 26 were present, 17 were in favour of the amendment, one against it and seven abstained. Since the question was agreed by a majority of each of the two groups of Members present, she therefore declared that the amendment was carried.

**PRESIDENT** (in Cantonese): Mr Alan LEONG, you may now reply and you have one minute 33 seconds.

**MR ALAN LEONG** (in Cantonese): Madam President, I was indeed greatly shocked by the remarks made by the Chief Secretary earlier. Obviously, the Chief Secretary is indifferent to the fact that the existing proposal has deviated from the mainstream public opinion. Neither does he accept that the motion moved by me represents the mainstream public opinion. I hope he can change his mind after the vote.

The Chief Secretary's comment that the previous efforts will be wasted is simply not true. The Government can indeed borrow the existing concept in planning the layout plan and then parcel out the land for auction so as to maximize the land proceeds for the purpose of promoting the arts and cultural policy. Experts are of the view that this is feasible; the Chek Lap Kok Airport can serve as a precedent. I have to warn the Chief Secretary not to bulldoze through the proposal, and to refrain from obstinately sticking to a wrong course and adhering to his own judgement. The Government will, even if it could complete the project, lose the hearts of all the people. Hence, will it end up having more loss than gain? Therefore, I very much hope that the Chief Secretary can, after listening to the speeches delivered by Members in this debate, really reflect on the matter. Does the WKCD development *pre se* represent public opinion and is it what Hong Kong should do under its long-term arts and cultural policy? The Chief Secretary must stop deviating from the public opinion and acting in a presumptuous manner. I sincerely hope that this piece of advice can be seriously considered and accepted by the Government and the Chief Secretary. Thank you, Madam President.

**PRESIDENT** (in Cantonese): Mrs Selina CHOW, is there a point of order?

**MRS SELINA CHOW** (in Cantonese): Madam President, I would like to ask Mr LEONG to make a short clarification. What did he mean when he raised the point about parcelling out the Chek Lap Kok Airport?

**PRESIDENT** (in Cantonese): Mr Alan LEONG, do you want to make clarification?

**MR ALAN LEONG** (in Cantonese): Madam President, according to my understanding, the Chek Lap Kok Airport project was actually made up of a number of individual projects. In other words, there was an overall planning layout for the Airport. But then, the Airport was built by a number of contractors instead of a single contractor.

**PRESIDENT** (in Cantonese): I now put the question to you and that is: That the motion moved by Mr Alan LEONG, as amended by Mr James TO, be passed. Will those in favour please raise their hands?

(Members raised their hands)

**PRESIDENT** (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Mr Alan LEONG rose to claim a division.

**PRESIDENT** (in Cantonese): Mr Alan LEONG has claimed a division. This Council will proceed to division immediately after the division bell has been rung for one minute.

**PRESIDENT** (in Cantonese): Will Members please proceed to vote.

**PRESIDENT** (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Ms Margaret NG, Mr CHEUNG Man-kwong, Mrs Sophie LEUNG, Mr SIN Chung-kai, Mr Howard YOUNG, Mr LAU Wong-fat, Ms Miriam LAU, Ms LI Fung-ying, Mr Tommy CHEUNG, Mr Vincent FANG, Mr WONG Kwok-hing, Dr Joseph LEE, Mr Jeffrey LAM, Dr KWOK Ka-ki, Dr Fernando CHEUNG, Mr KWONG Chi-kin and Miss TAM Heung-man voted for the motion as amended.

Dr LUI Ming-wah and Mr Bernard CHAN voted against the motion as amended.

Dr Philip WONG, Mr Timothy FOK, Mr WONG Ting-kwong and Mr CHIM Pui-chung abstained.

Geographical Constituencies:

Mr James TIEN, Mr LEE Cheuk-yan, Mr Martin LEE, Mr Fred LI, Mr James TO, Miss CHAN Yuen-han, Mr LEUNG Yiu-chung, Dr YEUNG Sum, Ms Emily LAU, Mr Andrew CHENG, Mr Albert CHAN, Mr Frederick FUNG, Ms Audrey EU, Mr LEE Wing-tat, Mr Alan LEONG, Mr Ronny TONG and Mr Albert CHENG voted for the motion as amended.

Mrs Selina CHOW voted against the motion as amended.

Mr CHAN Kam-lam, Mr LAU Kong-wah, Miss CHOY So-yuk, Mr TAM Yiu-chung, Mr LI Kwok-ying, Mr LEUNG Kwok-hung and Mr CHEUNG Hok-ming abstained.

THE PRESIDENT, Mrs Rita FAN, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 23 were present, 17 were in favour of the motion as amended, two against it and four abstained; while among the Members returned by geographical constituencies through direct elections, 26 were present, 17 were in favour of the motion as amended, one against it and seven abstained. Since the question was agreed by a majority of each of the two groups of Members present, she therefore declared that the motion as amended was carried.

### **THAT THIS COUNCIL DO NOW ADJOURN**

**PRESIDENT** (in Cantonese): Motion for Adjournment.

Under Rule 16(6) of the Rules of Procedure, the total speaking time for Members is up to 45 minutes, but the President may determine a longer period.

In response to the circular issued yesterday, by the deadline of 12.00 noon today, 22 Members had indicated to the Clerk their wish to speak on the motion. Under Rule 18 of House Rules, the mover of the motion may have a minimum of five minutes to speak. Having regard to the number of Members who wish to speak, I order that the mover may speak for up to five minutes and each other Member may speak for up to two minutes. The public officer making a reply has up to 15 minutes to speak. Accordingly the duration of the debate for this motion will be up to one hour. Irrespective of whether Members have indicated or not indicated to the Clerk their wish to speak, Members who wish to speak will please press the "Request-to-speak" button. Those Members who have not indicated to the Clerk their wish to speak will be invited to speak only if there is still time left after all those Members who have indicated their wish have spoken. If Members wish to speak after hearing the speeches made by other Members, will they also please press the "Request-to-speak" button. I may also invite them to speak later. I hope as many Members as possible can speak.

