

# 立法會

## *Legislative Council*

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### **Finance Committee of the Legislative Council**

**Minutes of the 19th meeting  
held at the Legislative Council Chamber  
on Friday, 22 January 2010, at 5:05 pm**

#### **Members present:**

Hon Emily LAU Wai-hing, JP (Chairman)  
Prof Hon Patrick LAU Sau-shing, SBS, JP (Deputy Chairman)  
Hon Albert HO Chun-yan  
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP  
Hon LEE Cheuk-yan  
Dr Hon Margaret NG  
Hon James TO Kun-sun  
Hon CHEUNG Man-kwong  
Hon CHAN Kam-lam, SBS, JP  
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP  
Hon LEUNG Yiu-chung  
Hon WONG Yung-kan, SBS, JP  
Hon LAU Kong-wah, JP  
Hon LAU Wong-fat, GBM, GBS, JP  
Hon Miriam LAU Kin-yee, GBS, JP  
Hon Andrew CHENG Kar-foo  
Hon TAM Yiu-chung, GBS, JP  
Hon Abraham SHEK Lai-him, SBS, JP  
Hon LI Fung-ying, BBS, JP  
Hon Tommy CHEUNG Yu-yan, SBS, JP  
Hon Albert CHAN Wai-yip  
Hon Frederick FUNG Kin-kee, SBS, JP  
Hon Audrey EU Yuet-mee, SC, JP  
Hon Vincent FANG Kang, SBS, JP  
Hon WONG Kwok-hing, MH  
Hon LEE Wing-tat  
Dr Hon Joseph LEE Kok-long, SBS, JP

Hon Jeffrey LAM Kin-fung, SBS, JP  
Hon LEUNG Kwok-hung  
Hon CHEUNG Hok-ming, GBS, JP  
Hon WONG Ting-kwong, BBS, JP  
Hon Ronny TONG Ka-wah, SC  
Hon KAM Nai-wai, MH  
Hon Cyd HO Sau-lan  
Hon Starry LEE Wai-king  
Dr Hon LAM Tai-fai, BBS, JP  
Hon CHAN Hak-kan  
Hon Paul CHAN Mo-po, MH, JP  
Hon CHAN Kin-por, JP  
Hon Tanya CHAN  
Dr Hon Priscilla LEUNG Mei-fun  
Dr Hon LEUNG Ka-lau  
Hon CHEUNG Kwok-che  
Hon WONG Sing-chi  
Hon WONG Kwok-kin, BBS  
Hon IP Wai-ming, MH  
Hon IP Kwok-him, GBS, JP  
Hon Mrs Regina IP LAU Suk-yee, GBS, JP  
Dr Hon PAN Pey-chyou  
Hon Paul TSE Wai-chun  
Dr Hon Samson TAM Wai-ho, JP

**Members absent:**

Dr Hon David LI Kwok-po, GBM, GBS, JP  
Hon Fred LI Wah-ming, SBS, JP  
Dr Hon Philip WONG Yu-hong, GBS  
Hon Timothy FOK Tsun-ting, GBS, JP  
Hon Andrew LEUNG Kwan-yuen, SBS, JP  
Hon Alan LEONG Kah-kit, SC  
Hon CHIM Pui-chung  
Hon WONG Yuk-man

**Public officers attending:**

Professor K C CHAN, SBS, JP	Secretary for Financial Services and the Treasury
Mr Stanley YING, JP	Permanent Secretary for Financial Services and the Treasury (Treasury)
Ms Bernadette LINN, JP	Deputy Secretary for Financial Services and the Treasury (Treasury)1

Ms Elsie YUEN

Principal Executive Officer (General),  
Financial Services and the Treasury  
Bureau (The Treasury Branch)

Ms Florence HUI Hiu-fai, JP  
Mr David LEUNG Chun-wing, JP  
Ms Pauline NG

Under Secretary for Home Affairs  
Deputy Director of Home Affairs (2)  
Secretary General, Legislative Council  
Secretariat

Mrs Percy MA

Assistant Secretary General (Special Duties), Legislative Council Secretariat

Mr Matthew LOO

Chief Council Secretary (Special Duties), Legislative Council Secretariat

Mr Ian LEONG

## Senior Information Technology Officer, Legislative Council Secretariat

Mr LAI Tung-kwok, SBS, IDSM, JP  
Ms Sally WONG Pik-yee, JP

Under Secretary for Security  
Commissioner for Narcotics, Security  
Bureau

Mr David WONG Fuk-loi

Principal Assistant Secretary  
(Narcotics), Security Bureau  
Deputy Secretary for Development

