

立法會
Legislative Council

LC Paper No. CB(2)425/08-09
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by the Administration)

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Panel on Home Affairs

**Minutes of special meeting
held on Monday, 20 October 2008, at 4:30 pm
in the Chamber of the Legislative Council Building**

- Members present** : Hon IP Kwok-him, GBS, JP (Chairman)
Hon CHAN Tanya (Deputy Chairman)
Hon James TO Kun-sun
Hon CHEUNG Man-kwong
Hon WONG Yung-kan, SBS, JP
Hon Emily LAU Wai-hing, JP
Hon CHEUNG Hok-ming, SBS, JP
Prof Hon Patrick LAU Sau-shing, SBS, JP
Hon KAM Nai-wai, MH
Hon Cyd HO Sau-lan
Dr Hon LAM Tai-fai, BBS, JP
Hon CHAN Hak-kan
Hon CHEUNG Kwok-che
Hon WONG Sing-chi
Hon WONG Yuk-man
Hon Paul TSE Wai-chun
- Members attending** : Hon Albert CHAN Wai-yip
Hon Frederick FUNG Kin-kee, SBS, JP
Hon WONG Kwok-hing, MH
- Members absent** : Dr Hon Philip WONG Yu-hong, GBS
Hon Timothy FOK Tsun-ting, GBS, JP
- Public Officers attending** : Home Affairs Bureau
Mr TSANG Tak-sing, JP
Secretary for Home Affairs

Mrs Carrie YAU, JP
Permanent Secretary for Home Affairs

Ms Florence HUI, JP
Under Secretary for Home Affairs

Home Affairs Department

Mrs Pamela TAN, JP
Director of Home Affairs

Leisure and Cultural Services Department

Mr Thomas CHOW, JP
Director of Leisure and Cultural Services

Clerk in attendance : Ms Betty FONG
Chief Council Secretary (2)2

Staff in attendance : Ms Joanne MAK
Senior Council Secretary (2)2

Ms Anna CHEUNG
Legislative Assistant (2)2

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I. Briefing by the Secretary for Home Affairs on the Chief Executive's Policy Address 2008-2009

[LC Paper No. CB(2)42/08-09(01), 2008-2009 Policy Address : "Embracing New Challenges", and 2008-2009 Policy Agenda booklet]

Briefing by the Administration

Secretary for Home Affairs (SHA) briefed members on the initiatives relating to the Home Affairs Bureau (HAB) in the 2008-2009 Policy Agenda.

[*Post-meeting note*: The speaking note of SHA was issued to Panel members vide LC Paper No. CB(2)105/08-09 on 21 October 2008.]

2. As many members had signified their intention to raise questions with SHA, the Chairman decided to extend the meeting for 15 minutes beyond the appointed ending time of the meeting at 5.30 pm, in accordance with House Rule 24A(a).

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Discussion

National education

3. Mr WONG Kwok-hing expressed concern that only the flag of the Hong Kong Special Administrative Region (HKSAR) was displayed at government offices and buildings and there was no flag mast for the display of the national flag. As it would be the 60th Anniversary of the Founding of the People's Republic of China next year, Mr WONG urged the Administration to expedite the installation of an additional flag mast at all government offices and buildings for the display of the national flag. He further said that the Administration should as an initiative to promote national education, provide assistance as far as possible to schools which were still unable to conduct flag-raising ceremonies due to the unavailability of flag masts or manpower resources.

4. SHA responded that the HKSAR Government took a solemn approach towards the raising of the national flag and conducted flag-raising ceremonies at the Golden Bauhinia Square on the HKSAR Establishment Day (1 July) and the National Day (1 October) every year. The national flag was also displayed at some government offices and buildings on those days, whereas the HKSAR flag was displayed at other government offices and buildings in accordance with the established practices. As for the raising of the national flag at schools, SHA said that to his understanding, schools in Hong Kong were basically equipped with the necessary facilities for conducting flag-raising ceremonies.

