

立法會
Legislative Council

LC Paper No. CB(2)1978/09-10
(These minutes have been seen
by the Administration)

Ref : CB2/PL/HA

Panel on Home Affairs

Minutes of meeting
held on Friday, 14 May 2010, at 8:30 am
in Conference Room A of the Legislative Council Building

Members present : Hon IP Kwok-him, GBS, JP (Chairman)
Hon KAM Nai-wai, MH (Deputy Chairman)
Hon James TO Kun-sun
Hon CHEUNG Man-kwong
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon Emily LAU Wai-hing, JP
Hon WONG Kwok-hing, MH
Prof Hon Patrick LAU Sau-shing, SBS, JP
Hon CHEUNG Kwok-che
Hon WONG Sing-chi

Members absent : Hon WONG Yung-kan, SBS, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon CHEUNG Hok-ming, GBS, JP
Hon Cyd HO Sau-lan
Dr Hon LAM Tai-fai, BBS, JP
Hon CHAN Hak-kan
Hon Paul TSE Wai-chun

Public Officers attending : Item IV
Home Affairs Department
Ms Mimi LEE Mei-mei, JP
Deputy Director of Home Affairs (1)

Mr Kesson LEE Kei-shun, JP
Assistant Director of Home Affairs (1)

Item V

Home Affairs Bureau

Mr TSANG Tak-sing, JP
Secretary for Home Affairs

Mr Jonathan McKinley
Deputy Secretary for Home Affairs (2)

Miss Salina YAN Mei-mei, JP
Deputy Secretary for Home Affairs (3)

Mr Gilford LAW
Principal Assistant Secretary for Home Affairs (Culture)1

Mr Benjamin MOK
Principal Assistant Secretary for Home Affairs
(Recreational & Sports)

Leisure & Cultural Services Department

Mrs Betty FUNG CHING Suk-ye, JP
Director of Leisure & Cultural Services

Treasury Department

Mr Charlix WONG
Assistant Director of Accounting Services (Provident
Funds)

Item VI

Home Affairs Bureau

Mr TSANG Tak-sing, JP
Secretary for Home Affairs

Miss Salina YAN Mei-mei, JP
Deputy Secretary for Home Affairs (3)

Mrs Avia LAI WONG Shuk-han
Principal Assistant Secretary for Home Affairs (Culture)2

Leisure & Cultural Services Department

Mrs Betty FUNG CHING Suk-ye, JP
Director of Leisure & Cultural Services

Ms Cynthia LIU Chiu-fun
Assistant Director (Performing Arts),
Leisure and Cultural Services Department

Architectural Services Department

Mr CHAU Kwun-tong
Senior Project Manager 333,
Architectural Services Department

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

Staff in attendance : Ms Louisa YEUNG
Senior Council Secretary (2)2

Miss Vivien POON
Council Secretary (2)2

Miss Monique TSEUNG
Legislative Assistant (2)2 (Acting)

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I. Confirmation of minutes
[LC Paper No. CB(2)1498/09-10]

The minutes of the meetings held on 17 March 2010 were confirmed.

II. Information paper(s) issued since the last meeting

2. Members noted that the following papers had been issued since the last meeting -

LC Paper No. CB(2)1269/09-10(01) -- Submission from a District Council member expressing views on the

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- provision of library service at Yat Tung Estate, Tung Chung
- LC Paper No. CB(2)1269/09-10(02) -- Membership list of the Public Libraries Advisory Committee provided by the Administration
- LC Paper No. CB(2)1269/09-10(03) -- Joint submission from District Council members and members of the public expressing views on Government support to Mutual Aid Committees
- LC Paper No. CB(2)1344/09-10(01) -- Motion on "Development of public library services"
- LC Paper No. CB(2)1395/09-10(01) -- Progress reports on the outstanding leisure and cultural services projects of the former municipal councils provided by the Administration
- LC Paper No. CB(2)1499/09-10(01) -- Paper on the proposed duty visit to study the experience relating to the development of cultural software in Japan and the Republic of Korea
- LC Paper No. CB(2)1499/09-10(02) -- Letter from Hon KAM Nai-wai in relation to the Framework Agreement on Hong Kong/Guangdong Co-operation
- LC Paper No. CB(2)1499/09-10(03) -- Submission from a member of the public expressing views on the service of e-Stations at the Public Enquiry Service Centres of District Offices