Mrs Jessie TING YIP Yin-me, JP

Deputy Secretary for Development  
(Works)1  
Principal Assistant Secretary for

Mr Alan AU Yuk-lun

### Clerk in attendance:

Mrs Constance J L

## Assistant Secretary General 1

#### **Staff in attendance:**

Ms Anita SIT  
Miss Joanne FONG  
Mr Frankie WOO  
Ms Christy YAU

Chief Council Secretary (1)5  
Senior Council Secretary (1)7  
Senior Legislative Assistant (1)3  
Legislative Assistant (1)1

## Item No. 2 - FCR(2009-10)43

### HEAD 63 – HOME AFFAIRS DEPARTMENT

- Subhead 700 General non-recurrent
- New Item "Enhancing Diversified Community Activities"

The Committee continued discussion on the item, which was carried over from the meeting on 4 December 2009 and the preceding meeting at 3:00 pm of the same day.

2. Mrs Sophie LEUNG said that she supported the proposal as it had been thoroughly discussed by the Panel on Home Affairs. She appealed to members to have trust in the integrity of District Councils (DCs) which could further improve their monitoring of the disposal of funds. She did not consider it appropriate to exert excessive control over the operation of DCs.

3. Dr Margaret NG said that the use of public funds should be transparent, and there should be a mechanism for members of the public to inspect the accounts of the community activities funded by DCs. If such a mechanism was not in place, the Finance Committee (FC) should not support the funding proposal. She asked the Administration to confirm whether such a mechanism was in place.

4. The Under Secretary for Home Affairs (USHA) and Deputy Director of Home Affairs (2) (DDHA) advised that a mechanism was already in place for the public to inspect the accounts of DC-funded activities. DDHA advised that the respective secretariats of DCs kept records of the expenditure of DC-funded activities and the project reports from grantees. Members of the public could visit the DC secretariat offices to inspect the information during office hours. USHA reiterated that the proposed funding for allocation to DCs would be subject to a four-tier monitoring mechanism, which comprised the requirement on grantees to submit project completion reports, on-site visits by DC and Home Affairs Department (HAD) staff, public scrutiny, and reporting to the Independent Commission Against Corruption in the case of any suspected fraudulent use of DC funds. Referring to the incident cited by Mr LEE Wing-tat at the preceding meeting at 3:00 pm, she stressed that the Administration would follow up the case after the meeting.

5. Mr IP Kwok-him declared that he was returned by the District Council constituency. He said that similar to the practice of the Legislative Council (LegCo), DC members had to declare their interests, and the registers of their declared interests and the accounts of all DC-funded activities were open for public inspection. There were established procedures for DCs to follow in scrutinizing applications for DC funds, and the vetting was conducted at open meetings which the public could attend. If any DC member committed fraudulent or corruptive acts, he/she was liable to prosecution by Independent Commission Against Corruption and could lose the seat in DC. There were also established procedures for dealing with complaints relating to DC-funded activities. These demonstrated that the operation of DCs was

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transparent and subject to strict monitoring. It was therefore unfair to allege that DCs acted imprudently in the disposal of funds. He stressed that the proposed funding was to support quality community involvement activities, and the proposal should be considered from this perspective.

6. Mr Paul TSE said that the Financial Secretary had announced as early as May 2009 that the Government would allocate \$180 million to the 18 districts with a view to fostering community building, enhancing social cohesion, promoting cultural and sports activities, stimulating domestic consumption and promoting local tourism. He considered that the nature of the proposed funding was like a "District Events Fund", and early approval of the funding would be in the interests of job-seekers and the community. He suggested that a central assessment panel should be set up for the selection of community activities for the 18 DCs under a uniform set of guidelines. He also suggested increasing the proportion of the proposed funding for centrally coordinated activities, so as to allay some members' concerns about the quality of DC-funded activities.

7. USHA responded that the Administration aimed to enhance the quality of the community activities through the promotion of the four themes and three guiding principles. Local organizations could also make reference to the activities centrally coordinated by the government departments in organizing DC activities.

