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Replies to supplementary questions raised by Finance Committee Members in examining the Estimates of Expenditure 2015-16

Director of Bureau : Secretary for Home Affairs

Session No. : 9

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CONTROLLING OFFICER'S REPLY

S-HAB01

(Question Serial No. S0060)

Head: (53) GS: Home Affairs Bureau

Subhead (No. & title): (-) Not Specified

Programme: (5) Culture

Controlling Officer: Permanent Secretary for Home Affairs (Mrs Betty FUNG)

Director of Bureau: Secretary for Home Affairs

Question:

1. According to the reply of Reply Serial No. HAB009, the total estimated expenditure on the infrastructure works of the West Kowloon Cultural District (WKCD) to be incurred by the Government in 2015-16 is about \$150 million. However, the total expenditure for the past 3 years was \$40 million only. What works will be conducted this year? Why the expenditure involved is so huge this year? When will the Government seek funding approval from the Legislative Council?
2. Regarding arts facilities, the WKCD Authority (WKCDA) clearly stated earlier that no more funding might be provided to develop the Batch 3 facilities. At the last meeting of the subcommittee on the West Kowloon Cultural District Project, it even proposed developing the "Lyric Theatre Complex" to incorporate the Medium Theatre II and the Centre for Contemporary Performance, both originally assigned as Batch 2 facilities, into the Lyric Theatre. This "3 in 1" proposal implies that the number of buildings in the WKCD will be further reduced and there may be just 5 facilities to be completed eventually. Having a size of nearly 41 hectares, the WKCD may at last only consist of 5 facilities and a WKCD Park. Does the Government consider this acceptable? Will this go against the development intent of the WKCD? How will the Government prevent the WKCD from becoming a real estate project under the guise of arts and culture?
3. Referring to the above question, if the "Lyric Theatre Complex" proposal is to be implemented, the land space originally allocated for the provision of the Centre for Contemporary Performance and the Medium Theatre II will then become vacant. Does the Government have any other proposals on the use of the land concerned? Will the Government consider "entering" the WKCD and develop arts and cultural facilities to be managed by the Leisure and Cultural Services Department?

4. Regarding the recruitment of the Chief Executive Officer (CEO) of the WKCDA, does the Home Affairs Bureau note the recruitment progress? What is the role of the Government in the new CEO recruitment process? On the form of recruitment, will a global recruitment exercise be conducted again? Given that the WKCDA does not have a thorough understanding of the development of local arts and culture, will priority be given to local candidates in the recruitment exercise in order to address the problem?

Asked by: Hon CHAN Yuen-han

Reply:

1. The public infrastructure and integrated basement projects for supporting the development of the West Kowloon Cultural District (WKCD) are now progressively moving into the construction stage. Expenditures of the above projects are expected to increase significantly in the coming years. In 2015-16, the Government will start the construction of the first package of the infrastructure works as well as the design, site investigation and advance works of the integrated basement. The Government plans to apply to the Legislative Council for the related funding in mid-2015.
2. The 2013 Policy Address, among others, reaffirmed the Government's commitment to developing WKCD in accordance with the Development Plan (DP), which had undergone extensive public consultation and was approved by the Chief Executive-in-Council in January 2013. There is no change to the Government's commitment mentioned above. The proposed Lyric Theatre Complex is to combine the Medium Theatre II (MT II) and one black box theatre of the Centre for Contemporary Performance (CCP) with the Lyric Theatre in order to achieve design efficiency and synergy in future operation. The remaining two black box theatres of the CCP and a resident company centre will be provided when the site concerned is available. Implementation of the batch 3 facilities will depend on the construction costs of the batches 1 and 2 facilities, further development in the local arts community and the views of relevant stakeholders. The Government and the West Kowloon Cultural District Authority (WKCDA) will review the implementation programme of the batch 3 facilities at a suitable juncture.

