

# 立法會

## *Legislative Council*

LC Paper No. CB(2)1963/09-10(01)

Ref : CB2/PL/HA

### **Report of the Panel on Home Affairs for submission to the Legislative Council**

#### **Purpose**

This report gives an account of the work of the Panel on Home Affairs during the 2009-2010 Legislative Council ("LegCo") session. It will be tabled at the Council meeting on 7 July 2010 in accordance with Rule 77(14) of the Rules of Procedure.

#### **The Panel**

2. The Panel was formed by resolution of the Council on 8 July 1998 and as amended on 20 December 2000, 9 October 2002, 11 July 2007 and 2 July 2008 for the purpose of monitoring and examining Government policies and issues of public concern relating to district, community and rural matters, civic education, building management, youth matters, the provision of leisure and cultural services as well as matters relating to the development of arts and culture, public entertainment, sport and recreation.

3. The terms of reference of the Panel are in **Appendix I**.

4. The Panel comprises 20 members, with Hon IP Kwok-him and Hon KAM Nai-wai elected as Chairman and Deputy Chairman respectively. The membership list of the Panel is in **Appendix II**.

#### **Major work**

##### Culture and the arts

##### *Strengthening of the arts and cultural software*

5. The Panel continued to monitor closely Government initiatives in the strengthening of the arts and cultural software to realize the visions of the West

Kowloon Cultural District ("WKCD") and complement the development of the cultural and creative industries. In May 2010, the Administration briefed the Panel on its latest efforts in this regard, including the allocation of over \$2.8 billion (excluding capital works expenditure) for the development of culture and the arts in 2010-2011, and the earmark of a recurrent expenditure of \$486 million over the next five years for measures such as arts programme development, audience building and enhancement of arts education and manpower training. The Administration also consulted the Panel on the proposal to inject \$3 billion as seed capital into the Arts and Sport Development Fund ("ASDF") for generating annual investment income to provide sustainable additional resources for subsidizing the long-term development of the arts, culture and sports.

6. Members welcomed the enhanced funding support for the arts and culture, but reiterated the need for the Administration to review the existing mode of subsidy for major performing arts groups ("MPAGs") to ensure a reasonable and fair distribution of funding resources amongst arts groups. Some members suggested the introduction of an adjustment mechanism, based on the sum of ticket proceeds and donations of the respective MPAGs, to regulate the level of annual subvention to MPAGs. For the sustainable development of the arts and culture, members also urged the Administration to take heed of the interest of young people in the development of arts programmes, enhance the provision of concessionary tickets for students to enjoy arts performances, and strengthen programmes to enhance students' ability in arts appreciation.

7. The Administration informed members that to promote the healthy development of performing arts groups, the Home Affairs Bureau ("HAB") had commissioned a consultancy study to review the objectives of public funding for the performing arts in Hong Kong, and draw up a comprehensive proposal on a sustainable funding mechanism for performing arts groups to facilitate the flexible development of the sector. Although the Administration expressed reservation on the regulation of funding support for artistic performances based solely on the market mechanism, it agreed to study the adjustment mechanism, as suggested by members, in the context of the consultancy study scheduled for completion in 2011.

8. The Administration further advised members of the collaborative efforts made by the Leisure and Cultural Services Department ("LCSD"), the Education Bureau and arts groups to promote the arts and culture to young people. These included the provision of concessionary tickets to students for arts programmes offered by various arts groups; the introduction of "A Journey on Learning the Arts for Senior Secondary Student Scheme" to support students' participation in arts activities and performances 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; and the organisation of

the International Arts Carnival for the participation of students and their families during the schools' summer break.

9. In response to members' concern about the adequacy of support for inclusive arts and sport for disabled athletes under the ASDF, the Administration advised that the Government attached much importance to the participation of persons with disabilities ("PWDs") in the arts and sports, as evidenced by the funding support given to inclusive arts programmes over the years, and the enhancement of incentive schemes for elite disabled athletes. The Administration considered that the established mechanism was effective in supporting the arts and sports development for PWDs.

