

立法會
Legislative Council

LC Paper No. CB(2)1980/09-10(02)

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Panel on Home Affairs

**Background brief prepared by the Legislative Council Secretariat
for the meeting on 9 July 2010**

**Implementation of recommendations of
the 2006 District Council ("DC") Review and other DC-related issues
under the purview of the Home Affairs Department**

Purpose

This paper gives an account of the main views and concerns raised by Legislative Council ("LegCo") Members on the implementation of recommendations of the 2006 DC Review and other DC-related issues under the purview of the Home Affairs Department ("HAD") since February 2009, i.e. when the subject was last discussed by the Panel on Home Affairs ("the Panel"). Members may wish to refer to LC Paper No. CB(2)818/08-09(02) for background information on the 2006 DC Review and previous deliberations on the subject matter.

Background

2. The Administration announced in September 2006 its plan for implementing recommendations arising from the 2006 DC Review, including the launching of a pilot scheme in four selected DCs to participate in the management of district facilities starting from 1 January 2007 ("the Pilot Scheme"), a revised remuneration package for DC members and the creation of a dedicated capital works block vote for district minor works ("DMWs").

3. The proposed remuneration package for DC members was endorsed by the Finance Committee ("FC") on 1 December 2006. The proposed creation of a dedicated capital works block vote for DMWs was endorsed by the Public Works Subcommittee on 19 December 2006 and approved by FC on 12 January 2007. The Pilot Scheme was implemented in the four pilot DCs (i.e. Wan Chai, Wong Tai Sin, Sai Kung and Tuen Mun) on 1 January 2007, and reviewed by the HA Panel on 14 December 2007. On 1 January 2008 (i.e. the commencement date of the current DC term), the recommendations arising from the 2006 DC Review were fully

implemented in the 18 DCs.

Improvement measures and support to DCs since January 2008

4. The Administration briefed Members at different LegCo forums (including meetings of the Council and the Panel) on its initiatives to implement the recommendations of the 2006 Review for enhancing the role and functions of DCs, promoting DCs' involvement in the management of district facilities and organisation of community activities, improving the implementation of DMWs, strengthening the communication between DCs and the Government, and enriching the remuneration package for DC members since the commencement of the current DC term in January 2008. The key measures are set out in the ensuing paragraphs.

Management of district facilities

5. Starting from January 2008, all DCs have commenced participating in managing some 2,000 district facilities, including community halls, public libraries, leisure grounds, sports venues, public swimming pools and beaches.

Provision of additional resources for DCs and District Offices

6. Starting from 2008-2009, the Administration has increased the annual provision to the DC Funds from \$170 million to \$300 million for financing non-works projects such as leisure, sports and cultural programmes, community involvement ("CI") activities and partnership projects with district characteristics. It has also made available to DCs a dedicated capital works block vote with an annual provision of \$300 million for implementing DMW projects with a view to improving the environment in the district.

7. To strengthen manpower resources for District Offices to support their role in promoting district administration, each District Office has been provided with one additional Liaison Officer, one Executive Officer and one Assistant Clerical Officer.

Promoting district partnership and cross-sectoral collaboration

8. With the increase in DC Funds for CI projects, more than 33,000 CI projects have been sponsored by DCs in 2008 for supporting sports initiatives, serving disadvantaged groups, promoting reading habits, publicising cultural and natural heritage, and fostering inter-cultural understanding. In addition, a one-off sum of \$108 million has been allocated to 18 districts to fund diversified community activities to further foster community building, enhance social cohesion, promote cultural and sports activities, stimulate consumption and domestic demand, and create business opportunities for local tourism.

Enhancing delivery of DMW projects

9. The Administration has appointed four term consultants (viz. architect-led teams comprising professionals of various disciplines) for a term of two years to assist in the delivery of DMW projects, including undertaking technical feasibility studies, design work, tender exercise for the DMW projects as well as works supervision of larger scale or greater complexity which require architectural, engineering and/or building services input. As at end-December 2008, funding approval has been given to more than 800 DMW projects endorsed for implementation by DCs.

