

立法會

Legislative Council

LC Paper No. CB(2)2389/13-14

(These minutes have been seen
by the Administration)

Ref : CB2/PL/HA

Panel on Home Affairs

Minutes of meeting held on Monday, 12 May 2014, at 8:30 am in Conference Room 3 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 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
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 CHAN Yuen-han, SBS, JP
Hon TANG Ka-piu

Members absent : Hon Claudia MO
Hon Alice MAK Mei-kuen, JP
Dr Hon Helena WONG Pik-wan

**Public Officers : Item V
attending**

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

Miss WONG Yuet-wah
Principal Assistant Secretary for Home Affairs (Culture) 2

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

Dr Louis NG Chi-wa
Assistant Director (Heritage and Museums)
Leisure and Cultural Services Department

Mrs Alice YU NG Ka-chun
Project Director 3
Architectural Services Department

Item VI

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

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

Ms Phyllis LEUNG Mun-yee
Departmental Secretary
Leisure and Cultural Services Department

Item VII

Mr TSANG Tak-sing, GBS, JP
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

Ms Winsome CHOW
Assistant Director (Performing Arts)
Leisure and Cultural Services Department

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

Staff in attendance : Mr Michael YU
Chief Research Officer (Research)

Dr Yuki HUEN
Research Officer 6

Miss Josephine SO
Senior Council Secretary (2) 6

Miss Emma CHEUNG
Legislative Assistant (2) 2

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I. Confirmation of minutes
(LC Paper No. CB(2)1440/13-14)

The minutes of the meeting held on 24 March 2014 were confirmed.

II. Information papers issued since the last meeting
(LC Paper Nos. CB(2)1423/13-14(01)&(02) and CB(2)1469/13-14(01)&(02))

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

- (a) Referral memorandum from Legislative Council ("LegCo") Members' meeting with Yau Tsim Mong District Council ("YTMDC") members on 9 January 2014 concerning the management issues of the Mong Kok Pedestrian Precinct and the Government's refusal to consult stakeholders on licensing of guesthouses;
- (b) Referral memorandum from LegCo Members' meeting with YTMDC members on 9 January 2014 concerning the impact of the implementation of the Fire Safety (Buildings) Ordinance (Cap. 572) on owners of old buildings in Yau Tsim Mong district;

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- (c) Letter dated 25 April 2014 from Hon TANG Ka-piu on the feasibility of the Government's provision of large-scale zoological gardens in the territory; and
- (d) Administration's response to Hon TANG Ka-piu's letter dated 25 April 2014 on the feasibility of the Government's provision of large-scale zoological gardens in the territory.

III. Date of next meeting and items for discussion
(LC Paper Nos. CB(2)1442/13-14(01) and (02))

Regular meeting in June 2014

3. Members agreed to discuss the following items at the next regular meeting scheduled for Friday, 13 June 2014, at 8:30 am -

- (a) Provision of stage facilities at performance venues under the management of the Leisure and Cultural Services Department ("LCSD"); and
- (b) Promulgation of the First Intangible Cultural Heritage Inventory of Hong Kong.

4. Regarding the agenda item in paragraph 3(a) above, the Chairman said that interested parties were welcomed to provide their written views on the subject for consideration by the Panel. Members might advise any parties who wished to express their views on the subject matter to write to the Panel.

(Post-meeting note: To avoid clashing with the anticipated continuation of the Council meeting commencing on 11 June 2014, with the concurrence of the Chairman, the regular meeting originally scheduled for 13 June 2014 was subsequently rescheduled to Tuesday, 17 June 2014, at 8:30 am.)

Special meeting in June 2014

5. The Chairman said that a special meeting would be held on Saturday, 7 June 2014, from 9:00 am to 12:00 noon to receive views from deputations on the public consultation document on "Enhanced Measures against Shop Front Extensions" issued by the Home Affairs Department in March 2014. The duration of the special meeting might be adjusted and if required, be extended to the afternoon on that day depending on the number of deputations attending the meeting.

