# 立法會 Legislative Council

LC Paper No. CB(2)2263/13-14 (These minutes have been seen by the Administration)

Ref: CB2/PL/HA

#### **Panel on Home Affairs**

# Minutes of meeting held on Wednesday, 23 July 2014, at 4:30 pm in Conference Room 2 of the Legislative Council Complex

**Members** : Hon MA Fung-kwok, SBS, JP (Chairman)

**present** Dr Hon Kenneth CHAN Ka-lok (Deputy Chairman)

Hon CHEUNG Kwok-che 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 Alice MAK Mei-kuen, JP Dr Hon CHIANG Lai-wan, JP

Hon Christopher CHUNG Shu-kun, BBS, MH, JP

Hon Tony TSE Wai-chuen, BBS

Members : Hon WONG Kwok-hing, BBS, MH

**attending** Hon KWOK Wai-keung

**Members** : Hon Cyd HO Sau-lan, JP

absent Hon Starry LEE Wai-king, JP Dr Hon LAM Tai-fai, SBS, JP Hon IP Kwok-him, GBS, JP

Hon Claudia MO

Hon Steven HO Chun-yin

Dr Hon Helena WONG Pik-wan

Hon IP Kin-yuen

**Public Officers**:

attending

Item III

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

Mr Patrick LI Pak-chuen, JP

Deputy Director of Home Affairs (1)

Mrs Angel CHOI MA On-ki, JP District Officer (Wong Tai Sin) Home Affairs Department

Mr LI Tak-hong, MH, JP

Chairman of Wong Tai Sin District Council

Mr KAN Chi-ho, BBS, MH, JP

Chairman of District Facilities Management Committee under Wong Tai Sin District Council

Item IV

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

Mrs Pamela TAN, JP Director of Home Affairs

Mr Franco KWOK, JP

Deputy Director of Home Affairs (2) (Acting)

Clerk in attendance

Ms Alice LEUNG

Chief Council Secretary (2) 2

Staff in attendance

Mr Bonny LOO

Assistant Legal Adviser 3

Miss Josephine SO

Senior Council Secretary (2) 6

Miss Emma CHEUNG Legislative Assistant (2) 2 Action

### I. Confirmation of minutes

(LC Paper No. CB(2)1971/13-14)

The minutes of the meeting held on 11 April 2014 were confirmed.

## II. Information papers issued since the last meeting

(LC Paper Nos. CB(2)2016/13-14(01) and CB(2)2097/13-14(01))

- 2. <u>Members</u> noted that the following papers had been issued since the last meeting -
  - (a) Referral from the Public Complaints Office of the Legislative Council ("LegCo") Secretariat on issues relating to the support services for street sleepers; and
  - (b) Referral from LegCo Members' meeting with Yuen Long District Council ("DC") members on 22 May 2014 concerning the construction of a swimming pool complex in Tin Shui Wai North.

# III. Signature project of Wong Tai Sin District Council

(LC Paper Nos. CB(2)1973/13-14(01) and (02))

- 3. As the item involved a funding proposal, the Chairman reminded Members that in accordance with Rule 83A of the Rules of Procedure, they should disclose the nature of any direct or indirect pecuniary interests before they spoke.
- 4. At the invitation of the Chairman, <u>Secretary for Home Affairs</u> ("SHA"), <u>Mr LI Tak-hong</u> and <u>Mr KAN Chi-ho</u> of Wong Tai Sin District Council ("WTSDC") and <u>District Officer (Wong Tai Sin)</u> ("DO/WTS") took turns to brief Members on the proposed signature project of Wong Tai Sin District "Expansion and Improvement of Wong Tai Sin Square ("WTS Square")" (including the justifications for undertaking the project, the consultation process within WTSDC, the proposed scope of works, the estimated cost for works and related items under the project as well as the implementation timetable), details of which were set out in the Administration's paper.

