

Panel on Home Affairs

**List of outstanding items for discussion
(as at 12 November 2008)**

- | | Proposed timing
for discussion |
|--|---|
| <p>1. Village Representative Election (Amendment) Bill and other issues related to village representatives</p> <p>The object of the Bill is to amend the Village Representative Election Ordinance (Cap. 576) to implement the recommendations drawn up by the Rural Elections Review Working Group set up by the Home Affairs Department and Heung Yee Kuk with a view to improving the arrangements for village representative election. The Administration will seek members' views on the legislative proposal at the Panel's meeting to be held in November 2008.</p> | 14 November 2008 |
| <p>2. West Kowloon Cultural District (WKCD) project</p> <p>At the meeting on 14 October 2008, members agreed that the work of the West Kowloon Cultural District Authority, a statutory body to be set up to take up the planning, development and management of WKCD, should be closely monitored. Hon Cyd HO suggested that a joint panel meeting should be held to discuss the issue.</p> | 14 November 2008 |
| <p>3. Procurement of third party risks insurance by owners' corporations (OCs) and issues related to building management</p> <p>(a) <u>Procurement of third party risks insurance by OCs</u></p> <p>During the scrutiny of the Building Management (Third Party Risks Insurance) Regulation (the Regulation), which prescribes detailed requirements for the compulsory third party risks insurance for an OC, the Administration agreed to defer the implementation date of the Regulation in view of members' concern that the insurance premium would pose a heavy financial burden on owners of old buildings who might have very low income.</p> | December 2008 |

**Proposed timing
for discussion**

The Administration will report the progress of procurement of third party risks insurance by OCs and seek the Panel's views on the commencement date of the Regulation in December 2008.

(b) Self-declaration requirement for management committee members

At the meeting on 14 October 2008, Hon KAM Nai-wai suggested that opportunity should be taken to discuss problems encountered by OCs in discharging their duties and exercising powers under the provisions of the Building Management Ordinance (Cap. 344) (BMO). One example of such problems was that members of management committees had found it difficult to meet the statutory requirement for a member to cease to be a member of the committee, unless he had complied with the self-declaration requirement.

December 2008
(Note)

Note: At the informal meeting between the Panel Chairman/Deputy Chairman and the Secretary for Home Affairs (SHA) on 3 November 2008, the Administration advised that in view of LegCo Members' concern, it would provide a note on the declaration arrangements for members of management committees of OCs to seek Members' views thereon.

4. Major Upgrade of Multimedia Information System (MMIS)

At the informal meeting between the Panel Chairman/Deputy Chairman and SHA on 3 November 2008, the Administration proposed this funding proposal for discussion at the meeting in December 2008.

December 2008

5. Centre on Youth Development (CYD)

At the meeting on 14 October 2008, some members expressed concern about how far the CYD at Chai Wan, scheduled to be completed around the end of 2008, would facilitate youth development. Members agreed that the

January 2009
(Note)

**Proposed timing
for discussion**

Panel should discuss the latest development and delivery of services of CYD. An information paper on CYD [LC Paper No. CB(2)1870/07-08(01)] was submitted to the Panel in May 2008.

Note: At the informal meeting between the Panel Chairman/Deputy Chairman and SHA on 3 November 2008, the Administration advised that a visit to the CYD at Chai Wan would be arranged for members of the Panel towards the end of 2008.

6. Implementation of recommendations relating to the roles and functions of District Councils (DCs) arising from the 2006 DC Review

At the meeting on 14 October 2008, members considered that the Administration should review the operation of DCs in the light of experience gained from the full implementation of the recommendations relating to the roles and functions of DCs arising from the 2006 DC Review, and to take measures to address the difficulties encountered by DCs in discharging their enhanced functions, including management of minor works projects.

January 2009

7. Intangible Cultural Heritage

This item was proposed by the Administration at the informal meeting between the Panel Chairman/Deputy Chairman and SHA held on 3 November 2008.

February 2009

8. Development of public library services

This item was proposed by Hon KAM Nai-wai at the meeting on 14 October 2008. Mr KAM suggested that the Panel should discuss the development of public library services, including the opening hours and provision of public libraries.

February/March
2009

The Panel discussed the replacement of Library Automation System for Hong Kong public libraries at its meeting on 12 January 2007 and the future development of public libraries

**Proposed timing
for discussion**

on 18 June 2007. A paper on the key recommendations of the Recommendation Report of the Committee on Libraries and the Administration's response was also discussed at the meeting on 18 June 2007 [LC Paper No. CB(2)2042/06-07(03)].

