

Bills Committee on West Kowloon Cultural District Authority Bill

**Points raised by individual members at the meeting on 27 March 2008
on which the Administration is requested to provide written response**

The Administration's response to the points raised by individual members at the meeting on 27 March 2008 is set out below --

(1) Objective indicators and, where possible, quantifiable indicators should be formulated and included in the Bill to facilitate the public in assessing whether the West Kowloon Cultural District Authority (WKCD) has achieved its mission as reflected in its functions and purposes.

Administration's Response:

The functions of the WKCD in Clause 4 (1) seek to set out in technical and functional terms what the WKCD is required to do to achieve its objectives. They include drawing up a development plan for the WKCD area, developing the WKCD area according to the approved development plan, provision and management of facilities, promoting culture and the arts and supporting the production of arts programmes.

The purposes which the WKCD should have regard to in performing its functions as set out in Clause 4(2) seek to express and elaborate in different dimensions the broad vision and objectives of the WKCD project—an important strategic investment in the long-term development of culture and the arts for the future of Hong Kong. The purposes cover mainly the following dimensions:

- a) Facilitating arts and cultural development to build up Hong Kong as an international cultural metropolis (enhancement of public appreciation in the arts, development of new and experimental works, wider public and community participation in the arts, arts education for the community, cultural exchange and co-operation, cross-sector or cross-organization collaborations, commercial and corporate support/sponsorship);
- b) Cultivation and nurturing of talents;
- c) Development of cultural and creative industries;
- d) Provision of free and accessible open space; and
- e) Strengthening Hong Kong's position as a tourist destination.

Each of the purposes can serve as broad yardsticks or indicators for evaluating the performance of the WKCD in future.

Taking into account views and comments from Members and deputations, we are considering to further refine the presentation and descriptions of the purposes in Clause 4 so as to reflect more clearly the vision and objectives

of the WKCD project. Our preliminary proposal is to **set out the most important purposes as the objective** (or mission) of the WKCD Authority. These could include enhancing and promoting excellence and diversity in culture and the arts; cultivating and nurturing talents and audience in the arts; encouraging wider community participation in the arts; and facilitating the long-term development of Hong Kong as an international arts and cultural metropolis. This would be followed by setting out the various purposes in Clause 4(2) of the Bill as conducive to achieving the above objectives, which the WKCD Authority should seek to fulfil in delivering its functions in Clause 4(1). In this connection, we would consider revising the presentation of these purposes to bring out more clearly the role of the WKCD Authority in meeting the different purposes through performing its functions.

The actual types, quantity and quality of programmes or activities which should be carried out to deliver the above functions and programmes should be left to the WKCD Authority after it has been set up. We do not consider it appropriate to specify in the enabling legislation any quantifiable performance indicators for evaluating the WKCD's work as such evaluation should continuously be done in a holistic manner with evolving indicators at different stages of the WKCD project. Furthermore, such indicators, even if applicable, will change as the WKCD project develops.

Our approach is in line with the legislation of comparable local statutory bodies which set out the functions/purposes/duties of these bodies in broad terms (see **Annex A**).

As in the cases of other statutory bodies, we consider it more appropriate for the WKCD to establish objective and quantifiable performance indicators, where applicable, after it has been established. Such indicators and the Authority's performance in achieving these indicators could be disclosed to the public in its annual report. In this connection, we will consider amending the Bill to require the WKCD to make reference to the purposes set out in Clause 4 in its annual report for submission to the Financial Secretary under Clause 31 of the Bill.

(2) The Administration should explain why it is not practicable to provide for a nomination or election mechanism in the Bill for appointment of members of the WKCD Board.

Administration's Response:

Clause 6(3) of the Bill provides that the WKCD Board is to consist of the Chairman, the Chief Executive Officer, three public officer members and not more than 15 members who are not public officer members, including at least 5 members who, in the opinion of the Chief Executive, have knowledge of, or experience in, or exposure to, arts and cultural activities and at least one member

who is a member of the Legislative Council.

The WKCDA is intended to be a body corporate and the WKCDA's Board is the governing and executive body of the WKCDA. The Board will have the statutory duty to develop and manage an integrated arts and cultural district by delivering a series of specific functions including planning, designing, constructing, operating and maintaining the arts, cultural, and commercial facilities, as well as commissioning arts, cultural and other programmes.