<u>Proposed scope of works and facilities for the expansion and improvement of the WTS Square</u>

- 5. Expressing support for the proposed expansion and improvement of the WTS Square, the Chairman asked whether the expanded WTS Square would be permanently equipped with audio facilities suitable for staging performance or hosting community events/activities.
- 6. <u>DO/WTS</u> responded in the affirmative, adding that the WTS Square would have a permanent and covered performance stage with basic sound system. Audio equipment such as sound mixer, amplifiers and microphones would be installed for use by event organizers/performance groups.
- 7. Mr YIU Si-wing was concerned that the construction of a permanent and covered performance stage at the WTS Square and the provision of sound systems there would lead to frequent holding of community events/activities, causing noise nuisance to nearby residents. In his view, consideration could be given to imposing restriction on the number of events/activities allowed to be held at the Square each week/month.
- 8. In response, Mr LI Tak-hong of WTSDC advised that the WTS Square occupied a site area of 3 300 square metres and was a conveniently located and highly utilized public open space in the district. At present, the WTS Square did not have a permanent and covered performance stage. Event organizers often had to set up stages and covers for one-off uses. With the proposed improvements, the covered performance stage at the WTS Square would be facing the west and its sound systems oriented away from the nearby residential flats. This apart, WTSDC would install low volume amplifiers at dispersed locations for the public address system, in order to reduce noise nuisance to nearby residents.
- 9. <u>Dr CHIANG Lai-wan</u> considered it a good idea to construct a tensile fabric canopy over the spectator area of the WTS Square, as it would allow for the holding of events/activities and staging of performance under all weather conditions. She, <u>Mr YIU Si-wing</u> and <u>the Deputy Chairman</u> were concerned about the durability of the canopy, in particular its resistance against strong winds during typhoon seasons.
- 10. Expressing support for the proposed works project, <u>Mr LEUNG Che-cheung</u> enquired about the seating capacity for the public in the covered spectator area. <u>Dr CHIANG Lai-wan</u> also asked how the additional recurrent expenses to be incurred from the proposed project (i.e. about \$0.5 million per annum) would be met.

- 11. In response, <u>DO/WTS</u> advised that -
  - (a) tensile fabric canopy was widely used in open space or outdoor plaza in Hong Kong, such as the amphitheatre in Po Kong Village Road Park and the Hong Kong Museum of Coastal Defence in Shau Kei Wan. It was usually made of durable and corrosion resistant materials which could be easily cleaned and were less vulnerable to damage caused by adverse weather conditions. To ensure that the tensile fabric canopy to be constructed at the WTS Square was durable and reliable, WTSDC would work closely with the supplier concerned;
  - (b) the covered spectator area would occupy about 230 square metres of the WTS Square. While the covered area could provide seating for some 300 spectators, the Square would be able to accommodate approximately a total of 1 200 persons/viewers after the proposed expansion of the Square by about 15 metres to its north; and
  - (c) it was estimated that the proposed provision of dressing rooms, electrical switch room and fire service pump room at the WTS Square would incur a corresponding increase in annual recurrent expenses of about \$0.5 million on routine maintenance. The Administration had already earmarked funding to support this specific Signature Project Scheme ("SPS") project.
- 12. Responding to the Deputy Chairman's enquiries on the design of and the facilities to be provided at the expanded WTS Square, <u>DO/WTS</u> advised that -
  - (a) the proposed scope of works included the reprovisioning and widening of the existing ramp leading to the Shatin Pass Road, which was one of the barrier free access facilities at the Square. The ramp would be reprovisioned northward and widened to about three meters wide, continued to be on the right hand side of and close to the covered performance stage; and
  - (b) there would be toilets for disabled persons in both the male and female toilets of the WTS Square.

# Project implementation

13. <u>Miss Alice MAK</u> said that Members belonging to The Hong Kong Federation of Trade Unions were supportive of WTSDC's proposal to expand

and improve the WTS Square. She was concerned about the impact on current users when the construction/expansion works were in progress, and enquired whether the Square had to be closed for a long time.

