

立法會 *Legislative Council*

LC Paper No. CB(2)1240/13-14

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Ref : CB2/PL/HA

Panel on Home Affairs

Minutes of special meeting held on Friday, 24 January 2014, at 10:45 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 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
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 WONG Kwok-hing, BBS, MH
Hon WONG Kwok-kin, BBS
- Member absent** : Hon Alice MAK Mei-kuen, JP

**Public Officers : Item I
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

**Clerk in : Miss Josephine SO
attendance Senior Council Secretary (2) 6**

**Staff in : Miss Flora TAI
attendance Assistant Secretary General 2**

Mr Richard WONG
Council Secretary (2) 2

Miss Emma CHEUNG
Legislative Assistant (2) 2

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I. Briefing by the Secretary for Home Affairs on the Chief Executive's 2014 Policy Address

(LC Paper No. CB(2)702/13-14(01), The 2014 Policy Address booklet and The 2014 Policy Agenda booklet)

At the invitation of the Chairman, Secretary for Home Affairs ("SHA") briefed Members on the new initiatives in the Chief Executive ("CE")'s 2014 Policy Address relevant to the policy portfolio of the Home Affairs Bureau ("HAB") as well as the major ongoing initiatives undertaken by HAB, as detailed in the Administration's paper.

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(*Post-meeting note*: A copy of SHA's speaking note was issued to members after the meeting vide LC Paper No. CB(2)759/13-14 on 24 January 2014.)

Culture and arts

Proposed establishment of a cultural bureau

2. The Chairman recalled that CE had, when he was still the CE-elect, proposed to re-organize the Government Secretariat, including the setting up of a culture bureau, to better reflect his policy priorities. As there was no mentioning in the Administration's paper of the proposed establishment of a cultural bureau to take over policy responsibilities relating to cultural and arts development in Hong Kong, he enquired about the future direction of the Government in this regard and whether the proposal had been abandoned.

3. SHA responded that the Administration had not ruled out the possibility of setting up a cultural bureau in the future, although it was not something that the Administration was pursuing at the moment. The Administration was aware of the call of the arts and cultural sector for the setting up of a cultural bureau, and would continue to listen to the views of relevant stakeholders on this matter. In the meantime, HAB would continue to be responsible for the policy, strategic planning and coordination of arts and cultural development in Hong Kong.

4. Mr Christopher CHUNG suggested that if the Administration decided not to pursue the proposal of setting up a cultural bureau, consideration might be given to creating an additional post of Under Secretary in HAB to take charge of the policy responsibilities related to culture and arts.

West Kowloon Cultural District ("WKCD")

5. Dr CHIANG Lai-wan expressed concern about the risks of cost overruns and project delays with respect to the WKCD project. She urged the Administration to closely monitor the construction works and to better control the project cost.

6. Mr YIU Si-wing expressed worries that if the core arts and cultural facilities in WKCD could not be well utilized after their commissioning, the project would end up becoming a "white elephant". In his view, HAB should, in formulating the way forward for WKCD, work in collaboration with the Commerce and Economic Development Bureau with a view to injecting tourism elements into the project to attract people's flow and ensure vibrancy of WKDC.

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7. In response, SHA stressed that there was a growing demand for performing arts venues and cultural facilities. Even with the additional facilities provided for in WKCD, the Government might still not be able to meet the need by the time when phase I of the project was completed. Hence, it would be essential to explore ways to further increase the supply of venues for arts and cultural uses.

Development of cultural software and humanware

8. Dr Helena WONG and Mr IP Kin-yuen held the view that the Administration's efforts towards development of "cultural software and humanware" (such as audience development and arts education, support for local arts groups or provision of training opportunities for new and budding artists) did not match those on "hardware" development. Stressing that the planning and development of cultural facilities should cater for the long-term cultural needs, Dr WONG urged the Administration to thoroughly consider the "software" or cultural contents before planning the "hardware" and to actively take measures to develop "cultural software" particularly in the building of audience and nurturing of budding artists. She further hoped that more resources could be devoted to support the development of small and medium-sized arts groups.

9. Mr IP Kin-yuen also stressed the importance of arts education in schools and the need for having co-ordinated inter-departmental efforts to raise young people's cultural literacy through implementing arts education programmes in schools and to cultivate a wider audience base for the performing arts.

