

立法會

Legislative Council

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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 ("the Panel") during the 2012-2013 Legislative Council ("LegCo") session. It will be tabled at the Council meeting of 10 July 2013 in accordance with Rule 77(14) of the Rules of Procedure of the Council.

The Panel

2. The Panel was formed by a resolution passed by 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, the development of arts and culture, public entertainment, sport and recreation. The terms of reference of the Panel are in **Appendix I**.

3. The Panel comprises 20 members, with Hon MA Fung-kwok and Dr Hon Kenneth CHAN Ka-lok elected as its Chairman and Deputy Chairman respectively. The membership list of the Panel is in **Appendix II**.

Major work

District and community matters

Enhancement of district administration

4. To strengthen the District Administration Scheme, the Chief Executive, in his 2013 Policy Address, announced that a one-off grant of \$100 million for each district would be earmarked for the District Councils ("DCs") to implement the Signature Projects Scheme ("SPS"). The Panel examined the Administration's proposal to enhance the District Administration Scheme in

detail. Considering that the Administration's proposal would enhance district administration, some members expressed their support. Some other members, however, held the view that some of the powers formerly exercised by the two Municipal Councils should be delegated to DCs. To enhance the roles and functions of DCs, these members urged the Administration to conduct a comprehensive review of the District Councils Ordinance (Cap. 547).

5. Members expressed various concerns about the implementation and monitoring of SPS projects. In members' view, the Administration should adopt measures to ensure that the proposals formulated by DCs had been properly thought through. Members were also concerned whether DCs would be required to carry out and complete their signature projects before the end of the current DC term. Some members considered that the Administration should request all DCs to conduct district consultation before deciding on whether or not a proposal should be pursued under SPS. Some other members held the view that given the experience gained in the implementation of the District Minor Works Programme, DCs would have the ability to discharge their duties effectively and impartially.

6. The Administration advised that it was hoped that the projects could be commenced or even accomplished within the current DC term as far as practicable. All SPS projects would be subject to a lower limit of \$30 million and an upper limit of \$100 million, and DCs were required to follow the established procedures to seek funding approval from LegCo for implementation of individual SPS projects. The Administration had formulated detailed operational guidelines on SPS for compliance by DCs. A Steering Committee would be set up under the Home Affairs Department ("HAD") to oversee the implementation of SPS projects in 18 districts.

7. Concern was also raised about the inadequacy of resources for DCs to promote arts and culture in districts. Some members considered the existing annual provision of \$320 million and the proposed injection of an additional \$20.8 million a year for all DCs to organize or finance Community Involvement programmes and activities at the district level far from sufficient. They urged the Administration to provide more resources and support to local arts groups to facilitate their further development.

Tin Sau Bazaar in Tin Shui Wai

8. Members in general welcomed the Administration's proposal to set up Tin Sau Bazaar ("the Bazaar") in Tin Shui Wai ("TSW") to be operated and managed by Tung Wah Group of Hospitals ("TWGHs") on a non-profit-making basis. Members called on the Administration to formulate a long-term policy on the development of local community economy bazaars and consider the need for extending the proposed project in TSW to other districts. Pointing out that

hawkers at the Morning Bazaar along the TSW Nullah sold their goods at low prices, some members considered that the Morning Bazaar helped alleviate the financial pressure of low-income families and provided opportunities for the unemployed in the local district to operate small business. They urged the Administration to adopt a lenient approach and allow the hawking activities along the TSW Nullah to continue to exist even after the open bazaar in TSW had come into operation.

9. The Administration explained that the initiative to set up a district open bazaar in TSW was a specific measure aiming at addressing the specific needs of residents in TSW North. The Administration would take into account the unique circumstances of individual districts in considering the need for establishing open bazaars in other districts, having regard to the experience gained in operating the open bazaar in TSW. The Administration further advised that the Food and Environmental Hygiene Department ("FEHD") would continue to adopt the approach of giving warning to the hawkers concerned in the vicinity before taking enforcement actions after the opening of the Bazaar.