5. Mr WONG Kwok-hing was dissatisfied with the inconsistent arrangements in the display of the national flag at Government offices and buildings. Given that all government offices and buildings were required to display the British national flag every day before 1997, he considered that the Administration should require all government offices and buildings to raise the national flag every day to show the Government's commitment in the promotion of national education and as an expression of patriotism. He considered it a policy blunder on the part of the Administration should it fail to make any improvement in this respect.

6. In response to Mr WONG's suggestion, SHA said that the Administration would explore whether all government offices and buildings should be required to display both the national flag and the regional flag. At the request of Mr WONG, SHA also agreed to provide information on the number of government offices and buildings installed with two flag masts.

7. Mr CHAN Hak-kan asked whether consideration would be given to setting up an additional national education centre in view of the high usage rate of the existing two centres. SHA responded that these centres were established for the promotion of national education outside schools. In view of the

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growing demand for these facilities, HAB could liaise with the Education Bureau (EDB) to assess the need for an additional centre or to explore other feasible options.

8. Ms Emily LAU noted that the annual quota for Hong Kong students to join the Mainland study trips and exchange programmes would be increased from 5 000 to 37 000. She queried whether independent thinking and open discussion would be encouraged in these activities and enquired about the contents of these programmes. Ms LAU also expressed disagreement with the statement on the co-existence of patriotism and democracy as stated in paragraph 133 of the Chief Executive's (CE's) Policy Address. She opined that democracy should be built on the basis of the International Covenant on Civil and Political Rights.

9. In response to Ms LAU, SHA clarified that the study tours and exchange programmes in question were school activities to be implemented by EDB. For HAB, it had been sponsoring Mainland study tours and exchange programmes for young people, as a measure to promote national education outside school. The feedback on these activities had been positive. SHA added that he was not prepared to discuss issues relating to development of democracy, as raised by Ms LAU, since it was outside HAB's purview.

10. Referring to paragraphs 123 to 127 on national education set out in CE's Policy Address, Mr WONG Yuk-man commented that the Administration had adopted a selective approach in its national education work. He considered that the Administration treated national education as mere publicity on selected contemporary achievements of the Mainland, such as "thirty years of gaige kaifang (改革開放三十年)", China's first spacewalk by astronauts in its space mission of Shenzhou-7, 2008 Olympic Games, etc. He expressed dissatisfaction at the exclusion of other major historical events such as the Great Leap Forward, the Cultural Revolution and the 4 June Incident from the national education programmes. He stressed that national education should aim to give students a full picture of the national development of China, which was important to enable them to gain a comprehensive perspective of its history and culture. SHA said that the Administration would take note of Mr WONG's comments.

Sports development

11. Mr Albert CHAN considered that it was disgraceful to Hong Kong that none of its athletes participating in the Beijing Olympic Games had won a medal, despite the huge resources the Administration had put into sports development in recent years. He considered that this was proof of failure of parties concerned, in particular the national sports associations (NSAs), in sports planning and athlete training in Hong Kong. He said that he had already elaborated on the many management problems of NSAs during past discussions on sports-related issues. He considered it necessary for the Administration to

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reform the structure and operation of NSAs in order to bring about real change and improvement to Hong Kong's sports scene.

12. SHA responded that Hong Kong athletes had won many medals in the recent Paralympic Games and broke a number of Hong Kong records in the Beijing Olympic Games. Their positive achievement in international sports events should be well recognized. He said that the Administration would continue to make sustained efforts in collaboration with the Elite Sports Committee to enhance the development of sports in Hong Kong. Mr Albert CHAN clarified that he had not suggested that it was Hong Kong's athletes who should be blamed. He reiterated that the crux of the problem was with the maladministration of NSAs rather than the athletes.