It is now 6.12 pm, the debate shall now proceed.

**MR LEE WING-TAT** (in Cantonese): Madam President, we will never forget 26 December 2004.



A once-in-a-century massive earthquake triggered a tsunami across countries in South Asia, leaving a trail of destruction as far as the eastern coast of Africa. Homes are swallowed by towering waves, fields and farmland submerged under the killing torrents and hundreds of thousands of souls are lost. As a survivor I witnessed with my own eyes the deaths and devastation caused by the tsunami. I was touched by the heartbreak of those who lost their loved ones. I am convinced that we must race against time to provide relief and conduct rescue.

Ever since the disaster has struck, countries from all over the world, volunteers and relief providers have begun at once to offer humanitarian aid. Relief teams and supplies are despatched to the disaster-stricken countries. An unprecedented relief operation has now been kicked off. People of all races, nationalities, religions and political beliefs are joining hands to provide relief and conduct rescue, displaying the bright and virtuous sides of human nature.

The initial response of Hong Kong Government in the wake of the disaster had been inadequate. It seemed to have underestimated the magnitude of the devastation caused for only a handful of people were sent over to Thailand. The number was hopelessly short against the hundreds of Hong Kong people missing and stranded in Thailand. Luckily, the Government after a review of the situation decided to send more people to countries hit by the disaster and offered assistance to Hong Kong people there. This attempt to remedy shortcomings should be commended. Various political parties have suggested ways of helping Hong Kong people, including the provision of counselling to people who have relatives missing or killed. Other measures such as regular updating of the death tolls and other information are taken. But there is one thing which the Government has yet to agree and, that is, to pledge \$100 million to assist the devastated region. Many countries have increased the amount of contributions they make to the region struggling after an unprecedented tragedy. As a relatively well-off city in Asia, Hong Kong should have the ability, need and obligation to contribute more and show that we do care.

Hong Kong people are by comparison more generous than their government. Community groups, shops, companies, the media, the show business and political parties are galvanized to launch fund-raising campaigns. As money continues to pour in, as much as \$500 million have been raised to date. When faced with the generosity of the people, would our government not consider giving more?

Besides, someone in charge of a relief group told me that there were lots of restrictions on disaster relief funds and these hampered their relief efforts. Such funds can normally be used only for emergency purposes and there are many restrictions on helping people hit by the disaster to rebuild their homes. I hope the Government can give serious thoughts to all applications for disaster relief funds with sufficient flexibility so that the people affected can be given assistance as appropriate.

Now 62 Hong Kong residents are still missing in the disaster zones. Tens of thousands of people from other countries are missing there as well. Despite our fervent hopes for miracles to happen, we have to admit that mankind is powerless against the mighty forces of nature. We wish from the bottom of our hearts that the sorrow of people who have lost their loved ones may soon pass, that the wounded may soon get healed, that all those affected may obtain assistance and that their homes can be built again. We believe that rebuilding can proceed smoothly if only people can help each other and kindle a ray of hope in their hearts. For us who live in Hong Kong, being so far away from the disaster zones, what we can do is to send them our care and best wishes in addition to raising funds to help those affected.

Finally, let me cite a few lines from the book *The Earthquake in Tong Shan* by Mr QIAN Gang to conclude my speech. He says the following in Chinese:

For that  
I bless the days to come  
I bless all humankind  
I bless our planet earth—  
One fraught with limitations  
But nevertheless possesses a  
Meaning eternal for all of us

We will never forget what happened on 26 December 2004.

**PRESIDENT** (in Cantonese): Mr LEE Wing-tat, please move your motion that this Council do now adjourn.

**MR LEE WING-TAT** (in Cantonese): Madam President, I move that this Council do adjourn.

**Mr LEE Wing-tat moved the following motion: (Translation)**

"That this Council do now adjourn for the purpose of enabling Members to debate the following issue: Measures taken by the Government of the Hong Kong Special Administrative Region in regard to tsunami victims in South Asia, as well as the Hong Kong people whose whereabouts remain unknown or who are still stranded in the disaster-stricken areas."

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That this Council do now adjourn.

**MR ALAN LEONG** (in Cantonese): Madam President, the four Members of this Council from the Article 45 Concern Group would like to express our deepest sympathies to those who have lost their loved ones and homes in the tsunami. For those Hong Kong people who have not yet returned home, we would like to express our best wishes for their early return.

During the week past, we answered the call from all political parties and groups for fund raising. Two of our members went to Causeway Bay today to appeal to the public for contributions. Madam President, I just wish to make one point and I hope the Government would consider it, that is, money is important but action could be even more important. We know that many professionals in Hong Kong, such as medical doctors, nurses and speakers of Thai who act as interpreters, have gone to the disaster zones at their own initiative. They want to offer concrete help to the people affected. It is my wish that the hard work done by these individuals can be made even better and given full play with co-ordination by the Hong Kong Government.

Given Hong Kong's wish to position itself as Asia's world city, so when countries in Asia suffer as a result of natural disasters and when these countries which are less fortunate than us need help and assistance, I think we should gladly extend a helping hand. Thank you, Madam President.

