

立法會
Legislative Council

LC Paper No. CB(2)246/07-08
(These minutes have been cleared
with the Chairman)

Ref : CB2/PL/HA

Panel on Home Affairs

Minutes of meeting
held on Thursday, 11 October 2007, at 9:10 am
in the Chamber of the Legislative Council Building

- Members present** : Hon CHOY So-yuk, JP (Chairman)
Hon Albert HO Chun-yan (Deputy Chairman)
Hon James TIEN Pei-chun, GBS, JP
Hon James TO Kun-sun
Hon CHEUNG Man-kwong
Hon CHAN Yuen-han, SBS, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon WONG Yung-kan, SBS, JP
Hon Emily LAU Wai-hing, JP
Hon Andrew CHENG Kar-foo
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon Albert CHAN Wai-yip
Hon LI Kwok-ying, MH, JP
Hon CHEUNG Hok-ming, SBS, JP
Hon WONG Ting-kwong, BBS
Hon TAM Heung-man
- Members absent** : Hon LAU Wong-fat, GBM, GBS, JP
Hon Daniel LAM Wai-keung, SBS, JP
Dr Hon Fernando CHEUNG Chiu-hung
Prof Hon Patrick LAU Sau-shing, SBS, JP
- Clerk in attendance** : Miss Flora TAI
Chief Council Secretary (2)2

Staff in attendance : Mrs Vivian KAM
Assistant Secretary General 2

Ms Joanne MAK
Senior Council Secretary (2)2

Ms Anna CHEUNG
Legislative Assistant (2)2

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I. Election of Chairman and Deputy Chairman

[Appendices III and IV to LC Paper No. CB(2)4/07-08]

Election of Chairman

The Chairman called for nominations for the chairmanship of the Panel for the 2007-2008 session. Miss CHOY So-yuk, the incumbent Chairman, was nominated by Mr WONG Yung-kan and the nomination was seconded by Dr Philip WONG. Miss CHOY So-yuk accepted the nomination.

2. As the incumbent Chairman was nominated for the office, Mr Albert HO, the incumbent Deputy Chairman, presided over the election of the Chairman. As there was no other nomination, Mr Albert HO declared Miss CHOY So-yuk elected as the Chairman of the Panel for the 2007-2008 session. Miss CHOY So-yuk then took the chair.

Election of Deputy Chairman

3. The Chairman called for nominations for the deputy chairmanship of the Panel for the 2007-2008 session. Mr Albert HO was nominated by Mr WONG Yung-kan and the nomination was seconded by Dr Philip WONG and Mr James TO. Mr Albert HO accepted the nomination. As there was no other nomination, the Chairman declared Mr Albert HO elected as the Deputy Chairman of the Panel for the 2007-2008 session.

II. Schedule of meetings for the 2007-2008 session

4. Members agreed that the regular meetings of the Panel would be held on the second Friday of each month at 10:45 am, except for the regular meeting in February. As 8 February 2008 was a Chinese New Year holiday, members agreed to re-schedule the regular meeting for that month to 15 February 2008 at 10:45 am.

III. Items for discussion at the next meeting

[Appendices V and VI to LC Paper No. CB(2)4/07-08]

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Regular meeting in November 2007

5. Members noted that the Administration had proposed to discuss the following items at the next regular meeting scheduled for 9 November 2007 at 10:45 am -

- (a) promotion of Olympism;
- (b) 2011 International Olympic Committee Session; and
- (c) strengthening the software and humanware in culture and the arts.

Other items proposed for discussion

6. The Chairman referred members to her letter tabled at the meeting proposing to include the following items in the list of outstanding items for discussion -

- (a) promotion of Olympism and arrangements for the 2008 Olympic Equestrian Events;
- (b) built heritage conservation;
- (c) strengthening national education;
- (d) the implementation of the pilot scheme under the 2006 District Council (DC) Review; and
- (e) promotion of Chinese opera and the art of dancing.

Members agreed that, as the Administration had proposed to discuss the promotion of Olympism at the next regular meeting, the remaining four items would be included in the list of outstanding items for discussion by the Panel.

Clerk

Implementation of the pilot scheme under the 2006 DC Review

7. Ms Emily LAU said that there was an urgency to discuss the implementation of the pilot scheme under the 2006 DC Review, as relevant recommendations to enhance the role of DCs would be implemented in the 18 DCs starting January 2008; it was necessary for the Panel to discuss how the Administration would address the problems identified during the implementation of the pilot scheme before full implementation of the recommendations in the 18 DCs. She further suggested that the four pilot DCs should be invited to make submissions to the Panel.

Clerk

8. At the Chairman's suggestion, members agreed that the Panel should

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Clerk

discuss this subject at the regular meeting in November 2007 while discussion of one of the three items proposed by the Administration in paragraph 5 above should be deferred to the regular meeting in December 2007.

(Post-meeting note: At the suggestion of the Administration, members agreed at the special meeting held on 15 October 2007 to discuss the item "Implementation of the pilot scheme under the 2006 DC Review" at the regular meeting in December 2007.)

The Hong Kong Special Administrative Region's (HKSAR's) response to the Concluding Observations on Hong Kong's second report under the International Covenant on Civil and Political Rights (ICCPR)

9. Referring to item 7 on the list of outstanding items for discussion, Ms Emily LAU proposed that the Panel should discuss the report submitted to the United Nations on the HKSAR's response to the Concluding Observations on its second report under ICCPR once the report was made available for the Panel's consideration. Members agreed.

