

立法會
Legislative Council

LC Paper No. CB(2)610/12-13
(These minutes have been seen
by the Administration)

Ref : CB2/PL/HA

Panel on Home Affairs

Minutes of meeting
held on Friday, 18 January 2013, at 8:30 am
in Conference Room 1 of the Legislative Council Complex

- Members present** : Hon MA Fung-kwok, SBS, JP (Chairman)
Dr Hon Kenneth CHAN Ka-lok (Deputy Chairman)
Hon WONG Kwok-hing, MH
Hon Starry LEE Wai-king, JP
Hon CHEUNG Kwok-che
Hon IP Kwok-him, GBS, JP
Hon Claudia MO
Hon Steven HO Chun-yin
Hon Frankie YICK Chi-ming
Hon WU Chi-wai, MH
Hon YIU Si-wing
Hon CHAN Chi-chuen
Hon LEUNG Che-cheung, BBS, MH, JP
Dr Hon Helena WONG Pik-wan
Hon IP Kin-yuen
Dr Hon CHIANG Lai-wan, JP
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen
- Members attending** : Hon James TO Kun-sun
Hon TANG Ka-piu
- Members absent** : Hon Cyd HO Sau-lan
Dr Hon LAM Tai-fai, SBS, JP

**Public Officers : Item IV
attending**

Mr TSANG Tak-sing, GBS, JP
Secretary for Home Affairs

Ms Florence HUI Hiu-fai, SBS, JP
Under Secretary for Home Affairs

Mr Raymond YOUNG Lap-moon, JP
Permanent Secretary for Home Affairs

Mrs Pamela TAN KAM Mi-wah, JP
Director of Home Affairs

Mrs Betty FUNG CHING Suk-yee, JP
Director of Leisure and Cultural Services

Item V

Mr TSANG Tak-sing, GBS, JP
Secretary for Home Affairs

Mr Raymond YOUNG Lap-moon, JP
Permanent Secretary for Home Affairs

Mrs Avia LAI WONG Shuk-han, JP
Deputy Secretary for Home Affairs (3)

Ms Elaine MAK Tse-ling
Principal Assistant Secretary for Home Affairs (Culture) 1

**Clerk in : Ms Alice LEUNG
attendance Chief Council Secretary (2) 2**

**Staff in : Mr Bonny LOO
attendance Assistant Legal Adviser 3**

Miss Josephine SO
Senior Council Secretary (2) 2

Miss Jasmine TAM
Council Secretary (2) 2

Miss Emma CHEUNG
Legislative Assistant (2) 2

Action

I. Confirmation of minutes

(LC Paper No. CB(2)472/12-13)

The minutes of the meeting held on 14 December 2012 were confirmed.

II. Information papers issued since the last meeting

(LC Paper Nos. CB(2)357/12-13(01), CB(2)370/12-13(01), CB(2)395/12-13(01), CB(2)470/12-13(01) and CB(2)470/12-13(02))

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

- (a) letter dated 11 December 2012 from Mr LEE Yuet-man, Chairman of the District Facilities Management Committee ("DFMC") of Yuen Long District Council, conveying DFMC's concerns and request for the retention of the existing Tin Shui Wai Public Library after the commissioning of the new Ping Shan Tin Shui Wai Public Library;
- (b) the Administration's response to Mr LEE Yuet-man's letter as referred to in paragraph 2(a) above;
- (c) further submission from three members of the public on issues relating to the use of community halls/centres;
- (d) referral memorandum from the Public Complaints Office of the Legislative Council ("LegCo") Secretariat regarding a submission made by a member of the public on the utilization of resources by the Home Affairs Department ("HAD"); and
- (e) the Administration's response to the issues raised in the submission from a member of the public on the utilization of resources by HAD as referred to in paragraph 2(d) above.