10. SHA responded that the Administration shared the view that cultural software and hardware should complement and integrate with each other. Citing the construction and recent opening of the Velodrome in Tseung Kwan O as an example, he said that the Government's investment in sports facilities would not only help produce outstanding athletes but also promote interests in sports and the spirit of sportsmanship. More cultural facilities could similarly support the development of culture and arts in Hong Kong.

Support for local arts groups/organizations

11. Mr Christopher CHUNG considered that the Administration should contemplate measures to help local arts groups open up overseas or the Mainland markets so that they did not have to rely heavily on the Government's subsidies. SHA responded that it was an idea worth considering for the Administration to strengthen manpower resources in overseas government offices through creating dedicated posts to carry out

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publicity and promotion initiatives on various cultural/arts programmes organized by Hong Kong's arts groups. As resource allocation was subject to competing priorities, HAB would strive to work in effective partnership with relevant bureaux and government departments in this regard.

12. Mr WU Chi-wai and Dr Helena WONG noted that the nine major performing arts groups ("MPAGs") had all along been taking up a significant portion of the government recurrent subvention on arts support, through receiving consolidated grants from HAB. Mr WU wondered if the nine MPAGs should be encouraged to generate their own income from other sources such as commercial sponsorship and private donations, such that more government subvention could be made available to small and medium-sized arts groups. Dr WONG hoped that the Government would enhance the support to the Hong Kong Arts Development Council ("HKADC") to facilitate local arts groups and budding artists in their creative pursuits through HKADC's Grant Schemes.

13. In response, SHA advised that -

- (a) the nine MPAGs had contributed a lot to the development of arts and culture in Hong Kong;
- (b) while the Government was heavily subsidizing MPAGs, the level of funding support currently provided to other arts groups or artists could not be considered low; and
- (c) the Government would continue to enhance its support for MPAGs as well as other arts groups, with a view to promoting their healthy and sustainable development. It should be noted that the Administration had implemented a contestable funding pilot scheme for MPAGs to encourage them to come up with new initiatives that would help promote their sustainable development financially and artistically, which should benefit the long-term development of the arts and culture in Hong Kong.

Writing-off of library resources

14. Mr WONG Kwok-hing learned from media reports that public libraries under the Leisure and Cultural Services Department ("LCSD") had recently disposed of quite a number of library resources through waste paper recycling companies. He questioned the propriety of such arrangement and enquired about LCSD's existing policy for writing off under-utilized and obsolete collections.

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15. Director of Leisure and Cultural Services responded that under the existing policy, public libraries would write off only obsolete or damaged materials/resources which were no longer suitable for circulation. Whilst LCSD would from time to time review its procurement policies in respect of library books and materials to ensure the collections could meet the changing needs of the society, consideration would be given to donating those books and materials of low circulation to local community organizations or schools in rural areas on the Mainland.

Sports Development

16. Responding to the Chairman's enquiry about the Administration's stance towards the suggestion of establishing a sports commissioner to oversee sports development and promotion and to co-ordinate various government departments' efforts in this regard, SHA indicated that the Administration had examined this issue but did not see the need for creating a dedicated post for the purpose. He added that there was no strong call from the sports sector for such establishment.

17. In response to Mr Frankie YICK's enquiry about the retirement arrangements and support for elite athletes, in particular those who had not achieved any outstanding results in major competitions as members of Hong Kong Team, SHA advised that the Government had been working with stakeholders, including the Hong Kong Sports Institute and the Sports Federation and Olympic Committee of Hong Kong, China, to provide, among others, education and career development support for elite athletes with the objective to help them to prepare for further education or to secure a second career after retirement from competitions. It was expected that concrete support measures could be rolled out within 2014.

18. Mr Steven HO asked about the direction of the Administration's future provision of sports venues and facilities and how it would tie in with the Government's three-pronged strategy for sports development.

19. SHA and Permanent Secretary for Home Affairs ("PSHA") responded that the Government provided sports facilities in accordance with its policy objectives for sports development, which encompassed (a) promoting sport in the community, (b) supporting elite sport and (c) making Hong Kong a centre for major international sports events. To this end, up-to-date and high-quality venues suitable for hosting major local and international sports events would be planned on the one hand, and new sports facilities which sought to meet the needs of local communities and helped promote the development of sport at all levels would continue to be built on the other.