10. Noting the operational difficulties encountered by the stall operators in the Bazaar, members received views from deputations on the subject. Members shared the concerns of the deputations about various issues including lack of licence for selling fresh meat in the Bazaar, scorching sunshine, insufficient power supply of the stalls and poor accessibility to the Bazaar. Many members commented that the positioning of the Bazaar was not clear and considered that the Bazaar should be positioned as a market selling fresh food to attract more patronage. Some members also pointed out the importance of flexibility in the terms of tenancy and appropriate product/trade mix in the success of the operation of the Bazaar. The Administration and TWGHs were called on to respond to the requests of stall operators and expeditiously implement measures to enhance the operating environment, patronage and competitiveness of the Bazaar.

11. The Administration stressed that efforts had been and would continue to be made by TWGHs and the Government in improving the operating environment of the Bazaar and the business skills of the stall operators. TWGHs would set up an advisory committee comprising the stall operators' representatives as a platform for discussions on the management and long-term development of the Bazaar. As regards the suggestion of constructing a canopy to address the issue of scorching sunshine, the Administration explained that the design concept of the Bazaar was outdoor market stalls and the construction of canopy or roof might not be compatible with the concept of outdoor market stalls. In response to requests for selling meat in the Bazaar, TWGHs had applied to FEHD for a Fresh Provision Shop Licence and would implement the required alteration works and procedures with a view to introducing the sale of chilled/frozen meat in the Bazaar as soon as possible.

Development of arts and culture

Cultural work in the new term of the Government

12. In the course of discussion of the cultural work in the new term of the Government, members generally held the view that a dedicated policy bureau should be established to take charge of the arts and cultural development in Hong Kong. Members expressed concern about the inadequate support provided by the Administration to small and medium arts groups. In members' view, the new-term Government should come up with more concrete measures to facilitate the long-term and sustainable development of small and medium arts groups and the nurturing of budding artists. Some members considered that the Government should devote more resources to the promotion of public art in the community.

13. The Administration advised that the new term Government had decided to hold the proposal of setting up a cultural bureau in abeyance. The Administration considered that by continuously entrusting the Home Affairs Bureau ("HAB") with the tasks of arts and cultural development could ensure continuity and sustainability. The Administration stressed that the Government's work in promoting public art in the community were many folds. Over the years, the Leisure and Cultural Services Department ("LCSD") had been actively working with different organizations, including government departments, DCs, cultural and arts groups and private organizations, in the organization and promotion of community arts programmes and activities.

Nomination of representatives of arts interests for the Hong Kong Arts Development Council

14. The Panel received a briefing from the Administration on the results of the review of the arrangements for nominating representatives of arts interests ("the nomination exercise") conducted by Hong Kong Arts Development Council ("HKADC") and the Administration's legislative proposal relating to the nomination exercise. Members generally welcomed the Administration's proposal to introduce additional criteria for arts organizations to become members of nominating bodies and to relax the eligibility criteria for "individual arts worker" so that more members of the arts community could take part in the nomination exercise. Some members noted with concern that students currently undertaking an arts programme and graduates of a sub-degree programme in the relevant disciplines would be excluded from the proposed relaxation of eligibility criteria. In their view, winners of overseas honours/awards and graduates having equivalent qualifications conferred by recognized overseas institutions should also be included as eligible voters.

15. According to the Administration, HKADC proposed to include graduates awarded with a bachelor's degree or above as eligible voters because they had attained high levels of academic competence in the arts subjects they studied and had taken part in arts creation and performances during their studies. As regards the suggestion of relaxing the eligibility criteria to also include individuals with awards/honours or qualifications granted by Mainland or overseas organizations/institutions, HKADC was of the view that registered voters in the nomination exercise should maintain some connection with the local arts community.

