

立法會
Legislative Council

LC Paper No. CB(2) 2213 /09-10
(These minutes have been seen
by the Administration)

Ref : CB2/PL/HA

Panel on Home Affairs

Minutes of meeting
held on Friday, 11 June 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 WONG Yung-kan, SBS, JP
Hon Emily LAU Wai-hing, JP
Hon WONG Kwok-hing, MH
Hon CHEUNG Hok-ming, GBS, JP
Prof Hon Patrick LAU Sau-shing, SBS, JP
Hon Cyd HO Sau-lan
Dr Hon LAM Tai-fai, BBS, JP
Hon CHAN Hak-kan
Hon CHEUNG Kwok-che
Hon WONG Sing-chi
Hon Paul TSE Wai-chun
Hon Tanya CHAN

Members absent : Hon Timothy FOK Tsun-ting, GBS, JP
Hon WONG Yuk-man

Public Officers attending : Item IV
Home Affairs Bureau

Ms Grace LUI, JP
Deputy Secretary for Home Affairs (1)

Ms Christine CHOW
Principal Assistant Secretary for Home Affairs
(Civic Affairs)2

Social Welfare Department

Mr NG Wai-kuen
Chief Social Security Officer
(Social Security)1

Item V

Home Affairs Bureau

Mr Benjamin MOK
Deputy Secretary for Home Affairs (2)
(Acting)

Leisure & Cultural Services Department

Mr Bobby CHENG
Deputy Director of Leisure & Cultural
Services (Leisure Services)

Mr Paul CHEUNG
Assistant Director of Leisure & Cultural
Services (Leisure Services) 1

Item VI

Home Affairs Bureau

Ms Grace LUI, JP
Deputy Secretary for Home Affairs (1)

Miss Winnie TSE
Principal Assistant Secretary for Home
Affairs (Civic Affairs) 3

Item VII

Home Affairs Bureau

Mr TSANG Tak-sing, JP
Secretary for Home Affairs

Home Affairs Department

Ms Sharon HO Ho-shuen, JP
Assistant Director of Home Affairs (4)

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 Cerry YU
Legislative Assistant (2)2

Miss Monique TSEUNG
Clerical Assistant (2)2

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I. Confirmation of minutes

[LC Paper No. CB(2)1673/09-10]

The minutes of the meetings held on 9 April 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)1638/09-10(01) -- Two letters from Hon IP Kwok-him to the Secretary for Home Affairs ("SHA") (in the capacity of LegCo Member of the District Councils ("DC") functional constituency) expressing views on the role and functions of DCs and other DC-related matters

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- LC Paper No. CB(2)1638/09-10(02) -- Letter from the Power for Democracy to SHA and Secretary for Constitutional and Mainland Affairs expressing views on the role and functions of DCs and other DC-related matters
- LC Paper No. CB(2)1659/09-10(01) -- Written submission from the Hong Kong and Kowloon Life Guards' Union
&
LC Paper No. CB(2)1659/09-10(02) raising concern about the Leisure and Cultural Services Department's ("LCSD") outsourcing arrangement for the swimming pools at Island East Sports Centre and Tai Kok Tsui Sports Centre and the written response provided by the Administration
- LC Paper No. CB(2)1660/09-10(01) -- Written submission from the Hong Kong and Kowloon Life Guards' Union
&
LC Paper No. CB(2)1660/09-10(02) expressing concern about the installation of closed circuit television cameras by LCSD at public swimming pool complexes under the Department's management and the written response provided by the Administration
- LC Paper No. CB(2)1731/09-10(01) -- Information on the implementation of measures to combat gambling-related problems during the World Cup provided by the Administration
- LC Paper No. CB(2)1772/09-10(01) Report on the Youth Summit 2010 provided by the Administration

III. Items for discussion at the next meeting

[Appendix I and II to LC Paper No. CB(2)1725/09-10]

The next regular meeting

3. Members agreed that the next regular meeting on 9 July 2010 should be extended to three hours for the discussion of: (a) Implementation of recommendations of the 2006 DC Review and other DC-related issues under the purview of the Home Affairs Department ("HAD"); and (b) Redevelopment of

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the Hong Kong Sports Institute. On the suggestion of Ms Emily LAU, members further agreed that the Administration should be requested to provide the relevant discussion paper on item (a) to the Secretariat as soon as possible, so that it could be made available for the reference of the 18 DCs before the next regular meeting.