The development of WKCD has to comply with the approved DP and any subsequent planning permission granted by the Town Planning Board. According to the approved DP, WKCD will adopt a balanced development mix, comprising arts and cultural facilities (35% to 40% of total gross floor area (GFA)); retail/dining/entertainment uses (15% to 20% of total GFA); hotel/office uses (20% to 25% of total GFA); residential uses (not more than 20% of total GFA) and government, institution or community uses (not less than 1% of total GFA), in order to enrich visitors' experiences and ensure day and night vibrancy in WKCD.

3. The CCP and MT II are originally planned to be built above the West Kowloon Terminus of the Guangzhou-Shenzhen-Hong Kong Express Rail Link, providing four theatres with 600, 400, 250 and 150 seats respectively. If the proposed Lyric Theatre Complex is to be implemented, the land parcel originally planned for MT II will be used for providing a 400-seat and a 150-seat theatre-focused Black Box Theatre with a Resident Company Centre. The Government and WKCDA will decide on the future use of the CCP site at a later stage. At present, the Government has no plan to build any arts and cultural facilities to be managed by the Leisure and Cultural Services Department in WKCD.
4. WKCDA has commenced a global search to identify a suitable candidate to succeed the incumbent Chief Executive Officer. A recruitment board led by the Chairman of the WKCDA Board including various Committee Chairmen has been formed. The recruitment board is looking for the most suitable candidate both locally and internationally and preference will be given to candidates with good local knowledge and expertise. The job advertisement has already been published in local and international newspapers since 12 March 2015. Home Affairs Bureau as the policy bureau for the WKCD project will continue to monitor the recruitment progress.

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CONTROLLING OFFICER'S REPLY

S-HAB02

(Question Serial No. S0058)

Head: (63) Home Affairs Department

Subhead (No. & title): (-) Not Specified

Programme: (1) District Administration

Controlling Officer: Director of Home Affairs (Acting) (Jack CHAN)

Director of Bureau: Secretary for Home Affairs

Question:

According to Reply Serial No. HAB114, a smaller number of District Council (DC) consultations in 2015 is anticipated because the operation of the DCs will be suspended prior to the 2015 DC Election. During this "window period", through what other means will the Government communicate with the districts so that the impact that may be brought about by suspension of the DC operation can be minimised? What are the manpower and expenditure involved? Does the number of the Government consultations with DCs reduce whenever prior to a DC Election? If yes, how does the Government enhance the effectiveness of district consultations in a DC Election year?

Asked by: Hon CHAN Yuen-han

Reply:

In accordance with section 28 of the District Councils Ordinance (Cap. 547), to facilitate the holding of a District Council (DC) election, the Director of Home Affairs may determine a date with effect from which the operation of DCs is to be suspended. The DCs will resume operation when the new term commences. The purpose of the suspension is to provide a level playing field for all candidates in the election. Given all business of DCs should cease during the suspension period, it is normal that the number of DC consultations is comparatively fewer in the final year of a DC term.

Nevertheless, during the suspension of operation of DCs, we will continue to consult the relevant stakeholders on district and territory-wide issues, as and when necessary. For example, we may reach out to the public through a range of consultation channels, including residents' organisations (e.g. owners' corporations and mutual aid committees), district organisations (e.g. area committees, rural committees and chambers of commerce), and educational organisations, etc. We will reflect the views collected to relevant bureaux and departments for follow-up actions and future reference. District consultation events will also be held as and when necessary for relevant bureaux and departments to listen to views of different stakeholders. The associated workload and expenditure are absorbed within the existing resources of the Home Affairs Department.

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CONTROLLING OFFICER'S REPLY

S-HAB03

(Question Serial No. S0059)

Head: (63) Home Affairs Department

Subhead (No. & title): (-) Not Specified

Programme: (2) Community Building

Controlling Officer: Director of Home Affairs (Acting) (Jack CHAN)

Director of Bureau: Secretary for Home Affairs

Question:

As indicated in Reply Serial No. HAB115, 159 social enterprises (SEs) have already commenced business since the launch of the Enhancing Self-Reliance Through District Partnership Programme (ESR Programme) and 23 of them have ceased business within three years after the funding period, please advise the following:

- (a) How many job opportunities have SEs under planning and in operation provided? How many people are working and receiving training under these SEs?
- (b) Among the 23 SEs which have ceased business, did they all close down due to deficit? If yes, what is the amount of deficit?
- (c) Among the 159 SEs which are still in operation, how many of them have recorded surplus and are expanding their business (such as opening branches)?
- (d) Has the Government provided SEs with any operational support, such as support on their business and operation management, facilitating collaboration between the commercial sector and SEs, etc., so that they can achieve sustainable development or turn deficit into surplus? If yes, what is the number of cases?
- (e) Under the new phase of the ESR Programme, what measures will be taken to enhance collaboration between the commercial sector, enterprises and the SEs to be established to create a win-win situation?

Asked by: Hon CHAN Yuen-han

Reply:

- (a) Of the 161 social enterprise (SE) projects approved by the Enhancing Self-Reliance Through District Partnership Programme (ESR Programme), they are expected to create a total of around 2 600 job positions. Up to the present moment, more than 3 800 employees have worked in the relevant SEs.
- (b) The 23 SEs were at loss when they closed the business. We do not keep statistics on the total amount of financial loss of these SEs.
- (c) Similar to commercial enterprises, SEs funded under the ESR Programme normally take time to settle in and fully establish themselves in the market during the first few years after commencing operation. It would be more meaningful to examine whether a SE is making a profit or operating at a loss three years after the SEs have commenced operation. According to our records, around 60% of these SEs have attained breakeven or made profits; 13 SEs are business expansion projects.
- (d) The Government's support has fostered the growth and sustainable development of SEs. The support measures include implementing the SE Mentorship Scheme to provide SEs with business advisory services to enhance their competitiveness; and various promotional and publicity activities to enhance public awareness and encourage patronage of SEs, such as launching TV and radio promotional programmes, publicising newspaper advertorials before major festivals, arranging SEs to showcase their products and services in trade fairs, maintaining a dedicated website on SEs, and sponsoring the Hong Kong Council of Social Services for maintaining the Directory of Social Enterprises.
- (e) The Home Affairs Department will conduct a review of the ESR Programme in 2015 with a view to identifying possible enhancement measures to benefit a wider scope of SEs and encourage greater participation of the commercial sector in the development of SEs. The enhancement measures will be announced after completion of the review.

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CONTROLLING OFFICER'S REPLY

S-HAB04

(Question Serial No. S0038)

Head: (63) Home Affairs Department

Subhead (No. & title): (-) Not Specified

Programme: (2) Community Building

Controlling Officer: Director of Home Affairs (Acting) (Jack CHAN)

Director of Bureau: Secretary for Home Affairs

Question:

It is mentioned in Reply Serial No. HAB137 that cases where business activities are conducted beyond the confines of shops that constitute a distinct characteristic and contribute to the vibrancy of the district may either be assigned lower enforcement priorities or tolerated. However, there may be varied views on the business activities constituting a distinct characteristic and contributing to the vibrancy of the district. Would the Government explain the specific criteria concerned? Moreover, there are currently eight areas where lower enforcement priorities or toleration is exercised for shop front extension cases. How is an application for lower enforcement priorities or toleration made? Must such an application be filed via the District Council? What were the number of cases relating to lower enforcement priorities or toleration handled, as well as the respective number of approved and rejected cases in the past three years?

Asked by: Hon TANG Ka-piu

Reply:

When determining whether location(s) with shop front extensions (SFE) should be assigned a lower priority in enforcement action, some general criteria should be applied. They include: the SFE will not cause any imminent danger to pedestrians and traffic, the shop operators can exercise self-discipline, the business activities conducted constitute district characteristics and contribute to the vibrancy of the district, etc.. The relevant District Councils (DCs)/District Management Committees (DMCs) will take into account the above criteria when proposing which location(s) should be tolerated. It is an ad hoc arrangement and is subject to regular review by the enforcement departments and the relevant DCs/DMCs.

The Government does not keep statistics on the number of such requests for "toleration".