IV. Outline of research study on "Olympic Committees, sports federations and sports development in selected places"
(LC Paper No. CB(2)1442/13-14(03))

6. Members noted the proposed research outline as set out in paragraph 3 of the paper prepared by the Research Office of the Information Services Division of LegCo Secretariat.

7. The Deputy Chairman said that while he in general agreed to the proposed outline, he hoped that the study would cover the composition and method of returning the members of National Olympic Committee ("NOC")/sports federations in those places to be studied and their sources of funding. The Chairman also suggested that the study should include the level of participation of different categories of NOC members in the governance of their NOC, the ratio of funding respectively from the government and the private sector for use by NOCs/sports federations and information on specific policies and other support measures (e.g. tax concession schemes) for soliciting and promoting public support and participation in athletic activities.

8. Mr YIU Si-wing hoped that the study could also provide information on the relationship between the Sports Federation & Olympic Committee of Hong Kong, China and the Chinese Olympic Committee.

9. Mr Christopher CHUNG suggested that the Panel might consider, at an appropriate time, conducting an overseas duty visit so as to obtain first hand information about the relationship among NOC, sports federations and the sports ministry (if any) of overseas places, and the role of their government in monitoring the operation of NOC and sports federations. The Chairman said that Mr CHUNG's suggestion could be considered at a later stage when and after the research report was/had been discussed in detail by the Panel and if it was considered by the Panel as an appropriate step to follow up on the report.

10. Members endorsed the research outline, subject to the incorporation of information as requested above in paragraphs 7 and 8.

V. Expansion and renovation of the Hong Kong Museum of Art
(LC Paper Nos. CB(2)1442/13-14(04) and (05))

11. At the invitation of the Chairman, Secretary for Home Affairs ("SHA") briefed Members on the Administration's proposal to expand and renovate the Hong Kong Museum of Art ("HKMA"), as detailed in the Administration's paper.

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Proposed project

Project estimate and time schedule

12. The Chairman said that while supporting the proposed expansion and renovation of HKMA, he was concerned about the provision of museum programmes during the closure of HKMA for renovation works between 2014 and end 2017. He pointed out that M+, the visual culture museum being developed on the West Kowloon Cultural District, was not expected to be completed until around end 2017. If HKMA was to be closed for about three years during the works period, it would impact on the availability of gallery/exhibition space. He asked whether the Administration could postpone the commencement of the proposed expansion and renovation project until the completion of M+.

13. In response, SHA and Director of Leisure and Cultural Services ("DLCS") advised that the Art Museum Advisory Panel ("AMAP"), which was set up to advise the Government on the positioning of the art museums, and the local art community were firmly of the view that there was an urgent need to upgrade and expand the ageing facilities of HKMA to enable it to fulfill its mission of promoting and supporting Hong Kong art and to facilitate its long-term development as one of the important art museums in the region. It should be noted that the HKMA expansion and renovation project would form part of LCSD's longer term plan to revitalize its cultural and leisure facilities on the Tsim Sha Tsui waterfront. During the renovation period, HKMA would continue with its business and activities in other venues. The museum had reserved the Exhibition Gallery of the Heritage Discovery Centre in Kowloon Park for staging exhibitions, talks and discussions on Hong Kong art. Besides, it would use other exhibition venues managed by LCSD, such as those at the Hong Kong City Hall and Hong Kong Central Library, to showcase HKMA's collections on Hong Kong art. The opportunity would also be taken by the HKMA staff to reach out to the community more systematically and frequently, and to strengthen its audience building efforts. Specifically, HKMA would organize more art appreciation and art learning programmes in schools and the community during its closure.

14. Ms Cyd HO, Mr IP Kin-yuen and Ms Starry LEE welcomed the plan of HKMA to organize art appreciation and art learning programmes in schools during its closure to deepen students' knowledge of art. They urged the Administration to enhance its efforts in the promotion of arts education in and outside schools in a well-coordinated manner. Mr IP in particular highlighted the importance of hardware and software development in the promotion of culture and arts. Ms LEE opined that to ensure the

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sustainability of the Administration's efforts in arts education, it was necessary for the Home Affairs Bureau/LCSD to work closely with the Education Bureau ("EDB") in forging a closer network with schools with a view to bringing to them arts and cultural programmes so as to enhance students' appreciation.