8. Mr LEE Cheuk-yan questioned the basis for the Administration to arrive at the estimate of 3 000 jobs to be created under the proposed funding. He asked for a breakdown of the jobs (and their duration) that would be created through the centrally coordinated activities and the funds allocated to individual DCs. DDHA clarified that the estimate of 3 000 jobs was only a very rough projection based on a number of assumptions. HAD would use 10% of the proposed funding (i.e. \$18 million), to employ contract staff to assist DCs and the department in implementing the community activities. On the amounts to be allocated for DC-funded activities, up to 25% could be used for the employment of necessary temporary staff as provided for in the "Manual on the Use of District Council Funds" (the Manual). However, it would not be possible to foretell whether the local organizations granted the DC funds would employ workers on a full-time or part-time basis.

9. Mr LEE Cheuk-yan said that he had doubts about the estimate of 3 000 jobs. He did not support the proposal as he was not convinced that the primary objective of the proposal was to create employment opportunities.

10. USHA responded that the diversified community activities under the proposed funding would also bring about other economic benefits in addition to the creation of jobs. For instance, the Administration was currently consulting the respective DCs on the recommended routes and spots in their districts for the promotion of cultural and ecological tourism, and such activities would bring about business opportunities in the catering and personal services in the local communities. It was the Administration's plan to develop sustainable activities of this kind to stimulate local economy and promote employment.

11. Ms Cyd HO asked how many job opportunities would be created as a direct result of the proposed funding. USHA replied that the current estimation included both direct and indirect job opportunities and the Administration would provide relevant information to the Panel on Home Affairs after the completion of these activities.

12. Mr LEUNG Kwok-hung expressed concern that the appointed DC members who belonged to the pro-government camp or were affiliated to certain political parties might exert control over the use of DC funds so as to benefit the local organizations of the same political affiliation. He questioned why professional social workers or Non-Governmental Organizations (NGOs) were not allowed to apply directly to HAD for funding support for organizing community activities. While he was not against the creation of job opportunities through the proposed funding, he considered that such funds should be channelled to other more worthwhile uses. He was surprised that there were no clear target groups for the initiative and no information on the specific types of jobs to be created. DDHA advised that in the last review of DC's functions, it was reflected that community involvement activities should not be completely government-driven, but should also be initiated and implemented by local organizations.

13. Mr LEE Wing-tat requested the Administration to clarify the following with reference to the existing rules on the use of DC Funds –

- (a) whether up to 25% of the funding allocated to each DC event could be used for the employment of temporary staff;
- (b) whether there was any rule to prohibit serving assistants of DC members from taking up those temporary jobs; and
- (c) whether there had been cases of DC members' serving assistants taking up such temporary jobs.

14. DDHA responded that the grantees of DC Funds could use up to 25% of the funding to employ temporary staff for the projects. The Administration however did not exercise control over the staffing of DC members and it would be for the DC members to exercise their authority to decide the work of their assistants. Mr LEE expressed dissatisfaction with the lack of control in this regard and urged the Administration to impose appropriate restrictions to stop abuses.

15. Ms Starry LEE said that during the 10 years she had served as a DC member, she had never heard of DC members making use of DC-funded community activities to provide temporary jobs to their serving assistants. She considered such vilifications unfair to DC members, and urged the Administration to conduct thorough investigation into the matter to clear the misunderstanding. Mr IP Kwok-him concurred with Ms LEE and urged the Administration to deal with any allegation seriously. Mr LEE Wing-tat said that he agreed that the Administration should

investigate the matter. USHA agreed to look into the matter and report the findings to Members.

(*Post-meeting note:* The relevant information provided by the Administration was issued to members vide LC Paper No. FC73/09-10 on 24 February 2010.)

16. Mr LEE Wing-tat expressed concern about the relationship between local organizations and DC members. He observed that in some cases, the DC members were the chairmen of or closely related to the organizing committees of those local organizations granted DC funds to stage community activities. USHA reiterated that in accordance with clause 6.3.2 of the Manual, LegCo Members, DC members, political parties, and political organizations were not eligible to apply for DC funds. Besides, DC members were required to declare their interests in relation to local organizations or community activities under consideration for allocation of DC funds, and such declarations would be recorded in DC minutes. It would be negligence on the part of DC members if they failed to do so. The Chairman enquired if DC members could apply for DC funds after declaration of interests. USHA replied in the negative and advised that offices of DC members were not even considered eligible for DC funding support.

17. Referring to USHA's earlier advice that the Administration did not see the need to restrict the kind of community activities for funding support under the present proposal, Mr LEE Wing-tat maintained his view that the Administration should impose appropriate restrictions on certain events such as opening ceremonies and those joint projects with commercial production companies. He considered that DCs should engage local groups as many of them were willing to give performances for the community at a modest sum.