Communication between DCs and the Administration

10. To enhance communication between the Government and the DCs, heads of departments ("HoDs") providing direct services to the public have attended DC meetings regularly to explain government policies to DC members. Briefings by HoDs on the overall development strategies and future directions from a macro point of view on issues under their respective purview have also been arranged. The first Summit on District Administration chaired by the Chief Executive was held in May 2008 to provide a forum for exchanges between DC members and the policy bureaux and departments on issues relating to the livelihood of the general public.

Enhanced remuneration package for DC members

11. As recommended by the Independent Commission on Remuneration for Members of the District Councils of the Hong Kong Administrative Region ("the Independent Commission"), a package of improvement measures has been introduced to the remuneration of DC members. These measures include a 10% increase in the honorarium of DC members, introduction of a new miscellaneous expenses allowance ("MEA") (currently at \$4,120 per month), introduction of a setting-up allowance (\$100,000 per term) and a winding-up allowance (\$72,000 per term). The MEA is a non-accountable allowance which may be used to cover expenses incurred by DC members, including the arrangement of medical or any other personal protection services.

Members' views and concerns

12. Key views on the implementation of the recommendations of the 2006 DC Review and other DC-related issues, as expressed by members in the Panel meetings, and related questions raised by LegCo Members at Council meetings, are summarised in the ensuing paragraphs.

Role and functions of DCs

13. Some members expressed concern about the advisory role of DCs and the lack of a clear definition about DCs' substantive powers and responsibilities regarding district planning. As a result, the actual circumstances and wishes of residents of the respective districts could not be relayed promptly to the Administration in a

'bottom-up' manner, and district planning undertaken by the Government often did not have support from the local community. These members considered that DC should play a stronger role in district planning in order to better cater for local needs, reflect the specific characteristics of the local community and synchronize with the overall planning at the territory level.

14. The Administration assured members that the Planning Department had collaborated closely with DCs to seek their views on matters relating to district planning. It further advised that while the Government would take heed of the views of the local community, it was of equal importance that the local community should give due consideration to the overall development strategies of the community as a whole, particularly in the planning of territory-wide public utilities. To reflect the characteristics of individual districts, the Leisure and Cultural Services Department had taken great care to integrate district themes in the design on beautification projects such as mural painting, sitting-out areas and street lighting facilities.

15. On a member's suggestion for DCs to participate in the management of district facilities which affected directly the quality of life of the local community, such as those relating to food and environmental hygiene, the Administration undertook to explore the feasibility of expanding the role of DCs to cover other district facilities, taking into account DCs' views and their capacity in managing these facilities.

16. Some members held the views that DCs should not remain as an advisory body but should assume an active role in the planning of public facilities and services closely linked to the livelihood concerns of the local community, such as housing, education and medical services, and an independent secretariat should be established to provide professional support to DCs. Other members raised concern about the demarcation of DC constituencies based on a very small population size, which in their view had resulted in public policies and community issues being discussed from a narrow perspective without regard to the interests of different sectors and the community as a whole. These members urged the Government to consider expanding the constituencies of DCs.

17. The Administration advised that the main functions of DCs, as stipulated in the Basic Law, were to serve as an advisory body in district administration and other affairs and to provide services in such fields as culture, recreation and environmental sanitation. The suggestion for DCs to participate in the planning of housing policy was not within the ambit of DCs. On the role of the DC Secretariats, the Administration advised that these Secretariats were part of the civil service establishment and continued efforts would be made to strengthen their manpower support.

18. Regarding members' concern as to whether the Administration would delegate to the DCs all of the powers of the two former Municipal Councils, the Administration explained that when the two Municipal Councils were abolished, the

Administration suggested strengthening the functions of and resources for the DCs so as to enhance their involvement and monitoring of district affairs. The Government had reviewed the role and functions of DCs in 2001 and recommended enhancing DCs' role and functions. The recommendations were implemented following consultation with the DCs, the LegCo and the public. To further develop district administration and enhance the functions of DCs, the Government had introduced new arrangements for enhancing the roles and functions of DCs in the 18 districts as described in paragraphs 5 to 11 since January 2008.