Clerk

(Post-meeting notes: At the request of the Administration and with the concurrence of the Chairman, the item entitled "The Role of HAD in dealing with disputes under the Building Management Ordinance (Cap. 344) and the regulation of property management companies" was subsequently added to the agenda for the next meeting. The 18 DCs were informed of the availability of the discussion paper on 5 July 2010.)

Other issues

4. The Deputy Chairman considered that the Administration should be requested to brief the Panel on the Government's plan to bid for the host of the Asian Games.

Clerk

(Post-meeting notes: The Legislative Council Brief on "Support to Bid for the host of Asian Games" provided by the Administration was issued to all Members on 25 June 2010.)

5. Members agreed to fix in due course a date for discussion of the item "Monitoring of unlicensed hotels and guesthouses" as suggested by Mr Paul TSE. In relation to the duty visit to the rural community on 5 July 2010, members agreed that to facilitate discussion, questions to be raised during the visit should be forwarded to the relevant parties in advance via the Secretariat.

Clerk

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

[LC Paper Nos. CB(2)1725/09-10(01) and (02)]

6. Deputy Secretary for Home Affairs (1) ("DSHA(1)") said that the Administration had reconsidered members' suggestion for setting up an intermediary body for enforcement of maintenance orders, taking into account the problems encountered by maintenance payees, but did not find it justifiable to pursue the option. She explained that the main problem faced by maintenance payees remained the evasion of the maintenance payers from compliance with the judgment summons, for which additional protection to payees could not be provided by an intermediary body per se. Moreover, the existence of an intermediary body would not make any difference for cases where the maintenance payers did not have the ability to pay or simply did not wish to pay.

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Neither could it address members' concern regarding the inadequate amount of financial support to maintenance payees, as such an amount was decided by the court with regard to the specific circumstances of individual cases. DSHA(1) also briefed members on the administrative and legislative measures to facilitate maintenance payees' collection of maintenance payment as set out in the Administration's paper.

Statistics relating to maintenance payments

7. Mr WONG Kwok-hing considered that the statistics relating to enforcement of maintenance orders provided by the Judiciary had failed to shed any light on the magnitude of the problems in maintenance arrears and whether the existing system was effective in enforcing maintenance orders. He urged the Administration to conduct more in-depth research and analysis on the issue with a view to identifying viable solutions to assist maintenance payees who were not able to receive payments, in particular single mothers and divorcees of cross-border marriages, many of whom were in desperate situations.

8. Principal Assistant Secretary for Home Affairs (Civic Affairs)2 said that the Census and Statistics Department was currently conducting a survey on the enforcement of maintenance orders, which should provide some indicative statistics on the issue. At the request of the Chairman, the Administration undertook to revert to the Panel on the outcome of the survey when available.

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Enforcement of maintenance orders

9. Ms Cdy HO reiterated her concern about the torment encountered by maintenance payees, particularly victims of family violence, in collecting the payments from their ex-spouses. She suggested that the Administration should approach the maintenance payees directly in order to have a better grasp of their problems and needs. For the effective enforcement of maintenance orders, she considered that measures to secure the payers' attendance at court hearings were of primary importance. She further suggested that the Administration should compare the cost for setting up an intermediary body and implementing the proposed imprisonment order against maintenance payers evading service of the judgment summons. Referring to the Administration's proposal to introduce legislative amendments to facilitate the collection of maintenance payments, Ms HO considered that public hearings should be conducted to solicit views of the relevant parties before drafting the proposals.