9. Tree preservation and maintenance in Hong Kong

At the meeting on 14 October 2008, members agreed to discuss the issue of tree preservation and maintenance in Hong Kong given the public concern about the criteria adopted by government departments in the felling of trees.

1st quarter of 2009
(Note)

Note: At the informal meeting between the Panel Chairman/Deputy Chairman and SHA on 3 November 2008, the Chairman noted that the issue straddles the areas of responsibilities of different bureaux/departments and suggested that the relevant bureaux and their departments as well as members of other relevant panels be invited to join the discussion of the issue.

10. Measures to address gambling-related problems

After its scrutiny of the Betting Duty (Amendment) Bill 2006, the Bills Committee has referred issues concerning measures to address gambling-related problems and the scope of services financed by the Ping Wo Fund, which was established by HAB in 2003 to finance preventive and remedial measures to address gambling-related problems, to this Panel for discussion.

1st quarter of 2009
(Note)

Note: HAB has commissioned the Hong Kong Polytechnic University to review the effectiveness of the four pilot gambling counselling and treatment centres funded by Ping Wo Fund. HAB will report to the Panel on this item upon consideration of the consultancy report on the review of the four pilot centres and the advice of the Ping Wo Fund Advisory Committee.

11. Promotion of sport development

**Proposed timing
for discussion**

The operational problems of national sports associations (NSAs) were last discussed on 3 July 2006. The issue was proposed by Hon Albert CHAN at the meeting on 11 October 2007 for further discussion, with emphasis on problems with NSAs' selection process of athletes to represent Hong Kong for participation in international sports events.

1st quarter of 2009
(Note)

Note: At the informal meeting between the Panel Chairman/Deputy Chairman and SHA on 3 November 2008, the Administration agreed to provide a written response to the Panel on the above issue.

At the policy briefing given by SHA to the Panel held on 20 October 2008, members raised various concerns about the promotion of sports development in Hong Kong, such as the Administration's failure to promote the development of local football, the lack of a concrete plan to promote the long-term sports development such as the positioning of Hong Kong in the development of elite sports for participation in major sports games, the Administration's support for young athletes with potential, and the shortage of community sports facilities.

12. 2009 East Asian Games

This item was proposed for discussion in the first quarter of 2009 at the informal meeting between the Panel Chairman/Deputy Chairman and SHA held on 3 November 2008.

1st quarter of 2009

13. Setting up an intermediary body for the effective enforcement of maintenance orders

This item was last discussed on 13 June 2008. Some members were of the view that instead of making piecemeal changes to the existing system of enforcement of maintenance orders, the Administration should consider the establishment of an intermediary body for the collection of maintenance payments and make reference to the successful experience of Australia. These members considered that

End 2009
(Note)

**Proposed timing
for discussion**

such a body could assist the maintenance payees in handling the cumbersome legal procedures in collecting maintenance payments.

At the meeting on 14 October 2008, Hon CHEUNG Kwok-che expressed concern that the issue had been outstanding for a long time and little progress had been made. He suggested that the Panel should revisit this item in the current session.

Note: At the informal meeting between the Panel Chairman/Deputy Chairman and SHA held on 3 November 2008, the Administration has advised that it maintains the view that an intermediary body per se would not bring significant benefits over and above those that can be achieved by improving the existing system through various legislative and administrative measures. The Administration does not consider that there are justifiable reasons to support the establishment of an intermediary body to help maintenance payees to collect maintenance payments. In view of members' concern, the Chairman suggested that the item be re-visited, where appropriate.

14. Future development of museum services

When the Panel discussed the future development of private museums at its meeting on 11 January 2008, the Panel agreed to follow up on (a) the establishment of a standard mechanism for supporting the operation of private museums and (b) progress made by the Administration in the establishment of a statutory Museums Board and in the consultation with museum staff on the proposed changes in mode of governance.

3rd quarter of 2009

15. Strengthening the software and humanware for culture and the arts

The Panel first discussed the subject on 14 December 2007 and received views from deputations on 15 February, 9 May and 30 June 2008. The Panel agreed to follow up on this item and relevant issues, such as the Administration's plan to conduct research study to develop a new set of assessment

3rd to 4th quarter of
2009
(Note)

**Proposed timing
for discussion**

criteria for the major performing arts groups for future funding purpose, as well as the development of inclusive arts for persons with disabilities.

Note: At the informal meeting between the Panel Chairman/Deputy Chairman and SHA held on 3 November 2008, the Administration advised that the study on the funding mechanism would be completed around the second half of 2009.

16. Provision of arts and cultural facilities in Hong Kong

At the informal meeting between the Panel Chairman and SHA on 30 October 2007, the Administration agreed that it would report to the Panel on its overall review of the provision of arts and cultural facilities in Hong Kong.