The WKCDA Board should be composed of a right and balanced mix of individuals with different expertise and knowledge in various fields at different stages of the project. For instance, during the development stage, the Board would require more expert advice and inputs from professional disciplines such as town planning, architecture, engineering, surveying, financial management, etc., as well as expertise in the planning and design of arts and cultural facilities. During the operation stage, the Board would require more advice from experts who are knowledgeable in the management and operation of the arts and cultural facilities as well as the production and presentation of programmes and exhibitions, etc. As such, the precise composition of the Board may vary from time to time to tie in with the needs of the different stages of the development and operation of the WKCD facilities. We therefore consider it not appropriate to specify the precise composition of the Board members in the Bill. It follows that we do not agree to prescribe any nomination or election mechanism which seeks to return a precise composition of the Board, setting out the sectors or organizations, as well as the number of members in each sector or organization.

The WKCDA Board should work together as a strong, dedicated and cohesive team capable of performing the range of executive functions conferred on the WKCDA in accordance with its statutory objectives. Any nomination or election mechanism would risk undermining the effective operation of the Board, as the interests of the sectors or organization from which some members are representing may not be compatible with the corporate objectives of the Board in responding to the development needs of the WKCD project from time to time.

It is particularly difficult and impracticable to prescribe a proper and fair election or nomination system for the arts and cultural sector, given its diversity and the lack of an established professional accreditation mechanism for screening and electing qualified representative members of the arts and cultural sector. Any election or nomination system based on majority vote does not necessarily provide a balanced mix of individuals on the Board. It may also have the unintended effect of denying individuals who could make valuable contributions to the Board the opportunity to serve on it, if they are not among any of the specified sectors or organizations.

Given the above considerations, we consider it more appropriate for the

Chief Executive to appoint members of the WKCDA Board having regard to the different needs of the WKCD project at different stages of development, based on the merit of the individuals concerned, including their ability, expertise, experience, integrity and commitment to public service.

We are open to any organizations or individuals to nominate persons for consideration of appointments to the WKCDA board by the Chief Executive.

We are also willing to consider how the key factors to be taken into consideration in appointing members to the WKCDA Board could be further elaborated or refined in the Bill.

(3) Information on the practices and procedures adopted by relevant overseas statutory bodies in appointing their board members should be provided.

Administration's Response:

We have analyzed the enabling legislation for three comparable overseas statutory bodies, namely the Australia Council, the South Bank Corporation and the Victorian Urban Authority Council. The members of their governing boards are all appointed by the relevant Ministers of the respective Governments. There is no prescribed election or nomination mechanism for appointing board members in their relevant enabling legislation. A table comparing the practices and procedures in appointing their Board members is at **Annex B**¹. We are also seeking relevant information from a number of other overseas bodies and will provide further information once they have responded to our requests.

(4) The five members from the arts and cultural sectors to be appointed to the WKCDA Board should possess profound rather than mere knowledge of and experience in arts and culture. Clause 6(3)(c)(i) should be revised to this effect.

Administration's Response:

Clause 6 of the Bill provides that the Board is to consist of, among others, at least 5 members who, in the opinion of the Chief Executive, have knowledge of, or experience in, or exposure to, arts and cultural activities. In considering the appointment of this category of members, it would be necessary to take into account the actual experience, knowledge and exposure of the

¹ The table at Annex B was prepared based on legislation obtained from internet websites. While we have made our best endeavour to ascertain that the legislation is most updated, we cannot assure that it represents the most up-to-date position. Only English version is provided as there is no Chinese version of the overseas legislation referred to in Annex B.

candidates in arts and cultural activities, as well as the need for a good and balanced mix of these members on the Board. We consider it important to ensure that these members will collectively constitute a team of people who possess knowledge, experience and exposure in arts and culture that are conducive to the operation of the WKCDA Board in discharging its statutory functions, instead of setting relative standards in the Bill on each individual member such as “profound knowledge, experience or exposure” which are difficult to measure and may unduly restrict the selection of individuals for appointment to the Board.

(5) The Chief Executive Officer of WKCDA should be appointed through an open recruitment process. Clause 7 should be revised to this effect.