10. DSHA(1) advised that the Administration had gauged the views of LegCo Members and studied relevant cases involving cross-border marriages /families in its examination of various issues relating to enforcement of maintenance orders. It would continue to strengthen the communication with the relevant groups to listen to their views. To facilitate the tracking of maintenance payers against whom legal action would be taken to sue for arrears in maintenance, the Administration had solicited the assistance of the Law Society

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of Hong Kong in informing its members that they could request the Immigration Department, Transport Department and Housing Department to search their records for addresses.

11. DSHA(1) further advised that having regard to the views of the public on ways to streamline the court procedures to combat the problem of maintenance payers evading the judgment summons, the Administration would expedite the preparation of the legislative amendments with a view to: (a) clarifying that the Court, on hearing a judgment summons, might order payment of maintenance arrears accruing after the application for issue of the judgment summons up to the date of the order; (b) relaxing the service requirements for the judgment summons to be served personally on the maintenance payers; and (c) empowering the Court to make an order for the arrest of the maintenance payer pending examination, an order prohibiting him/her from leaving Hong Kong, and an order that he/she be imprisoned until the resumption of the adjourned judgment summons hearing so as to ensure the appearance of the maintenance payer at the resumption of the examination.

12. Mr WONG Sing-chi stressed that there was a genuine need to empower an intermediary body to collect maintenance payments and enforce maintenance orders, particularly for cases where the maintenance payees were victims of domestic violence. In his view, such a body would alleviate the burden of the receiving party in handling the cumbersome legal procedures in recovering the arrears, and most importantly, obviate the need for them to collect the payments directly from their ex-spouses. He urged the Administration to adopt a more compassionate attitude in addressing the desperate situations of maintenance payees. He further enquired about the timeframe for the Administration to introduce the legislative measures proposed in the Administration's paper.

13. DSHA(1) said that the proposal for the setting up of an intermediary body had been studied and deliberated at great length over the years, and the Administration had concluded that the option would unlikely bring to either maintenance payees or taxpayers any significant benefits over and above those which could be achieved by improving the existing system. The Home Affairs Bureau ("HAB") was planning to consult the legal professional on the proposed legislative amendments in the 4th quarter of 2010. Members agreed that public hearings should be conducted to listen to the views of deputations when the legislative proposals were presented to the Legislative Council.

14. Mr CHEUNG Kwok-che said that many maintenance payees were deterred by the cumbersome legal procedures for collecting maintenance arrears, and had resorted to Comprehensive Social Security Assistance ("CSSA") to tide over the financial hardships. He urged the Administration to consider the feasibility of advancing maintenance payments to the payees, and enhance its efforts in assisting the maintenance payers to recover the arrears with a view to offsetting the CSSA so incurred. As an alternative option to an intermediary body, Mr CHEUNG suggested that Administration should enlist the service of a

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non-governmental organisation or set up a dedicated department to coordinate the legal procedures and various forms of assistance to maintenance payees in the course of recovering the arrears. Ms Cyd HO expressed support for Mr CHEUNG's suggestion.

15. DSHA(1) said that the notion for an intermediary body to advance the payments to maintenance payees was questionable, as taxpayers would have to shoulder the financial responsibility of the maintenance payers in case the intermediary body was not able to recover all arrears from the maintenance payers. Moreover, in the study of overseas experience, the Administration found that the main purpose of an intermediary body was to ensure the proper maintenance of children of the divorced couples. Where advance payments were arranged, they would generally be capped at a ceiling and granted for the purpose of supporting the basic needs of the maintenance payees. In the case of Hong Kong, the CSSA Scheme already served as a safety net for eligible applicants (including maintenance payees who could not receive their payments) to support their basic needs, and legal aid was available to those who were involved in court proceedings related to maintenance orders, subject to the applicants satisfying an income and assets test. The Administration would endeavour to enhance the provision of free legal advice to maintenance payees by widening the scope of the relevant schemes.