- 14. <u>DO/WTS</u> responded that subject to funding approval by LegCo, it was the plan of WTSDC to commence the expansion and improvement of the WTS Square in April 2015 for completion in March 2016. During the construction period, the northern part of the WTS Square had to be partitioned for site works but the southern part of it could continue to be used for leisure purposes.
- 15. In response to Miss Alice MAK's further enquiries, <u>DO/WTS</u> advised that under SPS, a one-off allocation of \$100 million would be earmarked for each of the 18 districts. While the estimated cost for works and related items under the proposed expansion and improvement project involving the WTS Square was \$31 million in money-of-the-day prices, an additional provision of \$1.2 million would be earmarked for employment of non-civil service contract staff and implementing publicity programmes for the project. The remaining funding would be earmarked for implementing another signature project of Wong Tai Sin District "Enhancement of Leisure Facilities of Morse Park". Funding applications on which would be submitted separately to the Public Works Subcommittee ("PWSC") and the Finance Committee ("FC") for consideration tentatively in mid-2015 after consulting the Panel on Home Affairs ("HA Panel") in April 2015. <u>DO/WTS</u> further advised that the two SPS projects to be pursued had consensual support within WTSDC.
- 16. Mr CHEUNG Kwok-che said that he could not see the reason why the two SPS projects proposed by WTSDC, in particular the enhancement of leisure facilities in the Morse Park, were not pursued by the Leisure and Cultural Services Department ("LCSD") given the fact that they were under the management of LCSD.
- 17. Mr WU Chi-wai declared that he was a member of WTSDC and explained to Members the rationale behind the proposal to enhance the leisure facilities of the Morse Park through the SPS funding. He said that with LCSD's introduction some four years ago of refurbished/new facilities in the Morse Park, members of WTSDC hoped to make use of the SPS funding to further upgrade the facilities therein provided with a view to allowing organizations to better utilize this ideal venue of the district for hosting district and territory-wide events. The proposal received unanimous support from all members of WTSDC.
- 18. In response to the Deputy Chairman's and Mr CHEUNG Kwok-che's enquiries, <u>DO/WTS</u> advised that the WTS Square was a permanent

recreational venue, designated as open space, for use by the public. According to LCSD, about 100 major community events and activities including cultural programmes were conducted annually at the Square. As it was under the management of LCSD, event organizers had to follow LCSD's established policy/procedure for hiring of venues/facilities under its purview, if they wished to hold any events/functions at the WTS Square.

### Implementation of the Signature Project Scheme

- 19. The Chairman noted from Annex 4 to the Administration's paper that all the 18 DCs had reached consensus on their SPS proposals and had submitted a total of 27 proposals. Of them, only the proposal of Kwai Tsing District had obtained the support of the HA Panel and funding approvals from PWSC and FC to kick-start the project. Expressing concern about the progress of the implementation of SPS projects in various districts, he and Miss Alice MAK asked when and how funding applications on the other 25 proposed projects would be submitted to LegCo.
- 20. In response, <u>SHA</u> and <u>Deputy Director of Home Affairs (1)</u> advised that -
  - (a) all the 18 DCs had agreed on the preliminary proposals of their SPS projects. With Members' support in January 2014, the works component of one of the SPS projects, i.e. the one proposed by Kwai Tsing District, had been endorsed by PWSC on 19 March 2014 and approved by FC on 12 July 2014; and
  - (b) the Home Affairs Department ("HAD") and respective District Offices were working closely with various DCs, relevant bureaux and government departments and, where applicable, partner organization(s) in taking forward the remaining 26 proposals, including the one under discussion. Since all proposals involved construction works, it was necessary to conduct technical feasibility studies and detailed design before seeking the views of the HA Panel and funding approval from FC. Subject to the progress and results of these studies, the Administration would consult the Panel on the remaining proposals starting from the latter half of 2014; and
  - (c) if considered appropriate, the remaining 25 SPS proposals would be submitted to the HA Panel in batch for consideration after the summer recess.