16. To enhance the fairness and credibility of the voting process under the "cross-arts interest voting system", some members put forward suggestions such as a "weighted average" approach to adjust the weight of vote(s) cast by a voter and a "mixed election" model in which each voter would have two votes for the Administration's consideration. The Administration explained 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. The cross-arts interest voting system had already addressed the concerns about encouraging wider participation and cross-disciplinary vision.

Development of public library services

17. The Panel continued to follow up on the progress on the development of public library services. Members were of the view that the Administration should take into consideration the changing population structure in Hong Kong, the socio-economic characteristics of the population and the unique circumstances and changing needs of individual districts in planning the provision for public libraries. They urged the Administration to review the standards for the provision of public libraries under the Hong Kong Planning Standards and Guidelines ("HKPSG"). Concern was also raised about the trial book drop service at Mass Transit Railway ("MTR") stations. Some members suggested that Hong Kong Public Libraries should draw reference from the Mainland experience and install advanced self-service book borrowing and returning machines at major transportation outlets, such as airport and MTR stations, to facilitate the general public in the loan and return of books.

18. According to the Administration, the current provision of public libraries had in general met the existing planning standards suggested by HKPSG. While major and district libraries remained the backbone of the library network, the Administration would keep in view the need to supplement library services in districts with small and mobile libraries where justified. To provide more spacious library environment, space provision for new libraries from the previous 3 310 square meters to 6 200 square meters for major libraries and 2 200 square meters to 2 900 square meters for district libraries. The

Administration further advised that it was seriously considering the feasibility of setting up convenient library outlets at MTR stations through the application of the Radio Frequency Identification ("RFID") technology. The Administration was conducting a feasibility study on business case of service-wide adoption of RFID technology.

Enhancement of museum services

19. Members generally held the view that the Administration should adopt a more dynamic approach in promoting museum exhibitions/activities for audience building, in particular attracting young people and sustaining their interest in visiting museums. Some members suggested that the Government should digitalize the museum collections/exhibits, including valuable performance of artists/art groups/pop music singers, for better preservation of local art and culture. Some other members were of the view that in curating thematic exhibitions, consideration should be given to organizing exhibitions that could help raise the public awareness of topics that had attracted worldwide concerns. There were also views that more exhibitions on Chinese history and Chinese traditional culture should be organized to help nurture among Hong Kong people a sense of belonging to as well as enhance their understanding of the mother country.

20. The Administration advised that LCSD was in the process of developing online or digital museum collections and resources had been allocated for launching a museum portal carrying multi-media content and revamping individual museum websites. LCSD also planned to convert classical repertoires of Cantonese opera masters/virtuoso into digital records for further processing. Following the signing of the Agreement on Enhancing Exchange and Co-operation in the Area of Cultural Heritage between HAB and State Administration of Cultural Heritage in December 2011, LCSD had signed the Memorandums of Understanding with the Palace Museum and the National Museum of China respectively in 2012, enabling long-term and more extensive exchange and cooperation between the two sides on the conservation and promotion of cultural heritage.

Provision of funding for acquisition of artworks

21. The Panel discussed the Administration's proposal to provide \$50 million to LCSD for acquiring and commissioning artworks by local artists. Pointing out that different people might have different art appreciation tastes, members expressed concern about the objectivity of the assessment criteria and transparency of the procurement procedures for acquisition and commissioning of artworks. The Administration was urged to engage the public in the evaluation process of commissioning local artists to create artworks. Some members held the view that the Administration should make public the reasons

for each proposed acquisition. Concern was also raised whether there was any overlapping between the scope of the art collections of LCSD museums and M+ museum in the West Kowloon District.

22. The Administration advised that LCSD was conscious of the need to coordinate and communicate with M+ on each other's scope of museum collection to avoid competition for local artworks. According to the Administration, the assessment criteria in the acquisition process included the artistic merit of the proposed acquisition, its relevance to museums' collections, its physical condition, price, display and education value as well as the reputation of the artist. LCSD would invite its Museum Expert Advisers from the relevant museum advisory panel to give independent advice on the proposed acquisition. The Advisers were required to declare interest when conducting assessment to avoid conflict of interest and no remuneration or honorarium would be offered to them.

