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From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 4 February 2009

Proposed amendments to motion on “Promoting the development of local creative industries”

Further to LC Paper No. CB(3) 295/08-09 issued on 21 January 2009, three Members (Hon Cyd HO Sau-lan, Hon Audrey EU Yuet-mee and Hon Paul CHAN Mo-po) have respectively given notice of their intention to move separate amendments to Dr Hon Samson TAM Wai-ho’s motion on “Promoting the development of local creative industries” scheduled for the Council meeting of 4 February 2009. As directed by the President, the respective proposed amendments will be printed in the terms in which they were handed in on the Agenda of the Council.

2. To assist Members in debating the above motion and amendments, I set out below the procedure to be followed during the debate:

- (a) Dr Hon Samson TAM Wai-ho moves his motion;
- (b) the President proposes the question on Dr Hon Samson TAM Wai-ho’s motion, and orders a joint debate;
- (c) the President calls on the three Members, who intend to move amendments, to speak in the following order, but no amendment is to be moved at this stage:
 - (i) Hon Cyd HO Sau-lan;
 - (ii) Hon Audrey EU Yuet-mee; and
 - (iii) Hon Paul CHAN Mo-po;

- (d) the President calls upon the designated public officer(s) to speak;
- (e) joint debate on the motion and the amendments follows thereafter;
- (f) the President gives leave to Dr Hon Samson TAM Wai-ho to speak for the second time on the amendments;
- (g) the President calls upon the designated public officer(s) again to speak;
- (h) in accordance with Rule 34(5) of the Rules of Procedure, the President has decided that he will call upon the three Members to move their respective amendments in the order set out in paragraph (c) above. The President invites Hon Cyd HO Sau-lan to move her amendment to the motion, and forthwith proposes and puts to vote the question on Hon Cyd HO Sau-lan's amendment;
- (i) after Hon Cyd HO Sau-lan's amendment has been voted upon, the President deals with the other two amendments; and
- (j) after all amendments have been dealt with, the President calls upon Dr Hon Samson TAM Wai-ho to reply. Thereafter, the President puts to vote the question on Dr Hon Samson TAM Wai-ho's motion, or his motion as amended, as the case may be.

3. For Members' ease of reference, the terms of the original motion and of the motion, if amended, are set out in the **Appendix**.

(Mrs Justina LAM)
for Clerk to the Legislative Council

Encl.

(Translation)

**Motion debate on
“Promoting the development of local creative industries”
to be held at the Legislative Council meeting
of Wednesday, 4 February 2009**

1. Dr Hon Samson TAM Wai-ho’s original motion

That, under the impact of the financial tsunami, Hong Kong's economic development is at a crossroads where there is a pressing need to develop a new economy and the creation of jobs has become a social consensus; this Council urges the Government to make reference to the experience of successful countries or regions to formulate expeditiously the long-term policies, objectives and implementation timetables for creative industries in coping with the development of a new economy, as well as to:

- (a) secure Hong Kong as the locomotive for developing creative industries in the region, with a view to assisting the industries in expanding their markets, in particular the highly promising Mainland market, and strengthening its cooperation with the industries in the Pearl River Delta region;
- (b) facilitate cross-sector collaboration among creative industries, take proactive measures, such as building a one-stop platform and using the internet and technologies of new media, to enhance the competitiveness of local creative industries and assist the conventional industries in transforming their business successfully;
- (c) offer various incentives, including tax concession, to ensure that adequate resources are available for implementing the policies and realizing the objectives;
- (d) nurture and engage talents needed by creative industries;
- (e) promote intellectual property rights economy and open up room for developing creative industries; and
- (f) foster a social culture which is conducive to promoting the development of creative industries and encourage the general public to have the values of exploration and innovation.

2. Motion as amended by Hon Cyd HO Sau-lan

That, ~~under the impact of the financial tsunami,~~ Hong Kong's economic development is *already* at a crossroads where there is a pressing need to develop a new economy and the creation of jobs has become a social consensus; this Council urges the Government to make reference to the experience of successful countries or regions to formulate expeditiously the long-term policies, objectives and implementation timetables for creative industries in coping with the development of a new economy, as well as to:

- (a) *safeguard free flow of information and freedom of thoughts and speech to stimulate creativity and imagination;*
- ~~(a)~~(b) secure Hong Kong as the locomotive for developing creative industries in the region, with a view to assisting the industries in expanding their markets, in particular the highly promising Mainland market, and strengthening its cooperation with the industries in the Pearl River Delta region;
- ~~(b)~~(c) facilitate cross-sector collaboration among creative industries, take proactive measures, such as building a one-stop platform and using the internet and technologies of new media, to enhance the competitiveness of local creative industries and assist the conventional industries in transforming their business successfully;
- ~~(c)~~(d) offer various incentives, including tax concession, to ensure that adequate resources are available for implementing the policies and realizing the objectives;
- ~~(d)~~(e) nurture and engage talents needed by creative industries;
- ~~(e)~~(f) ~~promote intellectual property rights economy and open up~~ *creative commons, strike a balance between retaining of copyright and the right of reasonable utilization to further broaden the* room for developing creative industries; and
- ~~(f)~~(g) foster a social culture which is conducive to promoting the development of creative industries ~~and~~, encourage the general public to have the values of exploration and innovation, *and build up a local cultural identity.*

Note: Hon Cyd HO Sau-lan's amendment is marked in *bold and italic type* or with deletion line.