### Summing up

21. In concluding the discussion, <u>the Chairman</u> said that many Members had expressed their support for the SPS project proposed by WTSDC and no Members raised objection to the Administration submitting the proposal to PWSC and FC in the 2014-2015 legislative session.

# IV. Review of the Hotel and Guesthouse Accommodation Ordinance (Consultation document entitled "Review of the Hotel and Guesthouse Accommodation Ordinance" issued by HAD on 4 July 2014, LC Paper Nos. CB(2)1973/13-14(03)&(04), CB(2)435/13-14(01) and CB(2)2098/13-14(01))

22. At the invitation of the Chairman, <u>SHA</u> briefed Members on the public consultation document entitled "Review of the Hotel and Guesthouse Accommodation Ordinance ("HAGAO")" issued by HAD on 4 July 2014. The document set out proposals to amend HAGAO and kick-started the territory-wide consultation which would end on 28 August 2014.

### Enhancing the licensing regime

### Local consultation

23. Expressing support for the proposed improvements to the licensing regime, <u>Dr CHIANG Lai-wan</u> and <u>Mr LEUNG Che-cheung</u> considered it necessary for the Administration to expedite its work so as to minimize the nuisance or impact caused by licensed guesthouses and to enhance the effectiveness of enforcement action against unlicensed guesthouses. Noting that the consultation paper had set out three feasible proposals on how to gauge the views of local residents when processing a licence application, namely (i) conducting local consultation through District Officers ("Option II"), (ii) setting up an independent panel to consider local views ("Option II") and (iii) setting up a new statutory body responsible for the licensing work ("Option III"), <u>Dr CHIANG</u> enquired about the merits of individual proposals.

## 24. In response, <u>SHA</u> advised that -

(a) Option I was simple, straight-forward and easy to implement. Its impact on the processing time of an application was relatively small as compared to other options. However, this option might be considered not appropriate nor desirable, due to the absence of an independent body to consider the objections received;

- (b) for Option II, an independent panel, comprising unofficial members, was to be set up to collect local views and consider objections. The independent panel could provide impartial advice and make recommendation having regard to all relevant factors. It was believed that the recommendation made by the independent panel would be more acceptable to the parties concerned; and
- (c) for Option III, the decision to grant or renew a licence was made by independent unofficial members after careful consideration of all relevant factors including local views. It might be perceived as more impartial, legitimate and acceptable. However, as Option III involved fundamental and substantial changes to the existing licensing regime, it would take longer time to revamp the procedures for processing applications and work out the detailed consultation arrangements before implementation.
- 25. Mr WONG Kwok-hing considered that given the merits of Option I mentioned above, the Administration should first put it into implementation and keep reviewing its effectiveness. If it was revealed that Option I was not as satisfactory as expected, the Administration should further explore whether the other two options should be pursued.
- 26. <u>SHA</u> responded that at this stage, the Government was open-minded to the three options. The Administration would listen to the views of Members and the community during the consultation period.
- 27. Miss Alice MAK, Mr Frankie YICK and Mr KWOK Wai-keung welcomed the consultation document and appreciated the Government's determination in addressing the concerns of the public by putting forward proposals to enable the Hotel and Guesthouse Accommodation Authority ("the Authority") to take into account the Deed of Mutual Covenant ("DMC") of the building and the views of residents when processing a licence application. In Miss MAK's view, it would be more prudent to set up an independent body to listen to or to consider residents' views before a decision was taken on the licence application. Mr KWOK was concerned whether the Authority or the independent panel/statutory body, if set up, would place great emphasis on the local views received when processing licence applications.
- 28. Mr YIU Si-wing said that while he supported the legislative proposals, he was gravely concerned about the impact of the proposed new measure of engaging residents in the same building in the licensing process on existing licensed guesthouses' continued operation. The residents might object to the

