

立法會
Legislative Council

LC Paper No. CB(2)1333/09-10
(These minutes have been seen
by the Administration)

Ref : CB2/SS/4/09

**Subcommittee on
Designation of Libraries Order 2010**

**Minutes of meeting
held on Friday, 19 March 2010, at 10:45 am
in Conference Room B of the Legislative Council Building**

Members present : Hon LEUNG Yiu-chung (Chairman)
Hon WONG Kwok-hing, MH
Hon LEE Wing-tat
Hon CHEUNG Hok-ming, GBS, JP

Public Officers attending : Item II

Leisure and Cultural Services Department

Mr LEE Yuk-man
Assistant Director (Libraries & Development)

Mr YAM Kin-pang
Chief Librarian (Operations & Computerization)

Ms Terry LEE Wing-mui
Chief Librarian (Administration & Planning)

Department of Justice

Ms Karmen KWOK Man-yi
Government Counsel

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

Staff in attendance : Mr Stephen LAM
Assistant Legal Adviser 4

Miss Vivien POON
Senior Council Secretary (2)2 (Acting)

Miss Amy WONG
Legislative Assistant (2)2

Miss Monique TSEUNG
Clerical Assistant (2)2

Action

I. Election of Chairman

Mr LEUNG Yiu-chung was elected Chairman of the Subcommittee on Designation of Libraries Order 2010 ("the Subcommittee").

II. Meeting with the Administration

LC Paper No. LS51/09-10 -- Legal Service Division Report on the Designation of Libraries Order 2010

L.N. 22 of 2010 -- Designation of Libraries Order 2010

LC Paper No. CB(2)1117/09-10(01) -- Paper provided by the Administration

LC Paper No. CB(2)1117/09-10(02) -- Members' brief

LC Paper No. CB(2)1117/09-10(03) -- Background brief prepared by the Legislative Council Secretariat

2. The Subcommittee deliberated (index of proceedings attached at **Annex**).

Action

3. Members noted that the Students' Study Room on 1/F of the Tung Chung Municipal Services Building had been designated as a public library under the Public Health and Municipal Services Ordinance (Cap.132) with effect from 1 March 2010 by virtue of the Designation of Libraries Order 2010 ("the Order") gazetted on 26 February 2010. As explained by the Administration, the arrangement was made to meet the students' needs during the examination period.

4. Members were supportive of the early provision of the Students' Study Room in March 2010 and raised no objection to the designation of the Study Room as a library. To better serve the needs of the population in the Tung Chung area, members had no strong view on the Administration's proposal for the commissioning of the new Tung Chung Public Library ("TCPL") (in which the Study Room was located) in mid 2010. They, however, expressed reservation on the Administration's plan to cease the operation of the existing library at Yat Tung Estate ("YTEL") upon the opening of TCPL.

Provision of library services at Yat Tung Estate

5. The Subcommittee urged the Administration to give special consideration to the following options for the continued provision of library services to the residents of Yat Tung Estate -

- (a) to retain the YTEL which was heavily subscribed by local residents through cost-saving measures and rental subsidies by the Government; or
- (b) to arrange for a non-governmental organisation ("NGO") to take over the services currently provided by YTEL.

6. The Administration responded that it would not be feasible to operate YTEL and TCPL concurrently in view of resource constraints and the need to comply with planning requirements under the Hong Kong Planning Standards and Guidelines. However, arrangements were being made to enlist the partnership of target NGOs to operate the YTEL premises as a community library to meet the needs of local residents.

Members' views and concerns on the proposed community library

7. The views and concerns as expressed by members on the proposed community library are summarised as follows -

- (a) as an overriding principle, the provision of library services at the Yat Tung Estate should not be interrupted under any circumstances in the setting up of the proposed community library;

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- (b) where a suitable NGO operator had yet to be identified upon the commissioning of TCPL, the Administration should maintain partial services in the YTEL until a NGO was ready to take charge of the community library;
- (c) where a suitable NGO had been identified for the provision of library services, the Administration should ensure a smooth interface between the proposed community library and the YTEL, with a view to ensuring uninterrupted library service during the transitional period and minimising the disruption to library services during the renovation work;
- (d) the scope and level of services of the proposed community library (such as the public areas, number of books, newspapers and periodicals service and IT facilities) should be on par with those currently provided by YTEL;
- (e) the provision of library services should be the primary objective of the community library and users' feedback should be gauged at the initial stage of its operation; and
- (f) the Administration should indicate clearly in the partnership agreement with the NGO concerned details of the library services to be provided, as well as the relevant requirements to be met in the provision of such services.