Related issues

16. Mr Paul TSE expressed support for the proposed legislative measures to facilitate the streamlining of the relevant court procedures in relation to judgment summons, which in his view should help the enforcement of maintenance orders in cases where the payers were able to pay. He also highlighted the need for the Administration to tackle the problem of maintenance payments from a macro perspective, which involved fundamental social and welfare issues arising from the increasing number of cross-border marriages/families.

17. DSHA(1) said that the Administration would take heed of views expressed on various issues relating to Mainland-Hong Kong families, and formulate appropriate policy to address the problems so arising.

V. Regulating of karting facilities

[LC Paper Nos. CB(2)1166/09-10(01), CB(2)1725/09-10(03) and (04)]

18. Deputy Secretary for Home Affairs (2) (Acting) ("DSHA(2)") briefed members on the regulation of karting in Hong Kong, and updated members on recent steps taken by the Administration and the Hong Kong Kart Club ("HKKC") to improve karting safety in Hong Kong as set out in the discussion papers.

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Monitoring and inspection

19. Mr WONG Sing-chi pointed out that notwithstanding the existence of safety guidelines, the lack of Government monitoring and enforcement had rendered karting a highly risky sport, as evidenced in the tragic accident resulting from the death of a youth in February 2010. He stressed that HAB and LCSD should play a more proactive role over the issue. Mr WONG Kwok-hing expressed concern about the potential conflict of interest for HKKC to play a dual role in devising the manual for improving the safety of karting on the one hand, and ensuring the implementation of the guidelines on the other.

20. DSHA(2) explained that under the existing regulatory regime, HKKC as the national sports association ("NSA") of the sport of karting, was responsible for the management and development of karting in accordance with the recognized codes and standards promulgated by the Commission Internationale de Karting ("CIK"), the international federation for karting. On the operation of the Diamond Coast International Kart Circuit at Lung Kwu Tan ("the Circuit"). DSHA(2) advised that the Circuit, which was situated largely on private land, was developed and operated by the Hong Kong Kartingsport Association Limited ("HKKAL"), a member club of the HKKC. Since 2006, the Administration had granted the government land adjacent to HKKAL by way of short term tenancy ("STT") under which HKKAL was required, inter alia, to obtain all licences and permissions required and comply with all relevant ordinances and regulations under the Laws of Hong Kong when operating a kart track, and to engage the governing body for the sport to monitor the kart track to ensure that the track would be operated in full compliance with the relevant sports codes and standing regulations.

21. With regard to the condition requiring compliance with the Laws of Hong Kong, the then Secretary for the Environment, Transport and Works, in exercise of the power conferred under section 116 of the Road Traffic Ordinance (Cap. 374) ("RTO") approved the temporary exclusion of the private roads at the Circuit from Part XIII of the RTO from 18 May 2007 to 31 July 2008, thus allowing karting activities to be conducted. The temporary exclusion was renewed by the Secretary for Transport and Housing on 1 August 2008 for the period up to 31 July 2011.

22. Deputy Director of Leisure & Cultural Services (Leisure Services) ("DDL") advised that in accordance with the condition in the STT, HKKAL had engaged the HKKC to monitor the operation of the Circuit. HKKC had issued the kart track operation manual and the scheme of control with which HKKAL had to comply. Since the opening of the Circuit, HKKC had conducted 34 monthly inspections of the Circuit and submitted inspection reports to LCSD. LCSD had examined the reports in detail and monitored closely the implementation of the improvement recommendations put forward by HKKC, including the conduct of site visit on a need basis. HKKAL, as the operator of the Circuit, was also required to submit reports to LCSD and HKKC on any

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accidents that happened at the Circuit which required hospitalization or medical treatment of persons.

23. In response to Mr CHEUNG Hok-ming's enquiry about the implementation of the recommendations made in the inspection reports, DSHA(2) said that among the 34 inspections conducted by HKKC, minor areas for operational improvements were identified during seven inspections. Improvements were proposed and implemented and no further follow-up action was considered necessary.