Yau Ma Tei Theatre Phase II Development

23. Members received a briefing on the Administration's proposal to re-provision the Shanghai Street refuse collection point ("RCP") and street sleepers' services units ("SSSU") to facilitate the implementation of the Yau Ma Tei Theatre ("YMTT") Phase II project. While some members expressed support for the Administration's proposal, some other members held a strong view that the co-location arrangement of RCP and SSSU at the same site was a form of discrimination against street sleepers. These members strongly requested that the two facilities should be re-provisioned to separate sites. A suggestion was made that the Government should examine the feasibility of constructing two separate building blocks on the site at Hau Cheung Street to accommodate the re-provisioned RCP and SSSU.

24. Some members further expressed concern about whether the Phase II development of YMTT could address the existing space shortage problem of YMTT, so that it could serve as a territory-wide performing arts venue designated for promoting Cantonese opera. Some members suggested that consideration should be given to enhancing attractions in the vicinity of YMTT, such as the Yau Ma Tei Wholesale Fruit Market, as this could attract more tourists and local visitors to YMTT.

25. The Administration explained that due to the constraints posed by the preservation of YMTT and Red Brick Building (both of which were graded historic buildings), the size of the foyer space and the side stage of the current YMTT was not adequate. It was necessary to relocate the existing RCP and SSSU adjoining YMTT to provide space for expanding the foyer and the side stage of the theatre and to provide rehearsal facilities at the venue. According to the Administration, the re-provisioning proposal was drawn up after

consultation with the relevant stakeholders including Yau Tsim Mong DC, residents in the district and the two operators of the Shanghai Street SSSU. DC members supported the proposal and requested for its early implementation.

26. A motion was passed by the Panel urging the Government to respect the dignity of street sleepers in the course of redeveloping YMTT and relocating the nearby street sleepers' shelter and RCP, and to uphold the people-oriented principle by re-provisioning RCP and SSSU to separate sites as well as facilitating the access by street sleepers.

First territory-wide survey on intangible cultural heritage

27. The Administration reverted to the Panel on the outcome of the first territory-wide survey of intangible cultural heritage ("ICH") in Hong Kong. Members examined the draft ICH inventory and the list of items to be further considered and made some suggestions of items for inclusion into the inventory. Members noted that the survey report had made a number of recommendations on matters concerning the mechanism for inclusion of additional items into the ICH inventory and safeguarding and transmission of ICH items. Concern was raised about how the Administration would follow up on these recommendations and the resources to be allocated for safeguarding and transmission of ICH items. Members stressed to the Administration the importance of engaging the community in the process of drawing up the ICH inventory of Hong Kong.

28. The Administration advised that a four-month public consultation would be launched in July 2013 to gauge public views on the draft inventory list recommended by the ICH Advisory Committee ("ICHAC"). Taking into account the public views received, the Administration would consult ICHAC again before publishing the first ICH inventory list for Hong Kong in early 2014. Consideration would be given to selecting items of high cultural heritage value from the inventory for drawing up a representative list of ICH for Hong Kong, which would provide the Government with a basis for prioritizing resources and safeguarding measures, particularly for highly important and endangered ICH items. The Administration pointed out that the threshold for inscription of an item onto the representative list was higher than that of the inventory, which might include considerations such as uniqueness of the item, its historical, literary, artistic and scientific values, etc.

Sport and recreation

The Government's sports policy and objectives

29. The Panel was briefed by the Administration on the Government's sports policy and the key initiatives implemented or planned to achieve its policy objectives. Members were of the view that the Administration should seek to

support the hosting of sports events which could be staged on a sustainable basis and become representative events in Hong Kong. Members also expressed concern about the monitoring of the governance of National Sports Associations ("NSAs") and the Sports Federation and Olympic Committee of Hong Kong, China ("SF&OC"). Some members raised concern about the lack of transparency in the selection of athletes for participation in international sports competitions. They urged the Administration to request NSAs to organize open competitions for their respective sports to select representatives of Hong Kong to take part in international competitions.