**MR LAU KONG-WAH** (in Cantonese): Madam President, Christmas should be an occasion of universal festivity and family joy. Sadly, owing to the most violent earthquake in 40 years that occurred in Indonesia and the resultant tsunami, the worst one of its kind in this century, the recent Christmas was turned into the most heartrending day of all mankind in almost a hundred years. The beaches in Thailand, Malaysia and Maldives, which used to be holiday resorts famous for their beautiful scenery, were all reduced to infernos in the fraction of a second. Although we did not actually witness the disaster, we can still share the helplessness and grief of the victims.

So far, the tsunami in South Asia has claimed almost 150 000 lives. The DAB agrees that regarding the contingency actions taken by the Special Administration Region Government in the first couple of days after the tsunami, there should still be room for improvement. In the initial days, very little could be known about the calamity. Given the giant proportions of the natural disaster, we really should not be overly harsh in our criticisms. But this does not mean that there is thus no need for identifying the inadequacies. The DAB maintains that the Government should draw lessons from the experience and establish a contingency mechanism and an emergency assistance fund for overseas disasters.

Natural disasters are ruthless, but man is not. We are deeply grateful to all those personnel and voluntary workers who are still working so hard out there to provide relief. We sincerely hope that in the new year, there will be no more natural disasters and man-made calamities. These days in Hong Kong, "mutual attacks" are common. But I must say that a society marked by "mutual assistance" should be much more beautiful.

**DR YEUNG SUM** (in Cantonese): Madam President, in just a matter of seconds the lives of 150 000 people were swept away by the tsunami. We are simply stunned by the magnitude of this tragedy. We realize how powerless we are in face of natural calamities. What we can only do is to offer our help and do our best to raise funds to help those affected to tide over the darkest days of their lives.

The tsunami was ruthless, but man is not, fortunately. The tragedy is another occasion showing that Hong Kong people are charitable and ready to help those less fortunate. Information from the Red Cross shows that Hong

Kong tops the world in per capita non-government contributions to disaster relief. It is pleasing to learn that we are not only concerned about our own welfare but we also care about people elsewhere who suffer as a result of natural disasters. Another thing which I am pleased to learn is that various political parties and factions in this Council are doing the best they can to conduct territory-wide fund raising campaigns. I also hope that this teamwork spirit can continue and be manifested in the service they render to the people.

The tsunami provokes sombre thoughts in me about man's relationship with nature. With the advances in science and technology, are we causing too much pollution and doing too much harm to nature? Has the ecological system been upset as a result? Sustainable development is something worth thinking seriously about. But at this moment in time I can only wish those who have lost their lives early peace. For those Hong Kong people with whom we have lost contact, I hope they can come home soon.

**MR CHEUNG MAN-KWONG** (in Cantonese): Madam President, the tsunami in South Asia is a tragedy that defies any description by words. People from all parts of the world have been moved to offer help and relief. The tragedy has spurred people to perform acts of nobility. We hear stories of people giving their lives to save others, people helping each other to tide over difficulties and people putting aside national boundaries in favour of a greater cause for humanity.

Hong Kong has not stayed unaffected by this unprecedented disaster. Our death toll has increased to 11, and 62 people are still missing. Of these dead and missing, there are teachers and students. The schools concerned have taken contingency measures to mourn the dead, search for the missing, offer consolation to students and donate money to help those in the disaster-stricken areas.

It is my hope and wish that students can learn from the tragedy to treasure their families and relatives, and ponder over the meaning of life. Life can be frail and fragile before nature, yet it can also be strong and unyielding. It is in disasters that we see humanity and conscience. We see noble acts when people give their lives to save others, offer their money to those who suffer and join hands to provide relief. These are commendable acts that truly deserve our admiration.

Disasters will pass, but humanity and conscience are there to stay. Let South Asia no longer be a distant non-reality to us. Let mankind draw closer. Let a flame of hope be kindled on earth.

We are all living in this global village. The tragedy is a solemn reminder that we should treasure our lives. On a macro scale, let us strive to prevent any further loss of human lives as a result of wars and man-made disasters.

May the dead rest in peace. May those bereaved be consoled. May humanity and conscience live forever.

**MISS CHOY SO-YUK** (in Cantonese): Madam President, the tsunami that is past has left endless pain and lingering sorrow. But it is precisely the trauma of this calamity that has moved our hearts and made us more united. For each passing day we read in the newspapers, magazines and learn from the media, real-life stories of people risking their lives to save others. We are all touched as we read about how people helped each other. The international community is galvanized into action and an unprecedented humanitarian relief operation has started. Hong Kong is no exception. In just a few days the amount of donations collected has reached several hundred million dollars. The DAB is proud of Hong Kong people for their charitable contributions. We are working with the international community and starting from 28 December we have organized many fund-raising operations all over the territory. We try our best to offer assistance as appropriate to people in the disaster-stricken areas, hoping that they can feel our care and concern and hence renew their strength in life.

My personal experience is that it is moving to see how people made contributions in the fund-raising campaigns. Many parents have encouraged their children to give away their pocket money as they are convinced that this will not only help the people affected but also teach their children the responsibilities of a citizen of the world.

We can therefore see countless cases which impress us of the lofty side of human nature. But with the incredibly large numbers of the dead and wounded, and scores of Hong Kong people still missing, our hearts refuse to be soothed. As the grief still lingers, we can only hope that as we are stunned to see the

frailty of human life, let us spare some time from our busy schedules and reflect on how we should treasure our lives and live a life to the fullest.

Madam President, I so submit.