III. Items for discussion at the next meeting

[Appendix I and II to LC Paper No. CB(2)1497/09-10]

The next regular meeting

3. Members agreed that the next regular meeting on 11 June 2010 should be extended to three hours for the discussion of: (a) setting up an intermediary body for the effective enforcement of maintenance orders; (b) regulation of karting facilities; (c) regulation of internet cafés; and (d) review on the financial assistance to Mutual Aid Committees.

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Other meetings

4. The Chairman informed members that a special meeting had been scheduled for 14 June 2010 to exchange views with members of the Public Libraries Advisory Committee on the development of public library services.

5. Referring to the Administration current review on the remuneration package for District Council ("DC") members for the next term from 2012 to 2015, Ms Emily LAU said that the survey conducted earlier on by the Legislative Council ("LegCo") Secretariat seeking LegCo Members' views on the provision of Operating Expenses Reimbursement might provide useful reference for DC members in relation to the review. She suggested that the questionnaire for the aforesaid survey be forwarded to DC members for information. Members agreed with Ms LAU's proposal. Ms LAU further suggested and members agreed that the remuneration for DC members should be included for discussion under the item of "Implementation of recommendations of the 2006 DC Review" at the Panel meeting on 9 July 2010. Members also noted that the Chairman (in the capacity of LegCo Member of the DC functional constituency) and the Power for Democracy had conveyed views regarding the role and functions of DCs, remuneration package for DC members and support for DCs to the Administration earlier on. They agreed that these views should be circulated for members' reference.

Clerk

(Post-meeting note: A letter requesting the Administration to arrange for the circulation of the aforesaid questionnaire to the 18 DCs was issued on 18 May 2010, and the Chairman and the Power for Democracy's letters to the Administration were circulated to members vide LC Paper No. CB(2)1638/09-10 on 26 May 2010)

6. Members further agreed that the following items should be included in the list of outstanding items for discussion: (a) Initiatives under the purview of Home Affairs Bureau ("HAB") in the Framework Agreement on Hong Kong/Guangdong Co-operation (as proposed by the Deputy Chairman); (b) manpower support for District Offices to promote district administration and building management (as proposed by Mr WONG Kwok-hing and Mr CHEUNG Kwok-che); and (c) bidding for hosting the 2019 Asian Games (as proposed by the Deputy Chairman). Mr WONG Sing-chi requested the Administration to provide a written response on measures to combat football betting among young people during the 2010 FIFA World Cup.

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(Post-meeting note: An information paper on the implementation of measures to combat gambling-related problems during the World Cup provided by the Administration was issued to members vide LC Paper No. CB(2)1731/09-10 on 7 June 2010)

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IV. Female participation in Village Representative Elections
[LC Paper Nos. CB(2)1229/09-10(01), 1497/09-10(01) and (02)]

7. Deputy Director of Home Affairs (1) ("DDHA(1)") briefed members on the women participation rates in the past Village Representative ("VR") elections and measures to encourage female participation in the 2011 VR election as set out in the Administration's paper.

Women participation in VR elections

8. Mr CHEUNG Man-kwong expressed dissatisfaction that of the 1 320 VRs in 2007, only 28 (i.e. 2%) were women. He said that the low representation rate of women in rural matters was one of the many examples to illustrate that women were being ignored in the participation in rural public affairs. He further considered that the Administration should take the lead in formulating policy to promote gender equality in the participation of public affairs. Pointing out that among the 384 Advisory and Statutory Bodies ("ASBs") with Government appointed non-official members, 213 had a women's participation rate of less than 30%, and 40 of these 213 ASBs had no women appointees at all, Mr CHEUNG considered the situation highly unsatisfactory and urged the Administration to draw up a timeframe to raise progressively the gender benchmark target for all ASBs to at least 30% (viz. the minimum acceptable level). He said that these initiatives would demonstrate the government's commitment in promoting women participation in social and public affairs, including VR elections.