30. The Administration stressed that it 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. NSAs had also been provided with a set of "Best Practice Reference for Governance of National Sports Association" drawn up by the Independent Commission Against Corruption specifically for SF&OC and NSAs for reference and adoption. According to the Administration, SF&OC had an established mechanism for selection of athletes through its member NSAs, which were the national federations of individual sports in Hong Kong and affiliated to their respective international or Asian federations.

31. Pointing out that training for athletes in certain sports might need to commence at a very early stage, members were concerned how the Administration could facilitate the nurturing of more junior athletes with potential to ensure the succession of elite athletes. Some members expressed concern that the amounts of incentive awards for disabled athletes who won medals at the Paralympic Games were far less than those offered to able-bodied medalists at the Olympic Games. They considered that the incentive awards for disabled elite athletes should be on par with those for the able-bodied elite athletes.

32. According to the Administration, LCSD had since 2009 allocated funding to NSAs to conduct enhanced feeder programmes to identify youngsters with potential and provide training for them at an early stage. The Administration further explained that the disparity in the levels of incentive awards for able-bodied and disabled elite athletes was mainly due to historical reasons. The Government of the last term had reviewed and increased the levels of incentive awards for medalists at major games. The level of adjustment for disabled elite athletes was proportionately higher than that for able-bodied elite athletes in the last review exercise.

Development of the Multi-purpose Sports Complex at Kai Tak

33. In view of wide public concern over the development of the Multi-purpose Sports Complex ("MPSC") at Kai Tak, the Panel discussed with the Administration the latest development of the MPSC project. Members were pleased to note that the Administration had not shelved the development of MPSC and called on the Administration to speed up the planning and development process to facilitate the early completion of MPSC. Members also urged the Administration to ensure that the facilities in MPSC would meet the needs and aspirations of both the sports sector and the community. Noting that the consultant had considered that the public-private partnership model was the most preferable financing option for the project, some members were concerned about the possible domination of MPSC by big consortia and possible transfer of benefits from Government to business if such model was adopted.

34. The Administration advised that during the design and planning stage, the Administration would consult the sports sector, various stakeholders and the public on the detailed layout and design of the facilities to ensure that the sports complex would meet the needs of the sports sector and the community. While a decision on the procurement and financing plan had yet to be made, the Administration would study the recommendations of the consultant, in consultation with the Sports Commission and the relevant bureaux, when taking forward the project.

Alignment of fees and charges of municipal facilities and services

35. The Panel examined the Administration's proposals to align the fees and charges for the same types of municipal facilities and services in the urban area and the New Territories based on the lower rate of the two levels. Members in general welcomed the Administration's proposals and urged for their early implementation. Noting that the Administration would introduce non-peak hour rates to facilities in the urban area by making reference to the charging mode in the New Territories, some members held the view that there was no need to demarcate peak and non-peak hours for facilities in both the urban area and the New Territories.

36. The Administration advised that the alignment exercise would involve amendment to some 130 items of fees and charges which were subject to the negative vetting procedure as well as revision to several hundred items of fees and charges which did not require legislative amendments. Upon the completion of scrutiny of the subsidiary legislation by LegCo, the Administration expected that the revised fees payable in respect of the items which did not involve the use of LCSD's Leisure Link System ("LLS") for facility booking and payment could be introduced immediately. For those items which required the use of LLS, the aligned fees and charges would take

effect progressively from August 2013 onwards as time would be required for adjusting the large number of fees included in LLS. Upon the implementation of the fee alignment exercise, the Administration would conduct a comprehensive review on the structures and levels of fees and charges for various leisure facilities and services, including the charging arrangements for peak and non-peak hours.