**MR WONG KWOK-HING** (in Cantonese): Madam President, I rise to speak on behalf of Miss CHAN Yuen-han and Mr KWONG Chi-kin with a heavy heart and we would like to offer condolences to victims of the tsunami and express our best wishes for the safety of those missing.

We have an impression that despite the deaths and devastations caused, there are care and concern for the victims. It seems that the SAR Government has not been flexible enough in handling the situation and there are criticisms that certain things that it has done are not humane. The *Ta Kung Pao* published an article today attacking the Immigration Department for charging expatriate Hong Kong residents for the replacement of their identity documents lost. In comparison, the United States embassy has waived such charges. So I would like the Secretary to give serious thoughts to this and I hope that the SAR Government should make the people its primary consideration at a crisis situation. I also notice a report from the Hong Kong Observatory that four tsunamis have been recorded since the 1950s. There is a saying in English which says, "Never say never." I would think that it is of vital importance that we can get prepared for the unexpected. I therefore urge the Government to set up a rigorous tsunami warning system so that human lives in Hong Kong can be protected.

Lastly, I wish to say that the concerted action displayed by people from all walks of life in Hong Kong in disaster relief efforts shows that people are prepared to tolerate differences to seek common grounds, and even great differences in order to seek greater common grounds. An inspiration I get from all this is that those of us who are fortunate enough to be alive in this global village should cherish life and live a meaningful life. We should be tolerant and united as we build a better global village. Thank you, Madam President.

**MR FREDERICK FUNG** (in Cantonese): Madam President, the tsunami which swept across South Asia in the last week of 2004 shocked the world. The festive spirit melt and the hearts of people sank. A slight relief that we can draw from this tragedy is, for yet another time, Hong Kong people have

demonstrated that they are always ready to offer a helping hand. Various community groups and the public have all tried their very best to contribute in various ways and means to the relief efforts.

Both the Hong Kong Association for Democracy and People's Livelihood and I think that while it is important to harness the efforts of the community, the Government should also take matching actions. Only in this way can Hong Kong people affected in the disaster zones be given effective help and assistance.

It is our fervent hope that the Government can spare no effort in locating the missing Hong Kong people and assisting their early return. Counselling should be given to the families of Hong Kong people affected. We also notice that many foreign domestic helpers in Hong Kong are under emotional distress. We hope that the Government can set up a hotline to offer counselling services to these domestic helpers. Such a hotline should be publicized in various languages so that the needy can really receive help. I support any application made by the Government for emergency funding to finance any additional expenditure or commitment related to the abovementioned services.

Madam President, I would like to express my condolences for the victims and my deepest sympathies to their families as well as people in the affected areas. Madam President, I so submit.

**MR SIN CHUNG-KAI** (in Cantonese): Madam President, the number of countries devastated by this mega tsunami is unparalleled. Both my colleagues and I would like to offer our condolences to families of the victims, and we hope that the missing can be located early.

I think the Government should gain some experience or learn some lessons from the tragedy. As far as I can recall, during the SARS period, the Government chartered a flight to Taiwan to pick up some Hong Kong people home. This time around the Government has also made the best of its effort to come to the rescue of Hong Kong compatriots stranded overseas. After this event, I think that a permanent mechanism should be put in place to prepare for natural and man-made disasters that may happen in future.

Hong Kong is not a country, so we are not like foreign countries which have their own embassies. Things get more indirect if we want to help Hong



Kong residents through the Chinese embassies. Foreign countries such as the United States have an embassy in every country and they are certainly in a better position to help their nationals directly. We need to have closer links with China and a mechanism for location of missing Hong Kong people should be set up with the co-operation of the Chinese embassies. I hope colleagues in the Security Bureau can gain some experience from this event. I believe this time the Government has done a lot to help Hong Kong people through the local Chinese embassies. But I still think that a permanent mechanism should be in place.

Another thing which I wish to mention is that the Government should support those people who volunteer to go to the disaster-stricken areas to provide relief or assistance. This point has been raised by some colleagues earlier. I think the Government should give serious thoughts to that suggestion. It is because though we are all very busy, there are people who volunteer to go there to offer relief and assistance. But nothing can be effectively done without help from our Government. I hope the Government will do some co-ordination work in this aspect.

**MR HOWARD YOUNG** (in Cantonese): Christmas should be a season of joy, but unfortunately, in that festive season a mega tsunami struck, causing hundreds of thousands of deaths and injuries and great losses of property.

After the outbreak of the disaster, the charitable spirit of Hong Kong people can be seen once again. People from all sectors across the community put aside their differences and displayed a spirit of unity and selfless sacrifice. All the people made rescue and relief their primary task and contributed a lot of money and their efforts.

As the tragedy had struck all of a sudden and it was rare, countries all over the world were all caught unprepared, unable to take the most suitable contingency measures. As the SAR Government does not have any experience in this, it is understandable to see criticisms in the beginning that its reactions are slow. However, the performance of the Government has been getting better as it has sent more relief teams and a regular updating of the latest news is made. This has enabled the people to get clear and accurate information from the Government. Consequently, the number of missing people is falling.

As there are possibilities that epidemics may erupt in the disaster-stricken areas, we therefore hope that the SAR Government can offer help to those Hong Kong people stranded overseas so that they can return home as soon as possible. The Government should keep in close touch with the local governments to locate missing persons.

Madam President, I would like to make use of this opportunity to commend the several tour co-ordinators from Hong Kong who, at the critical moments when the disaster suddenly struck, successfully led their tour members to safety, making use of their wit, experience and accurate judgement. They are the pride of the tourist industry and Hong Kong. They deserve our commendation. I so submit.

