

立法會 *Legislative Council*

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Panel on Home Affairs
Background brief prepared by the Legislative Council Secretariat
for the meeting on 18 March 2011

Establishment of Advisory Committee on Arts Development

Purpose

This paper provides background information on the establishment of the Advisory Committee on Arts Development ("ACAD"), and highlights the relevant concerns of Legislative Council ("LegCo") Members.

Background

2. Before their dissolution on 31 December 1999, the Urban Council and the Regional Council were responsible for the provision of arts and cultural services in the urban areas and the New Territories respectively. In March 1999, the Government issued the Consultant's Report on Culture, the Arts, Recreation and Sports Services, which recommended a new institutional framework for the provision of such services after the dissolution of the two municipal councils. Accordingly, the Leisure and Cultural Services Department ("LCSD") was established under the Home Affairs Bureau ("HAB") on 1 January 2000 to provide such services, and the advisory Culture and Heritage Commission ("CHC") was established in April 2000 to advise the Government on overall policies and funding priorities in the development and promotion of culture and heritage.

3. In April 2003, CHC submitted to the Government the Culture and Heritage Commission Policy Recommendation Report ("the Report"), which covered policies and strategies relating to the long-term arts and cultural development in Hong Kong. In its written response to the Report in February 2004, the Administration advised that it would set up a number

of advisory committees, including one on performing arts, to follow up on matters relating to the provision of arts and cultural facilities and services in Hong Kong.

Predecessors of ACAD

4. In November 2004, the Committee on Performing Arts ("CPA") was established to take forward CHC's policy recommendations on performing arts. Its terms of reference are in **Appendix I**. In June 2006, CPA issued the Recommendation Report (I) proposing changes in such areas as funding mechanism and venue provision for arts groups. The Administration accepted CPA's recommendations, which included putting major performing arts groups ("MPAGs") funded by LCSD or the Hong Kong Arts Development Council ("HKADC") under a single funding mechanism administered by HAB, and establishing a new body to advise HAB on the funding of MPAGs.

5. Accordingly, HAB set up the advisory Funding Committee for the Performing Arts ("FCPA") in November 2006 to advise the Secretary for Home Affairs ("SHA") on the funding policies for MPAGs. FCPA's terms of reference are in **Appendix II**. HAB started to fund MPAGs from 1 April 2007.

Establishment of ACAD

6. In February 2010, the Financial Secretary proposed in his Budget Speech to inject \$3 billion into the Arts and Sport Development Fund ("ASDF")¹ as seed money, to be shared equally between the arts and sport portions, and to use the investment returns to provide sustainable resources for the long-term development of the arts and sport. SHA is responsible for considering and approving applications to the arts portion of ASDF.

7. In May 2010, the Administration advised the Panel on Home Affairs ("the Panel") that an advisory committee consisting mainly of non-government officials would be established to advise SHA on the apportionment of funds from the arts portion of ASDF. Following the approval of LegCo's Finance Committee ("FC") for the injection of \$3 billion into ASDF in July 2010, ACAD was established under HAB on 1 November 2010.

¹ ASDF was a sub-fund under the Sir David Trench Fund for Recreation established under the Sir David Trench Fund for Recreation Ordinance (Cap. 1128) to provide funding for worthwhile projects for the further development of the arts and sports in the community.

Functions

8. According to HAB, ACAD has taken on the key functions of CPA and FCPA following their conclusion in the end of October 2010, and has operated with an expanded ambit. ACAD is responsible for advising SHA on the following matters relating to local arts development -

- (a) issues in relation to the use of the arts portion of ASDF, including the formulation of themes and priorities for inviting arts and cultural proposals, as well as the assessment of funding applications received;
- (b) issues in relation to the operation of matching grants under the arts portion of ASDF, including the assessment of applications received for such grants;
- (c) funding policies and strategies, including the review of the funding mechanism for MPAGs;
- (d) the promotion of cultural exchange and assessment of applications received under the Arts Development Fund, which is administered by HAB to support outbound cultural exchange activities of local artists/art groups, with a view to enhancing the profile of the arts and culture of Hong Kong on the Mainland and overseas; and
- (e) the strengthening of cultural software, including arts programme development, audience building, arts education and manpower training, and other issues pertaining to the promotion of arts and culture in Hong Kong.