To be confirmed
(Note)

Note: The Administration agreed to provide a written response to the Panel on the provision of performing arts facilities at the informal meeting between the Panel Chairman/Deputy Chairman and SHA on 3 November 2008.

17. Provision of an allowance for village representatives

At the meeting on 11 October 2007, Hon Andrew CHENG suggested that the Administration should explain its considerations of the proposal to provide an allowance for village representatives, as well as whether the same arrangement should be made for other holders of public offices and the criteria.

To be confirmed
(Note)

At the meeting on 14 October 2008, Hon Emily LAU suggested that this issue should be discussed at the Panel meeting in November 2008 together with other issues related to village representatives.

Note: At the informal meeting between the Panel Chairman/Deputy Chairman and SHA on 3 November 2008, the Administration explained that it would not be ready to discuss this item as more time would be required to study and consider the issue.

18. Review of advisory and statutory bodies

**Proposed timing
for discussion**

This item was last discussed on 13 January 2006. The Panel discussed 14 interim reports and a progress report on the review during the 2003-2004 and 2004-2005 sessions, and the interim report No. 15 on 13 January 2006. The Administration will continue to submit interim reports on various topics concerning the review to this Panel.

To be confirmed
(Note)

When the Bills Committee on Statute Law (Miscellaneous Provisions) Bill 2005 discussed a proposed amendment to the Legal Aid Services Council (LASC) Ordinance (Cap. 489) on extending the deadline for LASC to submit its annual report, some members expressed concern that there should be consistency in the time limit within which statutory bodies should submit their annual reports. HAB has then agreed to include review of the time limit for submission of annual reports by statutory bodies in its review of advisory and statutory bodies.

Note: At the informal meeting between the Panel Chairman/Deputy Chairman and SHA on 3 November 2008, the Administration agreed to provide a written response to the Panel on the issue.

19. Regulation of property management companies

The Panel received a briefing by the Administration on the findings of the first phase of a consultancy study on the regulation of property management companies at its meeting held on 4 July 2008. A motion was passed at the meeting urging the Administration to expeditiously introduce licensing control of property management companies. The Panel agreed to follow up on this issue.

2010
(Note)

Note: The Administration is conducting the second phase consultancy study to examine the detailed arrangements and the pros and cons of possible models for the regulation of property management companies, and will report to the Panel upon completion of the consultancy study. At the informal meeting between the Panel Chairman/Deputy Chairman and SHA on 3 November 2008, the Administration agreed to provide the Panel with an interim report on the progress of the consultancy study in 2009.

**Proposed timing
for discussion**

20. Membership of the Full Council and Executive Committee of Heung Yee Kuk (HYK)

At the meeting of the Duty Roster Members with representatives of the Association of the New Territories (NT) Indigenous Residents on 16 December 2002, the latter expressed dissatisfaction with the Heung Yee Kuk (HYK) Ordinance (Cap. 1097) under which the NT Justices of the Peace (JPs) served as Ex Officio Councillors of the Full Council and Ex Officio Members of the Executive Committee of HYK. They considered that the NT JPs, and Special Councillors and Co-opted Councillors of HYK could not represent and protect the interests of the villagers and indigenous inhabitants of NT and requested that the HYK membership should be reviewed. Their views were referred to this Panel for consideration on 24 December 2002.

Not suggested for discussion in the near future
(Note)

The Administration has proposed to discuss this item along with item 21 on traditional rights and interests of indigenous villagers of NT.

Note: At the informal meeting between the Panel Chairman/Deputy Chairman and SHA on 3 November 2008, the Administration did not suggest this item and item 21 for discussion in the near future as more research work needs to be carried out to make the discussion more fruitful.

21. Traditional rights and interests of indigenous villagers of NT

At the LegCo Members' meetings with HYK Councillors on 10 June 2003 and 2 March 2004, a proposal of enacting legislation to implement Article 40 of the Basic Law regarding the protection of lawful traditional rights and interests of indigenous villagers as well as issues relating to the exemption from payment of Government rent were discussed. Members agreed that the issues involved policy consideration about the traditional rights and interests of indigenous villagers in NT, and should be referred to this Panel for follow-up. Members also suggested that HYK Councillors should be invited to attend the relevant meeting(s) of this Panel to give views when the issues were discussed.

See item 20 above

**Proposed timing
for discussion**

The Administration has proposed to discuss this item together with item 20 on membership of the Full Council and Executive Committee of HYK.

Council Business Division 2
Legislative Council Secretariat
12 November 2008