III. Date of next meeting and items for discussion

(LC Paper Nos. CB(2)474/12-13(01) and (02))

Action

List of outstanding items for discussion

3. The Chairman referred members to item 16 on the Panel's list of outstanding items for discussion and advised that the Administration had, in response to the concerns raised by Mr WU Chi-wai at the Panel meeting on 16 October 2012, provided the Panel with an information paper on the Building Management Professional Advisory Service Scheme implemented by HAD (LC Paper No. CB(2)398/12-13(01)) to facilitate members' consideration of whether the matter should be followed up at a meeting.

4. Mr WU Chi-wai considered that matters relating to building management were of public concern and should be deliberated by the Panel. At his suggestion, members agreed that the item should be kept on the list for future discussion.

Regular meeting in February 2013

5. Members agreed to discuss the following items at the next regular meeting to be held on Monday, 18 February 2013, at 8:30 am -

- (a) Two-way Commingling;
- (b) District Administration; and
- (c) Youth Hostel Scheme.

Regarding item (a) above, the Chairman informed members that the item involved a legislative proposal and it was the plan of the Administration to introduce an amendment bill to amend the Betting Duty Ordinance (Cap. 108) in the second half of the current legislative session. The Administration proposed to brief and consult members on the major amendments at the meeting on 18 February 2013 before introducing the bill into the Council.

6. In view of the number of items to be discussed, the Chairman suggested that the regular meeting in February be extended to two and a half hours to end at 11:00 am. Members agreed.

Regular meeting in March 2013

7. Members also agreed that the regular meeting in March originally scheduled for 8 March 2013 be re-scheduled to Friday, 22 March 2013, at 8:30 am.

(Post-meeting note: Members were informed of the re-scheduling of

Action

the meeting in March 2013 vide LC Paper No. CB(2)534/12-13 on 21 January 2013.)

IV. Briefing by the Secretary for Home Affairs on the Chief Executive's 2013 Policy Address

(LC Paper No. CB(2)474/12-13(03) and Booklet provided by the Administration - Address by the Chief Executive at the Legislative Council meeting on 16 January 2013 --- "Seek Change, Maintain Stability, Serve the People with Pragmatism")

8. At the invitation of the Chairman, Secretary for Home Affairs ("SHA") briefed Members on the new initiatives in the Chief Executive ("CE")'s 2013 Policy Address relevant to the works portfolio of the Home Affairs Bureau ("HAB") as well as the major ongoing initiatives undertaken by HAB, details of which were set out in the Administration's paper.

(Post-meeting note: A copy of SHA's speaking note was issued to members after the meeting vide LC Paper No. CB(2)517/12-13 on 18 January 2013.)

Culture and arts

Development of cultural and creative industries

9. Mr Christopher CHUNG considered that the Government should explore suitable mechanisms, e.g. setting up a dedicated committee to assume responsibility for co-ordinating the work of different policy bureaux and departments on cultural development and to formulate policies on promoting the development of the cultural and creative industries. Given the vast opportunities on the Mainland, the Government should step up its efforts in assisting Hong Kong's artists/arts groups to gain greater access to the Mainland market.

10. SHA acknowledged that arts and culture could be further developed into cultural and creative industries to promote economic development. The Government would continue to foster closer cooperation between the cultural and creative industries to achieve synergy and bring maximum benefits to the industries.

11. In response to Mr Tony TSE's views on the Government's support for new and budding artists, Permanent Secretary for Home Affairs ("PSHA") responded that the Administration attached great importance to nurturing young artistic talents for a vibrant arts scene in Hong Kong. Over the years,

Action

the Administration had implemented a variety of projects with a view to supporting the diversified development of local artists and arts groups. Among others, additional resources would continue to be provided to the Hong Kong Arts Development Council ("HKADC") for identification of appropriate premises as art spaces for lease to new and budding artists/arts groups at a concessionary rent for arts creation. In the coming year, HKADC would renovate and make available more arts space for artists in an industrial building in Wong Chuk Hang. Other than the Jockey Club Creative Arts Centre in Shek Kip Mei which provided art space for use by artists/creative talents, a conversion project was underway at the former Royal Hong Kong Yacht Club located at Oil Street in North Point. The building would be converted into a visual arts exhibition and activity centre and would open in mid-2013, providing a venue for grooming visual arts talents and serving as a platform for the promotion of exchanges.