15. DLCS responded that it was the aim of the Government to enhance HKMA's function in art education upon the re-opening of the museum. The expanded HKMA, subject to the availability of resources and manpower, would present more innovative educational programmes and launch interactive or animated art appreciation programmes for the youth. On the front of promoting arts and culture education in schools, Assistant Director of Leisure and Cultural Services (Heritage and Museums) ("AD(HM)") advised that arts education was one of the eight Key Learning Areas in the school curriculum and every student was entitled to arts education. The relevant curriculum guide had set out clear directions and guidelines for schools to design a school-based arts curriculum through appreciating, creating and performing activities, so as to enhance students' aesthetic sensitivity, creativity, critical thinking and appreciation skills. As far as collaboration with EDB was concerned, the Advisory Committee on Arts Development included representatives from EDB and LCSD's public museums had regular meetings with the Curriculum Development Institute of EDB.

16. On the question of whether the proposed expansion and renovation of HKMA could be carried out in phases, AD(HM) replied in the negative, explaining that it was due to various considerations including the installation of air conditioning and the upgrading of other facilities in one go.

17. Expressing support for the proposed expansion and renovation of HKMA, Members including the Deputy Chairman, Mr CHAN Chi-chuen, Mr Frankie YICK and Mr IP Kin-yuen were concerned about the rising costs in public works, given that many public works projects would be commenced in the next few years.

18. DLCS said that the estimated cost of the project was \$889 million in money-of-the-day price. The Administration planned to submit the proposal to the Public Works Subcommittee ("PWSC") and the Finance Committee ("FC") for approval in June 2014. Subject to FC's funding approval, the construction works would commence in end 2014 and were expected to be completed in late 2017.

Project scope and proposed facilities

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19. Referring to paragraph 6 of the Administration's paper, Mr Frankie YICK noted that in recent years, the major museums of LCSD including HKMA had undergone a phase of strong growth and rapid development, as evidenced by the increasing number and scale of the exhibitions presented as well as a 36% increase in the number of visitors from 4.5 million in 2010 to 6.13 million in 2013. Expressing concern about the utilization of the expanded HKMA, he requested the Administration to provide the Panel with information on (i) the total number of visitors to HKMA from 2010 to 2013, with a breakdown by the six blockbuster exhibitions organized during these three years; and (ii) the maximum capacity of HKMA before and after completion of the proposed expansion and renovation project.

20. DLCS responded that based on operational experience, the maximum capacity of HKMA was estimated to be around 900 000 visitors per annum. With a 40% increase in exhibition space upon completion of the HKMA expansion and renovation project, it was expected that the maximum capacity of HKMA could increase to around 1.5 million visitors per annum. She undertook to provide more information in this respect for Members' reference after the meeting.

21. In response to Mr LEUNG Che-cheung's enquiry, DLCS explained that the existing café and bookshop, located on the first floor of HKMA, were not easily accessible by the public and were underutilized. Overseas experience suggested that the provision of quality food and beverages at a museum was highly beneficial to its brand building and could better serve its visitors and enhance the vibrancy of the museum and its vicinity. To this end, the Administration would improve the accessibility of the restaurant by providing a new and separate entrance to the first floor. Customers would be able to enjoy the fabulous view of the harbour through its glazed façade. The alfresco dining facilities of the café on the ground floor would also enhance the vibrancy of the waterfront while the bookshop, which would be relocated to the ground floor, would provide museum related merchandise and souvenirs befitting the image of HKMA.

22. Mr YIU Si-wing said that apart from the museum programmes, the provision of quality food and beverages services at a museum could help attract visitors to the museum. He suggested that the Government should make good use of the landscaped decks on different floors of the main building, which offered an unobstructed view of the Victoria Harbour on these floors, for dining facilities such as café and restaurant. He was also concerned whether the public toilet facilities could cope with the demand of visitors to HKMA.