19. During the motion debate on "Increasing the powers and responsibilities of DCs in district planning" on 2 June 2010, Members urged the Administration to take active measures to increase the powers and responsibilities of DCs in district planning, such as enhancing the participation of DCs in landscaping, greening and environmental improvement projects and their management through a community-based approach; organising community building forums and open design competitions to forge consensus on district planning; strengthening the collaboration among DCs, the Planning Department and the relevant policy bureaux in the formulation of community-based district planning programmes; conferring powers and responsibilities on DCs to participate in the planning of major community works and ancillary facilities required by the respective districts, such as public housing, community halls, cultural and recreational facilities, open spaces, refuse recovery yards, incinerators, columbarium niches, etc., for the development of an integrated and comprehensive community; and enhancing the role of DCs in planning and promoting the development of community tourism. The Administration's response is in **Appendix I**.

Implementation of DMW projects

20. Members raised concerns about the numerous complaints on the performance of the term consultants in implementing the DMW projects, and suggested that the Administration should consider engaging in-house professionals, such as engineers of the Works Section of HAD to handle these projects. Some members considered that the cost ceiling of \$21 million for individual DMW projects had barred DCs from implementing large-scale projects with more direct impact on the livelihood of the local community, such as drainage systems.

21. The Administration explained that compared with the some \$60 million worth of minor works projects that HAD's Works Section used to handle in the past, the \$300 million provision for DMW projects effective from April 2008 represented a huge increase. As the Works Section did not have the capacity to implement all the DMW projects, the services of terms consultants were required with a view to enhancing the capacity and capability of DCs in the delivery of projects of larger scales and greater complexity. The Administration also agreed to consider members' suggestion for the establishment of a standing mechanism for DCs to propose major project items (i.e. items with project cost exceeding \$21 million) for the consideration of the FC.

Use of funding for CI activities

22. Some members considered it necessary to implement more stringent measures in monitoring the use of the \$108 million additional funding for the 18 DCs to organise diversified community activities ("the Fund"), in order to plug any potential loopholes for transfer of interests and ensure that the activities so organised would achieve their designated objectives. These members urged the Administration to devise more specific guidelines and recommendations on the allocation and use of the Fund; prioritize the use of the Fund for programmes and activities which promoted economy and created job opportunities for the community; propose more thematic activities for DCs to facilitate the best use of the Fund; review critically the professionalism and experience of organisers for CI activities (including those sponsored by DC Funds); and encourage cross-district participation of voluntary agencies and non-governmental organisations of the arts and culture sector in organising the relevant programmes.

23. The Administration assured members that the Government would draw up a set of guidelines, modelled on the current "Manual on the Use of DC Funds" with suitable modifications to ensure the continuity, professionalism and inclusiveness of the programmes organised under the Fund.

Communication between the Government and DCs

24. Some members considered that the arrangements for senior government officials to attend DC meetings would be more fruitful if there were more discussions on broader policy issues. Other members opined that in the absence of a close partnership and collaboration with DCs, the attendance of senior officials at DC meetings was merely an act of formality. A Member raised a question at the Council meeting on 12 May 2010 expressing concern about the complaints of some DC members' that the non-attendance of public officers at DC meetings had been increasingly prevalent.

25. The Administration advised that since the start of the current DC term, the Administration had initiated a series of arrangements to enhance the communication between senior government officials and DCs. Arrangements had been made for HoDs with direct interface with the public to attend DC meetings. In 2008 and 2009, the HoDs concerned attended a total of 69 and 83 DC meetings respectively. Moreover, policy bureaux and departments continued to consult DCs on various policy proposals and other matters affecting the well-being of the people in the district by sending representatives to attend the DC meetings. Furthermore, representatives of the core departments continued to attend DC and committee meetings on a regular basis to answer questions raised by members. There was no question of an increasing non-attendance of public officers at DC meetings. The Administration further advised that district problems requiring inter-departmental collaboration that could not be resolved by the relevant department and bureau might, where

circumstances so warranted, be drawn to the attention of the Chief Secretary to enable the problem to be resolved in a timely and coordinated manner.