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20. Mr Steven HO suggested that to make the optimal use of space and to increase the floor area of indoor sports complexes under planning, multi-storeyed complexes should be built in various districts to make available more venues for use by the public. PSHA advised that there would be great difficulty in pursuing Mr HO's suggestion, as local residents in the vicinity might oppose to the addition of more storeys out of their concern about the visual impact. This apart, the multi-storeyed design would entail a higher construction cost. PSHA stressed that the Administration would aim at addressing both issues, i.e. the shortage of public sports facilities and the lack of up-to-date venues for hosting major international sports events, concurrently in its future planning and provision of sports facilities.

21. Mr LEUNG Che-cheung sought information update on Hong Kong Football Association ("HKFA")'s implementation of "Project Phoenix" and the Administration's support for the development of football at the district level, e.g. the level of funding provided to district football teams.

22. In response, PSHA said that while the Administration would review HKFA's implementation of "Project Phoenix" and decide on how to recommend the allocation of funding support for football development in Hong Kong, "Project Phoenix" had yielded positive results as reflected by the improved governance of HKFA and the fact that the Hong Kong Football Team had achieved a higher international ranking in recent years. On the question of funding provided to district football teams, PSHA advised that in 2013-2014, the Administration had doubled its subvention for supporting district-based football teams over the amount earmarked in 2012-2013.

Youth development

Scholarship scheme

23. Noting that HAB would introduce a \$100 million scholarship scheme to encourage universities and tertiary institutions to admit annually, starting from the 2015-2016 academic year, about 20 local students who excelled in sports, arts and music as well as community service, the Deputy Chairman and Mr Frankie YICK expressed concerns as to whether there was a net increase in the number of scholarships offered to local students and whether this scholarship scheme of HAB would overlap with the prevailing scholarship schemes for post-secondary students. Mr YICK also asked whether academic results also formed part of the considerations in the granting of scholarships under this new initiative.

24. SHA assured Members that the \$100 million scholarship scheme was intended to provide additional scholarships on top of those currently provided

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by local universities and tertiary institutions, and it had been made clear to them. He advised that applicants must meet the minimum entry requirements of the corresponding courses of the universities/tertiary institutions concerned.

Support to youth exchange programmes and youth uniformed groups

25. Mr LEUNG Che-cheung welcomed the Administration's proposal to increase the funding support for (a) the Funding Scheme for Youth Internship in the Mainland, (b) the Community Participation Scheme for Organising Study Tours to the Mainland and (c) the International Youth Exchange Programme to provide Hong Kong youths with opportunities to broaden their international perspectives and understanding of the Mainland. He called on the Administration to further step up the support for these programmes, in order to allow more participants in youth exchange programmes.

26. SHA responded that the 14 000 exchange places only represented the estimated number of youth participants in HAB-funded programmes. Other bureaux and departments such as the Education Bureau ("EDB") also arranged student exchange programmes.

27. Mr Frankie YICK said that according to his understanding, some schools were lacking in personnel with capacity and experience to lead or co-ordinate activities of youth uniformed groups. He hoped that the Government's doubling of its recurrent subvention for uniformed groups (such as the Scout Association and the Hong Kong Road Safety Patrol) in the coming year would serve as an incentive for more schools to organize different types of uniformed groups.

Youth Hostels

28. The Deputy Chairman was concerned about the slow progress made by the Administration in taking forward the Youth Hostel Scheme ("YHS"). In his view, the 1 000 hostel places to be provided under the four proposed projects respectively in Sheung Wan, Tai Po, Mong Kok and Jordan were far from adequate. He urged the Administration to expedite the construction works of these projects and develop more youth hostels in other districts. Mr CHEUNG Kwok-che hoped that the Administration would consult the public before mapping out the future direction for taking forward YHS.