10. The Panel would undertake an overseas duty visit to Japan and the Republic of Korea from 4 to 11 August 2010 to study and learn their experience in the development of cultural software and preservation of Intangible Cultural Heritage.

#### *Development of museum services*

11. The Administration reverted to members on its decision regarding the future mode of governance for public museums. According to the Administration, the option for the establishment of a statutory Museums Board to oversee the management of public museums, as recommended by the Committee on Museums, would be practically difficult if not impossible to implement in view of the highly complicated legal, administrative and technical issues involved. Further improvement to public museum services could be better achieved by maintaining the existing mode of governance of public museums under the management of LCSD.

12. The Panel held no strong view on the Administration's decision but considered that in the development of museum services, the Administration should endeavour to promote an environment conducive to the organic growth of museums with a variety of missions, themes and characteristics. Some members urged the Administration to promote the development of private museums with a view to complementing the mainstream collections in public museums, and advocating a more vibrant and diverse museum culture. To keep pace with the changing community needs and expectations, members also urged the Administration to introduce measures to enhance the accountability and transparency of public museums, and foster closer partnership and community participation in their operation and management.

13. The Administration assured members of its continued efforts to provide an enabling environment to promote the co-existence of different modes of governance of museums for the development of a pluralistic and vibrant museum culture to complement the development of cultural software and creative industries. It also advised members of an array of initiatives for enhancing

professional and community participation in public museum services, including the setting up of a Panel of Museum Advisors for each of the three streams of museums (viz. arts, history and science) to advise LCSD on the strategies for the development, promotion and management of public museums; the continued engagement of guest curators to curate museum programmes; and the organisation of exhibitions and programmes to showcase the works of local artists to local and overseas audience with a view to bringing arts to the community. On the development of private museums, the Administration informed members that while it was the government policy for private museums to be operated with full autonomy on a self-sustainable basis, requests for financial support from these museums would be considered having regard to the merits of individual cases.

#### *Preservation and promotion of Cantonese Opera*

14. Pursuant to its successful inscription onto the United Nations Educational, Scientific and Cultural Organisation's Representative List of the Intangible Cultural Heritage of Humanity on 30 September 2009, Cantonese opera had become the first item of world intangible cultural heritage in Hong Kong. Members were supportive of the Government's latest initiatives for the preservation and promotion of Cantonese opera, including the construction of an annex building at the Ko Shan Theatre, and the injection of \$69 million into the Cantonese Opera Development Fund. They highlighted the need for the Administration to strengthen the promotion of Cantonese opera to young people, which in their view was essential for the sustainable development of this traditional art form. They also urged the Administration to devote more resources to cultivate students' interest in Cantonese opera, and develop young talents into a new generation of composers, scriptwriters and playwrights. The Administration undertook to give due consideration to members' suggestions.

#### *West Kowloon Cultural District development*

15. During the current LegCo session, the Joint Subcommittee to Monitor the Implementation of the West Kowloon Cultural District Project set up under the Panel on Home Affairs and the Panel on Development since December 2008 held three meetings to discuss with the Administration and the West Kowloon Cultural District Authority ("WKCD") the appointment of senior management of WKCD, the impact of the construction of the West Kowloon Terminus of the Hong Kong Section of Guangzhou-Shenzhen-Hong Kong Express Rail Link on the WKCD development, the outcome of Phase 1 of the Public Engagement Exercise and the development of cultural software to complement the WKCD project. At the request of the Subcommittee, the new Chief Executive Office of the Authority would brief members on his visions on the WKCD development in September 2010.

16. The Administration consulted the Panel in March 2010 on the staffing proposal to create two supernumerary directorate posts relating to the WKCD project in HAB on a time-limited basis to ensure good coordination between the WKCD and the relevant Government bureaux/departments in respect of hardware and software development of WKCD. Members were supportive of the Administration's proposal but considered that in filling these posts, the Administration should give due consideration to the candidates' ability and competence, such as whether they possessed relevant experience in coordinating large-scale capital works projects and public administration.