Remuneration package and support for DC members

26. At the Council meetings on 20 February 2008, 5 May 2010 and 12 May 2010, Members raised questions on the remuneration package and support for DC members. Members considered that with the enhancement of the functions of DCs and the increasing aspiration of members of the public, DC membership was not so much different from a full-time job, and yet DC members were deprived of medical benefits, employees' compensation insurance cover or retirement protection. As the Government had provided to LegCo Members end-of-contract gratuities and accountable cash allowance with effect from the current term of LegCo, Members urged the Government to review and improve the remuneration package for DC members of the next term (i.e. from 2012 to 2015).

27. A Member suggested that the Government should provide training to DC members to facilitate their work and enhance its support for DC members to pursue continuing education. The Member further suggested the conduct of a comprehensive survey in relation to the average monthly workload and average daily working hours of elected DC members in undertaking the work of DCs, so as to determine whether the current level of their remuneration and allowance was reasonable.

28. The Administration advised that it had been the Government's established practice to complete the review on the remuneration package of DC members before the next DC election, so that candidates were aware of the agreed remuneration package before they decided to take part in the election. The aforesaid review had already commenced, in consultation with the Independent Commission. The Administration would take into account the latest remuneration arrangements for LegCo Members, as well as the views received from the Independent Commission and DC members in its review, so as to ensure that the arrangements would meet the needs of changing circumstances.

29. As regards training for DC members, the Administration advised that it had been organising briefings on Government policies and programmes as well as visits for DC members from time to time. Examples included the briefings on the strategic planning of railways and highways, environmental protection policies and programmes, as well as visits to the venues of the East Asian Games and exhibitions. In addition, DC members might make use of their miscellaneous expenses allowance for attending self-development courses as appropriate.

Latest development

30. Pursuant to its preliminary review on the implementation experience of the

recommendations of the 2006 DC Review in February 2009, the Panel will further discuss the subject with the Administration at its meeting on 9 July 2010, as well as other DC-related issues under the purview of HAD, including the responsibilities and functions of DCs, the delivery of DMWs, remuneration packages for DC members, financial and staffing support for DCs, and the views and concerns raised in the 2010 Summit on District Administration.

Relevant papers

31. A list of relevant papers with their hyperlinks at the LegCo website is in **Appendix II**.

Council Business Division 2
Legislative Council Secretariat
6 July 2010

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立法會：民政事務局局长就「提升區議會的地區規劃權責」議案開場發言
(只有中文)

以下為民政事務局局长曾德成今日(六月二日)在立法會會議上,就「提升區議會的地區規劃權責」議案的開場發言全文:

代主席女士:

區議會是政府推動地方行政的主要合作伙伴。大家都希望區議會可以有效發揮職能,在社區層面擔當重要角色,服務市民。在2006年,政府就區議會的角色和職能進行了檢討,並於2008年1月本屆區議會任期開始時,在全港18區落實各項加強區議會角色和職能的新安排。包括:

- (一) 讓區議會參與管理部份地區設施;
- (二) 增撥資源推動地區小型工程及社區參與活動。

地區設施管理

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各區區議會現在已經參與管理的地區設施,包括社區會堂、圖書館、休憩用地、體育場館、公眾泳池和泳灘等。以社區會堂為例,現時有關預訂活動的安排、設施改善工程的緩急先後、翻新工程的設計,以及提升使用率的辦法等,都經過區議會討論和審批。參與管理以來,可以見到地區設施的安排更能切合市民的需要。

地區小型工程

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關於地區小型工程,由2008-09年度開始,政府為區議會提供每年三億元的專用基本工程撥款,進行區議會提出的地區小型工程,改善地區設施、美化居住環境及改善衛生情況。現時,各區區議會推展的工程項目包括興建或改善行人路徑和天橋,以及改善社區會堂和康樂、文化、體育設施等。區議會亦在各區進行