**MR LEUNG YIU-CHUNG** (in Cantonese): Madam President, in this tsunami tragedy the people of Hong Kong have shown again that they are a charitable people. They are eager to help people in the disaster-stricken areas in South Asia. Friends in the political circles put aside their political differences and joined hands to make the relief operation a success, just like what they did during the floodings in eastern China some years ago. I hope the Government will continue helping the disaster zones in their rebuilding, that the concern expressed by the public and friends in the political circles is not limited to this moment, and that this can be fused with our life. The concern expressed should light up our lives so that warmth is felt in all the people around us, like the old, weak and disabled. I also hope that the authorities can take active steps to help the poor and the vulnerable.

The disaster rings a lot of truth in a quote by F. D. ROOSEVELT, former President of the United States, which is: "Necessitous men are not free men." Countries in South Asia are poor and they do not have any disaster warning system. The people there have to live in constant fear. After the tsunami has struck, they are placed under the threat of epidemics and they have to face a shortage in food supplies. They do not have any freedom from fear. Therefore, if the people are really to be free from fear, the mission to accomplish in the long run is to eradicate poverty. I hope all the people in Hong Kong, including government officials and colleagues in this Council, can show their kindness to all the poor people in Hong Kong and all over the world so that

people everywhere can be free from fear, that they can be free and that their life and property can be protected.

Madam President, I so submit.

**MS EMILY LAU** (in Cantonese): On behalf of The Frontier I would like to offer my condolences to the families of those who died, and my best wishes for early recovery for those wounded in the tsunami and the earthquake.

In this disaster the people of Hong Kong have shown solidarity and generosity that have impressed the world. What the Government of the Hong Kong SAR has done, however, still leaves much to be desired. At first, its response was slow, though later on some more people were despatched to offer assistance.

Madam President, I hope the SAR Government can set up a mechanism expeditiously. We do not know when a disaster like this will strike again and as more and more Hong Kong people frequently travel abroad, I hope the SAR Government can set up a mechanism so that should any event happen, actions can be taken immediately to contact families of those concerned. The wounded, missing or anyone who needs help can know at once where they can get help. I also hope that the SAR Government can send a team of people to the disaster area whenever any disaster strikes. This is because after the tsunami this time, many Hong Kong people there were so helpless. They saw in the airport there that other countries had sent their people over while no one from the SAR Government could be seen. I therefore hope that the SAR Government can learn a lesson from that.

In addition, despite the fact that the community has contributed some \$500 million to the relief efforts, I would still hope very much that the SAR Government can make an application to this Council for a funding of at least \$100 million for disaster relief. In the wake of SARS, \$100 million was set aside to organize the Harbour Fest and \$1 billion was spent to boost the economy. These sums have not yet been exhausted and there is still some money left. The tsunami this time has really shocked us. We do not know if anything will happen next. I hope there will not be any epidemics, for that will mean tens of

thousand more people may lose their lives. I hope very much that the SAR Government will be as generous as the people of Hong Kong, for the money in public coffers is the money from the public. Madam President, we will support any application which the SAR Government may make to this Council for funding relief efforts.

**DR FERNANDO CHEUNG** (in Cantonese): Madam President, as many as over 140 000 people are feared killed in this mega tsunami. Countless people have lost their homes, uprooted or injured.

Fortunately, Hong Kong people have not been hesitant in offering help. A few days ago I was raising funds with some volunteers and staff in Causeway Bay. I saw a shabbily-dressed man pushing a food delivery bicycle. He came in a hurry, dropped \$20 into the collection box and left. I also recall a cleaner in uniform. He was a cleaner belonging to a company of outsourced government services. He also came to make donation. The food delivery man and the cleaner can only make some \$3,000 to \$4,000 a month and \$20 or \$100 would be a large sum of money to them. But they could give so selflessly. I was moved to see these noble acts by ordinary people in the street.

Contributions from the public in Hong Kong have reached \$500 million. I hope our Government can set aside \$100 million for disaster relief. I would also like to take this opportunity to give my sympathies to a social worker on behalf of the social welfare sector. The family of five of the elder sister of that social worker went to the beach resort of Khao Lak, Thailand and in the end only his elder sister and a nephew came back. Only two out of a family of five are left. They had a hard time in Thailand. Even if his family members have taken out insurance, the insurance company may treat his family members as missing persons and that means compensation will only be paid out after seven years. I hope the insurance sector can help solve this problem. I also hope that the SAR Government can set up a fund. I agree very much with what Ms Emily LAU has said, that a contingency mechanism should be set up to handle emergencies. The social welfare sector is prepared to offer help and we wish to do our part when disasters like SARS two years ago or the tsunami just past strike again. There is a need for us to set up a contingency mechanism to handle emergencies, especially disasters. I so submit.

**MR JEFFREY LAM** (in Cantonese): Madam President, a brutal tsunami occurred in South Asia which brought about a disaster of historic proportions. Many countries and territories all over the world are ready to extend their help to them. Hong Kong people are of course most concerned about those Hong Kong people stranded in the disaster-stricken countries, and they have also demonstrated a Hong Kong spirit of mutual love and help by raising as much as \$500 million for helping the needy victims of the disaster.

The Liberal Party is most willing to take part in this cross-party fund-raising campaign. On the whole, this campaign can enhance the strength of our unity. This week, we have received great support from the business sector. More than 100 large, medium and small companies and units have donated a total of \$16.2 million to us, whereas our on-street fund-raising campaign has raised more than \$500,000. We would like to take this opportunity to thank people from different sectors of the community.