Membership

9. ACAD comprises 15 members, three of whom are official members representing HAB, LCSD and HKADC. All members are appointed for a term of two years. The membership list is in **Appendix III**.

Members' concerns

10. In their consideration of the injection of \$3 billion into ASDF in July 2010, members of FC expressed concerns about the Administration's proposed establishment of a committee (i.e. ACAD) to advise SHA on the

use of the arts portion of ASDF. Their concerns are highlighted in the ensuing paragraphs.

The Government's role

11. A member remarked that it was inappropriate for the funding allocation for arts and cultural projects under ASDF to go through SHA who already had very wide responsibilities. She was concerned that arts groups or individuals not acting in a way preferred by the Administration might be barred from obtaining the required resources. As such, an independent committee should be set up to vet and approve the funding applications from arts groups.

12. The Administration advised that the proposed committee would advise SHA on how to provide funding support for arts and cultural projects. It would also be tasked to vet preliminary assessments of the funding applications received and make appropriate recommendations to SHA for approval. SHA's role was similar to a financial controller in the granting of funds. To enhance transparency, reports on the committee's work would be submitted to the Panel in future.

Operation

13. A member opined that the proposed committee should be allowed to operate on its own, free from the Government's intervention. She requested the Administration to ensure that SHA would respect the advice of arts experts in the committee and refrain from interfering with the committee's decisions.

Composition

14. A member asked about the composition of the proposed committee. The Administration advised that the committee would mainly comprise non-government members, and most of them would be arts experts from different arts disciplines. A few government officials, such as those from HAB and LCSD, would sit on the committee on a need basis, and they would be the minority in the committee. Officials from other bureaux might be invited to attend the committee's meetings to provide input/advice on specific issues as necessary.

Latest development

15. At its meeting on 18 March 2011, the Panel will discuss with the Administration matters relating to the establishment of ACAD.

Relevant papers

16. A list of relevant papers with their hyperlinks at LegCo's website is in **Appendix IV**.

Council Business Division 2
Legislative Council Secretariat
17 March 2011

Committee on Performing Arts

Terms of Reference

To advise the Secretary for Home Affairs on the provision of performing arts services, including:

1. the promotion of appreciation, expression and creativity in performing arts;
2. the formulation of strategies and plans for the development of performing arts facilities and services, with reference to the Culture and Heritage Commission policy recommendations; and
3. the encouragement of community support and partnership with different sectors in arts education, cultural exchange and other matters pertaining to the promotion of the performing arts.

Source: Press Releases on Appointment to Committee on Performing Arts and Funding Committee for the Performing Arts
<http://www.info.gov.hk/gia/general/200811/20/P200811200159.htm>

Funding Committee for the Performing Arts

Terms of Reference

To advise the Secretary for Home Affairs on the funding policies for the major performing arts groups, including:

1. the introduction of mechanisms in the new funding system to allow for the upward or downward adjustment of the funding level of each group;
2. the introduction of mechanisms for "entry and exit" of groups receiving Government subventions, including mechanisms for review and appeal, and for the referral of groups from the Hong Kong Arts Development Council; and
3. the consideration on the need to establish "flagship" performing companies in Hong Kong for the purpose of funding.

Source: Press Releases on Appointment to Committee on Performing Arts and Funding Committee for the Performing Arts
<http://www.info.gov.hk/gia/general/200811/20/P200811200159.htm>

Appendix III

Advisory Committee on Arts Development Membership (from 1 November 2010 to 31 October 2012)