9. DDHA(1) said that the Government was always committed to promoting the well-being and interest of women in Hong Kong to ensure that women could enjoy equal opportunities as men in various aspects including the political, economic and social arenas. To facilitate women's participation in public affairs, the Administration had issued internal guidelines to bureaux and departments promulgating raising of the gender benchmark target for participation in ASBs from 25% to 30% with effect from June 2010. DDHA(1) further explained that in making appointments to ASBs, the Government aimed to secure the services of the most suitable persons for the ASBs concerned, taking into account a host of factors including the candidate's ability, expertise, experience, integrity and commitment to public service, the functions and nature of business of the ASBs concerned, etc.

10. Regarding the timeframe for attaining the 30% gender benchmark for all ASBs, DDHA(1) stressed that the Government's goal was to appoint more women to ASBs and attain the 30% benchmark, where appropriate, as soon as practicable. In working towards this target, the Administration would endeavour to balance the considerations for enhancing women participation and securing the most suitable persons for the appointment. This would be an ongoing but gradual process, particularly for ASBs currently with relatively low female participation rates.

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11. Mr CHEUNG Man-kwong considered that the appointment by merit principle was neither a reasonable nor convincing explanation for under-representation of women in ASBs, particularly in the case of the Board of Directors of the Widows and Orphans Pension Scheme to which the Government had not appointed any female members. Mr CHEUNG expressed dissatisfaction that the principle was used as a pretext to cover up the Government's insensitivity towards the issue. Ms Emily LAU shared similar views. DDHA(1) clarified that it was not her intention to draw any correlation between the merit-based appointment system and the low women participation rates in ASBs.

12. Ms Emily LAU stressed that the absence of a strong representation of women in rural matters had put women, although being willing and able, in a disadvantageous position in the running of rural affairs. She strongly urged the Administration and Heung Yee Kuk ("HYK") to take into consideration the gender mainstreaming concept to ensure gender equality in rural affairs, and to put in place measures to promote equal opportunities for both genders in VR elections. Ms LAU also criticized the Administration for failing to set a good example in the promotion of women participation in public affairs, as illustrated by the absence of women among the appointed members in a number of District Councils. She was unconvinced that no female candidates could meet the requirements for appointment to these ASBs.

13. DDHA(1) said that for the provision of an enabling environment to promote gender equality, the Government had, with the assistance of the Women's Commission, implemented gender mainstreaming and applied the Gender Mainstreaming Checklist to various policy areas. The Checklist was designed to assist government officers in incorporating, in a more systematic way, the gender perspectives in the policy formulation and programme development processes, so that the two genders would have equitable access to, and benefit from, society's resources and opportunities. The Government would continue to introduce the use of the Checklist and apply the gender mainstreaming concept to more policy areas on an incremental basis.

14. On women participation in VR elections, DDHA(1) said that many rural women preferred voluntary/community work to public elections on account of their time, priority, ability and aspiration. These women had taken pride in their contributions to the community which in every respect were no less significant than those of a VR. She said that while government publicity on elections was always gender neutral and intended to encourage both sexes to participate, whether a person would run in a public election was entirely his or her personal choice. She said the promotion of women participation in public elections was an on-going process. While working through this process, equal emphasis needed to be placed on encouraging and facilitating women's involvement in more community services/district work, in order to build the needed basis for their participation in public affairs or politics in the future.

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Measures to enhance women participation in VR elections

15. Mr WONG Sing-chi said that despite the seemingly impressive statistics on the number of female voters, the goal of gender equality was far from being accomplished in rural society where male had been playing a dominating role, particularly in rural election matters. He called for long-term government efforts in promoting the status of rural women and their full participation in rural/social affairs, and suggested that the Administration might consider enlisting the assistance of non-governmental organisations in this regard. Mr WONG Kwok-hing enquired about specific measures aiming at boosting women participation in the forthcoming VR elections and whether the Administration had studied rural practices and values that might have hindered female participation in rural elections.