### Sports and recreation

#### *Promotion of sports development*

17. Members urged the Administration to capitalize on the outstanding results of Hong Kong athletes in the 2009 East Asian Games to reinforce its efforts in promoting sports development and strengthen the support for athletes. For achieving these objectives, members suggested that the Administration should establish a sports bureau to oversee all matters pertaining to sports development in a more focused and professional manner, take active measures to foster a community-wide sporting culture, and enhance the educational/career development opportunities for retired athletes.

18. The Administration considered that the existing administrative structure for HAB (as the policy bureau) and LCSD (as the executive agent) to take forward sports development in collaboration with the Sports Federation & Olympic Committee of Hong Kong, China and the respective National Sports Associations ("NSAs") was effective in promoting a sustainable and community-wide sporting culture. The Administration further informed members of the initiatives to improve the educational and career prospects for athletes, such as the Enhanced Athletes Educational and Vocational Development Programmes, the Elite Coaching Apprenticeship Programme, and the Hong Kong Athletes Career and Education Programme. For the promotion of sports for all walks of life, LCSD had provided funding under the Sports Subvention Schemes for NSAs to organise sports promotional programmes and competitions, and organised community sports and recreational programmes, as well as territory-wide major events on a yearly basis.

#### *Promotion of local football*

19. When the Administration briefed the Panel on the findings and recommendations of the Consultancy Report on Football Development in Hong Kong, some members expressed concern as to how the Hong Kong Football Association ("HKFA"), which played a strategic role in implementing the football reform, would overcome the various hurdles in revamping its governance structure. To complement the major changes in the football reform,

members urged the Administration to refocus its efforts on software issues such as nurturing young players, and enhancing the status, prospects and income level of professional football players. They also called for more government support in the promotion of district football, and the provision of football facilities for young people at district level.

20. The Administration assured members of its commitment to embark on major reforms on all aspects of football in collaboration with HKFA. To address members' concerns, the Administration undertook to allocate additional resources for district and representative teams and at the elite level for coaches and training facilities, and to develop feeder programmes to provide systematic pathways for players to progress from beginner to elite level. As for football facilities, the Administration advised that it would endeavour to secure the necessary resources and support from District Councils ("DCs") so as to reach the target set in the consultancy report of providing a total of 34 new/converted artificial turf pitches for public use in the next five years.

#### *Regulation of karting in Hong Kong*

21. Following a fatal incident in which a girl died whilst karting at the Diamond Coast International Kart Circuit ("the Circuit") at Lung Kwu Tan in February 2010, the Administration explained to the Panel that the Hong Kong Kart Club ("HKKC"), as the NSA for karting, had the responsibility to ensure that the sport was practised safely and in full compliance with the recognised codes and standards promulgated by the Commission Internationale de Karting ("CIK"), the international governing body for the sport. It also advised members of LCSD's role in ensuring that HKKC had fulfilled the requirement of conducting monthly inspection on the kart track and submitting monthly inspection reports to LCSD. Notwithstanding the Administration's explanation, members expressed grave concern on the effectiveness of the current mechanism. They urged the Administration to assume a more proactive role and devise more stringent policy (such as introduction of a licensing regime) in ensuring the safety of both athletes and amateurs taking part in this highly risky sport/leisure activity.

22. The Administration informed members that to bring the operation of the Circuit up to the highest possible safety standard, HKKC had been requested to compile a comprehensive safety manual for karting activities that was in line with the standards for leisure karting safety promulgated by CIK, and to invite an international expert, preferably from or nominated by the CIK, to conduct an independent review of the proposed new safety measures. Pending the satisfactory completion of the review and implementation of the new safety measures, the Circuit would remain closed. The Panel also noted that at present the Administration had no timetable for the re-opening of the Circuit.