Exclusion clause and STT

24. Mr WONG Sing-chi reiterated his concern about the Administration's lack of action to address the safety concern about high speed sports, despite the reoccurrence of accidents in these sports over the years. He queried the basis for the Transport and Housing Bureau to approve the temporary exclusion clause for HKKAL, in the absence of a more stringent supervision and monitoring mechanism on the operation of the Circuit. The Deputy Chairman enquired about the penalty for failure to meet the conditions of STT.

25. DSHA(2) advised that the temporary exclusion was granted by the Secretary for Transport and Housing upon HAB's assessment that suitable safety measures had been implemented by the operator concerned in accordance with the requirement of the STT. DDLS added that by the same token, should HKKC fail to ensure the compliance of the kart track with the relevant safety regulations and operation guidelines, the Administration could request the Lands Department to terminate the STT in accordance with the provision in the land lease. At the request of the Deputy Chairman, the Administration agreed to provide members with further information on the terms and conditions of the STT.

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Re-opening of the Circuit

26. Mr CHEUNG Hok-ming declared that he had no vested interest in the HKKAL, and enquired about the timeframe for the re-opening of the Circuit, which was the only karting facility in Hong Kong. Mrs Sophie LEUNG considered that there should be two separate sets of guidelines, one for professional karters who were familiar with karting and the other for the general public who participated in the sport as leisure activities. She further suggested that the Circuit could be open first to professional karters such as HKKC members, and then to the general public after the relevant safety manual and measures were fully in place.

27. DSHA(2) said that public safety was the Government's utmost concern in considering the re-opening of the Circuit. To ensure that the operation of the Circuit was up to the highest possible safety standard, the Administration had requested HKKC to engage an independent expert, preferably a representative

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from or nominated by the CIK, to review its proposed improved safety measures for the Circuit. The Administration had further suggested that HKKC should compile a comprehensive safety manual for karting activities that was in line with the standards for leisure karting safety promulgated by the CIK. Pending HKKC's finalization of the safety manual and its assurance that the procedures contained therein would be strictly observed at all times, the Circuit would remain closed.

28. Mr WONG Sing-chi and the Deputy Chairman expressed support for the closure of the Circuit until all safety measures were fully implemented. The Deputy Chairman enquired whether HKKC had any difficulty in engaging an international expert from CIK to conduct the independent review, and whether the Administration would strengthen the inspection of the Circuit after its re-opening.

29. DSHA(2) said that the Administration would endeavour to ensure that HKKC would bring in an expert from CIK to review the proposed safety measures, although HKKC had indicated some difficulty in doing so. DDL further advised that LCSD would review the need to strengthen the inspection of the Circuit, taking into account the recommendations of the Police's investigation, expected to be completed in about six months, on the fatal incident.

30. Mr WONG Yung-kan enquired about the feasibility for the Administration to devise guidelines for the regulation of karting. DSHA(2) explained that CIK, being the international governing body for karting, would promulgate professional guidelines and regulations on the sport for the compliance of HKKC, the NSA for karting. The Government would respect the autonomy of individual NSAs as regards the management and development of their respective sports, including formulation of the relevant guidelines.

Future regulatory regime

31. Mr James TO opined that as karting was practised by many amateurs as a recreational pastime, and in view of the high risk involved, there was no question about the Administration's responsibility in ensuring the safety of the public taking part in the sport. Mr WONG Sing-chi considered that the Administration should introduce more effective measures, such as enacting legislation or introducing a licensing regime, to ensure the safety of the participants concerned. He further suggested that the Electrical and Mechanical Services Department should conduct regular inspection of the karting facilities, and HAB be empowered to coordinate the enforcement work of the relevant departments.

32. DSHA(2) explained that the development of sports in Hong Kong was based primarily on the Olympic Charter, which provided that International Federations ("IF") should maintain their independence and autonomy in the

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administration of their respective sports. This principle applied also to the management of the karting sport.