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23. AD(HM) responded that the Administration noted the views of Mr YIU Si-wing and would consider how best to use the exhibition and open space of the future HKMA. DLCS added that in future, public toilet facilities would be provided on the ground floor of the renovated HKMA and in the museum restaurant.

24. The Deputy Chairman noted that the Administration proposed to facelift HKMA architecturally and aesthetically by adopting a new façade cladding system compatible with the new features and additions of the future HKMA so as to enhance its visibility and accessibility. He queried about the need to re-clad the entire museum façades with modern architectural features.

25. In response, DLCS explained that the existing HKMA building used the same materials and colour scheme as those of the Hong Kong Cultural Centre ("HKCC") Complex. Such design had the unintended effect of subsuming HKMA as part of the HKCC Complex, thus compromising the identity and visibility of the museum. AMAP held a strong view that the colour scheme of the museum walls should be changed to project a unique and iconic image for the museum. To enhance its visibility, accessibility, customer orientation and branding, the Administration thus proposed to facelift the museum architecturally and aesthetically.

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26. Ms Cyd HO and Mr Tony TSE sought more detailed information on (i) the external and internal exhibition facilities in the renovated HKMA and (ii) the architectural design of HKMA with the estimated cost of the project in this aspect.

27. Project Director 3, Architectural Services Department advised that a transparent building design comprising a reception lobby with a glass corridor, a glazed façade at the annex block building, a glazed façade for the new rooftop gallery and a glazed façade at the southern side of the main building, would be adopted. These features, together with the artistic installations on the museum façades, would enable the renovated HKMA to stand out on the waterfront, thereby creating a unique identity. She undertook to provide the information requested by Members, including the internal and external exhibition facilities, the relevant cost data as well as the architectural design of HKMA, with illustration in the paper and the enclosure drawings to be submitted to PWSC, so as to facilitate Members' consideration of the public works proposal.

Positioning of the expanded HKMA and interface with M+

28. The Chairman and Mr CHAN Chi-chuen expressed concern about the positioning of the expanded HKMA and whether the role to be played by

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M+ would overlap or compete with that of HKMA.

29. In response, SHA, DLCS and AD(HM) elaborated on the following key differences in the positioning of HKMA and M+ -

- (a) M+ would focus on the 20th and 21st century visual culture, encompassing art, architecture, design and moving image; while HKMA covered a much longer time period in art history, ranging from the classical to the contemporary periods. In terms of genres, HKMA showcased traditional paintings and calligraphies, historical pictures and antiquities. For instance, HKMA had permanent galleries dedicated to rotating exhibitions on its collection of Chinese antiquities, traditional Chinese paintings and calligraphies as well as historical pictures. Through collaboration with private collectors and overseas museums, HKMA also presented thematic exhibitions on classical works and masterpieces of the antiquarian to modern periods from around the world, like ancient Egyptian art, Impressionism, cultural relics from the Mainland and around the world, many of which were dated before the 20th and 21st century;
- (b) M+ would collect and present Hong Kong art with a target to document the past, inform the present and contribute to the future of visual culture within an ever more interconnected global landscape; while HKMA targeted at presenting the historical development of Hong Kong art in its own right and in the context of Hong Kong's art development; and
- (c) M+ would position itself as a world class museum that developed content from a Hong Kong perspective with a global vision, extending out towards the rest of the Mainland, Asia and beyond; while HKMA positioned itself as an important museum with a Hong Kong focus complemented by international artistic trends and dialogues.

30. Mr Christopher CHUNG held the view that given the different positioning of LCSD existing museums and M+, their collection policies should complement with each other. He and Mr LEUNG Che-cheung also expressed support for the proposed renovation works to HKMA. Noting that the expansion project would increase the exhibition space of HKMA by over 40%, Mr CHUNG hoped that sufficient space in the museum would be dedicated as permanent galleries for display of artworks of local artists or holding of thematic exhibitions.