Venues for arts, cultural and sports activities

12. Expressing concern about the utilization rate of the revitalized Yau Ma Tei Theatre, Mr YIU Si-wing asked whether the Administration would conduct any study to project the long-term provision and demand of performing venues for Cantonese opera as the Ko Shan Theatre Annex and the Xiqu Centre in the West Kowloon Cultural District would be completed in 2013 and 2016 respectively. In response, Director of Leisure and Cultural Services advised that -

- (a) the revitalized Yau Ma Tei Theatre was a dedicated venue for Chinese opera, in particular Cantonese opera and related activities. The Theatre was managed by the Leisure and Cultural Services Department ("LCSD") with the Chinese Artists Association of Hong Kong, its Venue Partner, which was given priority use of the venue. The utilization rate of the Theatre was not low and over 130 Cantonese opera performances were anticipated to be staged by the Association there in a year;
- (b) moreover, the Hong Kong Tourism Board had been organizing guided tours for tourists to enjoy Cantonese opera performances. The Theatre also offered guided tours to tourists which were well-received; and
- (c) there had been an increasing demand for performance venues in Hong Kong for staging Cantonese opera. To support the development of Cantonese opera, LCSD had been providing additional time slots at its major performing arts venues for priority booking by Cantonese opera troupes. These included the

Action

Sha Tin Town Hall, the Tuen Mun Town Hall and the Yuen Long Theatre. The Administration hoped that some of these performances could be moved to Ko Shan Theatre and its new Annex, thereby alleviating the booking pressure on the existing venues.

13. In response to the Chairman's suggestion on easing the problem of shortage of venues for arts, cultural and sports activities, PSHA said that the Administration would liaise with the Education Bureau to explore the feasibility of allowing performing arts groups to use vacant school premises for staging performances or rehearsals for the purpose of addressing the venue shortage problem. A school building in Tai Po district had been identified for this purpose. PSHA further advised that at present, about 10 or more schools had already been opened up for use by local sports organizations after school hours. The Administration would solicit the support of more schools through the Hong Kong Schools Sports Federation.

Preservation of local culture and heritage

14. Stressing the importance of conserving local culture and heritage, Mr Tony TSE hoped that the Administration, with the early involvement of HAB, would adopt appropriate measures to preserve local culture and heritage when taking forward infrastructure/development projects in the future. SHA assured Members that the Administration would continue with its efforts to preserve local culture.

Sports development

Alignment of fees and charges for Municipal facilities and services in the urban and New Territories regions

15. Mr WONG Kwok-hing, Dr CHIANG Lai-wan and Mr TANG Ka-piu welcomed the Administration's decision to align the fees and charges for similar public sports facilities and services in the urban and New Territories regions. Mr TANG pointed out that while same rates of fees and charges were charged for LCSD's facilities and services in the urban areas during peak and non-peak hours, different rates were applicable to users of LCSD's facilities and services in the New Territories regions at peak and non-peak hours. He sought clarification from the Administration as to whether the lower non-peak fees and charges would be adopted in this alignment exercise. Mr WONG asked about the timetable for taking forward this initiative.

16. SHA responded that in aligning the fees and charges that related to the use of LCSD facilities or services, the lower rate would prevail where there

Action

was a difference in the fee or charge for a facility or service between the urban areas and the New Territories. This alignment exercise would involve revision to several hundred items of fees and charges which did not require legislative amendments, as well as amendment to some other 100 or so items of fees and charges which were subject to the negative vetting procedure. The Administration planned to introduce the legislative amendments into LegCo in the current session. SHA added that the alignment exercise would require re-setting of fees in LCSD's computerized booking system and it was estimated that the work required would take some time to complete. In any case, the Administration aimed to implement the fee alignment proposal within the 2013-2014 financial year.