18. USHA pointed out that over 6 000 out of the 7 258 community projects in 2008-2009 were organized by NGOs. The Administration would actively encourage participation of local organizations in staging diversified community activities, and would publicize exemplars of these community projects for reference by local organizations and DCs. USHA also advised that the current system for DC-funded activities would apply to the part of funding to be allocated to DCs, while an assessment panel would be set up for the centrally coordinated activities.

19. Ms Cyd HO said that USHA's earlier replies on the expenditure of DC-funded activities were contradictory. While USHA had indicated that there was no information on performers' fees, she confirmed that the public could inspect the accounts on DC-funded activities with itemized breakdowns. USHA clarified that as the Administration did not specifically collect data on performers' fees, such information might not be available in the DCs' accounts for public inspection.

20. Mr IP Kwok-him remarked that given the large number of community activities and performers involved, it was impracticable to compile information on the payments to performers for the various activities held in the past. The most

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important issue was to ensure that the accounts on DC-funded community activities were available for public inspection.

21. Ms Cyd HO said that she needed the information on performers' fees for ascertaining if there had been excessive expenditure of this sort, resulting in less funds spent directly on the public. She said that from her own experience as a DC member, it should be possible to collect information on performers' fees but the Administration had refused to do so despite Members' request.

22. DDHA clarified that for some community activities, the activity organizer had outsourced the activity to an organization for a host of tasks. This posed tremendous difficulties for the Administration to collect figures on "performers' fees" per se. He further said that the Administration could in future require community activity organizers to provide information on "performers' fees" if Members considered such information necessary.

23. Ms Cyd HO said that there was a box on "performers' fees" in the form for completion by activity organizers. She opined that FC should not approve the funding proposal without adequate information. USHA reiterated that there was no standard arrangement for the collection of information on performers' fees for community activities in the past, hence it was not possible for the Administration to provide the requested information.

24. Mr Paul TSE expressed the view that members should focus more on the economic benefits that would be brought about to society under the proposal. Apart from the impact on boosting employment, the various community involvement activities would be conducive to the development and promotion of arts and culture, recreation, and tourism at the district level. While he agreed that the use of public funds should be as transparent as possible, he had to point out that the fees of artists in showbiz was a very sensitive matter. He considered that Members could request specifying the requirement for providing information on performers' fees in future, but it was unfair to criticize the Administration for not being able to provide such information for past events. He supported the proposal and hoped that members would not delay its approval for political reasons.

25. In reply to the Chairman's enquiry on how the Administration would assist LegCo in monitoring the use of the proposed funding, USHA replied that the Administration was prepared to provide a report to the Panel on Home Affairs.

26. The Chairman put the item to vote. The Committee approved the proposal. The voting results were as follows –

*For:*

Ir Dr Raymond HO  
Mrs Sophie LEUNG  
Mr LAU Kong-wah  
Ms Miriam LAU

Mr CHAN Kam-lam  
Mr WONG Yung-kan  
Mr LAU Wong-fat  
Mr TAM Yiu-chung

Ms LI Fung-ying  
Mr Frederick FUNG  
Mr WONG Kwok-hing  
Mr Jeffrey LAM  
Mr WONG Ting-kwong  
Ms Starry LEE  
Mr CHAN Hak-kan  
Mr CHAN Kin-por  
Mr WONG Kwok-kin  
Mr IP Kwok-him  
Dr PAN Pey-chyou  
Dr Samson TAM  
(31 members)

Mr Tommy CHEUNG  
Mr Vincent FANG  
Dr Joseph LEE  
Mr CHEUNG Hok-ming  
Prof Patrick LAU  
Dr LAM Tai-fai  
Mr Paul CHAN  
Dr Priscilla LEUNG  
Mr IP Wai-ming  
Mrs Regina IP  
Mr Paul TSE

*Against:*

Mr Albert HO  
Mr James TO  
Mr LEUNG Yiu-chung  
Mr LEE Wing-tat  
Mr KAM Nai-wai  
(10 members)

Mr LEE Cheuk-yan  
Mr CHEUNG Man-kwong  
Mr Andrew CHENG  
Mr LEUNG Kwok-hung  
Ms Cyd HO

*Abstention:*

Ms Audrey EU  
(2 members)

Miss Tanya CHAN

**Item No. 3 - FCR(2009-10)45**

**HEAD 112 – LEGISLATIVE COUNCIL COMMISSION**

**• Subhead 885 Legislative Council Commission**

**New Item "Integration and Application of Information Technology in the New Legislative Council Complex"**

27. The Chairman advised that the Committee's approval was sought for a new commitment of \$99,018,000 for implementing the integration and application of information technology in the new LegCo Complex at Tamar. The Administration had consulted the Panel on Development on the proposal at its meeting on 8 December 2009.