Private Recreational Leases

37. The Panel continued to follow up the subject of Private Recreational Leases ("PRLs") and received an update from the Administration on the progress with the renewal of PRLs. Many members expressed dissatisfaction at the Administration's decision to renew those PRLs that had expired in 2011 and 2012 for another 15 years. These members considered that a 15-year renewal term was too long as a comprehensive review on the policy of PRLs had not been conducted. Pending the review results, the leases should be renewed for a short period of three to five years as the Government could not resume the lands before the expiry of the renewed leases. There was also a view that the Administration should not adopt an "across-the-board" approach to deal with all PRLs as a distinction should be made between private sports clubs which had small membership size and charged exorbitant membership fees and those non-profit making organizations with a mission of promoting sports in the community. Some other members considered that while it was acceptable for the Administration to renew the leases for another term of 15 years, the Administration should require the lessees to further open up their sports facilities for public use and carry out effective monitoring of PRLs to safeguard public interests.

38. According to the Administration, PRL lessees had been advised that there should be no expectation that their leases would be further renewed upon expiry, or that if the leases were further renewed, they might not be renewed at nominal premium or on the same terms and conditions as before. Under the existing lease terms, the Administration had the power to resume specific sites occupied under PRLs for a public purpose, provided that a 12-month notification period was given to the lessee concerned. The Administration assured members that upon completion of the current PRL renewal exercise, HAB would work with the relevant policy bureaux and departments to conduct a comprehensive review of the policy on PRLs. The Administration would endeavour to complete the review within the current term of the Government.

39. On the monitoring of PRLs, some members expressed concern whether there would be penalties for breaching the lease conditions such as requiring lessees to open their sports facilities to outside bodies for a minimum of 50 hours per month. Some members urged the Administration to make public the terms and conditions of the leases and information on the "opening up" schemes

of the lessees, so as to facilitate the public to monitor compliance by the lessees with the lease conditions. The Administration advised that it was stepping up publicity on various fronts including providing full information on the "opening up" schemes on the websites of the lessees. All PRL lessees were required to submit quarterly reports on the utilization of their sports facilities. The Administration would conduct random checks on lessees and act on complaints.

40. A motion was passed by the Panel urging the Government to establish a monitoring and vetting mechanism for the approval and renewal of lands leased under PRLs, and further open up such lands for use by the public, so as to safeguard public interests.

Review of the Building Management Ordinance and building management initiatives

41. During the discussions on the findings of the Interim Report of the Review Committee on the Building Management Ordinance ("the Review Committee"), members pointed out that many Deeds of Mutual Covenants ("DMCs") of private housing estates contained provisions which were unfair to property owners. Members expressed concern about the difficulties encountered by property owners in forming owners' corporations ("OCs") for the management of their buildings and terminating the appointment of their DMC managers. Members called on the Administration and the Review Committee to look into and address issues related to unfair and unreasonable DMC terms at its next stage of work.

42. According to the Review Committee, it had reviewed the issue of termination of the appointment of DMC manager with a view to exploring whether there was room for improvement. Various options had been examined including lowering the threshold of terminating the appointment of DMC managers from 50% to 30%, introducing a time limit for the appointment of DMC managers and requiring open tender of subsequent property management service providers. The Review Committee would study in detail the mechanism for termination of the appointment of DMC managers at its next stage of work.

43. Pointing out the need to help property owners to resolve their disputes over building management, some members suggested that the Administration should seriously consider setting up a dedicated building affairs tribunal for the expeditious handling of building management disputes. The Administration advised that it would continue to promote the use of mediation as an alternative mechanism for settling such disputes. The Review Committee explained that if the proposed tribunal was to be established within the judicial system, it might unnecessarily complicate the structure of the existing court system. To ensure fairness, the proposed tribunal must give parties concerned a proper opportunity

to present their evidence and cases. As such, the processing time by the proposed tribunal might not be shorter than the existing arrangements in the Lands Tribunal.