Multi-purpose Sports Complex ("MPSC") at Kai Tak

17. Mr CHEUNG Kwok-che referred to the recent speculation and wide public concerns that part of or the whole site for the development of MPSC at Kai Tak would be converted to residential use to help address the housing land shortage problem and asked whether the MPSC project would be proceeded as planned. SHA responded that the provision of MPSC in Kai Tak Development reflected the public's aspiration. The Administration would take forward the project as planned and was pressing ahead with the detailed planning and design of MPSC.

Support for elite athletes

18. The Deputy Chairman expressed concern about the disparity in the amounts of incentive awards between disabled and able-bodied athletes winning major international competitions. He urged the Administration to standardize the present reward mechanisms respectively for able-bodied and disabled athletes participating in international competitions of equivalent levels, so as to give fair recognition to the achievements of all athletes.

19. SHA advised that the levels of incentive awards for able-bodied and disabled athletes were determined by a host of factors, including the level of participation and competitiveness of the sport events. As explained at previous meetings of the Panel, the disparity in the levels of incentive awards for able-bodied and disabled elite athletes was largely due to historical reasons. The Government of the last term had once reviewed and increased the levels of incentive awards for medalists at major games. The Sports Commission would take heed of the suggestion that the gap between the levels of incentive awards for able-bodied and disabled elite athletes should be narrowed when reviewing the levels of incentive awards again this year.

Action

Governance of National Sports Associations ("NSAs")

20. The Deputy Chairman considered that the Administration should ensure that young athletes with potential to compete at a high level but not trained under the feeder systems of NSAs could have an equal chance to participate in international competitions. The Chairman shared a similar concern, adding that sufficient resources should be provided to NSAs to enable them to improve their governance.

21. SHA stressed that the Administration had all along attached importance to the governance of NSAs. Following a review of the Sports Subvention Scheme and the governance of NSAs in 2010, LCSD had provided additional recurrent resources to NSAs to strengthen their manpower in order to enhance their administrative and accounting capabilities.

Making Hong Kong a centre for major international sports events

22. Mr YIU Si-wing enquired about the initiative that would help establish Hong Kong as a centre for major sports events. In his view, the holding of international mega events such as the Rugby Seven could help attract tourists to Hong Kong, bringing substantial benefit to Hong Kong's economy. SHA responded that the Administration would continue to collaborate with various NSAs to attract world-class sports events and competitions to Hong Kong. Starting from 2014, Hong Kong would host an international tournament sanctioned by the Women's Tennis Association. HAB would provide a grant to the Hong Kong Tennis Association for organizing this event.

Youth development

Youth Hostel

23. Mr WONG Kwok-hing considered that the Youth Hostel Scheme could divert a large number of young people currently waiting for allocation of public rental housing ("PRH") units to the Scheme, thus alleviating the pressure on demand for PRH units. He enquired about the implementation timetable for building youth hostels.

24. SHA explained that the concept of the Youth Hostel Scheme was for meeting the aspirations of some working youths in having their own living space and giving these youths an opportunity to accumulate savings to meet their aspirations. While the youth hostels were not meant to provide a permanent accommodation, the scheme would unleash the potential of under-utilized sites in the hands of non-governmental organizations ("NGOs") and provide some relief to the current shortage of housing accommodation

Action

for young people who wished to live away from home. The Government planned to support with the full capital costs of building youth hostels. To implement the scheme, the Government would start with the two more mature projects on a pilot basis and review the results. HAB was now in discussion with several NGOs regarding construction of such hostels and would study the details.

Admin

25. Mr WU Chi-wai requested the Administration to provide information on whether it had set any specific target on the number of youth hostel units to be provided, and its timetable for achieving the target.