operation of an existing guesthouse on grounds other than fire or building safety, thereby affecting the guesthouse's application for licence renewal. Mr YIU was worried that the proposed new measure might lead to the closure of many guesthouses, rendering some existing practitioners unemployed and adversely affecting the tourism industry. He hoped that in taking forward the consultation arrangements, the Administration would listen to the views of the guesthouse trade as well as the tourism industry and give special consideration to those existing licensed guesthouses located in residential buildings.

- 29. In response, <u>Director of Home Affairs</u> ("DHA") made the following points -
  - (a) in principle, the decision to grant or renew licences was made after careful consideration of all relevant factors including local views. To ensure that the process was fair and impartial, both the applicant and the objectors would be given a fair chance to express their views and make statements;
  - (b) it was not the intention of the Government to force licensed guesthouses out of the market. A transitional period would be provided to facilitate the trade to prepare for the implementation of the proposed enhancements to the licensing regime if the proposed enhancement measures were implemented. consultation document aimed primarily at improving the licensing regime so as to minimize the nuisance and inconvenience caused by licensed guesthouses to the local residents and members of the public, and enhancing the effectiveness of enforcement actions against unlicensed guesthouses to provide better protection to lodgers and the public; and
  - (c) the Administration would make a decision after hearing the views of relevant sectors and different strata of the community on various proposals set out in the consultation document. While it would keep an open mind to views and suggestions received, the Administration would not exclude the possibility of providing transitional arrangements to existing guesthouses.
- 30. The Chairman said that the guesthouse trade had contributed to the development of Hong Kong's tourism industry all through the years. He considered that the Government should be mindful of the need of some tourists for budget accommodation when visiting Hong Kong. To complement the policy objective of enhancing the licensing regime and

- enable the sufficient provision of guesthouse rooms, the Chairman considered that the Administration should explore the potential of allowing the use of certain land/industrial buildings for guesthouse operation. Mr WONG Kwokhing suggested that consideration could also be given to developing home-stay lodgings in the rural areas, so as to provide more budget accommodation for the increasing number of tourists and to ease the shortage of hotel rooms in Hong Kong. Mr YIU Si-wing echoed their views.
- 31. <u>DHA</u> responded that policy responsibilities relating to tourism were under the purview of the Commerce and Economic Development Bureau. In drawing up the proposed legislative amendments as set out in the consultation document, relevant bureaux and departments had been consulted. <u>SHA</u> supplemented that at present, licensed guesthouses provided only about 10% of the total guestrooms in Hong Kong. It was believed that the implementation of various measures proposed in the consultation document would not adversely affect the tourism industry. He assured Members that the Administration would finalize the proposals in light of the views collected during the consultation period, including the views and suggestions from Members.
- 32. In response to Mr LEUNG Che-cheung's enquiry on whether the Administration would conduct a more comprehensive review on the licensing regime governing hotels, guesthouses and home-stay lodgings, SHA advised that the current consultation exercise was conducted for the purpose of ameliorating the nuisance/impact caused by licensed guesthouses and enhancing the effectiveness of enforcement action against unlicensed guesthouses. While the Administration acknowledged the need to strive for a balance to avoid any adverse impact on the tourism industry, the primary licensing requirements in relation to building structure and fire safety, which were drawn up based on the prescribed standards as provided in the Buildings Ordinance (Cap. 123) and the Fire Services Ordinance (Cap. 95), should not be compromised.