13. Mr CHEUNG Man-kwong criticized the Administration for failing to attach importance to promoting the development of local football, a popular sport among Hong Kong people. He said that the ranking of Hong Kong's football team had declined from the top among Asian countries to 130th in the world. He considered that the Administration's current funding support for the District Football Teams in the 18 District Councils (DCs), at \$6 million over a period of three years and an average annual funding of about \$100,000 for each District Football Team, was far from adequate for promoting local football or enhancing the training for young promising football players. Mr CHEUNG also pointed out that the shortage of football pitches for schools and local communities also hindered the development of the sport. He urged the Administration to revitalize local football games, which at present could neither attract audience nor commercial sponsorship.

14. Sharing Mr CHEUNG's view about the inadequacy of funding support for DC football teams, Dr LAM Tai-fai pointed out that in 2007, the expenditure on the Sha Tin football teams was about \$2 million but the subvention from government was only about \$100,000. Mr KAM Nai-wai considered that despite the popularity of football in Hong Kong, the Administration had done very little to promote its development. He was concerned that it would be difficult to develop District Football Teams without extra funding support from the Administration.

15. SHA informed members that the Administration had planned to commission a consultancy study on the development of local football, which would look into various factors that had hindered its development and identify measures to promote the sport. SHA remarked that some District Football Teams had performed exceedingly well, such as the Tai Po Team and the Sha Tin Team, which had moved up to the First Division.

16. Dr LAM Tai-fai criticised the Administration for failing to draw up a detailed and concrete plan to promote the long-term development of sports in Hong Kong. He asked whether the Administration, in its development of elite sports, had set a clear target on the position to be achieved by Hong Kong in

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international sports games. He said that Singapore, in contrast, had set a well-defined goal of becoming one of the top 10 among Asian countries by 2010 in sports achievement. He further asked whether the Administration had a plan to support young athletes with potential so that they could achieve a balanced development in both education and sports. On the promotion of sports in the community, Dr LAM considered that one of the hindrances was the shortage of district sports facilities, such as football pitches. He pointed out that there was not even one standard handball court in Hong Kong, and schools very often had to compete with the community for the use of sports facilities.

17. SHA responded that the Administration was working in collaboration with the Elite Sports Committee in identifying a number of elite sports. These sports would receive more resources with the aim of producing medal winners at future Olympic Games. As regards support for young athletes, SHA said that the Administration had received assurance from eight local universities that elite athletes who took a break for sports training or competition would be allowed to resume their studies upon the completion of such activities. He added that measures had already been taken by the Administration to accelerate the provision of sports facilities having regard to the availability of resources, with a view to alleviating the shortage.

18. Dr LAM Tai-fai asked, given the current financial crisis, whether the Administration had encountered any difficulties in securing adequate sponsorship for the hosting of the 5th East Asian Games (EAG) in 2009, and whether there was a possibility for the Games to be aborted. SHA confirmed that the 5th EAG would be held as scheduled.

19. Mr Paul TSE asked how the Administration would take the opportunity of hosting the 2009 EAG to boost tourism in the territory, and whether HAB would sponsor more international sports events, in addition to the Rugby Sevens and the Hong Kong International Dragon Boat Race, for the purpose of promoting Hong Kong's tourism industry. He also enquired whether there was any plan to strengthen the collaboration between HAB and the Tourism Commission in promoting arts/cultural and sports events to overseas tourists.

20. In response to Mr TSE, SHA said that the Administration would take the opportunity of the 2009 EAG to attract overseas visitors and tourists, especially those from South East Asian countries. Given the success of the Rugby Sevens in drawing overseas spectators and visitors, more rugby events would be organized with a view to promoting Hong Kong as the event capital for the rugby sport. SHA further advised that institutional arrangements were already in place for HAB to collaborate with the Tourism Commission in the promotion of sports, arts and cultural events to overseas visitors.

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Youth development

21. Mr CHAN Hak-kan sought clarification on whether the Administration was planning to cease organizing the annual Youth Summit which, in his view, provided good opportunities for exchange of views between young people and government officials as well as community personnel who were familiar with youth matters. Sharing the same concern, the Deputy Chairman added that many young people and non-governmental organizations (NGOs) involved in youth development matters had high expectation in participating in the Youth Summit.