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31. DLCS responded that to create more exhibition space, it was proposed to add a new annex block and a rooftop gallery to the museum building, and to convert the existing reception lobby on the first floor into a multi-function hall for holding thematic exhibitions and other cultural events/functions, thereby increasing HKMA's overall exhibition space by 42%, from 7 080 to 10 073 square metres, comprising two new galleries and a multi-function hall as detailed in paragraphs 4(a) and (b) of the Administration's paper.

32. Responding to Mr Christopher CHUNG's enquiry about the efforts made by the Administration in promoting public art, DLCS advised that over the years, the Art Promotion Office of LCSD had been actively working with different organizations, including government departments, cultural and art groups and private organizations, etc., in promoting public art. She further said that the existing Piazza in front of HKMA would be transformed into an extension of the museum display, which would form part of an open art corridor leading from the Art Square in Salisbury Garden (opened in February 2014) to the HKCC Piazza, where local artists' works would be displayed on a rotational basis. The public open space adjacent to HKMA would evolve into a prime venue for various forms of cultural events including mini-concerts, performances, public art, interactive art and cultural programmes, spectacles and a rendezvous for the local and art communities.

Summing up

33. In concluding the discussion, the Chairman said that many Members had expressed support for the HKMA expansion and renovation project and no Members raised objection to the Administration submitting the proposal to PWSC and FC.

VI. Proposed upgrading of one Principal Executive Officer (D1) post to Senior Principal Executive Officer (D2) post in the Leisure and Cultural Services Department
(LC Paper No. CB(2)1442/13-14(06))

34. At the invitation of the Chairman, DLCS briefed Members on the Administration's proposal to upgrade the Departmental Secretary ("DS") post in LCSD ranked at Principal Executive Officer ("PEO") (D1) to an Assistant Director (Administration) ("AD(A)") post ranked at Senior Principal Executive Officer ("SPEO") (D2) to cope with the substantial growth in the scope and complexity of departmental administration, human resources management ("HRM") as well as planning matters particularly in view of the following developments -

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- (a) there had been a significant increase in LCSD's civil service establishment during the period from 2006 to 2014, following the lifting of civil service recruitment freeze, the phased replacement of non-civil service contract staff by civil servants as well as the introduction of new services and commissioning of new facilities;
- (b) the need to provide high level steer for the organizational reviews of the mode of delivery of various leisure and cultural services;
- (c) the need to formulate new HRM policies and initiatives to meet the rapidly changing operational requirements of LCSD and the rising public expectation for better services; and
- (d) the need for more strategic and coordinated approach for the planning and development of large-scale and complex capital works projects, including the two Cross District Community Cultural Centres in Ngau Tau Kok and the New Territories East.

35. In response to Mr Tony TSE's and Mr WU Chi-wai's queries about the need to upgrade the DS post pitched at PEO (D1) to an AD(A) post pitched at SPEO (D2), DLCS explained that having reviewed the changing and increasingly complex functions of the head of the Administration Division in the past few years, the Administration considered that the portfolio of DS had grown substantially not just in terms of scope and workload but also in its policy content and complexity.

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36. Mr Tony TSE said that while he did not have strong view over the proposed upgrading of one PEO (D1) post to an SPEO (D2) post, he would like the Administration to provide a comparison on the nature, complexity and the volume of the workload involved as well as the deliverables expected when the duties in connection with the four major areas as outlined in paragraph 4 of the Administration's paper were performed by the existing DS in LCSD during the period from 2006 to 2014 and the proposed AD(A) upon implementation of the proposal, to facilitate Members' consideration of the staffing proposal under discussion.

(Post-meeting note: The requested information was included in the Administration's paper subsequently submitted to the Establishment Subcommittee ("ESC") for its meeting on 11 June 2014 (EC(2014-15)8).)