44. Members also expressed concern about the adequacy of support provided for OCs and owners and residents living in the so-called "three-nil buildings" (i.e. those buildings which did not have an OC nor any form of owners/residents organizations nor engaged a property management company) to manage their buildings more effectively. In members' view, the Administration should strengthen the role of and allocate more resources to increase the manpower of Liaison Officers, with a view to providing better support to owners in discharging their building management responsibilities. According to the Administration, the Government had all along been assisting property owners to discharge their building management responsibilities through multi-pronged measures. The Administration would review the establishment of Liaison Officers of the District Building Management Liaison Teams and their scope of work from time to time to keep pace with actual circumstances.

Youth Hostel Scheme

45. The Panel received a briefing on the latest development of the Youth Hostel Scheme ("YHS") initiated by the Administration to support interested non-governmental organizations ("NGOs") to use part of the land granted to them by the Government for "Government, Institution or Community" use to build hostels for single youths. While expressing support for YHS, members expressed concern that the provision of 200-odd hostel units through the two pilot projects was inadequate to address the long existed housing shortage problem. Some members queried the rationale for not allowing hostel tenants to continue queuing for PRH once allocated a hostel unit and considered the eligibility criteria under YHS too stringent. They also pointed out that the Administration's proposal of not requiring tenants to undergo income and asset limit tests upon renewal of tenancy would affect the turnover of hostel units.

46. According to the Administration, the aims of YHS were to unleash the potential of under-utilized sites in the hands of NGOs and provide some relief to the current shortage of housing accommodation for young people who wished to live away from home. Given that the Government would support the full capital costs of building the hostels, it was considered inappropriate for hostel tenants to continue queuing for PRH as the provision of youth hostels was highly subsidized by the Government. The Administration stressed that if the youths were not applying for a singleton PRH on their own, their applications should not be affected.

Two-way commingling on horse race betting

47. The Panel discussed with the Administration its proposal to amend the Betting Duty Ordinance (Cap. 108) to facilitate the conduct of two-way commingling on horse race betting. Some members expressed support for the proposal and considered that the conduct of two-way commingling on horse race betting would not encourage the growth of gambling culture and would also help combat off-shore and illegal bookmaking activities. Some other members, however, raised concern that the proposed arrangements would lead to an increase in betting opportunities and encourage more people to participate in gambling activities. These members considered that the Government should allocate more resources to assist problem and pathological gamblers.

48. The Administration explained that the proposed legislative proposals were to avoid double taxation and to align with international practice of reciprocity and fair trade. The implementation of commingling arrangement would reduce the possibility of illegal bookmakers taking advantage of arbitrage of odds differences as a result of the existence of multiple separate pools in various jurisdictions in respect of the same bet type on the same race, thus discouraging off-shore and illegal bookmaking activities. The Administration stressed that no additional gambling opportunities would be introduced after the implementation of two-way commingling arrangement on horse race betting by the Hong Kong Jockey Club ("HKJC").

49. Pointing out that the current progressive betting duty rates on the net stake receipts of local bets on non-local races were from 72.5% to 75%, some members queried the rationale for applying a lower betting duty rate at 72.5% and allowing the deduction of a higher amount of fees payable by HKJC to its non-local partners for the betting duty calculation. The Administration's explanation was that the proposal only sought to provide greater certainty on the taxation arrangement in HKJC's negotiations with non-local jurisdictions.

Meetings held

50. During the period between October 2012 and end of June 2013, the Panel held a total of 11 meetings, including a joint meeting with the Panel on Environmental Affairs to discuss the provision of a public beach at Lung Mei, Tai Po. The Panel has scheduled another meeting in July 2013.

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.

Panel on Home Affairs

Membership list for the 2012-2013 session

Chairman	Hon MA Fung-kwok, SBS, JP
Deputy Chairman	Dr Hon Kenneth CHAN Ka-lok
Members	Hon WONG Kwok-hing, MH Hon Cyd HO Sau-lan Hon Starry LEE Wai-king, JP Dr Hon LAM Tai-fai, SBS, 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 (since 14 December 2012) 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

(Total : 20 Members)

Clerk Ms Alice LEUNG

Legal Adviser Mr Bonny LOO

Date 14 December 2012