Administration’s Response:

Clause 7 of the Bill provides that the WKCDA may, with the prior approval of the Chief Executive, appoint a person to be the Chief Executive Officer (CEO) of the Authority. We expect the WKCDA to recruit the CEO through an open recruitment exercise, which is a common practice of comparable local statutory bodies. As the recruitment of the CEO is a responsibility of the WKCDA and will involve sensitive issues such as individual candidates’ ability and experiences, etc., we consider it more appropriate to leave it to the WKCDA to decide the actual arrangements and procedures for recruiting the CEO having regard to operational and practical considerations.

(6) The Administration should set out the reasons as to why there are matters not suitable for discussion at open meetings of the WKCDA Board and committees.

Administration’s Response:

Section 17 of the Schedule to the Bill and clause 9(8) of the Bill provide that the WKCDA Board and any committee established under clause 9 may regulate its own proceedings and business relating to any Board or committee meeting. The Board or committees may decide to open some of its meetings to the public, the extent to which each meeting should be open to the public and the actual arrangements to do so, etc.

Unlike regulatory or consultative bodies, the key functions of the WKCDA are to plan, develop, operate and maintain the WKCD. The WKCDA is a body corporate and the Board is the governing and executive body of the WKCDA. The Board and committees of the WKCDA have the statutory duty to deliberate and make decisions on many matters concerning the development and operation of the WKCD which include not only the management of arts and cultural facilities, the organization of arts, cultural and entertainment

programmes, but also the management of commercial facilities such as retail, dining and entertainment facilities. We expect that a vast majority of the meetings of the Board and committees will involve discussions of the following sensitive matters:

- (a) facility management contracts, works tenders and other contractual agreements;
- (b) selection of programme organizers, arts organizations, artists or other project agents;
- (c) ideas and concepts of major programmes, such as arts and cultural festivals;
- (d) assessment and evaluation of the performance of individual artists or arts groups and the programme of museum exhibitions;
- (e) collection strategy and budget for museums and exhibition centre;
- (f) programming strategy for different venues, outdoor performance area, and public open space;
- (g) pricing and budget for commissioning different programmes, procurement of services, venue management etc.

All these are commercially and market sensitive matters, the disclosure of which will make it very difficult for the WKCDA to operate effectively and efficiently. As the WKCDA Board and committees have to deal with these matters as part of its on-going business, most of their meetings cannot be held openly. We do not consider it appropriate to impose a statutory requirement on the WKCDA to open its meetings, while allowing it to close its meetings under certain specified exceptional circumstances, if in practice most of the meetings have to be held behind closed doors.

We have made reference to a number of local statutory bodies at **Annex C**. All the relevant legislation does not provide for open meetings (except the Town Planning Board which is a regulatory body without any pro-active executive functions and the dissolved Regional Council/Provisional Regional Council where all deliberations on important decisions did not take place during the Council meetings). Rather, it is a common feature in the relevant legislation that the respective boards are allowed to regulate their own proceedings. In practice, a number of these bodies do open part of their meetings to the public through administrative means. We have also not seen any provisions in the relevant legislation for comparable overseas organizations to require their board meetings to be open to the public.

We appreciate the need for WKCDA to operate with a high degree of public accountability and transparency. We should however need to strike a reasonable balance between this and effective operation of the WKCDA in implementing the WKCD project. Holding meetings in public is just one of the many means of enhancing transparency of the work of the WKCDA. The WKCDA may adopt various transparency measures such as uploading

information on its work regularly to its dedicated website, distributing regular newsletters, organizing meet-the-media sessions to report on discussions and decisions of the Board after Board meetings, etc. Moreover, Clause 16 of the Bill provides that LegCo or any committee of LegCo may request the Chairman and the CEO to attend its meetings to answer questions at any time; Clauses 17 and 18 of the Bill oblige the WKCD to consult the public on matters concerning the development or operation of arts and cultural facilities, related and ancillary facilities as well as the preparation of the development plan. There would therefore be ample opportunity for the public to be kept abreast of the work of the WKCD and express their views.

(7) Practices and procedures adopted by the two former Municipal Councils and other comparable local statutory public bodies with regard to opening up of their meetings should be provided.

Administration's Response:

The practices and procedures adopted by the two former Municipal Councils and other comparable local statutory bodies with regard to opening of their meetings are set out at **Annex C**.