Review of the Personal Data (Privacy) Ordinance, Cap. 486 (the Ordinance)

10. Referring to item 10 on the list of outstanding items for discussion, Ms Emily LAU considered that it was inappropriate for the Privacy Commissioner for Personal Data to conduct its own review as this might give rise to doubt about the independence of the review. She also suggested that the Administration should request the Privacy Commissioner to expedite completion of his review as many problems had already been identified in the existing provisions of the Ordinance and improvements should be made as early as possible. Ms LAU proposed that, in the meantime, the Research and Library Services Division (RLSD) of the Legislative Council (LegCo) Secretariat should be requested to gather information on the implementation problems of the Ordinance that had arisen in the past few years for the future reference of members. The Chairman requested the LegCo Secretariat to follow up on the proposal.

RLSD

Operation problems of national sports associations (NSAs)

11. Mr Albert CHAN suggested that the Panel should further discuss the operational problems of NSAs, particularly those which had selected athletes to represent Hong Kong to participate in international sports arenas. Mr CHAN said that, while these NSAs were heavily subsidised by the Government, there had been complaints about unfairness and lack of transparency in the operation and the administration of these NSAs, as well as their process of selection of athletes to represent Hong Kong. He suggested that when the Panel discussed the subject, representatives of the NSAs which had selected athletes to represent Hong Kong for participation in international sports arenas should be invited to join the discussion. Members agreed.

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Progress of implementation of recommendations made in the Report of the Independent Panel of Inquiry on the Incidents Relating to the Equal Opportunities Commission (EOC) and the recommendations made in two other reports of the internal reviews conducted by EOC

Clerk 12. At the suggestion of Miss TAM Heung-man, members agreed to further discuss the above subject at a future meeting.

Provision of an allowance for village representatives

13. Mr Andrew CHENG said that the Chief Executive had indicated in his 2007 Policy Address that the Administration would consider Heung Yee Kuk's proposal to provide an allowance for village representatives. He said that, while he recognised the contributions made by village representatives, the Administration should explain its considerations and whether an allowance should likewise be provided to holders of other public offices.

Clerk 14. Ms Emily LAU and Mr Albert CHAN expressed support for Mr CHENG's suggestion. Ms LAU considered it necessary for the Administration to explain in detail the criteria for determining whether an allowance should be provided. Mr LI Kwok-ying said that, as a member of Heung Yee Kuk, he understood that the Kuk had made the proposal in view of the many duties and responsibilities of public nature required to be performed by village representatives. Mr Albert CHAN said that the Administration should explain why holders of other types of public offices, e.g. Justice of the Peace, who were also required to perform various duties and responsibilities of public nature, were not given an allowance. Members agreed that this subject would be added to the list of outstanding items for discussion by the Panel.

IV. Any other business

Subcommittee to Follow Up the Outstanding Leisure and Cultural Services Projects of the Former Municipal Councils

15. Mr Albert CHAN considered that, as the Administration had reported to the Subcommittee the implementation schedule or updated status of the outstanding leisure and cultural services (LCS) projects of the former municipal councils, the Panel could consider dissolving the Subcommittee. He suggested that, as an alternative, the Administration should be requested to submit regular six monthly progress reports on implementation of the LCS projects to the Panel. Mr Tommy CHEUNG expressed support for Mr CHAN's suggestion.

16. Mr LI Kwok-ying, the incumbent Chairman of the Subcommittee, said that he had no objection to Mr CHAN's suggestion. However, as there might

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be changes, from time to time, to the implementation priorities of some of the LCS projects, the Panel should monitor any such changes, if the Subcommittee was dissolved.

Clerk

17. The Chairman concluded that, as no members opposed Mr Albert CHAN's suggestion, the Subcommittee should conclude its work and submit a report to the Panel and thereafter the Administration would be requested to submit regular progress reports at an interval of six months to the Panel.

Subcommittee on Human Rights Protection Mechanisms

18. Mr Albert HO, the incumbent Chairman of the Subcommittee, said that the Subcommittee had requested RLSD to conduct a research on human rights commissions in selected places. He said that the Subcommittee would hold further discussions with the Administration and deputations once the research report was available. Members agreed that the Subcommittee would continue its work in the new legislative session and its membership be re-opened. The Chairman added that it would be for individual subcommittee to decide whether re-election of its chairman was necessary at its first meeting in the new legislative session.

Subcommittee on Heritage Conservation

19. The Chairman, who was also the incumbent Chairman of the Subcommittee, said that the Subcommittee was still following up some projects and might discuss other projects involving heritage conservation issues in the new legislative session. She considered that there was a need for the Subcommittee to continue its work. No members raised objection. Members agreed that the membership of the Subcommittee be re-opened.

Proposed visit to Hong Kong Maritime Museum

Clerk

20. The Chairman informed members that, as conveyed by the Deputy Chairman, Hon Mr Justice William WAUNG, one of the Directors of Hong Kong Maritime Museum, had proposed that the Panel should visit the Maritime Museum. She suggested that a circular be issued to invite members and non-Panel members to join the visit. Members agreed.

21. There being no other business, the meeting ended at 9:37 am.