28. At the invitation of the Chairman, Prof Patrick LAU, the Deputy Chairman of the Panel on Development, reported that Panel members expressed concern about and the LegCo Secretariat had provided responses to the following –

- (a) whether there would be live broadcasts of all open meetings held in LegCo through domestic free television channels and the Internet;

- (b) whether there was any plan to digitize the old audio recordings of meetings of LegCo recorded on tapes and the hardcopies of old documents, with a view to facilitating retrieval of such information by the public on the Internet;
- (c) the provision of Wi-Fi services to Members and the public in the new LegCo Complex;
- (d) the staffing requirement for the enhanced IT services in the new LegCo Complex; and
- (e) whether the future IT systems would adopt open standards so as to maintain flexibility and reduce constraints imposed by vendors.

29. Mr LEUNG Kwok-hung asked whether there was any plan to live broadcast LegCo meetings on public web portals under the proposed IT project to enhance accountability. The Secretary-General of the LegCo Secretariat (SG/LegCo) responded that after the relocation to Tamar, all open meetings held in LegCo would be broadcast live on a designated webpage on the LegCo website with a designed capacity for simultaneous access by 400 users for the audio-visual broadcast or 5 000 users for the audio broadcast. Subject to technical feasibility of such arrangements and the views of The Legislative Council Commission (the Commission), arrangements could be made to broadcast open meetings held in LegCo on public web portals after the relocation to the new LegCo Complex.

30. Ms Cyd HO said that at present, open meetings held in LegCo were broadcast selectively by television channels and this was not satisfactory. To facilitate the public to understand and track the development of matters discussed in LegCo, it was necessary to provide the public with convenient free access to the live broadcasts of all open meetings held in LegCo, including meetings of bills committees. SG/LegCo advised that under the IT enhancement proposal, there would be live audio-broadcasts and video-broadcasts of all open meetings held in the new LegCo Complex. Equipment and facilities for video-filming would be installed in the Chamber and conference rooms, and LegCo would have its own production crew to undertake the audio and visual recording, broadcasting on the LegCo website, and transmission of signals to television and radio channels.

31. Ms Cyd HO said that at present, if a meeting was suspended, the period of suspension would not be broadcast on the LegCo website. She asked whether the LegCo Secretariat would review this arrangement, as there were calls from the public that the broadcast should continue during the period of suspension so that they would know what was taking place in the meeting rooms during the period of suspension. SG/LegCo explained that the current policy of LegCo did not provide for such arrangement because Members' speeches during the suspension period were not covered by the immunities and privileges provided under the Legislative Council (Powers and Privileges) Ordinance (Cap. 382). However, arrangements could be made in future to continue the broadcast of a meeting during the suspension period if

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the Commission so decided. Members would be reminded to mind their speeches during suspension of a meeting.

32. The Chairman requested SG/LegCo to convey members' views expressed at this meeting to the Commission for consideration.

33. The Chairman put the item to vote. The Committee approved the proposal.

**Item No. 4 - FCR(2009-10)47**

**RECOMMENDATIONS OF THE PUBLIC WORKS SUBCOMMITTEE  
MADE ON 16 DECEMBER 2009**

34. The Chairman advised that the Committee's approval was sought for the two project proposals recommended by the Public Works Subcommittee on 16 December 2009.

35. As there was no question from members, the Chairman put the item to vote. The Committee approved the proposal.

**Item No. 5 - FCR(2009-10)46**

**RECOMMENDATIONS OF THE ESTABLISHMENT SUBCOMMITTEE  
MADE ON 9 DECEMBER 2009**

36. The Chairman advised that the Committee's approval was sought for the two proposals, EC(2009-10)11 and EC(2009-10)12, recommended by the Establishment Subcommittee on 9 December 2009. The Subcommittee had requested that the two proposals be discussed and voted on separately at the FC.

EC(2009-10)11

37. The Chairman advised that the Administration proposed to create one supernumerary post of Administrative Officer Staff Grade C (D2) in the Narcotics Division of the Security Bureau for a period of three years with effect from 17 February 2010 to support escalated efforts in the combat against drug abuse, in particular to take forward initiatives on drug testing and the provision of downstream support services in drug treatment and rehabilitation for young drug abusers.