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37. Mr WU Chi-wai questioned whether it would be more appropriate for the Administration to create additional posts, instead of upgrading an existing PEO post, to cope with the increased complexity and magnitude of responsibilities in the Administration Division of LCSD. He said that he was not convinced that the proposed upgrading could address all the issues mentioned above and hence, he could not support the proposal.

38. DLCS explained that the head of the Administration Division had to play a pivotal role in providing management input and strategic support for planning and taking forward different initiatives and reviews as mentioned in the Administration's paper. The implementation of changes in LCSD was a complicated process in view of the diverse range of public services provided as well as the large number of facilities/venues managed. The relevant tasks required higher level steer and leadership from an administrator with strong senior management experience in the civil service.

39. DLCS added that AD(A) would also act as the overall coordinator of LCSD's capital works projects in coordinating tasks relating to resources bids for priority projects, monitoring project progress and establishing a database to promote the transfer of knowledge on the planning and development of projects within LCSD.

40. Ms Starry LEE and Mr IP Kwok-him said that they were supportive of the proposal in view of the need to strengthen the administrative support at the directorate level of LCSD's Administration Division. Noting the increased responsibilities and workload on LCSD, Ms LEE asked whether the Administration would allocate additional manpower resources to LCSD to cope with its ever-changing operational needs.

41. DLCS responded that in the last few years, LCSD had been allocated with additional manpower to cope with the implementation of new/on-going initiatives as well as the increased responsibilities. The total establishment of LCSD had increased by about 24% during the period from 2006 to 2014.

42. Summing up, the Chairman said that, except Mr WU Chi-wai, Members present had no objection to the Administration submitting the staffing proposal to ESC.

VII. Government's policy and measures on street performance
(LC Paper Nos. CB(2)1442/13-14(07) and (08))

43. At the invitation of the Chairman, SHA briefed Members on the Government's policy and measures on street arts performance as set out in the

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Administration's paper.

The suggestion of introducing a licensing scheme for street performance

44. Miss CHAN Yuen-han said that following YTMDC's recent reduction in the opening days of the Mong Kok Pedestrian Precinct for street arts performances inside the precinct, some street performers active in the district had relayed to her that implementing the aforesaid arrangement would smother the street performance culture in Hong Kong. Given that some of the street performers had suggested that the Administration should consider introducing a licensing scheme for the reasonable planning and management of street performance activities and the demarcation of areas dedicated for street performance, Miss CHAN asked whether the Administration would take this into account and formulate any policy on the promotion and management of street performance activities.

45. The Chairman pointed out that as Hong Kong was a densely populated city with limited land, performances held at crowded places would cause inconvenience or even nuisance to the pedestrians, nearby residents and shops. He, Mr Frankie YICK and Dr CHIANG Lai-wan expressed support for the introduction of a licensing scheme for the planning and management of street performance activities and urged the Administration to designate specific areas at suitable locations as places to promote street performance. In their view, the Administration should draw reference from overseas experience, such as London, Singapore and Taipei, to require performers to pass an audition and apply for the relevant licence(s) before being allowed to perform outdoor at specific locations within designated time periods, so as to ensure their performances were of a suitable artistic standard and would not cause nuisances to the public. The Chairman added that for the sake of fairness, the audition should be conducted by an independent panel comprising representatives from the performing arts sector.

46. In response, SHA explained the Government's position on street arts performance as outlined in paragraphs 2 and 3 of the Administration's paper. He said that while the proposal for a licensing system to regulate street arts performance could ensure the standard of the performances, it would nevertheless impose constraints on street performance and prohibit those persons who had not obtained a licence from conducting street performance. As the community had not reached a general consensus on this arrangement, whether it should be introduced should be subject to further study.

47. The Deputy Chairman considered it undesirable that the Government had not formulated any concrete policy on the promotion and management of street performance activities. He, Miss CHAN Yuen-han, Mr Frankie YICK,

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Ms Cyd HO, Mr CHAN Chi-chuen and Dr CHIANG Lai-wan urged the Administration to conduct public consultation on the proposed introduction of a policy on street performance and a licensing scheme for street performers.