Internship on the Mainland for youths

26. Noting that the Government would provide more resources to increase internship opportunities on the Mainland for youths, Mr LEUNG Che-cheung asked about the amount of resources earmarked for this purpose and how the additional resources would be allocated. While welcoming the Administration's initiatives in respect of youth development, Mr IP Kin-yuen and Mr Steven HO enquired whether the exchange programmes/internship opportunities would be made available both on the Mainland and overseas.

27. SHA advised that additional resources would be allocated to provide more internship opportunities for youths who aspired to pursue a career in arts and culture through the Commission on Youth, post-secondary institutions and youth organizations which had been organizing internship programmes. However, the amount of resources to be allocated for this purpose was yet to be decided at this stage. The Administration would collaborate with local, overseas and Mainland organizations and institutions to provide opportunities for internship for youths and art administrators, the exact number of which would depend on the number of vacancies offered by these organizations/ institutions.

District administration

Signature Projects Scheme ("SPS")

28. Noting that CE had proposed to "address district issues at the district level and capitalize on local opportunities", Mr IP Kwok-him sought elaboration on the future role of District Councils ("DCs") in the administration of district affairs. SHA responded that in line with the aforesaid policy direction, the Government planned to encourage active district participation to enhance the efficiency of district administration by leveraging the wisdom and power of local communities. The way forward was to delegate certain work and responsibilities to DCs so that they could

Action

assist in delivering district services and promoting district development. To this end, the Administration planned to strengthen the resources for DCs. As announced in the Policy Address, a one-off grant of \$100 million for each district, or \$1.8 billion in total for all districts, would be reserved for the 18 districts to initiate one to two signature projects under SPS in the current term.

29. Mr Frankie YICK considered that the policy objective of "addressing district issues at the local level" could not be achieved simply by strengthening the resources for DCs to implement the District Minor Works ("DMW") Programme/SPS projects alone. In his view, the Administration should further enhance the roles and functions of DCs by delegating more powers formerly exercised by the two Municipal Councils to DCs. Expressing a similar view, Mr WU Chi-wai urged the Administration to conduct a comprehensive review of the District Councils Ordinance (Cap. 547) ("DCO").

30. SHA responded that the Administration was aware of the calls from Members for a review of the functions and other aspects of DCs. While it would actively study how to take forward the present mode of district administration to enhance the functions of DCs, enable DC members to play a more active role in district affairs and facilitate the coordination of government departments in service delivery at district level by the District Officers, an amendment bill to amend DCO to abolish all DC appointed seats from 2016 onwards was being drafted and would soon be introduced into LegCo. The Administration, however, had no plan to conduct a comprehensive review of DCO at this stage.

31. Mr CHEUNG Kwok-che, Ms Starry LEE and Mr LEUNG Che-cheung were concerned about the measures to be taken by the Administration to ensure that SPS projects initiated by DCs could meet the policy objective of "addressing district issues at the local level and capitalizing on local opportunities", catering for the overall needs of individual districts as well as being sustainable with lasting impact. Mr LEUNG asked whether project proposals under SPS would be subject to the monitoring of LegCo. Mr WU Chi-wai also asked whether SPS projects could be in the form of services provided to the community.

32. In response, SHA made the following points -

- (a) unlike projects implemented by DCs under the DMW Programme, SPS projects to be proposed by DCs, which might include works and/or non-works elements, would be larger in scale (since the capital investment of each project should be no

Action

less than \$30 million) and more effective in meeting the overall needs of individual districts;

- (b) DCs which were expected to take the lead in planning and coordinating their SPS projects might partner with non-profit-making organizations, statutory bodies or the business sector to deliver these projects;
- (c) a steering committee would be set up under HAD to provide policy directions and guidance to respective DCs. In addition to the total sum of \$1.8 billion, the Government would further set aside \$200 million to finance the preparation work before the SPS projects were submitted to the Public Works Subcommittee ("PWSC") and the Finance Committee ("FC") for funding approval; and
- (d) project proposals under SPS were subject to the monitoring of LegCo. The Administration would brief this Panel on projects planned by DCs if members considered it necessary to do so, before the funding proposals were submitted to PWSC and FC for consideration.