Related issues

33. Mr WONG Yung-kan expressed concern on the lack of regulation for water sports and recreational activities, such as water skiing and speedboating, which were as risky as karting. DSHA(2) explained that water sports or recreational activities at public beaches or swimming pools were regulated by safety measures devised by LCSD, whereas those taken place in other Hong Kong waters were regulated by the Marine Department in accordance with the relevant provisions under the Hong Kong Shipping Ordinances.

34. The Chairman concluded that as karting was both a sport and a form of leisure activity, the Administration should ensure the safety of the karters and amateurs taking part in the sport.

VI. Regulating of internet cafes

[LC Paper Nos. CB(2)1725/09-10(05) and (06)]

35. DSHA(1) briefed members on the current regulation on Internet Computer Services Centres ("ICSCs") as set out in the discussion paper. She said that to address the main concerns of the public and the trade and to facilitate ICSC operators to comply with the relevant laws, HAB had issued the "Code of Practice for Internet Computers Operators" ("Code of Practice") containing essential regulatory elements for voluntary compliance by ICSC operators. She said that the Government had no plan to revise the existing regulatory mechanism at the present stage, as the diverse mode of operation of ICSCs had rendered it difficult if not impossible to define ICSCs for the purpose of introducing new regulations for ICSCs. Moreover, different departments would regulate the different aspects of operation of ICSCs under different legislation.

Effectiveness of the existing mode of regulation

36. Mr WONG Kwok-hing expressed strong dissatisfaction about the reluctance of the Administration to introduce a licensing regime to regulate the operation of ICSCs, which in his view had become the hotbed of vice and triad activities and the breeding ground of many youth problems. He considered that a mandatory licensing system would be most effective to monitor the operation of ICSCs and combat these problems, and urged the Administration to take immediate action before the situation deteriorated.

37. Mr WONG Sing-chi opined that as most people could have convenient internet access at home and in offices, most ICSCs had become establishments providing entertainment through the internet. The regulation of ICSCs merely by way of the Code of Practice, which was not legally binding on ICSC

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operators, was inadequate to cope with the various problems and hazards associated with their current mode of operation. Mr WONG called for the introduction of a licensing system for more stringent regulation of the trade.

38. The Deputy Chairman queried the reasons for not introducing a licensing regime for ICSCs as in the case of Amusement Game Centres ("AGCs"), given the similar nature and mode of operation of ICSCs and AGCs. He considered that the Administration should establish a licensing regime for ICSCs by making reference to the licensing conditions for AGCs, such as prohibiting the establishment of AGCs within a radius of 100 meters from any educational institution. Mr CHAN Hak-kan and Miss Tanya CHAN shared similar views.

39. DSHA(1) explained that during the public consultation on the possible regulatory options for ICSCs in 2002, the vast majority of the public preferred a more business-friendly notification system rather than a full-fledged licensing system. Having regard to the public views, the Code of Practice containing essential regulatory elements for voluntary compliance by operators of ICSCs, such as law and order, fire and building safety, filtering of undesirable internet content and restriction of youth patronage, was issued to all ICSCs in 2003 following consultation with the Panel.

40. DSHA(1) further advised that although ICSC operators were not legally bound by the Code of Practice, their operation was subject to the relevant provisions under various ordinances, such as the Fire Services Ordinance (Cap. 95), Buildings Ordinance (Cap. 123), Noise Control Ordinance (Cap. 400), Control of Obscene & Indecent Articles Ordinance (Cap. 390), etc. On the suggestion for the introduction of a licensing regime for ICSCs, DSHA(1) said that the Administration was prepared to listen to the views of members, the public as well as ICSC operators on their concerns and considerations before contemplating the way forward.