綠化工程。區議會負責收集地區上的意見和提出工程計劃、決定工程計劃的範圍及內容、訂定各項工程計劃的優次和推行時間表，以及監察工程的進展。通過地區小型工程計劃，不少地區設施都已得到改善。

以觀塘海濱長廊（第一期）美化工程項目為例。這項工程由構思到動工，包括完成所有磋商、設計、審批、招標等程序，前後僅約 3 個月，體現了地區小型工程計劃的靈活性。根據觀塘區議會的意見，多個相關政府部門與民政事務總署通力合作，透過跨部門會議，協調修改和優化工程設計。現在市民在海濱長廊一帶，享有更充足的活動區，並且可飽覽維港景緻。

社區參與活動

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另外，我們一直十分重視區議會在推動社區建設方面所發揮的積極作用。自 2008 至 09 年度起，區議會每年推行社區參與活動的撥款增加至 3 億元，用以舉辦富有地區特色的活動，以及與地區團體推行協作計劃，回應區內居民的需要。各區舉辦的活動，包括為弱勢社羣家庭又缺乏父母照顧的兒童，提供校內課餘補習服務；為低收入家庭安排集體購買日用品；以及為殘疾人士安排參觀活動，參與綜藝表演等。部分區議會利用撥款，與康文署及不同的地區團體合作，舉辦閱讀計劃，與公共圖書館服務有互補作用。區議會透過這些生活化的社區參與活動，建立以人為本、彼此關懷、互助互愛的社區網絡。

最近一個事例，是香港島四個區議會，聯合推出了一個名為「社區演藝節目試驗計劃」。區議會運用地區小型工程的撥款，提升了社區會堂的舞台、燈光和音響的硬件。又透過康文署安排了四個本地專業的中小型藝術團體，在四區巡迴演出，每區駐場三個月，籌辦工作坊，令市民有機會欣賞並且親身體驗不同形式的藝術表演。這項計劃充分反映了區議會完全能夠超出地區範圍作考慮。

地區研究

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區議會亦有因應地區需要，撥款就地區項目進行調研。例如屯門區議會曾聘請顧問為屯門區的整體發展進行研究，而東區區議會也資助了「北角汀綜合發展城市設計概念比賽」，有關比賽的作品不但有公開展覽，亦提交予相關部門參考。我相信各區區議會將繼續利用增加了的資源，為政府就各項措施和建設提供適當的意見。

地區旅遊

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香港各區自有特色，在發展地區旅遊方面，區議會的確可以扮演重要角色。謝偉俊議員問及今年初立法會通過的一億八千萬社區活動撥款，我可以報告這些向區議會增撥的資源，會用以推廣富有地區特色的旅遊活動。例如南區區議會就利用了撥款中的 340 萬元，舉辦「南區旅遊文化節」，內容包括淺水灣夏日沙灘嘉年華、赤柱酒吧街旅遊推廣活動、生態行山導賞遊、香港仔龍舟競渡、大型水陸祈福巡遊、黃昏音樂會等。

原動議和數項修正案，提到區議會可增加參與管理垃圾回收場、焚化爐、骨灰龕等設施。我歡迎這些意見，希望各區都願意積極考慮接受一些必要的設施。

我們現正籌備 2010 年地方行政高峰會，今屆高峰會將會在本月舉行四場地區論壇，就地區設施管理、社區參與活動、樓宇管理維修及地區小型工程四個範疇，與區議會作坦誠交流。我相信這個安排能讓區議會有效檢討地方行政工作，讓區議會互相就管理地區設施和其他地區事務交流心得，切實讓區議會參與社區的規劃。