16. DDHA(1) advised that publicity campaign would be organised from the end of May 2010 to around mid-July 2010 to encourage eligible persons of both genders to register as voters in the VR elections to be held around January 2011. In addition, the Home Affairs Department ("HAD") and its District Offices would issue appeal letters to rural committees and women groups in the New Territories. Before the nomination for the election, HAD would issue an appeal letter to the HYK to highlight the importance of equal opportunities for both genders. The Administration had also planned to advertise on TV during hours that might attract more female viewers. DDHA(1) added that the Administration would exercise due caution in the publicity work to avoid giving the impression that women were socially disadvantaged, a concern also shared by the rural women groups. As a long-term initiative, the Administration would step up efforts in encouraging women's participation in community/district affairs a view to enriching their experience and building their confidence in public elections.

17. Mrs Sophie LEUNG suggested that the Administration should encourage HYK (including the rural committees) to use and apply the Gender Mainstreaming Checklist to promote gender equality in their respective areas of work, publicize the Capacity Building Mileage Programme to rural women to address their learning needs, and broaden the network of Gender Focal Points to further promote the awareness of the gender mainstreaming concept across the civil service. DDHA(1) undertook to follow up on Mrs LEUNG's suggestions.

18. At the suggestion of Ms Emily LAU, members agreed that the Panel should visit the New Territories so that members could exchange views with the rural community, such as women VRs and women groups, on women participation in rural affairs and related issues. Members further agreed that non-Panel members should also be invited to join the visit. At the request of the Chairman, DDHA(1) undertook to coordinate the arrangements for the visit.

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(*Post-meeting note*: A visit to the rural community had been arranged on 5 July 2010)

V. Strengthening the arts and cultural software of Hong Kong and proposed capital injection into the Arts and Sport Development Fund

[LC Paper Nos. CB(2)1497/09-10(03), (04), (08) and (09)]

19. SHA briefed members on: (a) the Administration's initiatives in strengthening the cultural software through arts programme development, manpower training, promotion of arts education, audience building and cultural exchange; and (b) the proposal for a capital injection of \$3 billion into the Arts and Sport Development Fund ("ASDF") in the 2010-2011 financial year, as set out in the Administration's papers on the respective subjects.

Strengthening the arts and cultural software of Hong Kong

Arts education

20. Mr CHEUNG Man-kwong enquired about the government policy to support students with artistic talents to enjoy arts performances for free or at concessionary rates. Mrs Sophie LEUNG highlighted the need to cater for the interest of young people in the development of arts and sports programmes with a view to promoting their participation, as this was essential for the sustainable development of the arts and sports sectors. She further suggested that subvented arts groups should be required to take part in outreach educational activities, such as pre-performance and post-performance briefings on the history and culture associated with their respective art forms, to broaden the perspectives of the public (especially students) in arts appreciation.

21. SHA said that the Government had been focusing on the nurturing of young athletes in sports development. As for arts and cultural development, the overriding principle was to promote artistic autonomy of arts groups for all art forms, including arts programmes catering for the needs of young people.

22. Director of Leisure and Cultural Service ("DLCS") informed members of the government's initiatives to promote the arts to young people through the collaborative efforts of the Leisure and Cultural Services Department ("LCSD"), the Education Bureau and arts groups. These included the offer of concessionary tickets to students for arts programmes by the various arts groups; the introduction of "A Journey on Learning the Arts for Senior Secondary Students Scheme" to support students' participation in arts activities and performances for free outside the classroom setting; the requirement for subvented arts groups to organise outreach educational activities to enhance the public's understanding of their respective art forms; the organization of the International Arts Carnival for the participation of primary/secondary students and their families during the schools' summer

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break; and the implementation of a trial scheme for the distribution of unsold tickets to students for arts programmes staged in the New Territories. At the request of Mr CHEUNG Man-kwong, the Administration agreed to provide information on student tickets provided by subvented arts groups in the past year, including the number and percentage of these tickets vis-à-vis the total tickets available for the respective programmes.

23. In response to the Chairman's enquiry about the promotion of arts education to university students, Deputy Secretary for Home Affairs (3) ("DSHA(3)") pointed out that arts education was brought to university students mainly through their direct participation in various arts programmes. For example, arts students from local universities were invited to present their artworks in large-scale community arts projects such as the "Budding Winter". For students of other streams of studies, they might develop their interest in arts through participation in general studies courses and arts activities.