33. While expressing support for the Government's initiatives to strengthen the resources for DCs to implement SPS and DMW projects, Mr TANG Ka-piu hoped that the Administration would give DCs full support for early implementation of SPS and DMW projects initiated by DC members. Ms Claudia MO considered that to avoid misuse of public money, it was necessary for all SPS projects to go through LegCo's monitoring procedures, regardless of the nature and complexity of the projects.

34. Dr Helena WONG expressed grave concern that the allocation of \$1.8 billion for the 18 districts to implement SPS projects might invite criticisms/allegations of transfer of benefits from the Government to certain political parties. Noting that a steering committee would be set up under HAD to provide policy directions and guidance to DCs, she requested the Administration to provide more detailed information on the composition of the proposed steering committee.

35. SHA assured that the Administration would ensure that the implementation of individual SPS projects would be conducted with high degree of transparency and under the monitoring of local community and LegCo.

Admin

Action

Remuneration package for District Council members

36. Noting that the Administration would review the allowance and expenses reimbursement arrangements for DC members, Mr IP Kwok-him asked whether the remuneration package and operating expenses allowance of DC members would be covered in the review. Director of Home Affairs advised that as the first step, the Administration had embarked on the review of the arrangements of renting premises for ward offices. Regarding the honorarium/remuneration package for DC members, reviews had all along been conducted on a regular basis to ensure that the package was appropriate and in line with time. The guiding principles for setting the level of remuneration were the needs to balance the acceptability by the community and to enable DC members to carry out their duties effectively. In conducting the review, the Administration would collect feedback and suggestions from DC members through focus group meetings. The review findings as well as proposals recommending enhancements to DC members' remuneration and operating expenses allowance would be presented to the Independent Commission on Remuneration for the Members of the District Councils of the HKSAR for consideration, before the relevant funding proposal was submitted to this Panel and FC for consideration and approval.

Other issues discussed

37. Ms Starry LEE noted that to increase housing land supply, CE had announced that 36 sites, including Government, Institution or Community ("GIC") sites and other Government sites, would be used for housing development. She was concerned that the Government's decision to re-zone GIC sites for housing development would have a consequential impact on the future provision of community facilities such as recreational facilities, sports grounds and performance venues. She wondered whether the Administration had any plan to pursue an "inclusive approach", which embodied residential developments and a balanced provision of community facilities, in land use planning. Mr WU Chi-wai raised a similar concern.

38. SHA responded that the Administration aimed to achieve a "win-win" situation in re-zoning the sites currently zoned for GIC uses. Regarding the 36 sites mentioned by Ms Starry LEE, 10 of them had been zoned or were going through town planning procedures for re-zoning for housing development. Re-zoning for the remaining 26 sites was expected for completion by 2016. This required the support of the community in the relevant districts. The Government had made some progress and would continue to consult the DCs concerned.

Action

39. In response to the concern raised by Ms Claudia MO, SHA said that the Administration attached great importance to building management and a study was underway to review the Building Management Ordinance (Cap. 344) with a view to improving certain provisions in the legislation for the benefit of owners' corporations and property owners.

Administration's follow-up actions

Admin

40. As the meeting was running out of time for discussion and Dr Helena WONG and Mr WU Chi-wai had indicated their wish to have a written response from the Administration to the questions that they had raised but left unanswered (see paragraphs 25 and 34 above), the Chairman requested the Administration to provide in writing the requested information after this meeting.

(Members agreed to extend the meeting by 15 minutes.)