Chairman: Mr Chung Shui-ming, GBS, JP

Members: Ms Kelly Chan Yuen-sau

Mr Irving Koo Yee-yin, SBS, JP

Dr Lam Pun-lee

Professor Harold Mok Kar-leung

Miss Stella Lee Wai-fun

Mr Maurice Lee Wai-man, JP

Ms Cecilia Leung Oi-ting

Ms Nancy Loo

Ms Mui Cheuk-yin

Dr Dorothy Ng Fung-ping

Mr Ernie Suek Ka-lun

Official members: Representative from the Home Affairs Bureau

Representative from the Leisure and Cultural Services
Department

Representative from the Hong Kong Arts
Development Council

**Relevant documents on
Establishment of the Advisory Committee on Arts Development**

Committee	Date of meeting	Documents/Papers	LC Paper No.
Panel on Home Affairs	3.7.2006	Committee on Performing Arts Recommendation Report (I)	(issued vide LC Paper No. CB(2)2476/05-06 on 20 June 2006) http://www.legco.gov.hk/yr05-06/english/papers/ha/papers/ha0703cb2-report-e.pdf
		Administration's paper on Committee on Performing Arts Recommendation Report "	CB(2)2492/05-06(01) http://www.legco.gov.hk/yr05-06/english/papers/ha/papers/ha0703cb2-2492-1e.pdf
		Minutes of meeting	CB(2)3127/05-06 http://www.legco.gov.hk/yr05-06/english/papers/ha/minutes/ha060703.pdf
	8.12.2006	Administration's paper on "Proposed Injection of Funds into the Arts and Sport Development Fund and the Arts Development Fund"	CB(2)525/06-07(01) http://www.legco.gov.hk/yr06-07/english/papers/ha/papers/ha1208cb2-525-1-e.pdf
		Minutes of meeting	CB(2)794/06-07 http://www.legco.gov.hk/yr06-07/english/papers/ha/minutes/ha061208.pdf

Committee	Date of meeting	Documents/Papers	LC Paper No.
Panel on Home Affairs	14.12.2007	Administration's paper on strengthening the software and humanware for culture and the arts	CB(2)245/07-08(03) http://www.legco.gov.hk/yr07-08/english/panels/ha/papers/ha1109cb2-245-3-e.pdf
		background brief on development of culture and the arts in Hong Kong prepared by the Legislative Council Secretariat	CB(2)245/07-08(04) http://www.legco.gov.hk/yr07-08/english/panels/ha/papers/ha1109cb2-245-4-e.pdf
		Minutes of meeting	CB(2)1051/07-08 http://www.legco.gov.hk/yr07-08/english/panels/ha/minutes/ha071214.pdf
	15.2.2008	Minutes of meeting	CB(2)2617/07-08 http://www.legco.gov.hk/yr07-08/english/panels/ha/minutes/ha080215.pdf
	9.5.2008	Minutes of meeting	CB(2)2742/07-08 http://www.legco.gov.hk/yr07-08/english/panels/ha/minutes/ha080509.pdf
	30.6.2008	Administration's paper on funding support for the local performing arts groups, manpower training in culture and the arts and promotion of the participation of persons with disabilities in artistic creation	CB(2)2416/07-08(01) http://www.legco.gov.hk/yr07-08/english/panels/ha/papers/ha0630cb2-2416-1-e.pdf

Committee	Date of meeting	Documents/Papers	LC Paper No.
Panel on Home Affairs	30.6.2008	Minutes of meeting	CB(2)2828/07-08 http://www.legco.gov.hk/yr07-08/english/panels/ha/minutes/ha080630.pdf
	9.1.2009	Administration's paper on proposed injection of funds into the Arts and Sport Development Fund	CB(2)580/08-09(06) http://www.legco.gov.hk/yr08-09/english/panels/ha/papers/ha0109cb2-580-6-e.pdf
		background brief on proposed injection of funds into the Arts and Sport Development Fund prepared by the Legislative Council Secretariat	CB(2)580/08-09(07) http://www.legco.gov.hk/yr08-09/english/panels/ha/papers/ha0109cb2-580-7-e.pdf
		Minutes of meeting	CB(2)1088/08-09 http://www.legco.gov.hk/yr08-09/english/panels/ha/minutes/ha20090109.pdf
	6.2.2009	Administration's response to questions on the Arts and Sport Development Fund	CB(2)743/08-09(01) http://www.legco.gov.hk/yr08-09/english/panels/ha/papers/ha0206cb2-743-1-e.pdf
		Minutes of meeting	CB(2)1605/08-09 http://www.legco.gov.hk/yr08-09/english/panels/ha/minutes/ha20090206.pdf