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CONTROLLING OFFICER'S REPLY

S-HAB05

(Question Serial No. S0039)

Head: (63) Home Affairs Department

Subhead (No. & title): (-) Not Specified

Programme: (2) Community Building

Controlling Officer: Director of Home Affairs (Acting) (Jack CHAN)

Director of Bureau: Secretary for Home Affairs

Question:

It is mentioned in Reply Serial No. HAB141 that among the 266 complaints on building management and maintenance involving disputes among owners and owners' corporations received in 2014-15, six were relating to alleged bid-rigging activities. However, there were certainly more than six complaints against bid-rigging in 2014-15. Is there any estimation on the number of cases involving bid-rigging in 2014-15? If yes, what are the details? Will publicity on combating bid-rigging in building maintenance be stepped up? If yes, what are the details? If no, what are the reasons? In addition, it is stated that the time for handling complaints against bid-rigging varies. What is the average processing time per case?

Asked by: Hon TANG Ka-piu

Reply:

In 2014-15, there were six complaints relating to alleged bid-rigging activities received by the Home Affairs Department (HAD). We made no estimate regarding the number of alleged bid-rigging cases. The time for handling complaints varies, depending on the complexities of the cases and the attitude of the disputed parties. We have no available information on the average time spent in handling complaints.

The Government is very concerned about allegations or offences that are related to building maintenance works. Relevant departments and organisations, including the Independent Commission Against Corruption (ICAC), Hong Kong Police Force (HKPF), HAD, Buildings Department, the Urban Renewal Authority (URA) and the Hong Kong Housing Society (HKHS), have been working closely together and adopting a multi-pronged approach, through measures such as publicity and education, procedural enhancement, provision of better support for owners' corporations (OCs) and owners as well as active investigation and enforcement actions, to prevent unlawful activities in the course of building maintenance works.

On publicity and education, HAD, in collaboration with ICAC, HKPF, URA and HKHS, etc., have been making concerted efforts to provide OCs and owners with guidance on corruption and crime prevention, as well as guidelines on the tendering of building maintenance works. District Offices (DOs) will encourage owners to actively participate in building maintenance works, understand the details of the maintenance projects early and attend owners' meeting to discuss the proposals on the maintenance projects, so as to avoid disputes or even illegal activities. "Bid-rigging" may involve illegal conduct. If owners notice any parties attempt to unduly influence the conduct of building maintenance projects, DOs' staff will advise owners to report to the law enforcement agencies (e.g. HKPF and ICAC). HAD will continue to collaborate with HKPF, ICAC, URA and HKHS on the fronts of publicity and education to prevent unlawful activities in the course of building maintenance works.

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CONTROLLING OFFICER'S REPLY

S-HAB06

(Question Serial No. S0042)

Head: (95) Leisure and Cultural Services Department

Subhead (No. & title): (-) Not Specified

Programme: (5) Public Libraries

Controlling Officer: Director of Leisure and Cultural Services (Ms Michelle LI)

Director of Bureau: Secretary for Home Affairs

Question:

In Reply Serial No. HAB234, the Government only provided information on the top ten titles acquired in 2014-15 for lending with breakdown by adult and junior type and by language. Information on further breakdown by classification, as well as expenditure incurred on each title was not readily available due to system limitation. As a follow-up, can the Government provide the information later?

Asked by: Hon MA Fung-kwok

Reply:

The computer system of the Hong Kong Public Libraries (HKPL) is designed to generate only the raw data of the library materials purchased for the designated financial year. Taking into account the design and capacity of the system, the Leisure and Cultural Services Department have compiled the list of the top ten Chinese and English titles acquired in 2014-15 for the adult and junior library collection of HKPL as set out in Reply Serial No. HAB234. Based on HKPL's experiences in compiling information in Reply Serial Nos. HAB217 and S-HAB20 in the context of the examination of Estimates of Expenditure 2014-15, further breakdown of the most acquired top ten titles by classification for Chinese and English adult and children books would entail a very labour-intensive manual compilation of information involving additional manpower of at least 56 man-days for the checking from related files, sorting, verification and compilation of the data. In view of the system constraint and the fact that the required information is not readily available, HKPL can only provide the most acquired top five titles by classification for adult and children books in 2014-15 in the second quarter of 2015-16. However, the corresponding loan figures of these books in a particular year are not available in HKPL's computer system which is designed to capture cumulative loan statistics since the purchase of the books.