Youth patronage and inspection of ICSCs

41. Members in general expressed concern about the social problems stemming from youth indulging in internet games and loitering in ICSCs. Mr WONG Sing-chi suggested that ICSCs should be closed for four hours on a daily basis to allow parents and social workers to identify and counsel the youth concerned. Mr WONG Yung-kan asked about the number of inspections conducted by the law enforcement agencies to ensure ICSCs' compliance with the provision relating to youth patronage. Referring to paragraph 2 of the Administration's paper, Dr LAM Tai-fai sought clarification on what premises were "commonly perceived as ICSCs" for the purpose of the Police Department's patrol and inspection on these establishments. He queried how the departments concerned enforced the relevant ordinances or carried out inspections on ICSCs in the absence of a clear definition for ICSCs.

42. DSHA(1) advised that ICSC operators were reminded through the Code

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of Practice that children under 16 should not remain in the centre from midnight to 8 am from Monday to Friday, and from 2 am to 8 am on Saturday and public holidays. In 2009, a total of 2 710 inspections were conducted by the Fire Services Department, Buildings Department, Environmental Protection Department, Customs and Excise Department and Television and Entertainment Licensing Authority to ensure that the operation of ICSCs was in compliance with the relevant ordinances. In addition, the Police also conducted inspections to ICSCs during its regular law enforcement effort to combat criminal activities. According to the Police's latest report, there were about 219 ICSCs in Hong Kong as at December 2009. As the mode of operation and the types of services provided by the ICSC establishments were very diverse, there was no definition yet of what constituted an ICSC. For the purpose of departmental inspection, ICSCs were generally referred to as establishments which provided computer and related facilities for customers' access to the internet, excluding those providing internet facilities as a form of social/community service.

43. Mr CHEUNG Kwok-che considered that the inspections made by the relevant authorities were far from adequate and effective in combating the many pressing issues associated with the operation of ICSCs, such as young people loitering in these premises after midnight, the possibility of ICSCs becoming the hotbeds of substance abuse and vice activities, and access to pornographic materials and internet gambling opportunities by young people. The Deputy Chairman shared similar concern. To address public concern about youth patronage, Mr WONG Yung-kan urged the Administration to step up the inspection of ICSCs around mid-night. Miss Tanya CHAN expressed support for the introduction of a licensing regime for ICSCs, with an exemption clause for non-governmental organizations providing internet-related services. DSHA(1) took note of members' views and suggestions, and undertook to convey their concerns to the relevant departments.

Criminal Activities

44. Mr James TO considered that a licensing system under which the law enforcement agent was empowered to inspect ICSCs and revoke their licence for breaching the licensing conditions would be more effective in combating criminal activities in ICSCs. Mr CHAN Hak-kan said that the Administration should take the first opportunity to contain criminal activities, such as drug trafficking and drug abuse committed in ICSCs, given their negative impact on young people.

45. DSHA(1) said that the prevailing laws and regulations had already empowered the relevant authorities to carry out inspections in ICSCs. In 2009, there were 152 reported cases of crime in ICSCs, and more than half were theft-related cases. Although crime problem was not particularly serious in ICSCs, the Police would continue to monitor closely the situation for the prevention of vice and criminal activities in these establishments.

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Fire safety

46. Mr CHAN Hak-kan cautioned the Administration about the need to enhance the inspection of ICSCs to ensure their compliance with the fire safety standard in view of the potential fire risk caused by the electrical installations in these establishments. Mr James TO and Mr WONG Sing-chi shared similar views.

47. DSHA(1) responded that under the Electricity (Wiring) Regulations, owners of electrical installations should have their installations inspected, tested and certified periodically. She would convey members' concern to the Electrical and Mechanical Services Department, which carried out regular inspections to ensure the compliance of ICSCs with such a provision.

Motion

48. Mr WONG Kwok-hing moved the following motion, which was seconded by Mr CHEUNG Kwok-che and Dr LAM Tai-fai -

本事務委員會促請政府研究發牌制度規管網吧，並定出研究的時間表。

(Translation)

That this Panel urges the Government to study the regulation of internet cafes by way of a licensing regime and draw up a timetable for conducting the study.

49. The Chairman put the motion to a vote. All members present voted for the motion. The Chairman declared that the motion was carried.