### Building management

23. Pursuant to the tragic building collapse incident at Ma Tau Wai Road in January 2010, which had triggered wide public concern on the safety of old tenement buildings, the Panel followed up with the Administration on measures for enhancing the support to building owners and Owners' Corporations ("OCs") to facilitate more effective building management and maintenance. Members urged the Government to take the lead in assisting owners of old buildings who had difficulties in forming OCs or who lacked the ability and knowledge to tackle matters related to building management and maintenance. Some members expressed concern about the sustainability of government support to the owners/OCs concerned. They also criticized the Administration for failing to make suitable adjustment to the opening hours of the 10 Property Management Advisory Centres ("PMACs") to cater for the strong demand from OCs for meeting venues in the evening.

24. The Administration informed members that as an initiative to assist owners of old buildings in enhancing the management and maintenance of their buildings, the HAB had, in collaboration with the Hong Kong Housing Society ("HKHS") and professional association of the property management industry, launched the Building Management Professional Service Scheme ("BMPSS") in April 2010 for a one-year trial period to give professional advice to owners of target buildings for enhancing the management and conditions of their buildings. The Administration further explained that while there was a general community consensus for owners to assume the responsibility to properly manage and maintain their properties, the Government was mindful of the fact that some owners might not possess adequate knowledge and financial capability to do so. BMPSS would hence be implemented on a time-limited basis, to be followed by a review to identify owners with genuine needs for further assistance in improving the safety of buildings and environmental hygiene. At the request of the Panel, HKHS undertook to cater for requests to extend the opening hours of individual PMACs in the evening flexibly.

### Government policy on youth development

25. In the face of the persistently high unemployment rate among the youth, shrinking opportunities for social mobility, and the increasingly serious inter-generational poverty problem, members called upon the Administration to formulate a comprehensive and forward-looking youth policy focusing on the specific concerns and requirements of the younger generation. Some members considered that the Administration should provide more communication channels/platforms for young people especially the "post-eighties" and "post-nineties" generations, who had actively participated in social movements and voiced their views on various social issues in recent years. Members also urged the Administration to increase youth representation in the Commission of Youth ("COY"), and re-establish a standing consultation platform in the 18

districts to enable young people to express their views and participate in social affairs on a more regular basis.

26. The Administration confirmed the Government's intention to increase the number of youth representatives in COY. It further advised that the Government had encouraged greater participation of youth in public affairs through different channels and programmes provided/organised by the Government and relevant Uniformed Groups/non-governmental organisations. For instance, focus group meetings were organised in the Youth Summit 2010 to gauge views from youth groups and organisations on social issues. Young people were also welcome to express their views on the Government's policy initiatives through various consultation mechanisms and structure, as well as other non-governmental forums in the community. In view of young people's preference to express their views at social websites via the Internet platform, the Government was actively considering making better use of the Internet to communicate with them so as to better understand their views and concerns.

#### Development of library services

27. The Panel held two meetings to discuss with the Administration and the Public Libraries Advisory Committee ("PLAC") on the development of public library services. In view of the ongoing demand for library facilities at district level and the shortage of studying and reading space for students, members urged the Administration to review the planning standard in relation to public libraries prescribed in the Hong Kong Planning Standards and Guidelines ("HKPS&G"), increase the provision of small/community libraries at district level, extend library opening hours with reference to the views of DCs, and consider setting up self-service book lending and returning outlets at MTR stations and ferry piers on outlying islands for convenient access to library services by the public. Members passed a motion requesting the Administration to actively consider their requests.

28. The Administration and PLAC explained that in the planning of library facilities, there was a need to strike a balance between quantity and quality to ensure the standard of library services. In terms of quantity, the present provision of 66 static libraries and 10 mobile library vans across the territory had generally met or in some cases exceeded the standard suggested in the HKPS&G. As far as quality was concerned, the Administration would continue to adopt a multi-pronged approach in strengthening the library services through enhancing space provision, reprovisioning and upgrading existing public libraries, supporting the development of community libraries, supporting libraries for schools and kindergartens, developing a "library without walls", extending library opening hours, and leveraging on the use of information technology to enable the public to enjoy high quality, user-friendly, efficient and easily accessible library services. PLAC also agreed to meet with members on a more regular basis to solicit their views on the provision of library services.