- End -

S-HAB07

**CONTROLLING OFFICER'S REPLY TO
ORAL QUESTION**

(Question Serial No. SV011)

Head: (95) Leisure and Cultural Services Department

Subhead (No. & title): (-) Not Specified

Programme: (1) Recreation and Sports, (4) Performing Arts

Controlling Officer: Director of Leisure and Cultural Services (Ms Michelle LI)

Director of Bureau: Secretary for Home Affairs

Question:

Pursuant to reply no. HAB236, the Administration is requested to provide details on its future plans to improve and upgrade recreational, sports and cultural venues and facilities.

Asked by: Hon MA Fung-kwok

Reply:

In addition to the projects "Redevelopment of Victoria Park Swimming Pool Complex" and "Expansion and Renovation of the Hong Kong Museum of Art" mentioned in our reply HAB236, which are under construction or pending funding approval, several capital works projects are now at the design stage. For example, the Leisure and Cultural Services Department (LCSD) is planning to provide an indoor heated swimming pool at Morse Park Swimming Pool complex. LCSD consulted the Wong Tai Sin District Council (WTSDC) on its design in 2013 and has made revisions in response to the comments received. The WTSDC supported the revised design in 2014. Another upgrading project is the extension of the Hoi Sham Park, on which LCSD consulted Kowloon City District Council (KCDC) in 2013 and 2014.

Minor projects to improve and upgrade existing recreation and sports venues and facilities are mainly funded by the District Minor Works (DMW) scheme. In 2014-15, there are around 530 DMW projects with a total estimate of about \$190 million. Examples include the construction of a 7-a-side hard-surfaced soccer pitch at Ha Tsuen in Yuen Long District and a changing room with toilet at Happy Valley Recreation Ground in Wan Chai District. LCSD will continue to seek District Councils' agreement to improve and upgrade projects under the established mechanisms.

As regards cultural venues, plans for upgrading of stage facilities are continuously underway to enhance the technical capabilities of stage provisions. These include –

- (a) replacement of lighting dimmer system at the Auditorium of Kwai Tsing Theatre;
- (b) replacement of lighting dimmer system at the Auditorium of Tsuen Wan Town Hall;
- (c) replacement of stage automation system at the Auditorium of Kwai Tsing Theatre;
- (d) replacement of lighting dimmer system in the Auditorium, Tuen Mun Town Hall; and
- (e) replacement of a display system in Hong Kong Coliseum.

LCSD is taking forward the above projects under the established mechanism and further project details for their implementation are being worked out.

- End -

CONTROLLING OFFICER'S REPLY

S-HAB08

(Question Serial No. S0041)

Head: (95) Leisure and Cultural Services Department

Subhead (No. & title): (-) Not Specified

Programme: (2) Horticulture and Amenities

Controlling Officer: Director of Leisure and Cultural Services (Ms Michelle LI)

Director of Bureau: Secretary for Home Affairs

Question:

The Government stated in Reply Serial No. HAB255 that the Green Volunteers would report any problematic trees to the Leisure and Cultural Services Department (LCSD) or the "1823" Call Centre. How long on average does it take for the information on a problematic tree to be passed from the "1823" Call Centre to the LCSD and for LCSD staff to handle the case? What is the number of cases in which a problematic tree had died or collapsed before its case could be handled by the Government for the past three years?

Asked by: Hon WONG Kwok-hing

Reply:

The Leisure and Cultural Services Department follows the guidelines issued by the Development Bureau in handling tree-related complaints and enquiries received from the 1823 Call Centre. Upon receipt of a referral from the 1823 Call Centre on problematic trees, the Department will immediately commence an investigation to decide on and take appropriate follow up action. In the past three years, there was one case in which a problematic tree referred to the Department from the 1823 Call Centre collapsed before remedial action could be taken.

- End -