We note that while most of the Council meetings of the two former Municipal Councils were open to the public, almost all discussions of important matters on the management of arts and cultural venues as well as organization of cultural programmes were conducted at meetings of different relevant committees under the Councils which were not open to the public.

**Home Affairs Bureau
April 2008**

Comparison of function/purpose/duty provisions between the proposed West Kowloon Cultural District Authority and other comparable statutory bodies in Hong Kong

	West Kowloon Cultural District Authority	Airport Authority (Cap. 483)	Urban Renewal Authority (Cap. 563)	Hong Kong Science and Technology Parks Corporation (Cap. 565)	Hong Kong Arts Development Council (Cap. 472)	Hong Kong Housing Authority (Cap. 283)	Hospital Authority (Cap. 113)
Major Functions/Purposes/Duties	<ul style="list-style-type: none"> • The functions of the West Kowloon Cultural District Authority are - <ol style="list-style-type: none"> (a) to prepare a development plan and, if necessary, amend any development plan under section 18(10), and submit such plan to the Town Planning Board for its consideration; (b) to develop the leased area in accordance with the land use and other requirements or conditions specified in the approved development plan; (c) either alone or jointly or by agreement with any other person, to provide (including plan, design and construct), operate, manage, maintain or otherwise deal with arts and cultural facilities, related facilities or ancillary facilities; (d) to advocate, promote, organize, sponsor, encourage and provide for the appreciation of and participation in arts and culture; (e) to promote, exhibit and display the arts publicly and otherwise; (f) to initiate and support the creation, composition, production, learning and practising of the arts; and (g) to perform such other functions as are conferred or imposed on the Authority by or under th[e] or any other Ordinance. • The Authority, when performing its functions [above], is to have regard to one or more of the following purposes – <ol style="list-style-type: none"> (a) to contribute to the long-term development of Hong Kong into an international arts and cultural centre; (b) to contribute to the enhancement of appreciation of a diverse and pluralistic range of the arts; (c) to contribute to the development of new and experimental works in arts and culture; (d) to contribute to the development of cultural and creative industries; (e) to contribute to the nurturing of local artists and arts groups; (f) to contribute to encouraging wider participation of the local community in arts and culture; (g) to contribute to the provision of arts education to the local 	<ul style="list-style-type: none"> • The Airport Authority shall, in accordance with th[e] Ordinance and also in accordance with the objective of maintaining Hong Kong's status as a centre of international and regional aviation, provide, operate (in accordance with any law in that regard which is for the time being in force), develop and maintain, at and in the vicinity of Chek Lap Kok, an airport for civil aviation. • The Authority may provide, at, as regards or in relation to the Airport (or any part thereof), such facilities, amenities or services as are, in its opinion, requisite or expedient. • In addition to performing the functions assigned [...], the Authority may engage in or carry on any airport-related activity in trade, commerce or industry at or from any 1 or more places in the Leased Area. • In addition to the activities which it may engage in or carry on [...], the Authority may also engage in or carry on such airport-related activities as the Chief Executive may, after consultation with the Authority, permit or assign to it by order published in the Gazette. • (c.f. section 5 of Cap. 483) 	<ul style="list-style-type: none"> • The purposes of the Urban Renewal Authority are to- <ol style="list-style-type: none"> (a) replace the Land Development Corporation as the body corporate established by statute having the responsibility of improving the standard of housing and the built environment of Hong Kong by undertaking, encouraging, promoting and facilitating urban renewal; (b) improve the standard of housing and the built environment of Hong Kong and the layout of built-up areas by replacing old and dilapidated areas with new development which is properly planned and, where appropriate, provided with adequate transport and other infrastructure and community facilities; (c) achieve better utilization of land in the dilapidated areas of the built environment of Hong Kong and to make land available to meet various development needs; (d) prevent the decay of the built environment of Hong Kong by promoting the maintenance and improvement of individual buildings as regards their structural stability, integrity of external finishes and fire safety as well as the improvement of the physical appearance and conditions of that built environment; (e) preserve buildings, sites and structures of historical, cultural or architectural interest; and (f) engage