22. Mr CHEUNG Kwok-che recalled that the Commission on Youth (COY) had organized the annual Youth Summit from 2004 to 2006 and a series of district youth summits in the 18 districts, as a prelude to the Youth Summit, for young people to have interactive exchanges with government officials and interested parties on selected topics. In 2004, COY had appointed a preparatory committee for organizing district youth summits made up of young people from relevant districts on a pilot basis. He considered that the summits and the Youth Summit had enabled the Administration and public organizations to gauge the views of young people in a structured manner. Mr CHEUNG asked whether the Administration had any plan to establish the district youth summits as standing committees and to organize the Youth Summit as a standing arrangement.

23. SHA explained that a Youth Summit would unlikely be organized in 2008 as it would take at least four to six months for conducting a series of district youth summits to precede the Summit. However, he undertook to consider members' views in reviewing the future direction of the district youth summits and Youth Summit. SHA advised that there were other forums which served to enable young people to meet with senior government officials, including CE.

24. Ms Cyd HO suggested that when the next Youth Summit was held, the discussion topics should include the current review of the Control of Obscene and Indecent Articles Ordinance in order to obtain the youth's views on the subject, in particular issues relating to freedom of expression on the Internet.

25. Mr CHAN Hak-kan said that the Administration's funding support for youth uniformed groups had been reduced by 10% since 2000. He considered that the support for these groups should be enhanced as the current funding level, at \$50 million for 10 uniformed groups, was inadequate. SHA explained that funding support for youth uniformed groups was reduced a few years ago as the Government was then in a tight fiscal position. There had however been an increase in funding support for these groups in 2008-2009.

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26. The Deputy Chairman expressed concern about the current position of the Centre on Youth Development (CYD) at Chai Wan as the implementation period of the project had been exceptionally long and the construction cost for the project had risen to about \$750 million. She asked how the facilities in CYD would be used and how the Administration would ensure that its service would really benefit the young. She added that there was concern that CYD might be used to provide mainly accommodation for study tours and exchange programmes related to national education work.

27. Permanent Secretary for Home Affairs (PSHA) responded that when seeking funding approval for the CYD project from the Finance Committee, the Administration had undertaken to meet certain requirements in terms of the mode of management and operation of the Centre and the Administration was not at discretion to make changes. CYD would serve as a venue for youth meetings and activities, with its operating cost mainly subsidized by the Government and partly offset by the rental income from the operation of the youth hostel at the Centre. PSHA informed members that the construction work of CYD had largely been completed, and some minor fitting-out works were being undertaken by the Architectural Services Department. The Centre should be ready for operation by early 2009.

28. In response to Mr CHEUNG Kwok-che's suggestion for obtaining views from young people and youth organizations on the services to be provided in CYD and the use of its facilities, SHA said that there was a clear objective for CYD to provide facilities and venues for promoting youth development, and consultation had been conducted earlier on to gauge views in this regard. The Administration would have to consider if there was a need for further consultation.

Rural affairs

29. Mr Albert CHAN said that villagers of Yuen Long Kau Hui, which was almost the oldest indigenous village in Hong Kong, should be allowed to elect their own village representative. He found it most unfair and ironic that villagers of some other villages with a much shorter history than Yuen Long Kau Hui were allowed to elect their own village representatives, while those at Yuen Long Kau Hui were deprived of such a right. He requested the Administration to address this problem in its current review on the existing arrangements for Village Representative Elections.

30. Mr CHEUNG Hok-ming said that many areas in the New Territories had been zoned as "Recreation (land use zone)" for over 20 years. The Leisure and Cultural Services Department (LCSD), which he had made enquiries had indicated that it had no intention to use the land so zoned. On the other hand, the Planning Department (PD) had advised that unless LCSD gave consent, PD would not consider changing the land use of the areas concerned. Mr

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CHEUNG considered that it was time for PD and LCSD to review the zoning of such pieces of land with a view to maximizing their utilization.