# Provisions in the Deed of Mutual Covenant

33. <u>Miss Alice MAK</u> noted that the Administration proposed to amend HAGAO to enable the Authority to refuse issuance/renewal of licences or to cancel existing licences if DMC of the building concerned contained explicit restrictive provisions stipulating that guesthouse operations or commercial activities were not allowed in the building or the premises were for "private residential use" only. She expressed worries about the possible proliferation of guesthouses in future in residential buildings whose DMC did not contain such explicit restrictive provisions after the proposed legislative amendments were made to HAGAO. She asked whether and how the

Administration would address this issue in its finalized legislative proposals.

- 34. <u>DHA</u> responded that the consultation document suggested that, apart from the safety matters, the provisions in DMC and the views of the residents should be considered. In view of the fact that some DMCs did not contain any provision against the establishment of guesthouses in the building, the Administration proposed that the Authority should take into account the views of the residents concerned before making a decision on the licence application. Irrespective of which option proposed in the consultation document was adopted eventually, the measure of engaging the public in the consultation process would serve to balance the interests of all parties.
- 35. In response to Mr Frankie YICK's enquiry, <u>SHA</u> clarified that the Administration was proposing to take into consideration residents' views even if the DMC concerned did not contain any explicit restrictive provisions.

### Appeal mechanism

- 36. The Deputy Chairman said that Members belonging to the Civic Party supported the Administration's proposals to improve the licensing regime for guesthouses and to enhance the effectiveness of enforcement action against unlicensed guesthouses, so as to afford better protection to property owners and the public. He was particularly concerned about the appeal channels available for the aggrieved parties, including the applicant or the residents, who might be dissatisfied with the decision made by the Authority. He hoped that a fair appeal mechanism would be established to allow aggrieved parties to seek review of the Authority's decisions pursuant to HAGAO.
- 37. In response, <u>DHA</u> advised that the applicant and the residents could seek an appeal to the Appeal Board (Hotel and Guesthouse Accommodation) pursuant to HAGAO.

# Enhancing enforcement against unlicensed guesthouses

- 38. Mr KWOK Wai-keung noted the number of inspection, enforcement and prosecution against suspected unlicensed guesthouse operation over the past few years. Expressing concern that the sentences imposed by the courts did not appear to have a sufficient deterrent effect against the operation of unlicensed guesthouses, he sought detailed information about the Administration's proposal to step up enforcement action against unlicensed guesthouses.
- 39. <u>DHA</u> responded that over the past few years, there had been multifold increases in enforcement raids including joint departmental operations against

suspected unlicensed guesthouses. Despite the vigorous and continuous effort of the Office of the Licensing Authority ("OLA") in combating unlicensed guesthouses, it had encountered great difficulties in securing sufficient admissible evidence to institute prosecutions. To enhance the effectiveness of enforcement action against unlicensed guesthouse, the Administration would like to introduce a number of amendments to HAGAO with a view to facilitating the collection of evidence for prosecution purposes and enhancing the deterrent effect of penalties.

- 40. <u>Mr CHAN Chi-chuen</u> sought elaboration on how the proposed new "deeming provisions" would work. In reply, <u>DHA</u> explained that -
  - (a) in most of the suspected cases, OLA managed to collect circumstantial evidence, such as advertisement on the street or on the Internet, price list, a guesthouse layout and setting, etc., showing that premises might be used as an unlicensed guesthouse. However, it was difficult to secure sufficient evidence to prove that unlicensed guesthouse activities were taking place/had taken place at those premises and the persons therein were operating, keeping, managing or otherwise controlling that guesthouse;
  - (b) as a result, most of the prosecution cases had to rely on decoy operations in order to collect sufficient evidence. Since the unlicensed operators had become more and more alert, it was not uncommon for OLA officers to be refused entry, even though they were undercover. Even with sufficient evidence, if the owner or the operator was not caught red-handed, it was still very difficult to institute prosecution against them and OLA might only be able to prosecute the keeper who was employed to manage the unlicensed guesthouse; and
  - (c) to facilitate enforcement, the Administration proposed to add new "deeming provisions" in HAGAO to the effect that until the contrary was proved, any premises which were found to be offering or to have provided short-term sleeping accommodation at a price should be deemed to be used as a guesthouse. The property owner, tenant or occupier of the premises concerned should also be deemed to be the operator of the guesthouse. These deeming provisions would effectively relieve OLA's burden of proof and make it easier to instigate prosecution against the owners and operators of the unlicensed guesthouses.
- 41. Mr CHAN Chi-chuen envisaged that following the enhancement of the