38. Mr LEUNG Kwok-hung enquired about the role of the proposed supernumerary Principal Assistant Secretary (Narcotics) post in taking forward the initiatives on drug testing. The Under Secretary for Security (US/S) responded that the responsibilities of the post-holder included overseeing the implementation of the school drug testing pilot scheme, review and evaluation of the pilot scheme and

planning for rolling out school drug testing to all schools. The post-holder would also be responsible for conducting a public consultation exercise on mandatory drug testing and steering the introduction of hair testing of illicit drugs in Hong Kong. US/S stressed that drug testing was only part of the duties of the proposed post. The other major duties included exploring and pursuing innovative ways for the provision of treatment and rehabilitation services for drug abusers, and re-engineering drug treatment and rehabilitation services and programmes with a view to improving the capacity and quality of the services and programmes. The post-holder would need to coordinate with stakeholders and relevant organizations in implementing the anti-drug initiatives, including measures to improve the efficiency and effectiveness of the various downstream services.

39. Ms Cyd HO asked whether the voluntary school drug testing scheme would be expanded to cover all local schools and converted into a mandatory scheme. She also enquired about the scope of the proposed mandatory drug testing, and whether the relevant legislative amendments would include the imposition of penalties on drug abusers identified through mandatory drug testing. She expressed concern that the enforcement agencies might be given excessive power to compel members of the public to take mandatory drug tests. Mr LEUNG Kwok-hung shared Ms HO's concern. Mr LEUNG opined that since drug taking was not an offence, the Administration would need legal backing to compel a drug abuser to receive drug treatment and rehabilitation service.

40. In response, the Commissioner for Narcotics (C for N) remarked that the proposed mandatory drug testing was intended to reach out to a more vulnerable group of youngsters outside the schools, and the public and stakeholders would be consulted on the coverage of and support services for a compulsory scheme on drug testing. As for enforcement of mandatory drug testing, it would focus on drug abuse black spots, such as discotheques and karaoke. C for N explained that currently, even if drugs were found in the premises of these places and persons inside the premises were found to have symptoms of drug abuse, the enforcement officers did not have the power to conduct drug tests on those persons and therefore could not effectively enforce the relevant legislation. C for N further explained that while the taking of illicit drugs such as heroin and psychotropic substances was an offence under the Dangerous Drugs Ordinance (Cap. 134), it was necessary to obtain the consent of the suspected drug abuser for taking a drug test on him/her. The mandatory drug testing initiative was aimed at providing legal backing for the enforcement agencies to take drug tests on suspected drug abusers, so that rehabilitation and support services could be rendered to them in a timely manner. The Administration would consider whether it was appropriate to include penalty clauses in the proposed legislation on mandatory drug testing.

41. C for N and the Principal Assistant Secretary (Narcotics), Security Bureau advised that at present, when a person was convicted of drug taking or possession of drugs and found to be a drug abuser, the court might order the convicted person to receive drug treatment and/or rehabilitation. The Task Force on Youth Drug Abuse (the Task Force) led by the Secretary for Justice had recommended in its report that

the legislation be amended so that a person who was found for the first time by enforcement officers to have abused drugs would be advised to receive drug treatment and rehabilitation. If a person was found for the second time to have abused drugs, the case should be referred to a social worker for follow-up action. Prosecution action would be taken if a person was found for the third time to be a drug abuser. The proposal aimed at identifying the drug abusers as early as possible so that appropriate and timely support services could be rendered to them.

42. Mr James TO said that Members belonging to the Democratic Party would abstain from voting on the staffing proposal. He opined that if the US/S post had not been created, sufficient resources could be made available for creation of directorate posts to deal with the drug abuse problem. Since the US/S post had now been created, the incumbent US/S should take up the work relating to the anti-drug initiatives.

43. Mr LEE Wing-tat stated that while he would not object to the staffing proposal, he would abstain from voting. Mr LEE pointed out that according to a recent TV programme, many young people did not support the voluntary school drug testing scheme, and many scholars and social workers considered that the scheme had breached the trust between the young people and their teachers. Mr LEE opined that the present proposal did not tackle the problem at source. He considered that more social workers should be engaged to reach out to the young people on the street at night, befriend with them and gain their trust, and advise them against drug abuse. In this respect, Mr LEE enquired about the supporting services to complement the school drug testing scheme, and whether additional resources would be allocated to out-reach social service teams which targetted at young drug abusers.

44. Mr LEUNG Kwok-hung opined that instead of implementing mandatory drug testing, the Administration should allocate more resources to increase the number of out-reaching social workers to assist young drug abusers in seeking drug treatment and rehabilitation.