50. DSHA(1) assured members that the Administration would actively consider members' views and suggestions, and revert to the Panel on the subject after consultation with various stakeholders and the public.

VII. Review on the financial assistance to Mutual Aid Committees
[LC Paper Nos. CB(2)1725/09-10(07)-(08) and CB(2)1809/09-10(01)]

51. SHA briefed members on the salient points of the Administration's paper setting out HAD's proposal to enhance the package of financial assistance to Mutual Aid Committees ("MACs").

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52. Members welcomed the enhanced financial assistance to facilitate the operation of MACs and were supportive of the proposal. Mr WONG Kwok-hing conveyed the requests of some individuals regarding the enhanced support to MACs set out in their submission. These requests included -

- (a) allowing flexibility for MACs to carry forward the unspent portion of the \$1,500 quarterly financial assistance to the remainder period of the same calendar year;
- (b) extending the offer of one-off assistance for office refurbishment and replacement of office equipment/furniture to MACs with an office at three to eight yearly intervals beyond 31 December 2012;
- (c) waiving the rates and Government rent for MACs;
- (d) liaising with public utility companies for the application of non-commercial rates for deposits and charges due to MACs, and financial institutions for the waiver of the minimum deposit requirement for MACs; and
- (e) arranging annual meetings between Liaison Officers and MACs to strengthen their communication.

53. Mr WONG Kwok-hing further remarked that MACs might re-use office furniture/equipment items to be disposed by Government, and suggested that the Government should publicize these items through a dedicated website. He also considered that certificates of merit should be issued to MAC members as a form of recognition to their services. The Chairman asked whether further adjustment would be made to the maximum limit of the quarterly financial assistance.

54. Noting that business lines would normally be installed for MAC offices, Mr CHAN Hak-kan suggested that HAD should provide documentary evidence to MACs to facilitate their application for non-commercial rate from the telephone companies. Mr WONG Yung-kan asked whether special consideration could be given for MACs to purchase high-definition television sets ("HDTVs") as a form of encouragement for volunteers serving on MACs.

55. SHA said that flexibility had already been given for MACs to carry forward the unspent portion of the quarterly financial assistance to the remainder period of the same calendar year. He further undertook to review the package of enhanced financial assistance in two years in the light of the experience gained, and assured members that the ceiling of the quarterly financial assistance would be adjusted, where necessary, to ensure that MACs could discharge their duties effectively.

56. On the waiver of rates and Government rent for MACs, SHA said that the enhanced package of financial assistance should alleviate MACs' burden in

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respect of these expenses. He also undertook to look into member's suggestion on facilitating MACs in gaining access to used furniture/equipment items disposed by Government.

57. On the liaison with MACs, Assistant Director of Home Affairs (4) ("ADHA(4)") said that staff of District Offices had been paying regular visits to MACs, while briefing sessions on the proposed enhanced package of financial assistance would be arranged for MACs following LegCo's endorsement of the proposal. She undertook to give due consideration to the suggestion for arranging Liaison Officers to meet with MACs annually to further strengthen their communication. Regarding the suggestion for the provision of HDTVs for MACs, ADHA(4) explained that the objective for providing financial assistance to MACs was to help support their operation in accordance with the principle of prudent use of public funds. In general, items which were non-essential for office operation, such as television sets, as well as those of high value and could easily be abused were not reimbursable.

58. ADHA(4) further informed members that HAD had written to public utility operators and the Hong Kong Association of Banks ("HKAB") explaining the role and nature of MACs. HKAB replied that a number of banks had already waived the service fee for low balance accounts held by MACs. A utility service operator had applied a non-commercial rate for MACs. She also assured members that HAD would continue to solicit the support of public utility operators and banks in this regard. In response to members' enquiry, ADHA(4) advised that reimbursement of financial assistance would normally be disbursed to MACs within three to four weeks upon their production of the requisite receipts.

VII. Any other business

59. There being no other business, the meeting ended at 11:30 am.