in such other activities, and to perform such other duties, as the Chief Executive may, after consultation with the Authority, permit or assign to it by order published in the Gazette. • (c.f. section 5 of Cap. 563) 	<ul style="list-style-type: none"> • The purposes of the Hong Kong Science and Technology Parks Corporation are- <ol style="list-style-type: none"> (a) to establish or develop any premises where activities related to the purposes prescribed in paragraph (b), (c) or (d) are, or are to be, carried out, and to manage and control the land and other facilities comprised in such premises; (b) to facilitate the research and development and application of technologies in manufacturing and service industries in Hong Kong; (c) to support the development, transfer and use of new or advanced technologies in Hong Kong; (d) to engage in such activities or to perform such functions as the Chief Executive in Council may, after consultation with the Corporation, permit or assign to it by order published in the Gazette. • (c.f. section 6 of Cap. 565) 	<ul style="list-style-type: none"> • The functions of the Arts Development Council are- <ol style="list-style-type: none"> (a) to plan, promote and support the broad development of the arts, including the literary, performing, visual and film arts, and to develop and improve the participation and education in and the knowledge, practice, appreciation, accessibility and informed criticism of the arts, with a view to improving the quality of life of the whole community; (b) to formulate and implement strategy for the planning, development, promotion and support of the arts; (c) to uphold the principle of, and encourage, freedom of artistic expression; (d) to encourage excellence, innovation, creativity and diversity in the arts; (e) to encourage interest, understanding, knowledge and skill in the arts at all levels within the formal education system as well as through extracurricular, part-time and voluntary systems; (f) to strive for the creation of an environment conducive to ensuring that- <ol style="list-style-type: none"> (i) all persons in Hong Kong have the opportunity to enjoy, partake in and have access to the arts; and (ii) those with the ability and desire to pursue a career in the arts have the opportunity to do so and receive tuition; (g) to advise the Government on the policies, standard of provision of facilities, educational programmes, levels of funding and any other matters that may affect the planning, development, promotion and support of the arts; and (h) to engage in other activities conducive to the planning, promotion and support of the development of the arts that the Chief Executive, after consultation with the Council, permits or assigns to it. • (c.f. section 4 of Cap. 472) 	<ul style="list-style-type: none"> • The Hong Kong Housing Authority shall exercise its powers and discharge its duties under this Ordinance so as to secure the provision of housing and such amenities ancillary thereto as the Authority thinks fit for such kinds or classes of persons as the Authority may, subject to the approval of the Chief Executive, determine. • (c.f. section 4(1) of Cap. 283) 	<ul style="list-style-type: none"> • The Hospital Authority shall- <ol style="list-style-type: none"> (a) in accordance with the provisions of th[e] Ordinance and the relevant agreements referred to in section 5(a) [of the Ordinance] entered into, manage and control public hospitals; (b) advise the Government of the needs of the public for hospital services and of the resources required to meet those needs; (c) manage and develop the public hospitals system in ways which are conducive to achieving the following objectives- <ol style="list-style-type: none"> (i) to use hospital beds, staff, equipment and other resources efficiently to provide hospital services of the highest possible standard within the resources obtainable; (ii) to improve the efficiency of hospital services by developing appropriate management structures, systems and performance measures; (iii) to improve the environment in public hospitals to meet the needs of patients; (iv) to attract, motivate and retain qualified staff; (v) to encourage public participation in the operation of the public hospitals system; and (vi) to ensure accountability to the public for the management and control of the public hospitals system; (d) recommend to the Secretary for Food and Health, for the purposes of section 18 [of the Ordinance], appropriate policies on fees for the use of hospital services by the public, having regard to the principle that no person should be prevented, through lack of means, from obtaining adequate medical treatment; (e) establish, and assist others to establish, public hospitals; (f) promote, assist and take part in- <ol style="list-style-type: none"> (i) the education and training of persons involved or to be involved in hospital services or other services relevant to the health of the public; and (ii) research relating to hospital services; (g) perform such other functions as are imposed on it under this Ordinance or any other enactment; and