3. Motion as amended by Hon Audrey EU Yuet-mee

That, ~~under~~ *having experienced* the impact of the financial tsunami, *Hong Kong can no longer rely solely on its original four major economic pillars to boost economic growth, and* Hong Kong's economic development ~~is at a crossroads~~ *has reached a bottleneck* where there is a pressing need to develop ~~a new economy and the creation of jobs has become a social consensus~~ *new economic pillars to increase gross domestic product and create job opportunities*; this Council urges the Government to *base on the actual local situation and* make reference to the experience of successful countries or regions to formulate expeditiously the long-term policies, objectives and implementation timetables for *cultural and* creative industries ~~in coping with the development of a new economy~~, as well as to:

- (a) secure Hong Kong as the locomotive for developing *cultural and* creative industries in the region, with a view to assisting the industries in expanding their markets, in particular the highly promising Mainland market, and strengthening its cooperation with the industries in the Pearl River Delta region;
- (b) facilitate cross-sector collaboration among *cultural and* creative industries, take proactive measures, such as building a one-stop platform and using the internet and technologies of new media, to enhance the competitiveness of local creative industries and assist the conventional industries in transforming their business successfully;
- (c) offer various incentives, including tax concession, to ensure that adequate resources are available for implementing the policies and realizing the objectives;
- (d) nurture and engage talents needed by *cultural and* creative industries;
- (e) promote intellectual property rights economy and open up room for developing *cultural and* creative industries; ~~and~~
- (f) foster a social culture which is conducive to promoting the development of *cultural and* creative industries and encourage the general public to have the values of exploration and innovation;
- (g) *facilitate professionals and the civil society to join hands in building a humanistic West Kowloon Cultural District ("WKCD") in a bottom-up approach which is free from the bureaucratic-led development model, so as to make WKCD a catalyst for cultural and creative industries*;
- (h) *proactively improve the business environment for cultural and creative industries such as film, comics, illustration, pop music, as well as performing arts sector such as Cantonese opera and musical play etc.; and*

- (i) *set up a cross-bureau ad hoc committee to conduct long-term planning and strategy studies on the promotion and publicity of Hong Kong's cultural and creative industries.*

Note: Hon Audrey EU Yuet-mee's amendment is marked in *bold and italic type* or with deletion line.

4. Motion as amended by Hon Paul CHAN Mo-po

That, under the impact of the financial tsunami, Hong Kong's economic development is at a crossroads where there is a pressing need to develop a new economy and the creation of jobs has become a social consensus; this Council urges the Government to make reference to the experience of successful countries or regions to formulate expeditiously the long-term policies, objectives and implementation timetables for creative industries in coping with the development of a new economy, *and deploy adequate resources to implement the policies*, as well as to:

- (a) secure Hong Kong as the locomotive for developing creative industries in the region, with a view to assisting the industries in expanding their markets, in particular the highly promising Mainland market, and strengthening its cooperation with the industries in the Pearl River Delta region;
- (b) facilitate cross-sector collaboration among creative industries, take proactive measures, such as building a one-stop platform and using the internet and technologies of new media, to enhance the competitiveness of local creative industries and assist the conventional industries in transforming their business successfully;
- (c) ~~offer various incentives, including tax concession, to ensure that adequate resources are available for implementing the policies and realizing the objectives~~ *to help Hong Kong enterprises and manufacturers upgrade their business and transform into high value-added industries, which include, but not limited to, the following tax concessions:*
- (i) *extending the current practice of allowing deduction of expenditure incurred in the purchase of patent rights in calculating assessable profits to cover the purchase of trade marks and copyrights; and*
- (ii) *increasing the amount of tax deduction for expenditure on research and development from the existing 100% to 200% of the actual expenditure;*
- (d) nurture and engage talents needed by creative industries;
- (e) promote intellectual property rights economy and open up room for developing creative industries; and

- (f) foster a social culture which is conducive to promoting the development of creative industries and encourage the general public to have the values of exploration and innovation.

Note: Hon Paul CHAN Mo-po's amendment is marked in *bold and italic type* or with deletion line.