29. SHA explained that the aims of YHS were to unleash the potential of under-utilized sites in the hands of non-governmental organizations and provide some relief to the current shortage of housing accommodation for young people who wished to live away from home. While the Scheme was intended to meet the aspirations of some working youths by giving them an

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alternative to having their own living space for a period of time, the youth hostels were not meant to address their long-term housing needs. These young tenants should make use of the opportunity to accumulate savings to meet their aspirations for future development. They would ultimately need to make their own plans for housing over the long term.

Youth Square in Chai Wan

30. Mr Tony TSE enquired about the utilization rate of the facilities in Youth Square (including the performance venues and hostels) over the past few years. Mr CHEUNG Kwok-che said that to make the project a success, the Administration should ensure the effective management of Youth Square by the relevant management office.

31. SHA and PSHA responded that the utilization rate of most of the facilities in Youth Square was not low, in general exceeding 80% for performance venues and over 90% for Y-Loft Youth Square, and it had been on the rise since the opening of Youth Square. To further improve the usage of facilities there, HAB would continue to explore various means, including promoting Youth Square as the focal point for youth development activities in Hong Kong and providing venues and facilities to youths and youth organizations at affordable prices.

Other issues raised

32. Mr YIU Si-wing considered that the Administration should make a better use of existing youth hostels for hire by overseas young visitors in order to ease the shortage of hotel rooms, in view of the continuous tight supply of hotel and guesthouse rooms in Hong Kong. He asked whether the Administration would work towards this end through coordination of Government policies and integration of resources. SHA responded that Mr YIU's suggestion was worthy of further consideration by the Administration.

33. Dr Helena WONG held the view that the Government should not undermine the opportunities of local students in receiving tertiary education due to resources constraints. She requested the Administration to increase the number of publicly-funded degree places. SHA said that Dr WONG's view would be referred to EDB for consideration.

Building management-related issues

Building management and maintenance

34. Mr Tony TSE pointed out that many property owners or tenants, in particular those living in the so-called "three nil" buildings (i.e. old or single tenement buildings which did not have an owners' corporation ("OC") or any form of owners/residents organizations, nor did they engage a property management company ("PMC")), needed assistance in carrying out building management and maintenance works. He and Ms Starry LEE asked whether the Administration would strengthen its existing support to property owners of private buildings.

35. Director of Home Affairs ("DHA") replied in the affirmative, adding that the Administration fully understood that some property owners or OCs considered it difficult to launch building maintenance works as they did not have the professional knowledge, particularly in the engagement of works consultants/authorized persons. In the light of this, the Home Affairs Department ("HAD") would launch "AP Easy", a one-year pilot scheme on building maintenance advisory service, in collaboration with three professional institutes, namely the Hong Kong Institute of Surveyors, the Hong Kong Institution of Engineers and the Hong Kong Institute of Architects. The purpose of the scheme was to provide property owners and OCs in need with professional and tailor-made advice/support to assist them in engaging consultants/authorized persons to launch building maintenance.

36. Ms Starry LEE considered the level of support rendered to property owners under "AP Easy" inadequate. She suggested that the Administration should draw reference to "Operation Building Bright" launched by the Urban Renewal Authority and the Hong Kong Housing Society to provide subsidies as well as one-stop technical support to property owners. She and Mr WU Chi-wai expressed similar concern about the manpower situation of Liaison Officers engaged in building management duties in HAD Headquarters and the District Building Management Liaison Teams in 18 districts. They hoped that more resources could be allocated to increase the manpower of Liaison Officers, with a view to providing better support to property owners in discharging their building management responsibilities. Mr WU suggested that in considering promotion of a Liaison Officer, due recognition should be given for his/her experience in undertaking duties relating to building management.

37. DHA responded that HAD would bid manpower resources, as and where appropriate, under the annual resource allocation exercise for strengthening the establishment of Liaison Officers to cope with increased

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workload. As regards Mr WU Chi-wai's suggestion concerning the promotion prospect of Liaison Officers in HAD, SHA said that it would be referred to the Civil Service Bureau for consideration.

Regulation of the property management industry

38. In reply to Mr WONG Kwok-hing's enquiry about the implementation timetable for the proposed licensing regime for PMCs as well as property management practitioners ("PMPs"), SHA said that the Administration was close to finalizing the Property Management Services Bill and aimed to introduce it into the Legislative Council in mid-2014. As reported to the Panel in December 2013, there would be a three-year transitional period after the enactment of the principal ordinance and subsidiary legislation to allow time for existing PMCs and PMPs to prepare themselves to migrate to the new licensing system smoothly.