	West Kowloon Cultural District Authority	Airport Authority (Cap. 483)	Urban Renewal Authority (Cap. 563)	Hong Kong Science and Technology Parks Corporation (Cap. 565)	Hong Kong Arts Development Council (Cap. 472)	Hong Kong Housing Authority (Cap. 283)	Hospital Authority (Cap. 113)
	<p>community;</p> <p>(h) to contribute to cultural exchange and cooperation between the Mainland of China, Hong Kong and any other place;</p> <p>(i) to contribute to the cooperation between any non-government body or organization and providers of the arts, within and outside Hong Kong;</p> <p>(j) to contribute to encouraging commercial and corporate support and sponsorship of arts and culture;</p> <p>(k) to provide or facilitate the provision of free and accessible open space within the leased area to the general public; and</p> <p>(l) to strengthen the position of Hong Kong as a tourist destination.</p> <ul style="list-style-type: none"> • (c.f. section 4 of the Bill) 						<p>(h) apply its resources towards the performance of its functions specified or referred to in this section, in particular the promotion, development and maintenance of hospital services.</p> <ul style="list-style-type: none"> • (c.f. section 4 of Cap. 113)

**Comparison of practices and procedures in appointing Board members between
the proposed West Kowloon Cultural District Authority and other comparable overseas statutory bodies**

	West Kowloon Cultural District Authority	Victorian Urban Development Authority	South Bank Corporation	Australia Council
Composition of the Governing Body	<ul style="list-style-type: none"> The Board of the Authority is to consist of the Chairman who may or may not be a public officer; the Chief Executive Officer; not more than 15 other members who are not public officers (including at least 5 members who, in the opinion of the Chief Executive, have knowledge of, or experience in, or exposure to, arts and cultural activities and at least one member who is a member of the Legislative Council); and 3 other members who are public officers. (c.f. section 6 of the Bill) 	<ul style="list-style-type: none"> The board shall consist of – <ul style="list-style-type: none"> (a) a chairperson; (b) a deputy chairperson; (c) no more than 7 other directors. (c.f. section 18 of the Victorian Urban Development Authority Act 2003) 	<ul style="list-style-type: none"> The board consists of the following members- <ul style="list-style-type: none"> (a) a chairperson appointed on the Minister’s nomination; (b) 2 members appointed on the council’s (Brisbane City Council) nomination; (c) 7 other members, of whom 2 must be public service officers, appointed on the Minister’s nomination. (c.f. section 10(1) of the South Bank Corporation Act 1989) 	<ul style="list-style-type: none"> The number of members of the Council shall not be less than 10 nor more than 14. The Council shall consist of- <ul style="list-style-type: none"> (a) the Chairperson; (b) the Chairperson of each Board; (c) ...such number of persons who practise or have practised the arts or are otherwise associated with the arts as the Minister thinks fit; and (d) ...such number of community interest representatives as the Minister thinks fit. At least one of the members of the Council must be a community interest representative. (c.f. section 9 of the Australia Council Act 1975)
Appointment mechanism	<ul style="list-style-type: none"> All Board members (other than the Chief Executive Officer) are to be appointed by the Chief Executive. The Chief Executive Officer is to be appointed by the Authority with the prior approval of the Chief Executive and is an ex-officio member of the Board. (c.f. section 6 of the Bill) 	<ul style="list-style-type: none"> The chairperson, deputy chairperson and other directors of the Authority shall be appointed by the Governor in Council. (c.f. section 19(1) of the Victorian Urban Development Authority Act 2003) 	<ul style="list-style-type: none"> The members are to be appointed by the Governor in Council. The chairperson must not be a public service officer. (c.f. sections 10(3) and (4) of the South Bank Corporation Act 1989) 	<ul style="list-style-type: none"> The members of the Council, other than the Chairperson and the Chairperson of each Board, are to be appointed by the Minister. The Chairperson is to be appointed by the Governor-General. (c.f. sections 9(2A) and (3) of the Australia Council Act 1975)

**Comparison between the proposed West Kowloon Cultural District Authority and other comparable statutory bodies in Hong Kong
in respect of the practices and procedures adopted with regard to opening up of their meetings**