Funding mechanism

24. The Chairman enquired about the objectives of the consultancy study on funding for the performing arts, and its implications on the future subventions to performing arts groups. DSHA(3) responded that HAB currently provided subvention to nine major performing arts groups ("MPAGS"). A consultancy study had been commissioned to review the funding mechanism for performing arts to ensure the prudent use of public funds in a sustainable manner, to study the feasibility of introducing an "entry and exit" mechanism and providing a progression ladder for the performing arts sector for its flexible development, and to recommend what performing arts forms should fall within the subvention mechanism, by making reference to overseas practices. The Administration would, in consultation with the Funding Committee for the Performing Arts, monitor the details and progress of the study which was scheduled for completion in 2011. The level of subvention for performing arts groups in future would be determined taking into account the outcome of the study on the new funding mechanism.

25. Mr CHEUNG Man-kwong suggested that an adjustment mechanism (by way of a formula) should be introduced to regulate the level of annual subvention to MPAGs. Under the formula, the sum of the ticket proceeds and donations for the respective MPAGs should attain a minimum level as deemed reasonable and realistic by the MPAG concerned. Where a MPAG had failed to attain this target over a prescribed period (say two years), consideration should be given to reducing the subvention to the MPAG concerned or reallocating the resources to new arts groups with good artistic potentials. In view of the successful implementation of a Matching Fund Scheme in the local degree-awarding institutions, Mr CHEUNG further suggested the introduction of a similar scheme to small and medium-sized arts groups, under which the government should match the donations or a certain portion of ticket proceeds secured by the arts groups concerned. He considered that the proposal would

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provide incentive for these arts groups to strengthen their fund-raising capability and ability for audience building. Mrs Sophie LEUNG shared similar views.

26. SHA expressed reservation about the suitability of regulating the funding support for artistic performances based solely on the market mechanism as suggested by Mr CHEUNG, considering that some forms of art might not be widely popular. However, he agreed that the proposal could be further studied in the context of the consultancy study to review the funding mechanism for performing arts.

Injection of fund into the ASDF

Support for persons with disabilities

27. Mr CHEUNG Kwok-che stressed that the participation of persons with disabilities ("PWDs") in the arts and sport should be considered in the context of the overall policy for arts and sport development rather than as welfare initiatives. He considered that the Administration should attach more weight to the development of inclusive arts and sport for disabled athletes, particularly in the light of the latter's impressive performance in international sports games. He requested the Administration to dedicate a fixed percentage of the ASDF to support the sustainable development of disabled artists and athletes.

28. SHA assured members that the Government attached much importance to the participation of PWDs in the arts and sports, as evidenced by the funding support given to inclusive arts programmes over the years. Moreover, several inclusive arts programmes were among the award winning performances in the Hong Kong Arts Development Award 2009. On the sports front, disabled athletes were invited to be represented in the Sports Commission, which advised the Government on all matters pertaining to sports development, and the incentive scheme for elite disabled athletes had also been enriched. SHA considered that the established mechanism was effective in promoting the arts and sports development of PWDs. Deputy Secretary for Home Affairs (2) assured members that the initiatives proposed under the sports portion of the ASDF applied equally to disabled athletes.

Admin 29. At the request of Mr CHEUNG Kwok-che, the Administration agreed to provide: (a) the membership list of the advisory committee to be established to advise SHA on the apportionment of funds from the arts portion of the ASDF; (b) the estimated amount of the remainder of the arts portion of the ASDF to be used to fund arts and cultural projects initiated by individuals or organisations; and (c) the support provided to arts and sports programmes for PWDs through the ASDF in the past five years, including the amount of subsidies and the beneficiary organisations.

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(*Post-meeting note*: Supplementary information as requested by member in paragraph 29 was circulated to members vide LC Paper No. CB(2)1908/09-10 on 24 June 2010)

Use of ASDF capital base

30. Referring to the proposal for SHA to authorise the use of part of the ASDF's \$3 billion capital base if the investment return in a particular year and the accumulated surplus was inadequate to meet the funding needs, the Chairman enquired whether such an authorization would be capped at a certain ceiling.