licensing regime, it might be less easy for a person to obtain a guesthouse licence and hence the proliferation of unlicensed guesthouses in future. He strongly supported the proposed inclusion of "deeming provisions" in HAGAO to facilitate the collection of evidence for the instigation of prosecutions against operators of unlicensed guesthouses. Mr CHAN was concerned about the manpower resources of OLA in discharging its duties, including conducting surprise inspections, launching large-scale and targeted inter-departmental operations and instigating prosecution against the owners/operators of the unlicensed guesthouses.

42. Sharing a similar concern that the sentences imposed by the courts did not appear to have a sufficient deterrent effect against the operation of unlicensed guesthouses, Mr YIU Si-wing suggested that apart from proposing an increase in the maximum penalty for operating unlicensed guesthouses, consideration should be given to specifying the minimum level of penalties to be imposed by the courts under HAGAO.

### Public consultation

- 43. In response to some Members' (including the Deputy Chairman's and Mr CHAN Chi-chuen's) question on whether the consultation period could be extended to allow sufficient time for the public to give views on the proposals set out in the public consultation document, <u>DHA</u> responded that the consultation period would last for eight weeks from 4 July 2014 till 28 August 2014. The 8-week consultation period was considered sufficient for the purpose as the proposals put forward in the consultation document were specific and concrete, and were intended to urgently address, among others, the problem of unlicensed guesthouse. <u>SHA</u> and <u>DHA</u> added that the Administration would take all views and comments received during the public consultation period into account before finalizing its proposals.
- 44. In reply to Mr KWOK Wai-keung's enquiries, <u>DHA</u> said that the consultation document had been sent to all the 18 DCs, owners' corporations or other forms of owners' organizations and relevant trade associations. To assist guesthouse operators in complying with fire and building safety and security directions, the Administration was willing to consider all constructive suggestions, including the drawing up and promulgation of code of conduct/guidelines on operation of guesthouses in residential buildings.

# Scheduling of special meeting

45. <u>Members</u> considered it necessary and agreed to hold a special meeting to receive views from deputations on the public consultation document issued by HAD. <u>The Chairman</u> hoped that the Administration would still consider

the views submitted to the Panel, if the special meeting could not be held, owing to the need to meet the quorum requirement, before the consultation period ended on 28 August 2014. <u>SHA</u> remarked that as a matter of principle, the Administration would consider the views received during the consultation period only. However, he agreed that irrespective of when the special meeting was to be held, the Administration would attend the special meeting to listen to the oral representations put forth in person by those deputations attending the meeting.

(*Post-meeting note:* The special meeting was subsequently scheduled for Friday, 12 September 2014, from 9:00 am to 12:00 noon. In order that deputations' views were to be taken into account by the Administration during the consultation period, a general notice was posted on the LegCo website on 30 July 2014 inviting interested parties to submit their views on the consultation document to the Panel by Tuesday, 26 August 2014. As instructed by the Chairman, all written submissions received by the LegCo Secretariat by that date would be forwarded to the Administration on or before the closing date of the public consultation exercise for its consideration. The notice of the meeting was issued vide LC Paper No. CB(2)2142/13-14 on 30 July 2014.)

- 46. Concluding the discussion, <u>the Chairman</u> requested the Administration to report to the Panel when the consultation results were available. <u>SHA</u> responded that the Administration would do so.
- 47. There being no other business, the meeting ended at 6:16 pm.

Council Business Division 2
<u>Legislative Council Secretariat</u>
5 September 2014