	West Kowloon Cultural District Authority	Airport Authority (Cap. 483)	Urban Renewal Authority (Cap. 563)	Hong Kong Science and Technology Parks Corporation (Cap. 565)	Hong Kong Arts Development Council (Cap. 472)	Hong Kong Housing Authority (Cap. 283)	Hospital Authority (Cap. 113)	Ocean Park Corporation (Cap. 388)	Former Urban Council/ Provisional Regional Council (Dissolved)	Former Regional Council/ Provisional Regional Council (Dissolved)	Town Planning Board (Cap. 131)
Whether meetings are open to the public	<ul style="list-style-type: none"> To be decided by the future WKCD. 	<ul style="list-style-type: none"> Meetings of the Airport Authority are not open to the public. 	<ul style="list-style-type: none"> Meetings of the Urban Renewal Authority are not open to the public¹. 	<ul style="list-style-type: none"> Meetings of the Board of the Hong Kong Science and Technology Parks Corporation are not open to public. 	<ul style="list-style-type: none"> Part of Arts Development Council's Council meetings are open to the public. Those parts related to the following issues are not open - <ul style="list-style-type: none"> Art Development Council's employment matters; matters concerning the private life of any person; business information related to Arts Development Council, or other persons or organizations; recommendations on funding applications; and any confidential information provided to the Arts Development Council. 	<ul style="list-style-type: none"> Meetings of the Housing Authority are open to public through administrative arrangements whereas meetings of its committees are not open to the public. 	<ul style="list-style-type: none"> Meetings of the Hospital Authority are open to the public through administrative arrangements. The Board Meeting of the Hospital Authority is open to the public, while its other administrative and functional meetings/committees are not. 	<ul style="list-style-type: none"> Meetings of the Ocean Park Corporation are not open to the public. 	<ul style="list-style-type: none"> Meetings of the full Council and the select committees are open to the public except for matters of confidential nature and sensitive items which must be discussed in private. 	<ul style="list-style-type: none"> Meetings of the Council and any committee are held in public unless the Chairman or a chairman of such committee otherwise orders in accordance with a decision of the Council or that committee. (c.f. section 32 of the repealed Cap. 385) 	<ul style="list-style-type: none"> All meetings of the Town Planning Board and its Committees shall be open to the public except under circumstances specified in section 2C(2) of Cap. 131. (c.f. section 2C of Cap. 131)
Whether the relevant legislation provides for open meeting explicitly	<ul style="list-style-type: none"> No 	<ul style="list-style-type: none"> No 	<ul style="list-style-type: none"> No 	<ul style="list-style-type: none"> No 	<ul style="list-style-type: none"> No 	<ul style="list-style-type: none"> No 	<ul style="list-style-type: none"> No 	<ul style="list-style-type: none"> No 	<ul style="list-style-type: none"> Yes (c.f. section 32 of the repealed Cap. 385) 	<ul style="list-style-type: none"> Yes (c.f. section 2C(1) of Cap 131) 	
Detailed arrangements of open meetings, if applicable	<ul style="list-style-type: none"> Not applicable 	<ul style="list-style-type: none"> Not applicable 	<ul style="list-style-type: none"> Not applicable 	<ul style="list-style-type: none"> Not applicable 	<ul style="list-style-type: none"> The Council Chairman and the Chief Executive have discretion on opening which items on the agenda for each meeting to the public with reference to the relevant sections of the Arts Development Council Members' Handbook. Apart from the circumstances specified above, with the consent of the majority of members attending a meeting, the Council may decide that an item should not be open to the public. 	<ul style="list-style-type: none"> All Housing Authority open meetings are held in the Housing Authority's Chamber. Members of the public may be admitted to the Public Gallery of the Housing Authority's Chamber as visitors to listen to the proceeding of its open meetings, under the Standing Orders of the Hong Kong Housing Authority. 	<ul style="list-style-type: none"> There is no specific provision in Cap. 113 requiring the Hospital Authority to open its meetings to the public. Press release will be issued about one week before the Board meeting to notify and invite the public to attend as observers. Members of the public would need to make reservation with the Hospital Authority Head Office. Agenda and papers in both English and Chinese are available for distribution to the public at the meeting. 	<ul style="list-style-type: none"> Not applicable 	<ul style="list-style-type: none"> The public shall be admitted to all meetings so far as there is accommodation in the public gallery of Urban Council Chamber and that the House Rules are observed. However, meetings of the tender board panel, investment panel and ad hoc committees set up to consider matters of confidential nature shall not be open to the public. 	<ul style="list-style-type: none"> The public shall be admitted to all meetings so far as there is accommodation in the public gallery of Regional Council Chamber and that the House Rules are observed. However, members of the public would be excluded for matters of confidential nature. 	<ul style="list-style-type: none"> Agenda (except confidential items) of meetings are available at the Board's website before meetings and the Planning Enquiry Counters (PECs) of the Planning Department for public information. Guidelines and rules on the observation of meetings are available at the Board's website. Any person may observe the simultaneous broadcasting of the open meetings of the Board and its Committees in the Public Viewing Rooms (PVRs) close to the meeting venues. Prior registration (with name and contact) by telephone, fax or email is recommended. Facilities are available in the PVRs for the media to record the