V. Matters relating to the nomination of representatives of Arts interests for the Hong Kong Arts Development Council
(LC Paper Nos. CB(2)474/12-13(04) and (05))

41. At the invitation of the Chairman, SHA briefed Members on the results of the review conducted by HKADC on the arrangements for nominating representatives of arts interests ("the nomination exercise") and the follow-up actions of the Government in this respect, details of which were set out in the Administration's paper. The Administration's plan was to introduce an amendment bill in the first half of 2013 to amend the Hong Kong Arts Development Council Ordinance (Cap. 472) to better reflect the established arrangements for the nomination exercise.

Relaxing the eligibility criteria for "individual arts workers" applying for membership of nominating bodies

42. Regarding HKADC's proposal to allow graduates of arts programmes at bachelor's degree or above levels run by local universities/tertiary institutions to participate in the voting process, the Deputy Chairman asked about the rationale for setting such qualifications as the eligibility requirements and the reason for excluding students currently undertaking an arts programme and graduates of a sub-degree programme in the relevant disciplines from participating in the voting process.

43. PSHA explained that HKADC proposed including graduates awarded with a bachelor's degree or above as members of the arts community because these graduates had attained high levels of academic competence in the arts

Action

subjects they studied and had had opportunities to practise and take part in arts creation and performances during their studies. Since students currently undertaking an arts programme and non-degree arts graduates had relatively lower level of academic achievements and less practical experience in the related arts disciplines, HKADC considered it not suitable to relax the requirement to include them as eligible for registration as voters.

44. The Chairman said that he was the former Chairman of HKADC. While expressing support for relaxing the eligibility criteria for "individual arts workers" applying for membership of nominating bodies, he considered that winners of overseas honours/awards and graduates having equivalent qualifications conferred by recognized overseas institutions should also be included as eligible voters.

45. Sharing the Chairman's and the Deputy Chairman's concerns, Mr CHAN Chi-chuen pointed out that many former graduates of the sub-degree programmes offered by the Hong Kong Academy for Performing Arts were outstanding with proven record in different arts sectors. He noted that HKADC proposed to require new applications for arts organizations for membership of nominating bodies to meet a new criterion under which the arts organization must have conducted works or activities related to the 10 specified arts interests during the three years preceding the commencement of the nomination exercise. In his view, the same requirement should also apply to individual arts workers. In considering revising or relaxing the eligibility criteria for arts organizations and individual arts workers applying for membership of nominating bodies, it was important to uphold the principles of maintaining fairness and encouraging wider participation.

46. PSHA responded that -

- (a) in considering the extent of relaxation, HKADC had taken into account a number of factors, including the technical/practical feasibility. During the recent public consultation on the nomination exercise launched by HKADC, there were views that awards/honours or qualifications granted by the Mainland or overseas organizations/institutions should also be recognized. However, HKADC considered that registered voters in the nomination exercise should maintain some connection with the local arts community. Besides, it would be difficult to verify the credentials of excellence achieved outside Hong Kong. This notwithstanding, the Administration was willing to consider the matter in the next review; and
- (b) HKADC did not consider it necessary to impose an additional

Action

requirement for fresh graduates of arts programmes to prove that they had participated in activities relating to the 10 arts interests as these graduates should have already been involved in arts activities such as through internship during the study of the degree programmes.

47. In response to Mr CHAN Chi-chuen's further enquiry as to whether "street performers" were eligible for voting, PSHA said that street performers could either apply for registration as voters through an arts organization which had been registered as an organizational member of the nominating bodies of a specified arts interest, or apply for individual membership of nominating bodies if they could fulfill the relevant requirements.

48. Mr IP Kwok-him welcomed the proposal of HKADC for the 2013 nomination exercise. He hoped that the Administration would step up its publicity efforts to put the message across, so that all eligible arts workers/organizations would be aware of their eligibility for registration as voters.