### Female participation in Village Representative ("VR") Elections

29. The Administration briefed members on measures to encourage women participation in the next VR election to be held in early 2011. Some members expressed dissatisfaction about the low women participation rates in past VR elections and the absence of a stronger representation of women in rural affairs. They urged the Administration and Heung Yee Kuk ("HYK") to take into consideration the gender mainstreaming concept to ensure gender equality in the management of rural affairs, and to put in place active measures to promote equal opportunities for both genders in VR elections.

30. The Administration informed the Panel that given many rural women preferred voluntary/community work to public elections on account of their time, priority, ability and aspiration, the promotion of their participation in public elections would be an ongoing process. In working towards this direction, the Administration would encourage and facilitate women's involvement in more community/district work, with a view to building a foundation for their future participation in public affairs. The Administration further explained 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 Administration agreed to discuss with HYK (including the rural committees) regarding the application of the Checklist to their respective areas of work.

31. The Panel would visit the rural communities in July 2010 to exchange views with women VRs, rural groups and HYK regarding women participation in VR elections and related issues.

### Setting up of an intermediary body for the effective enforcement of maintenance order

32. In view of the hardship faced by maintenance payees who could not receive timely payments, members urged the Administration to adopt active and effective measures to assist them. At the request of the Panel, the Administration updated members on the implementation of improvement measures to help maintenance payees to collect maintenance payments. Some members considered that an intermediary body would alleviate the hardship and torment of maintenance payees in collecting maintenance payments, especially those suffering from domestic violence, and would be more effective than an individual in recovering arrears of maintenance payments.

33. The Administration explained that the main problem faced by maintenance payees remained the evasion of maintenance payers from compliance with the judgement summons. An intermediary body per se afforded no additional protection to payees. To facilitate the enforcement of

maintenance order and the timely collection of maintenance payment, the Administration was working on legislative amendments with a view to streamlining the court procedures in relation to judgment summons to combat the problem of maintenance payers evading service of the judgment summons. The Administration planned to consult the legal profession on these amendments in the fourth quarter of 2010.

#### District Administration

34. Pursuant to its preliminary review on the implementation experience and areas for improvement in relation to the recommendations of the 2006 DC Review in February 2009, the Panel would further discuss the subject with the Administration in July 2010, as well as other DC-related issues under the purview of the Home Affairs Department, including the responsibilities and functions of DCs, the delivery of District Minor Works, remuneration packages for DC members, financial and staffing support for DCs, and the views and concerns raised in the 2010 Summit on District Administration.

#### Other issues

35. The Panel received briefings from the Administration on the Chief Executive's Policy Address in 2009, and funding proposals for diversified community activities, provision of an allowance for village representatives and enhanced financial assistance to Mutual Aid Committees. The Panel also discussed with the Administration on the regulation of Internet Computer Services Centres, during which members passed a motion to urge the Government to study the regulation of these Centres by way of a licensing regime and draw up a timetable for conducting the study.

#### Meetings held

36. From October 2009 to June 2010, the Panel held a total of 11 meetings.

Council Business Division 2  
Legislative Council Secretariat  
30 June 2010

**Legislative Council**

**Panel on Home Affairs**

**Terms of Reference**

1. To monitor and examine Government policies and issues of public concern relating to district, community and rural matters, civic education, building management, youth matters, provision of leisure and cultural services, development of arts and culture, public entertainment, sport and recreation.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

## Appendix II

### Panel on Home Affairs

#### Membership list for 2009-2010 session

<b>Chairman</b>	IP Kwok-him, GBS, JP
<b>Deputy Chairman</b>	KAM Nai-wai, MH (since 5 February 2010)
<b>Members</b>	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 Timothy FOK Tsun-ting, GBS, 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 (Deputy Chairman up to 28 January 2010) (rejoined on 18 May 2010) Hon WONG Yuk-man (up to 28 January 2010) (rejoined on 26 May 2010)  (Total : 20 Members)
<b>Clerk</b>	Ms Betty FONG
<b>Legal Adviser</b>	Miss Kitty CHENG
<b>Date</b>	26 May 2010