¹ The majority of agenda items of Urban Renewal Authority Board meetings has been and would continue to be confidential or commercially sensitive, thus making them unsuitable for discussion in public. Nevertheless, Urban Renewal Authority has been taking measures where practicable to promote the transparency of Board businesses. For example, media briefings have been held after Board meetings since mid-2007 to inform the public of major decisions reached. Press releases were also issued.

	West Kowloon Cultural District Authority	Airport Authority (Cap. 483)	Urban Renewal Authority (Cap. 563)	Hong Kong Science and Technology Parks Corporation (Cap. 565)	Hong Kong Arts Development Council (Cap. 472)	Hong Kong Housing Authority (Cap. 283)	Hospital Authority (Cap. 113)	Ocean Park Corporation (Cap. 388)	Former Urban Council/ Provisional Regional Council (Dissolved)	Former Regional Council/ Provisional Regional Council (Dissolved)	Town Planning Board (Cap. 131)
											<p>simultaneous broadcasting of the open meetings.</p> <ul style="list-style-type: none"> • Papers (except confidential items) considered by the Board and its Committees are available for public information at the PECs before meetings and in the PVRs during meetings. • Press briefings are conducted after open meetings of the Board and its Committees. Press releases are also issued after these meetings for special cases. • Gists of meeting decisions and confirmed minutes (except those for some confidential items) are available at the Board's website.
<p>Whether the Board is empowered to regulate its own business and proceedings</p>	<ul style="list-style-type: none"> • The Board may regulate its own proceedings and business relating to any Board meeting. • (c.f. section 17 of the Schedule to the Bill) 	<ul style="list-style-type: none"> • Section 7(1) of Cap. 483 provide the Authority with a general power to do anything necessary to perform its statutory functions. • (c.f. section 7(1) of Cap. 483) 	<ul style="list-style-type: none"> • The Board shall have the power to regulate its own procedure. • (c.f. section 4 of the Schedule to Cap. 563) 	<ul style="list-style-type: none"> • The Board may determine the procedure at, and the conduct of, its meetings. • (c.f. section 4 of Schedule 2 to Cap. 565) 	<ul style="list-style-type: none"> • Section 18 of Cap. 472 Ordinance stipulates that "The Council may make rules for the better carrying out of the functions of the Council and the provisions of this Ordinance." The rules may provide for the regulation of the procedures governing meetings of the Council and any committee. • (c.f. section 18 of Cap. 472) 	<ul style="list-style-type: none"> • Subject to the Ordinance, the Authority may make rules regulating the procedure at meetings of the Authority or of any committee appointed under section 7 of Cap. 283. • (c.f. section 3(9) of Cap. 283) 	<ul style="list-style-type: none"> • Subject to the provisions of Schedule 3 of Cap. 113, the Hospital Authority shall have the power to regulate its own procedure. • (c.f. section 9 of Schedule 3 to Cap. 113) 	<ul style="list-style-type: none"> • Subject to the Ordinance, arrangements relating to meetings of the Board, and the procedure at and the conduct of its meetings, shall be such as the Board may determine. • (c.f. section 10(5) of Cap. 388) 	<ul style="list-style-type: none"> • The Council may make standing orders for regulating its procedure. • (c.f. section 29 of the repealed Cap. 101) 	<ul style="list-style-type: none"> • The Council may make standing orders for regulating its procedures. • (c.f. section 31 of the repealed Cap. 385) 	<ul style="list-style-type: none"> • Yes and detailed arrangements are set out in the Town Planning Board Procedure and Practice and relevant information leaflets available at the Board's website. • (c.f. section 2C(3) of Cap 131)