31. Director of Leisure and Cultural Services (DLCS) explained that most land in the rural area was private land, and it was hence necessary for the Administration to reserve some government land for recreational use to cater for future need. However, where there was no strong justification to develop such area for recreational use, e.g. rural area with little change in population in the foreseeable future, a review on the land use for that particular area could be considered. DLCS undertook to obtain more information from Mr CHEUNG for his follow-up with PD.

The Ping Wo Fund

32. Mr WONG Sing-chi said that since the establishment of the Ping Wo Fund (the Fund) in 2003, the Hong Kong Jockey Club had assumed a major role in financing, through the Fund, the operation of counseling and treatment centres for problem and pathological gamblers. The level of funding had remained at \$3.5 million every year for each of these centres, despite pay rise and inflation over the years. Mr WONG said that due to funding constraints, these centres were only able to handle about 8 000 clientele notwithstanding a much larger number of the actual target group. He also expressed concern about the sustainability of the present level of service, given the uncertainty of future funding support from the Jockey Club. Pointing out that the report submitted by the Hong Kong Polytechnic University on the effectiveness of two pilot counseling and treatment centres for problem and pathological gamblers had already established the long-term need for the provision of gambling-related counseling service in Hong Kong, Mr WONG urged the Government to assume a more proactive role and demonstrate a long term commitment in its support for such service.

33. SHA explained that the Administration had to gather more information on the prevalence of gambling-related problems for assessing the need to increase the subsidy for tackling these problems. Mr WONG considered that football betting had been legalized for a few years and the Administration should by now have a clear picture of its adverse impact. He believed that the prevalence of gambling-related problems in Hong Kong since the legalization of football betting and the result of the study by the Hong Kong Polytechnic University had fully justified the establishment of counseling and treatment centres on a long-term basis.

34. In response to Mr WONG's further question, SHA said that there was no plan to extend the scope of authorized betting activities to cover betting on the results of the NBA basketball matches.

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35. To allow sufficient time for discussion and with the consent of all members present, the Chairman decided to extend the meeting for a further 15 minutes beyond 5:45 pm in accordance with House Rule 24A(b)(i) to (iii).

West Kowloon Cultural District (WKCD)

36. Professor Patrick LAU asked whether open competitions would be launched for the architectural design of the facilities in WKCD. SHA said that he would relay Professor LAU's suggestion to the future WKCD Authority, soon to be set up to implement the WKCD project, for its consideration. In response to Professor LAU's enquiry about the work schedule for the WKCD project, SHA said that the planning and development of the project would commence as early as possible, as highlighted in CE's Policy Address.

37. Ms Cyd HO noted that HAB would assist the WKCD Authority in delivering some of its functions, including the preparation of a Development Plan during the initial stage of the WKCD project. She asked whether HAB would seek the views of the public and stakeholders concerned on the land use and planning matters involved. She considered that this public engagement process was important to prevent cultural affairs from becoming executive-led.

38. SHA explained that upon the establishment of the WKCD Authority, it would take over the planning work currently undertaken by HAB. The Authority was required by legislation to set up a consultation panel to gauge public views in the preparation of the Development Plan for the WKCD project.

Development of culture and the arts

39. Ms Cyd HO said that while the Administration advocated in its Policy Address the creation of an environment conducive to the freedom of artistic expression and creation, many local artists had decided to move their production bases to other places such as Shanghai and Beijing. Ms HO asked whether the Administration had explored the reasons behind and whether the trend was related to the Administration's inclination to tighten legislative control on freedom of expression, as reflected in its current review of the Control of Obscene and Indecent Articles Ordinance and relevant government proposals.