49. Mr IP Kin-yuen declared that he was an arts advisor to HKADC in the sector of arts education. He noted that information about the eligibility requirements for being a voter, a candidate or a proposer was not available on the website of HKADC, and requested that such information be uploaded to HKADC's website for public access. SHA undertook to relay Mr IP's request to HKADC.

Retaining the cross-arts interest voting system

50. The Deputy Chairman noted that HKADC proposed to retain the cross-arts interest voting system and to allow registered voters to choose the arts interest(s) for which they would cast their votes and be allocated ballots according to their choice of arts interest(s). He asked whether registered voters would be given sufficient time before the polling to consider which contested arts interest(s) they wished to cast their vote(s) and to acquaint themselves with the candidates standing for nomination.

51. PSHA responded that in view of Members' concern over the numbers of blank votes received in the previous nomination exercise of some arts interests, HKADC proposed to allow registered voters to choose the arts interest(s) for which they would cast their votes. While a decision on when voters should be invited to indicate their choice was yet to be reached, the Government had an open mind on all proposals.

52. The Chairman suggested that the Administration should explore ways

Action

to enhance the fairness and credibility of the voting process under such a system, e.g. adopting the "weighted average" approach to adjust the weight of vote(s) cast by a voter depending on whether he/she was or was not directly involved in the arts interest(s) for which vote(s) were cast by him/her. Mr IP Kin-yuen said that consideration could also be given to a "mixed election" model in which each voter would have two votes i.e. one for a candidate standing for nomination representing an arts interest to which the voter belonged, and one for another candidate representing all the arts interests.

53. On the Chairman's suggestion, PSHA said that the "weighted average" approach was controversial, and how the weight of votes cast by a voter among different arts interests should be proportioned to one another was complicated and not easy to implement. In the view of the Administration, the cross-arts interest voting system had already addressed the concerns about encouraging wider participation and cross-disciplinary vision.

54. Mr IP Kwok-him enquired about the measures to reduce the number of blank votes in future nomination exercises. SHA advised that the proposal of HKADC to allow registered voters to choose the arts interest(s) for which they would cast their votes and be allocated ballots according to their choice of arts interest(s) was to address the problem of blank votes.

Composition of HKADC

55. Mr WU Chi-wai and Mr IP Kin-yuen were concerned about the existing ratio of appointed members to elected members in HKADC, as only 10 of its 27 members were nominated by the 10 specified arts interests. Mr WU asked whether the Administration would consider reviewing the above ratio by increasing the number of elected members, so as to enhance the representativeness and credibility of HKADC.

56. SHA responded that HKADC was a statutory body set up by the Government with the mission to plan, promote and support the broad development of the arts. Apart from the three official members representing the Government, some of the members not nominated by arts interests also had arts or other backgrounds. Having regard to HKADC's wide scope of work, including resource allocation and vetting applications for funds, members with other expertise could contribute to HKADC's discharge of its functions. While the Administration had no plan to review the ratio of appointed members to elected members in HKADC at this stage, it would maintain an open mind on any proposals for enhancing the representativeness and credibility of HKADC in future. Mr IP Kin-yuen urged the Administration to review the composition of HKADC in the next review

Action

exercise. SHA responded that the Administration was willing to consider Members' views.

VI. Any other business

57. The Deputy Chairman said that he had received a submission from Hong Kong Culture Monitor expressing views on the CE's 2013 Policy Address and the review conducted by HKADC on the arrangements for nominating representatives of arts interests. Members might wish to consider inviting deputations to attend a future meeting of the Panel to give views on the new initiatives in the Policy Address that related to culture and arts and sports development. At the request of the Deputy Chairman, the Chairman agreed that the submission be circulated to members for information.

(Post-meeting note: The above submission was circulated to members vide LC Paper No. CB(2) LC Paper No. CB(2)518/12-13 on 21 January 2013.)

58. There being no other business, the meeting ended at 10:37 am.

Council Business Division 2
Legislative Council Secretariat
14 February 2013