Committee	Date of meeting	Documents/Papers	LC Paper No.
Panel on Home Affairs	6.2.2009	Administration's response to the views of members of the LegCo Panel on Home Affairs and deputations at the special meeting on 6 February 2009 to discuss the proposed injection of funds into the Arts and Sport Development Fund	CB(2)860/08-09(01) http://www.legco.gov.hk/yr08-09/english/panels/ha/papers/ha0206cb2-860-1-e.pdf
	8.5.2009	Administration's paper on governance of major performing arts groups	CB(2)1464/08-09(01) http://www.legco.gov.hk/yr08-09/english/panels/ha/papers/ha0508cb2-1464-1-e.pdf
		background brief on governance of major performing arts groups prepared by the Legislative Council Secretariat	CB(2)1464/08-09(02) http://www.legco.gov.hk/yr08-09/english/panels/ha/papers/ha0508cb2-1464-2-e.pdf
		Minutes of meeting	CB(2)2108/08-09 http://www.legco.gov.hk/yr08-09/english/panels/ha/minutes/ha20090508.pdf
	12.6.2009	Administration's paper on strengthening the arts and cultural software of Hong Kong	CB(2)1790/08-09(01) http://www.legco.gov.hk/yr08-09/english/panels/ha/papers/ha0612cb2-1790-1-e.pdf
		background brief on strengthening the arts and cultural software of Hong Kong prepared by the Legislative Council Secretariat	CB(2)1790/08-09(02) http://www.legco.gov.hk/yr08-09/english/panels/ha/papers/ha0612cb2-1790-2-e.pdf

Committee	Date of meeting	Documents/Papers	LC Paper No.
Panel on Home Affairs	12.6.2009	Minutes of meeting	CB(2)2346/08-09 http://www.legco.gov.hk/yr08-09/english/panels/ha/minutes/ha20090612.pdf
	14.5.2010	Administration's paper on strengthening the arts and cultural software of Hong Kong	CB(2)1497/09-10(03) http://www.legco.gov.hk/yr09-10/english/panels/ha/papers/ha0514cb2-1497-3-e.pdf
		background brief on strengthening the arts and cultural software of Hong Kong prepared by the Legislative Council Secretariat	CB(2)1497/09-10(04) http://www.legco.gov.hk/yr09-10/english/panels/ha/papers/ha0514cb2-1497-4-e.pdf
		Administration's paper on proposed capital injection into the Arts and Sport Development Fund	CB(2)1497/09-10(08) http://www.legco.gov.hk/yr09-10/english/panels/ha/papers/ha0514cb2-1497-8-e.pdf
		background brief on proposed capital injection into the Arts and Sport Development Fund prepared by the Legislative Council Secretariat	CB(2)1497/09-10(09) http://www.legco.gov.hk/yr09-10/english/panels/ha/papers/ha0514cb2-1497-9-e.pdf
		Supplementary information on the Arts and Sport Development Fund provided by the Administration	CB(2)1908/09-10(01) http://www.legco.gov.hk/yr09-10/english/panels/ha/papers/ha0514cb2-1908-1-e.pdf
		Minutes of meeting	CB(2)1978/09-10 http://www.legco.gov.hk/yr09-10/english/panels/ha/minutes/ha20100514.pdf

Committee	Date of meeting	Documents/Papers	LC Paper No.
Finance Committee	7.2010	Home Affairs Bureau: Injection into the Arts and Sport Development Fund	FCR(2010-11)35 http://www.legco.gov.hk/yr09-10/english/fc/fc/papers/f10-35e.pdf
Panel on Home Affairs	20.10.2010	Administration's paper on Policy Initiatives of Home Affairs Bureau	CB(2)41/10-11(01) http://www.legco.gov.hk/yr10-11/english/panels/ha/papers/ha1020cb2-41-1-e.pdf
Panel on Home Affairs	---	Information paper provided by the Administration in November 2010 on establishment of the Advisory Committee on Arts Development	CB(2)615/10-11(02) http://www.legco.gov.hk/yr10-11/english/panels/ha/papers/hacb2-615-2-e.pdf

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