增加區議會及區議員的支援

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我相信各位都會感受到區議會的角色日益重要，正如葉國謙議員剛才提到區議會秘書處的工作也會日益繁重。政府已開始檢討區議員的薪津安排。我們在檢討時，會考慮現時立法會議員的薪津安排，包括提供任滿酬金及醫療津貼，並會考慮香港特別行政區區議會議員薪津獨立委員會及區議員提出的意見，以及其他相關因素，確保薪津安排能與時並進。至於區議會秘書處，我們會因應實際需要，為同事提供適當的支援，例如增加人手等。

結語

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對於議案和修正案涉及其他政策局和部門的具體內容，我會在仔細聆聽各位議員的意見後，在總結發言時再作回應。多謝主席。

完

2010年6月2日(星期三)

香港時間19時31分

Panel on Home Affairs

**Relevant documents on Implementation of recommendations of
the 2006 District Council ("DC") Review and other DC-related issues
under the purview of the Home Affairs Department**

Committee	Date of Meeting	Minutes/Paper/ Council Question or Motion	LC Paper No./ Website
Finance Committee	1.12.2006	HEAD 63 - HOME AFFAIRS DEPARTMENT Subhead 000 Operational expenses Subhead 700 General non-recurrent	FCR(2006-07)25 http://www.legco.gov.hk/yr06-07/english/fc/fc/papers/f06-25e.pdf
Council Meeting	20.2.2008	Oral question on Gratuities and Medical Benefits for District Council Members raised by Hon LAU Wong-fat	http://www.legco.gov.hk/yr07-08/english/counmtg/hansard/cm0220-translate-e.pdf (Page 77)
	11.2.2009	Oral question on Composition and Powers of District Councils raised by Hon WONG Yuk-man	http://www.legco.gov.hk/yr08-09/english/counmtg/hansard/cm0211-translate-e.pdf (Page 27)
Panel on Home Affairs	13.2.2009	Administration's paper on Implementation of recommendations of the 2006 District Council Review	CB(2)818/08-09(01) http://www.legco.gov.hk/yr08-09/english/papers/ha/papers/ha0213cb2-818-1-e.pdf
		Background Brief prepared by the LegCo Secretariat on Implementation of recommendations of the 2006 District Council Review	CB(2)818/08-09(02) http://www.legco.gov.hk/yr08-09/english/papers/ha/papers/ha0213cb2-818-2-e.pdf
		Minutes of meeting	CB(2)1280/08-09 http://www.legco.gov.hk/yr08-09/english/papers/ha/minutes/ha20090213.pdf

Committee	Date of Meeting	Minutes/Paper/ Council Question or Motion	LC Paper No./ Website
Council Meeting	9.7.2009	Report of the Panel on Home Affairs	CB(2)2086/08-09 http://www.legco.gov.hk/yr08-09/english/panels/ha/reports/ha0708cb2-2086-e.pdf
Panel on Home Affairs	13.11.2009	Administration's paper on Funding for diversified community activities	CB(2)232/09-10(03) http://www.legco.gov.hk/yr09-10/english/panels/ha/papers/ha1113cb2-232-3-e.pdf
		Minutes of meeting	CB(2)626/09-10 http://www.legco.gov.hk/yr09-10/english/panels/ha/minutes/ha20091113.pdf
Council Meeting	5.5.2010	Oral question on Remuneration Package for District Council Members raised by Hon Emily LAU	http://www.legco.gov.hk/yr09-10/english/counmtg/hansard/cm0505-translate-e.pdf (Page 91)
	12.5.2010	Oral question on Attendance of Public Officers at District Council Meetings raised by Hon Emily LAU	http://www.legco.gov.hk/yr09-10/english/counmtg/hansard/cm0512-translate-e.pdf (Page 144)
		Oral question on Support for District Council Members raised by Hon LAM Tai-fai	http://www.legco.gov.hk/yr09-10/english/counmtg/hansard/cm0512-translate-e.pdf (Page 139)
	2.6.2010	Proposed amendments to motion on "Increasing the powers and responsibilities of District Councils in district planning"	CB(3) 740/09-10 http://www.legco.gov.hk/yr09-10/english/counmtg/motion/m_papers/cm0602cb3-740-e.pdf