48. While expressing support for requiring performers to apply for licences to stage performances in pedestrian precincts in busy districts, Ms Cyd HO opined that the Government should not implement a "one-fits-all" policy across various forms of street arts performances/activities staged at different locations. In her view, the regulation of street performances staged in commercial or business districts after office hours and during holidays that did not cause any nuisance/obstruction or triggered any complaint could be relatively lax when compared to those conducted in public space close to residential developments. Her view was echoed by Ms Starry LEE and Mr YIU Si-wing. Mr YIU further suggested that the suggested licensing scheme should be implemented incrementally, starting with locations where pedestrian flow was relatively less busy.

49. In response, SHA advised that the Government had all along been committed to promoting culture and the arts to the public and encouraging public participation in order to integrate arts into the community. It also welcomed street arts performances, as those of a certain standard could provide more opportunities for the public to have access to arts and enrich the cultural atmosphere of the community. To enable more members of the public to enjoy street arts performances, LCSD had implemented the "Open Stage" at the plaza of the Sha Tin Town Hall ("STTH") with a performance area identified for performances by individuals or groups for free. This apart, LCSD regularly organized a broad range of cultural activities at the outdoor areas of four performing venues, namely HKCC, STTH, Tsuen Wan Town Hall and Kwai Tsing Theatre, to bring arts to the community.

50. SHA further said that the objectives of assigning pedestrian precincts at Sai Yeung Choi Street South in Mong Kok were to improve pedestrian flow and safety. While the Mong Kok Pedestrian Precinct was implemented as a pilot pedestrian scheme, the worsening congestion and the severe noise nuisance caused to the nearby residents had led to YTMDC's review of the opening arrangement and subsequent decision to request the Administration to reduce the opening days. In the view of the Administration, if a licensing scheme for regulation of street arts performances in pedestrian precincts or other areas in Hong Kong was to be introduced with a view to ensuring that such performances could take place orderly at specific locations and the performances reach a certain artistic level, all sectors in the community, in particular the performing arts sector, had to reach a consensus before the Government could proceed to study its feasibility.

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51. Mr WU Chi-wai said that he had reservations about the suggestion of introducing a licensing scheme for street performers as there were many different art forms and various types of street performances. In his view, street obstruction and noise nuisance were street management problems which could not be tackled merely by regulating street performances. This notwithstanding, he expressed support for the designation of specific areas at suitable locations as places to promote street performance.

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

52. Mr IP Kwok-him said that the suggestion of introducing a licensing scheme for the regulation of street performance activities involved complicated and controversial issues which would affect interests of different stakeholder groups. As such, the matter should be considered with great care having regard to its possible impact on various fronts. In his view, street performance was worth promoting. He hoped that the Government would continue with and enhance its efforts in promoting street performance by identifying/making available more designated venues for street performance enthusiasts.

53. Mr CHAN Chi-chuen hoped that in considering whether and how a licensing scheme for street performers should be implemented, the Administration would maintain an open mind on the subject with a view to allowing sufficient flexibility under the scheme and making available a facilitating environment for street performers to stage their performances.

Law enforcement

54. Ms Starry LEE and Mr TANG Ka-piu expressed worries that street performance might give rise to various social problems, such as street obstruction and noise nuisance. They were particularly concerned about the lawfulness of performers in collecting donations or using high volume amplifiers within the performance area. Ms LEE hoped that relevant enforcement departments would take enforcement actions swiftly, when so warranted. Mr TANG would like the Administration to clarify the point he raised.

55. SHA responded that the Government would bring the issues raised by Members to the attention of the relevant Bureau.

Summing up

56. Concluding the discussion, the Chairman said that the majority of Members present were supportive of the Government's formulation and

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implementation of a concrete policy and measures on street performance. The Administration was urged to take the lead in consulting the public on the matter. He requested the Administration to seriously consider Members' views and concerns.

57. There being no other business, the meeting ended at 10:41 am.

Council Business Division 2
Legislative Council Secretariat
7 October 2014