45. In response, US/S reiterated that drug testing was only part of the anti-drug strategy which also emphasized prevention education and publicity. Information kits were distributed to parents and school teachers to equip them with the knowledge and skills to deal with drug abuse by students. Aiming at youth at risk, the 18 districts launched in August 2009 a one-year anti-youth drug abuse community programme, bringing together different sectors in the community including healthcare professionals, social service non-government organizations, professional bodies and local organizations. US/S added that in 2008-2009, each of the 18 night out-reaching social service teams had been provided with one additional social worker, so that there would be six to seven social workers in each team for dealing with youth drug abuse cases.

46. Mr WONG Kwok-hing said that in consideration of the severity of the youth drug abuse problem and the need for the Administration to step up its efforts to

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tackle the problem, Members belonging to the Hong Kong Federation of Trade Unions supported the staffing proposal.

47. Mrs Sophie LEUNG remarked that as the youth drug abuse problem was alarmingly serious, members should support the proposal so that with strengthened staffing support, the Administration could take forward the anti-drug initiatives to combat the problem. Mrs LEUNG opined that members' suggestions on the anti-drug strategy should be discussed at the Panel on Security.

48. The Chairman put the item to vote. The Committee approved the proposal.

EC(2009-10)12

49. The Chairman advised that under EC(2009-10)12, the Administration proposed to set up a new Greening, Landscape and Tree Management (GLTM) Section in the Development Bureau to implement the improvement measures recommended by the Chief Secretary for Administration's Task Force on Tree Management and to facilitate the adoption of a holistic approach to greening, landscape and tree management within the Government.

50. Noting that the Tree Management Office would enhance the existing mechanism for handling complaints on tree management via the "1823" hotline, Mr LEE Wing-tat pointed out that the "1823" Call Centre already had to deal with a lot of enquiries/complaints which were varied in nature, and it might take time to refer all such cases to the relevant departments for action. He asked why a dedicated telephone hotline was not provided in the new GLTM Section to deal with complaints on tree management, so that immediate actions could be taken in emergency cases. Mr LEE further enquired whether a performance pledge would be drawn up for dealing with complaints on tree management.

51. The Deputy Secretary for Development (Works)1 (DS(W)) said that the "1823" hotline was established as a one-stop service to facilitate the public in lodging complaints in various areas. As tree management work was undertaken by various government departments according to their respective scope of responsibilities, guidelines had been issued to staff of "1823" on the priority and procedures for handling tree management complaints, so that individual cases would be referred to the appropriate departments in a timely manner. For urgent cases where human lives might be endangered, members of the public could call the emergency hotline "999" to seek assistance. DS(W) added that the new GLTM Section would consider drawing up a performance pledge for handling complaints on tree management.

52. Mrs Regina IP asked whether adequate manpower resources would be provided at the field staff level to enable more effective identification of trees with problems. Miss Tanya CHAN expressed a similar concern and asked how the Development Bureau would coordinate the work of different government departments on tree management. Mr KAM Nai-wai expressed disappointment that the

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Administration only proposed creation of directorate posts in the policy bureau, without proposing corresponding increase in frontline staff.

53. DS(W) responded that while the current staffing proposal sought to provide the needed directorate support at the bureau level for policy formulation and effective implementation of tree management across departments, additional manpower resources for tree management, including frontline staff, would also be provided in the relevant departments. The new GLTM Section in the Development Bureau would focus on the formulation of a holistic policy on greening, landscape and tree management across departments. With the implementation of an integrated approach under the guidance of the Development Bureau, the Administration was confident that the greening, landscaping and tree management work in Hong Kong would be improved.

54. Mrs Regina IP expressed concern that the two arborists in the GLTM would be employed on non-civil service contract (NCSC) terms and enquired about the salary scale for the arborists. She said that some staff in the Leisure and Cultural Services Department (LCSD) had expressed concern about possible favouritism in the appointment of the two arborists, and that the posts might not be filled by existing LCSD staff who possessed the required qualifications. Mrs IP further asked why the Administration had to take three years to review the need for creating an Arborist grade and the likelihood of creating such a grade.

55. DS(W) advised that to facilitate an assessment of the long-term need for a dedicated Arborist grade and to tap on external expertise in arboriculture, the Administration would engage arborists on NCSC terms in the first instance and review the need for creating a new Arborist grade in the civil service in about three years' time. The monthly salary for an Arborist would be around \$55,000, and the terms and conditions of employment would be in line with those for other NCSC posts. The two arborist posts would be filled by open recruitment. Consideration would also be given to deploying existing LCSD staff who possessed arboricultural qualifications to work in the new Tree Management Office.