Since the outbreak of the tsunami, there have been divergent views on the performance of the SAR Government. I think the SAR Government has already in the first instant established a contingency group and dispatched officers to the disaster-stricken countries. And the Government has also maintained contacts with the Chinese Embassies in the affected countries as well as the consulates of different countries in Hong Kong. On the other hand, the staff of the Consulate-General of China in Songkhla had in the first instant found our Honourable colleague, Mr LEE Wing-tat, and his wife, with whom we had once lost contact.

What impressed us most is the dedicated effort of two members of our Task Force. They had spent 50 hours without rest in visiting the various hospitals in Phuket in order to locate missing Hong Kong citizens. They continued with their search even at a time when a tsunami warning was issued. Risking their personal safety at such difficult times, they were determined to locate as many Hong Kong people as possible. Their courageous spirit deserves our acknowledgement. Was it too late for the Government to dispatch a larger team of officers to the disaster-stricken areas only on the third day after the disaster? I would like to say that, in all fairness, everyone has his own answer at the bottom of his heart. I just wish to take this opportunity to call for great unity among Hong Kong people.

Madam President, I so submit.

**DR RAYMOND HO:** Madam President, tsunamis are generated when an earthquake, eruption or landslide abruptly moves the seabed, jolting the waters above. The earthquake took place on Boxing Day in South Asia was classified as a 9.0-magnitude quake on the Richter scale, the world's fourth strongest earthquake since 1900. The disaster has so far led to the death of 150 000 people, and millions have become homeless or are in danger. It is one of the most serious disasters in South Asian history.

After the disaster, our Government has taken a number of measures to cope with the problem, including appealing to the public and the civil servants for donations, sending people with relevant expertise to the countries involved to help Hong Kong victims stranded there, and posting the data of the missing Hong Kong people on the Internet to help families find their missing family members. Although some measures came a bit late, the efforts of the Government are appreciated.

The South Asian tsunami took place more than a week ago, and it is reported that disease will spread in the disaster-stricken areas very soon. For sure, the devastation will take the victim countries years to recover, and external financial help is needed. In view of this, I would like to take this opportunity to urge Hong Kong people to pitch in and donate to the countries involved.

We are in the New Year. On behalf of The Alliance, I wish that all the lost people will soon be found alive and the same disaster will never occur again. All people will have our blessings.

Madam President, I so submit. Thank you.

**MRS SELINA CHOW** (in Cantonese): Madam President, as a common saying goes, "Forget these not, for hindsight may shed lights upon the future." Regarding the contingency measures taken by the SAR Government in the wake of the tsunami in South Asia, I believe there must be room for improvement. However, for those 100-odd government officers who have participated in the rescue operation, they definitely merit recognition for their professionalism and noble characters. However, I think the most important tasks at the present stage are to try our best to locate the missing Hong Kong people in the disaster-stricken countries and to provide all the necessary assistance, in addition

to offering proper counselling and concern, to the families of the eight Hong Kong victims who were killed in this tsunami.

On the issue of whether the Hong Kong Government should allocate \$100 million from the Disaster Relief Fund to support the relief work, I think Hong Kong, being a member of the international community, should have an unshirkable obligation to take part in the relief work. However, as the emergency rescue work in the disaster-stricken areas is gradually drawing to a close, we should next discuss what we should do to promote the rebuilding of the affected areas. We must keep an open mind to urge the Government to set aside a certain amount of money, besides the present \$100 million, for providing greater assistance to these unfortunate people in rebuilding their homes.

I would like to take this opportunity to mention that, Members of the Legislative Council have also taken part in one of the committees for providing assistance to the relief work. I hope that the Government can make arrangements for the several Honourable colleagues who have worked in that committee to really take part in discussing the overall work process, such as the allocation of funds, and so on. In this way, we can let the people know how these funds are used in a more transparent manner. Thank you, Madam President.

**PRESIDENT** (in Cantonese): There are still 15 minutes left for Members to speak. Does any Member who has not spoken wish to speak now?

(No Member indicated a wish to speak)

**CHIEF SECRETARY FOR ADMINISTRATION** (in Cantonese): Madam President, on 26 December 2004, a tsunami triggered by a severe earthquake in the sea off Sumatra of Indonesia claimed more than 150 000 lives in many South Asian countries and caused sufferings to millions of people. We would like to offer our most heartfelt condolences to the people of the disaster-stricken countries, and we would like to mourn with our deepest sorrow for all those who lost their lives in this natural disaster.

Although Hong Kong is not directly affected by this earthquake and tsunami, it has been proved that nine Hong Kong persons were killed in it, in addition to many injured and 59 still missing.

We shall continue to work around the clock to provide all possible assistance to families of the injured and the deceased, while we shall continue to trace the whereabouts of Hong Kong citizens who are missing. Today, I would like to give Members a general briefing on the information that we can get hold of and the work we are currently doing.

On the first day of our search of missing Hong Kong citizens, that is, the first day since the tsunami attack, the SAR Government already attached the highest significance to the situation in which Hong Kong citizens had encountered a natural disaster in overseas places. Right on the day of the disaster, the Chief Executive already expressed grave concern about how Hong Kong citizens were affected.

On the day of the tsunami attack, the SAR Government contacted the Travel Industry Council of Hong Kong right after learning about the incident at noon, 26 December, and came to know that all guided tours at Phuket and nearby areas were safe. In the meantime, we also knew that some Hong Kong people had been travelling in the affected areas on DIY tours, but the relevant figures were still unknown at that time. Therefore, the search for those DIY travellers became the focus of our work.