31. SHA explained that the key concept of the proposed capital injection to the ASDF was to provide sustainable additional resources for subsidising the long-term development of the arts, culture and sports, on the premise of a 4% to 5% annual return on the seed capital in the long run. However, to allow flexibility for worthwhile or time-critical arts and sports projects to be supported in times of high market volatility, SHA would be allowed to authorise the use of part of the capital base if the investment return in a particular year and the accumulated surplus were inadequate to meet the funding needs. This would ensure sustained efforts to promote sport, culture and the arts would not be disrupted by short-term fluctuation in the investment markets. Given these considerations, it might not be appropriate to impose a ceiling on the capital funds to be disbursed.

32. Assistant Director of Accounting Services (Provident Funds) supplemented that the investment guideline of the ASDF was based on a prudent and conservative principle, and the current investments included fixed deposits and bonds. The future investment strategy and mix for the fund would aim to minimize risk exposure, preserve capital, and generate investment returns to provide additional and sustainable resources to support the arts and sports programmes. Based on the assumption of an average annual investment return rate of 4 to 5% in the long run, the seed capital might generate around \$120 to \$150 million of annual investment income to be shared between the arts and sports portions.

33. The Chairman concluded that the Panel in general supported the proposed capital injection to ASDF, and the submission of the funding proposal to the Finance Committee for consideration.

VI. Construction of an annex building for the Ko Shan Theatre and injection of fund into the Cantonese Opera Development Fund
[LC Paper Nos. CB(2)1497/09-10(05), (06) and (07)]

34. SHA briefed members of the Administration's proposals for: (a) the provision of \$683.2 million in money-of-the-day prices for the construction of

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an annex building at the Ko Shan Theatre ("KST") to complement the existing facilities at KST for supporting and promoting Cantonese opera in the community; and (b) the injection of \$69 million into the Cantonese Opera Development Fund ("CODF") to further support more Cantonese opera preservation, promotion and development projects, as set out in the Administration's papers on the respective subjects.

35. The Chairman said that the Panel had conducted a site visit at the KST and the Yau Ma Tei Xiqu Activity Centre ("XAC") on 7 May 2010. Members in general supported the construction of the annex building at KST, but considered that the Administration should highlight the distinctive characteristics of Cantonese opera in the design of the building, and ensure the adequate provision of toilet compartments in the proposed venue.

36. Mr CHEUNG Kwok-che said that for the sustainable development of Cantonese opera, the Administration should strengthen the promotion of Cantonese opera to young people. He enquired about the support provided under CODF for cultivating students' interest in Cantonese opera, and training of talented students into a new generation of composers, scriptwriters and playwrights for this traditional art form. He also asked to be informed of the provision of facilities in the proposed annex building to accommodate the performances by young children and students, for instance, the loaning of costume sets for staging Cantonese opera performances.

37. DSHA(3) advised that for the promotion of Cantonese opera among students, the CODF had sponsored over 80 touring performances in primary and secondary schools, many of which were complemented with guided appreciation activities. It also supported visits for students to watch Cantonese operas at bamboo theatres to enhance their appreciation of this art form, and sponsored university scholars in organising Cantonese opera educational/promotional programmes including translating and elucidating opera scripts to promote students' understanding of the plays.

38. Regarding the supporting facilities for students in KST, DLCS said that at the request of the Cantonese opera sector, the new annex building would include amongst others large-scale rehearsal rooms which might be used by students for trial performances. For more formal activities such as debut performances, students might use the 300-seat theatre in the XAC. DLCS undertook to consider the provision of children costumes loaning service at KST and XAC.

39. The Chairman concluded that members were supportive of the Administration's proposals, and their views would be conveyed to the Public Works Subcommittee and/or the Finance Committee for consideration as appropriate.

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VII. Any other business

40. Members supported the proposal for the Panel to undertake a duty visit to study the experience relating to the development of cultural software and preservation and promotion of Intangible Cultural Heritage in Japan and the Republic of Korea. Members agreed that subject to the confirmation with the receiving organisations, the visit should be conducted from 4 to 11 August 2010. They further agreed that the visit should be open to non-Panel members.

41. The meeting ended at 10:30 am.

Council Business Division 2
Legislative Council Secretariat
6 July 2010