The Administration's response

8. The Administration assured members that pending the identification of an NGO operator and the implementation of the stop-gap measures to ensure a smooth transition between the community library and YTEL, the operation of YTEL would be maintained. It further undertook to ensure a short transitional period and uninterrupted library services as far as practicable in the conversion of YTEL into a new community library, and to convey members' views and suggestions set out in paragraphs 7 (c) to (e) above in the discussion with the target NGOs regarding the operation of the proposed library. Upon members' request, the Administration agreed to provide a written response on the following issues -

- (a) to advise before 25 March 2010 whether an NGO had been identified for the operation of the proposed community library, as well as arrangements to ensure the continued provision of basic library services to local residents before the community library was in full operation. For instance, whether YTEL would remain partially open if an NGO operator had yet to be identified upon the commissioning of TCPL; and

Action

(*Post-meeting note*: the Administration's response was issued vide LC Paper No. CB(2)1169/09-10 on 24 March 2010)

Admin

- (b) to provide supplementary information on arrangements with the concerned NGO regarding the services to be provided by the community library, details and timeframe of the interface arrangement for the setting up of the proposed library as soon as such information was available.

Way forward

9. The Subcommittee completed the scrutiny of the subsidiary legislation and raised no questions on its legal and drafting aspects. The Subcommittee further agreed that subject to the Administration's response to the question set out in paragraph 8(a) above, a report would be submitted for the consideration of the House Committee on 9 April 2010.

10. The meeting ended at 11:50 am.

Council Business Division 2
Legislative Council Secretariat
16 April 2010

**Proceedings of the meeting of the
Subcommittee on Designation of Libraries Order 2010
on Friday, 19 March 2010, at 10:45 am
in Conference Room B of the Legislative Council Building**

Time marker	Speaker	Subject	Action required
000000 - 000200	Mr LEUNG Yiu-chung Mr WONG Kwok-hing Mr LEE Wing-tat	Election of Chairman	
000201 - 000408	Chairman	Legislative timetable	
000409 - 000550	Chairman Admin	Background on the legislative proposal	
000551 - 002405	Chairman Mr WONG Kwok-hing Admin Mr LEE Wing-tat	Discussion on the early provision of the Students' Study Room and the legal and drafting aspects of the subsidiary legislation. Discussion on the options for the continued provision of library services to residents of Yat Tung Estate ("YTE") - (a) concurrent operation of the Library in YTE and the Tung Chung Public Library ("TCPL"); and (b) arrangement for a non-governmental organisation ("NGO") to operate the YTE Library as a community library. Considerations in pursuing option (b). The Administration's undertakings to ensure uninterrupted services in the implementation of option (b).	
002406 - 002650	Mr LEE Wing-tat Admin	Views and suggestions regarding the provision of public library services by the Administration.	
002651 - 005330	Chairman Admin Mr WONG Kwok-hing Mr LEE Wing-tat	Discussion on measures to ensure the uninterrupted library services at YTE before the identification of a suitable NGO. Request for written response from the Administration on the progress in identifying a future NGO operator. Views and suggestions on the level and scope of services of the proposed community library and response of the Administration.	Admin to provide written response (para.8(a) of the minutes refers)
005331 - 010215	Mr WONG Kwok-hing Admin Chairman	Discussion on the book lending service of the future community library. Support provided by the Administration to community libraries. Request for supplementary information from the Administration on interface arrangements and services of the proposed community library.	Admin to provide supplementary information (para.8(b) of the minutes refers)

Time marker	Speaker	Subject	Action required
		Discussion on the visit on 30 March 2010 for Duty Roster Members to study the routing between the YTE Library and TCPL.	
010216 - 010741	Chairman Clerk ALA4 Mr WONG Kwok-hing Mr LEE Wing-tat	Discussion on procedural issues and submission of report to the House Committee in relation to the subsidiary legislation.	

Council Business Division 2
Legislative Council Secretariat
16 April 2010

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