On the day of the tsunami, we contacted the Chinese embassies and consulates in affected countries through the Office of the Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in the Hong Kong Special Administrative Region. Staff members of the Chinese embassies and consulates visited the scenes of disaster-stricken areas to get an on-site understanding of the situation and visited Hong Kong citizens who were injured or stranded in the disaster. In the afternoon of that day, the Chinese Consulate-General in Songkhla dispatched staff to Phuket to locate and assist stranded Hong Kong people. At a time when no flight was available, they had to travel to Phuket by driving for six hours. In that evening, the consulate in Bangkok also sent representatives to Phuket to understand the situation. Once again, I would like to take this opportunity to express our sincere thanks to the governments of the disaster-stricken countries for their generous help and support.

In the afternoon of 26 December, the Immigration Department (the ImmD) was ready to dispatch its officers to Thailand and other disaster-stricken areas. However, the officers were not able to set off until the next morning due to the



closure of the Phuket Airport on the day of the tsunami. Meanwhile, medical and nursing staff, together with ambulancemen of the Fire Services Department, were all on standby for departure.

In the afternoon of 26 December, the Government through the Information Services Department announced the establishment of 24-hour assistance hotlines and, on the other hand, the ImmD increased its manpower for handling such calls.

On the following day, that is, 27 December, the day after the tsunami, two ImmD officers took the first flight to Phuket in the morning and, upon arrival, conducted an active assessment of the local situation. On that day, we did not receive any report on the casualties of Hong Kong citizens. However, in view of the extensive damages caused by the tsunami in the affected areas, two additional officers were dispatched to Phuket on the same day while another two were sent to Columbo, Sri Lanka, to provide assistance.

On the same day, the Economic Development and Labour Bureau and the Civil Aviation Department also liaised local airlines and certain foreign airlines operating flights between Hong Kong and Thailand, which eventually agreed to provide flights for Hong Kong citizens returning to Hong Kong from Thailand with the greatest flexibility, and to schedule additional flights when necessary. At that time, we were already quite sure that adequate flights were available, and we also closely monitored the flight schedules every day to ensure that adequate seats would be reserved for Hong Kong citizens stranded in the affected areas so as to facilitate their prompt return to Hong Kong. In addition, we had formulated contingency arrangements with airlines, so that should there be a need, chartered flights could be commissioned to the disaster-stricken areas to bring Hong Kong citizens home.

On 28 December, the third day after the tsunami, I was appointed by the Chief Executive to co-ordinate the work for helping affected Hong Kong citizens. In the morning of the same day, the ImmD dispatched two additional officers to Phuket, Thailand and another two to Columbo, Sri Lanka. At that time, there were altogether eight ImmD officers in Bangkok and Phuket, and four in Columbo.

On 28 December, I met with the four affected countries' Consulates in Hong Kong. I personally met with them to learn of their respective local

situations, and to convey to them our willingness to provide them with suitable assistance and supplies.

On 29 December, the Security Bureau, in conjunction with the police, the ImmD and the Civil Aid Service (CAS) and the Auxiliary Medical Service (AMS), drew up a large-scale plan for dispatching officers to the affected areas in Thailand. On that day, the ImmD dispatched a team of 19 officers to Phuket as reinforcement, and to make necessary arrangements for the team arriving on the following day.

On 30 December, arriving at Phuket was an additional team of over 100 officers comprising officers of the Security Bureau, policemen, immigration officers, medical and nursing staff, and officers of the CAS and AMS.

In short, ever since 27 December, the first day after the tsunami attack, the SAR Government had started dispatching rescue officers to Phuket, Thailand. In just three days, more than 160 government officers had been dispatched to Phuket and tourist spots in the vicinity frequently visited by Hong Kong tourists. They worked to and from hospitals, hotels and beaches, looking for missing Hong Kong citizens, issuing temporary passports for Hong Kong tourists who had lost their identity documents, arranging flight tickets and even purchasing emergency supplies, and so on. Help desks were set up at co-ordination centres of the Thai Government, as well as the airports of Bangkok and Phuket. Local 24-hour emergency hotlines were also set up. Rescue officers tried every possible means to locate the missing persons, including the use of DNA identification techniques to enhance the chances of confirming the identities of Hong Kong citizens who were reported missing.

We fully appreciate the fears and the anxieties of people who suffered the loss of their family members. Apart from dispatching officers to the tsunami-stricken areas in search of missing Hong Kong citizens, the SAR Government has also provided substantive assistance to families affected by the disaster through the Home Affairs Department and the Social Welfare Department, and such help is provided in Hong Kong. Furthermore, the Education and Manpower Bureau has also co-ordinated the provision of counselling service to teachers and students from schools, in which teaching staff or students had fallen victims to the tsunami.

We are fully aware that the key to handling any natural calamities is the provision of the latest information to members of the public. For this reason, since the first day of the tsunami attack, the Government has kept releasing the latest information and updates to the public through press releases and press conferences.

On the other hand, with the prior consent of families whose members have gone missing in the disaster, we published the personal information of the missing Hong Kong citizens on the website of the Government. By releasing this information, we hope that Hong Kong people can promptly get hold of first-hand information.

In this tsunami calamity in South Asia, Hong Kong has taken a proactive part in international relief efforts. In just a few days after the tsunami attack, the Disaster Relief Fund Advisory Committee convened an emergency meeting to discuss the arrangement of making relief donations. On 31 December, the Financial Secretary decided to inject \$10 million into the Disaster Relief Fund, boosting the balance of the Relief Fund to \$43 million.