40. SHA responded that he did not see that the review in question had prompted members of the arts and cultural sector to leave their creation bases in Hong Kong for the Mainland. Instead, he understood that many members of the sector, including those from the film industry, had moved northward to tap the opportunities offered by the Mainland and Hong Kong Closer Economic Partnership Arrangement to gain greater access to the vast Mainland market and to make use of the enlarged space for arts and cultural expression.

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41. Ms Cyd HO said that the arts and cultural sector had asked her to extend an invitation to SHA requesting him to attend the City-to-City Cultural Exchange Conference (城市文化交流會議), to be held in 2009 with participants from four cities including Beijing, Shanghai, Taipei and Hong Kong. She hoped that the Administration would support the event by providing meeting venues and necessary assistance. SHA thanked Ms HO for her invitation.

Enhancing the roles and functions of DCs

42. Professor Patrick LAU expressed support for promoting the active participation of DCs in district projects featuring local characteristics. He considered that DCs should play a more active role in district planning works. SHA agreed with Professor LAU's views and said that the Administration would actively consider his suggestion.

43. Mr CHEUNG Hok-ming said that with the implementation of recommendations relating to the roles and function of DCs arising from the 2006 DC Review, it was time for the Administration to review the operation of DCs to address problems encountered. Mr CHEUNG highlighted problems with the payment of consultancy fee for works projects initiated by DCs. He pointed out that as the consultancy fee for a project was, in the case of one of the term consultants engaged, close to 20% of the actual project cost, any upward adjustment to the estimated project cost could lead to an increase in the estimated consultancy fee, which in some cases could be 10 times more than the original budget for the consultancy study. Moreover, there had been cases in which the project costs had turned out to be much higher than the original estimate and the relevant DCs could not afford to implement the projects. In such cases, the DCs concerned were still required to pay for the consultancy fees. Mr CHEUNG considered that the Administration should review these arrangements.

44. Mr CHEUNG further pointed out that there did not seem to be standard procedures for dealing with district works projects. For some DCs, a proposal on district works had to be considered by relevant committees but there was no such requirement for other DCs. Mr CHEUNG suggested that the Administration should provide clear guidelines for all DCs to follow.

45. Director of Home Affairs explained that under the existing arrangement, term consultants were engaged in the implementation of district minor works projects initiated by DCs. These consultants were paid notwithstanding an abortion of some of the works projects because some consultancy service, such as technical study, design proposal and cost estimation, had already been delivered at the initial stage of the projects. She said that DCs would be advised to carefully assess the need for undertaking a works project before assigning the project to a term consultant.

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Development of public library services

46. Mr KAM Nai-wai said that there was a high demand for library services in districts. He considered that the Administration should review whether the current level of funding to DCs for management of public libraries was adequate to support the enhancement of their services, such as the recent extension of opening hours of public libraries. While SHA supported the enhancement of library services, he drew members' attention to the fact that such measures would involve considerable resources. Quoting the extension of the opening hours of public libraries as an example, SHA said that this new initiative had put much pressure on the deployment of manpower, and DLCS was dealing with staffing issues thus generated.

Tree safety and preservation

47. Mr WONG Yung-kan said that he had just received a report about a withered large tree near the North District Hospital at the stage of collapsing. He requested the Administration to follow up the matter urgently. SHA undertook to follow up.

48. Mr KAM Nai-wai urged the Administration to explore the feasibility of putting the policy responsibility over matters relating to the protection and conservation of trees in the territory under one bureau, with a view to stepping up efforts in such work. He considered that the present arrangement of many departments being involved in tree maintenance was far from satisfactory. He further suggested that the Administration should enact legislation to cover all aspects of tree protection and maintenance.

49. SHA responded that given the large number of trees in Hong Kong, the Administration had to consider carefully whether it should maintain the present approach in tree maintenance or dedicate the work to a single department. He said that the Administration would give further thought to this issue.

50. There being no other business, the meeting ended at 6:00 pm.

Council Business Division 2
Legislative Council Secretariat
10 December 2008