56. Mrs Regina IP enquired about the qualifications required for the proposed directorate posts and the two arborist posts, and asked whether existing civil servants could apply for these posts.

57. DS(W) and the Principal Assistant Secretary for Development (Special Duties)<sup>1</sup> advised that the qualification requirements for the two directorate posts were detailed in paragraphs 11 and 15 of the paper. The Administration would conduct in-service recruitment in parallel with external recruitment to fill the two directorate posts. Existing civil servants who met the entry requirements could apply for the two directorate posts. If selected, the officers would be allowed to retain their civil servant status. As for the NCSC Arborist posts, the entry requirements included a relevant university degree and working experience as well as a professional qualification in arboriculture.

58. Mr LEUNG Kwok-hung expressed concern that the Administration had outsourced the tree management work to contractors who paid very low salaries to their staff, resulting in poor management of trees. He opined that the tree management staff should be provided with suitable training. Dr PAN Pey-chyou enquired what measures would be taken to provide incentives for frontline staff to improve their tree management skills, so as to enhance professionalism among the tree management teams in the executive departments.

59. DS(W) responded that the relevant departments would be requested to review their outsourcing arrangements to ensure that the contractors would employ qualified staff to undertake tree management work. The Administration would liaise with the relevant training institutions on the provision of suitable courses for tree management personnel to enhance their professionalism. Civil servants pursuing professional training in tree management would be able to further improve their work performance, which in turn would help their career development. She remarked that one of the responsibilities of the new GLTM Section was capacity building in tree management through manpower development and research.

60. Miss Tanya CHAN expressed concern that some unqualified personnel had been engaged by the Government and the private sector to undertake arboriculture work, resulting in poor tree management. As human lives were at stake and there was a strong demand for tree management experts, she asked whether the Administration would consider establishing a qualification accreditation and/or licensing system for personnel undertaking tree management work, in addition to the training courses offered by educational institutions. Miss CHAN also opined that the Government should require the contractors to use qualified arborists in horticulture work, and draw up a list of approved contractors for reference by organizations and management companies undertaking greening, landscaping and tree management work. Mr KAM Nai-wai shared Miss CHAN's concern and views. Mr KAM asked the Administration to give assurance that the duties of the proposed staff would include examining the feasibility of introducing a dedicated tree ordinance, establishing a licensing system for tree management personnel and processing tree removal applications for land leases with "tree preservation clauses".

61. In response, DS(W) said that there were reputable international organizations which accredited and granted professional qualifications on tree management. To enhance professionalism in tree management, the new GLTM Section would liaise with the relevant training institutions on the provision of suitable training for tree management personnel. As a licensing system for tree management personnel would require enactment of legislation and have other implications, the proposal would need careful consideration and the parties concerned would need to be consulted. The Administration had no intention to introduce a dedicated tree ordinance at this stage, and might review the need for such legislation in future. The processing of tree removal applications and other operational matters would continue to be undertaken by the relevant executive departments.

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62. Mr KAM Nai-wai expressed disappointment that the Administration would not introduce legislation to regulate tree management. He opined that the proposed posts should be created only if they would take up the responsibilities of drawing up legislation to regulate and license tree management work. Mr KAM further expressed concern on how the Development Bureau would coordinate the tree management work of different government departments.

63. DS(W) reiterated that the new GLTM Section in the Development Bureau would be responsible for the overall policy and strategy on tree management, and would work on areas such as formulation of standards and guidelines on tree management, risk assessment of trees, etc. The departments concerned would be responsible for implementation of the policy and strategy on tree management. At this stage, the Administration would focus on implementing the improvement measures recommended by the Task Force on Tree Management led by the Chief Secretary for Administration, and did not see the need for a dedicated piece of legislation on tree management at this stage.

64. Mr LEE Wing-tat enquired why the Administration proposed to recruit the Principal Assistant Secretary (GLTM) through open recruitment. DS(W) explained that considering that the post involved new and unique tasks, and the diverse expertise required was not necessarily confined to existing civil service grades, the Administration intended to reach out to a wider pool of candidates by tapping also talents outside the Government. To expedite the recruitment process, the Administration would conduct an in-service recruitment exercise in parallel with external recruitment.

65. The Chairman put the item to vote. The Committee approved the proposal.

66. The meeting was adjourned at 7:20 pm.

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