In response to this calamity, the Disaster Relief Fund Advisory Committee promptly set up a special mechanism by which the SAR Government could respond to the requests made by the Thai Government. The first batch of relief supplies was airlifted to Phuket on 1 January. In response to the request made by the Indonesian Government, another batch of relief supplies weighing approximately 50 tonnes will be airlifted, which is expected to arrive at Jakarta by tomorrow night. We are liaising with the consulates from other tsunami-stricken countries to see what they need. Up till now, all relief supplies are donated by the SAR Government, whereas the airlifting is the courtesy of Cathay Pacific Airway and the Dragon Airway.

More than \$17 million has been allocated from the Disaster Relief Fund to provide relief supplies to tsunami victims in Indonesia, India and Sri Lanka through international non-government organizations. Some Members suggested that the Government should set aside \$100 million for disaster relief. We thank Members for their suggestion. However, as relief organizations have already received an unprecedented amount of donations and relief supplies, the problem now is not the shortage of funds or supplies, but how the funds are allocated and how the relief supplies can be transported to the affected areas as soon as possible. If the relief organizations should need the fund from the

Disaster Relief Fund of the SAR Government, and if the Relief Fund should be running short of funding, we shall request additional allocation of funds from the Finance Committee.

Besides, by making use of the \$30 million raised in a fund-raising activity held on the New Year day at the Hong Kong Stadium, the Government is working in conjunction with five international relief organizations and the Medical Council of Hong Kong in providing assistance to Hong Kong people who have been affected, and in assisting the tsunami victims to rebuild their homes.

This tsunami attack has resulted in tremendous fatalities, primarily because the countries hit by the tsunami were not covered by any alarm system. As a result, residents and tourists who were by the seaside could not evacuate in time. We have to learn from this experience and take necessary precautions.

Today, Premier WEN Jiabao attended a meeting in Sri Lanka with leaders of the ASEAN countries, where they discussed, among other things, the proposal of forming an international network for making co-ordinated efforts to put into place an alarm mechanism against natural calamities. The SAR Government will fully support efforts in this regard.

I believe there must still be room for improvement in our calamity contingency measures, particularly in terms of emergency arrangements for helping Hong Kong citizens who have fallen victims to major calamities that happened outside Hong Kong, or who are stranded in the disaster-stricken areas. There are comments that we should provide assistance to Hong Kong citizens by capitalizing on the resources of Chinese embassies and consulates. I would like to take this opportunity to clarify that the SAR Government has all along maintained close communication with the Chinese embassies and consulates in the respective regions with a view to helping Hong Kong citizens. In this particular incident, the Chinese embassies and consulates in the respective regions have participated in the work of locating or rescuing Hong Kong citizens. We will work on improving our contingency mechanism on major calamities that happen outside the territory of Hong Kong, where we will also examine how best we can strengthen the co-operation between the SAR Government and the Chinese embassies and consulates.

Besides, there are also individuals criticizing the Government for being slow in responding to the incident and its poor co-ordination. I fully understand that in an incident that involved matters of life and death, everybody will feel anxious, and we certainly hope that everything could have been done faster and better. However, I do hope that Members can take the following points into account:

First, no person involved in this matter had overlooked the challenge they were facing. All supporting personnel, either working in the front line or for the logistics, have been working around the clock with their level best. I hope Members can appreciate the fortitude they had displayed and the efforts they had put in. Second, I hope Members can understand that this is a disaster of an unprecedented scale. After the outbreak of the calamity, there were great chaos in the dissemination of information, which had constrained us as well as other governments in making responses. We have also noticed that the major rescue teams dispatched to the tsunami-stricken areas by different governments in helping their respective citizens did not arrive until 29 and 30 December, which was about the same time as the rescue teams deployed by the SAR Government in arriving at the scene.

Just as I have mentioned, we have done our best in making our quickest responses in each major area. On the release of information, systematic and transparent arrangements were in place since the first day. On the international relief work, we started to get in touch with the affected countries and international non-government organizations on 28 December. On giving assistance to Hong Kong citizens, the Chinese consulates had been giving support as much as they could to our people since the first day. In fact, individual Hong Kong citizens were also given concrete help by the consulates. Rescue teams dispatched by Hong Kong were mobilized within 24 hours after the incident, and our teams were among the first ones to arrive at the scene, along with other teams dispatched by other governments. In comparison with many other governments, the SAR Government had acted more swiftly in dispatching our rescue teams to the scene to render assistance to Hong Kong citizens. In terms of the number of officers dispatched, our teams also compare favourably with other teams deployed by other governments.

Madam President, on the New Year Day of 2005, Hong Kong people gathered together to raise funds for the tsunami victims of South Asia, bringing warmth and showing their care in the coldest New Year Day for decades.

Different bodies, different organizations and all Hong Kong people have given their full support to the relief work, demonstrating the spirit of Hong Kong people in helping each other at times of difficulties.

May I wish that all the missing Hong Kong citizens can soon be found alive and be safely on their way home. For those who have lost their family members or friends, I hope they can have the courage to face the tragic changes and take care of themselves. For the people in the disaster-stricken areas, I hope they can rebuild their homes early.

Thank you.

**PRESIDENT** (in Cantonese): I now put the question to you and that is: That this Council do now adjourn.

**PRESIDENT** (in Cantonese): Will those in favour please raise their hands?

(Members raised their hands)

**PRESIDENT** (in Cantonese): I think the question is agreed by a majority respectively of each of the two groups of Members, that is, those returned by functional constituencies and those returned by geographical constituencies through direct elections, who are present. I declare the motion passed.

#### **NEXT MEETING**

**PRESIDENT** (in Cantonese): I now adjourn the Council until 2.30 pm on Wednesday, 12 January 2005.

*Adjourned accordingly at one minute to Seven o'clock.*