Regulation of guesthouse licences

39. Referring to the No. 3 alarm fire which broke out at Continental Mansion in North Point in end-December 2013, the Deputy Chairman expressed concern about the Administration's next course of action and asked whether consideration would be given to reviewing and tightening up the existing guesthouse licensing regime for the sake of public interest; and if yes, the timetable for introducing legislative proposals to that effect.

40. In response, SHA advised that -

- (a) under the Hotel and Guesthouse Accommodation Ordinance (Cap. 349) ("HAGAO"), the Hotel and Guesthouse Accommodation Authority might refuse to issue a licence in respect of a guesthouse on the ground that the guesthouse failed to comply with the building structure or fire safety standards specified in the Buildings Ordinance (Cap. 123) and the Fire Services Ordinance (Cap. 95). HAGAO did not empower the Authority to refuse an application on the ground of other considerations, such as the terms and provisions in the Deed of Mutual Covenant ("DMC"); and
- (b) notwithstanding the above, the Administration reviewed from time to time the implementation of HAGAO and explored feasible options for improvement. Drawing reference to past enforcement experience of the Office of the Licensing Authority ("OLA") under HAD, the Administration had already started a review on HAGAO and the licensing procedures recently with a

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view to (i) enhancing the effectiveness of OLA's enforcement actions against unlicensed guesthouses and (ii) examining the desirability and feasibility of tightening up the licensing regime so as to minimize the hazards and nuisances to other occupants of the buildings concerned. HAD was actively mapping out specific proposals and it was expected that a consultation exercise would be launched in mid-2014 to gauge the public's views on the matter.

41. Ms Claudia MO held the view that the review on HAGAO should cover the issue of including "compliance with the terms and provisions in DMC and the land lease of the building concerned" as a condition for vetting and approving applications for guesthouse licences. Expressing a similar view, Dr CHIANG Lai-wan cited a building in Kowloon City in which a number of guesthouses were located in violation of the terms in DMC and the land lease of the building. She considered the non-enforcement by the Administration of DMCs not desirable.

42. Mr Christopher CHUNG hoped that in reviewing the existing guesthouse licensing regime and legislation, the Administration would examine the introduction of (a) a mechanism whereby the views of the residents in the building concerned on the licence application would be gauged, with such views to be taken into account in the granting of licence; and (b) a requirement for renewal or approval of licences, whereby the applicant must provide proof that the application was not in violation of the terms in DMC and the land lease of the building concerned.

43. In response, SHA indicated that the Administration acknowledged Members' and the public's concern about the need to enforce provisions in DMCs in the vetting and approval of applications for guesthouse licences. It would be one of the major issues to be examined in the review.

District Administration

44. Responding to Mr IP Kwok-him's and Mr IP Kin-yuen's enquiries on the pilot scheme concerning district administration as referred to in paragraph 14 of the Administration's paper, SHA said that the Administration had decided to introduce in Sham Shui Po and Yuen Long the pilot scheme, providing the relevant District Management Committees chaired by District Officers with the decision-making power to tackle the management and environmental hygiene problems of some public areas, and the District Councils ("DCs") concerned would advise on work priorities. To facilitate effective implementation of the pilot scheme, which would help consolidate experience and shed light on effective ways to progressively take forward the

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concept of "addressing district issues at the local level and capitalizing on local opportunities" on a larger scale, the Government would provide additional manpower and resources to respective District Offices and the relevant departments. At the request of Mr IP Kwok-him, SHA undertook to provide more information on additional manpower and resources to be allocated for the purpose.

45. In response to Mr IP Kwok-him's further enquiry, SHA said that in line with established practice, the Administration would review the honorarium for DC members for the next DC term and announce any changes by the end of 2014, ahead of the next DC election scheduled for late 2015.

II. Any other business

46. The Chairman reminded members that the next regular meeting of the Panel would be held on Monday, 17 February 2014, from 8:30 am to 11:30 am.

47. There being no other business, the meeting ended at 12:17 pm.

Council Business Division 2
Legislative Council Secretariat
4 April 2014