



SPORTS FEDERATION &  
OLYMPIC COMMITTEE OF HONG KONG, CHINA

( 33 ) in SFOC/ADM/2020/GC/GOVT/OTHERS

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Ms. Stephanie H.S. AU

3 June 2020

Mr. Anthony CHU  
Clerk to the Public Accounts Committee  
Legislative Council

Dear Mr. CHU

**Re: Public Accounts Committee  
Consideration of Chapter 2 of the  
Director of Audit's Report No. 74**

**Sports Federation & Olympic Committee of Hong Kong, China**

In response to your letter dated 1 June 2020, I now enclose the required information and documents to facilitate the Public Accounts Committee's consideration of Chapter 2 of the Director of Audit's Report No. 74.

Thank you for your attention.

Yours sincerely

Ronnie M.C. WONG, BBS, JP  
Hon. Secretary General of SF&OC

c.c. Mr. Timothy FOK, GBS, JP, President of SF&OC  
Secretary for Home Affairs (fax no. 2591 5536)  
Secretary for Financial Services and the Treasury (fax no. 2147 5239)  
Director of Audit (fax no. 2583 9063)

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Mr. Peter BROWN

## Part 2: Operation of Sports Federation & Olympic Committee of Hong Kong, China

(a)

The following information is provided by Hong Kong Amateur Swimming Association (HKASA):

- Appendix a1: HKASA's Explanation (Chinese and English versions);
- Appendix a2: HKASA's letter of invitation to All Clubs dated 14 March 2018 for the nomination to 18<sup>th</sup> Asian Games (English version only);
- Appendix a3: HKASA's letter to all swimming committee members dated 18 April 2018 for the proposed shortlisted team list to the 18<sup>th</sup> Asian Games (English version only); and
- Appendix a4: HKASA's letter to all full members and affiliated members dated 18 April 2018 for the proposed shortlisted team list to the 18<sup>th</sup> Asian Games (English version only).

(b)

- (i) With reference to Case 2, a case summary of complaint against the NSA submitted to the Board of Officers' Meeting is enclosed at Appendix b\_i (Chinese and English versions);
- (ii) A chronology in respect of the handling of complaints against the NSA in Case 2 for the period from June 2016 to September 2019 are detailed as follows:

<b>Date</b>	<b>Detail</b>
6 June 2016	The Federation received a number of complaints against the NSA in Case 2 for its maladministration, lack of procedure for declaration of conflicts of interest, confusion / unfairness in the process of selecting athletes to participate in international competitions, and lack of transparency in the selection of athletes. As the Federation was not empowered to investigate the complaint cases, to understand how the NSA handling those complaints, Officers of the Federation met with the General Committee Members of the NSA.
June to December 2016	The Federation further received a lot of complaint letters complaining against the NSA. Therefore, the Federation tried to meet with the NSA again to find a

**\*Note by Clerk, PAC:**  *Appendices a3, a4 and b\_i not attached.*

	solution. Owing to the busy schedule as claimed by the NSA, meeting date could not be fixed.
21 April 2017	The complaints against the NSA were reported and discussed at the Membership Affairs Committee (MAC) Meeting.
21 June 2017	The Federation finally met with the NSA to discuss the complaints and the progress in handling those complaints by the NSA.
18 September 2017	The Federation issued a letter to the NSA requesting for a detailed and comprehensive reply relating to various complaints in order to remove any misgiving and dissatisfaction the public might have against the NSA. The Federation also stated that if the NSA failed to submit the comprehensive and full explanation within the prescribed time, the Federation would not rule out the possibility of suspending or cancelling its membership in accordance with Article 7(4)(d).
27 September 2017	In response to SF&OC's letter dated 18 September 2017, a reply letter from the NSA was received.
30 October 2017	MAC Members reviewed the summary of complaints against the NSA at the MAC Meeting. In the Meeting, MAC Members decided to report the case to the Board on 1 December 2017 and recommend the Board to consider the suspension of the membership of the NSA.
1 December 2017	The Board of Officers discussed the report and recommendation from MAC. At the Meeting, the Board decided to hold a General Meeting according to Articles of the Association for Members of the Federation to discuss the situation of NSA and the penalty.
22 December 2017	According to Article 7(4)(d) of the Articles of the Association, SF&OC issued a letter to the NSA with the accusations and requesting for a formal explanation from the NSA concerned.
19 January 2018	In response to SF&OC's letter dated 22 December 2017, a reply letter from the NSA was received.
28 February 2018	The Board of Officers had considered the explanation letter from the NSA and decided to continue as planned to proceed with the process of suspending the

	membership of the NSA by holding a General Meeting for Members' consideration.
2 March 2018	The notice of General Meeting to be held on 26 March 2020 with three proposed resolutions were issued to all Members.
26 March 2018	At the General Meeting, two special resolutions pertaining to the suspension of membership of the NSA have been adjourned by a motion. An ordinary resolution was passed to the effect that the Board of Officers of the Federation shall impose sanctions, other than suspension of membership, against the NSA.
28 March 2018	The Federation issued a letter to the NSA and asked them to submit a comprehensive plan of actions for improving its corporate governance on or before 13 April 2018.
13 April 2018	The NSA submitted a 4 pages preliminary improvement plan and requested an additional one month to complete the comprehensive improvement plan for the approval of its members at its Extraordinary General Meeting (EGM) to be held on 12 May 2018 before submitting the approved plan to the Federation.
10 May 2018	The Board of Officers decided that if the final plan submitted by the NSA after its EGM on 12 May 2018 had no significant improvement, the Federation would restore the Special Resolutions No. 1 adjourned on 26 March 2018 and convene a General Meeting on 8 June 2018 to consider the resolution.
13 May 2018	The Federation received the reply from the NSA mentioned that the plan submitted on 13 April 2018 was the final plan. In addition, the Federation noted that the NSA fell short of the requirement of passing the improvement plan by a special resolution in its EGM (75%) held on 12 May 2018.
17 May 2018	The notice of General Meeting on 8 June 2018 was issued to all Members.
1 June 2018	The NSA submitted supplementary information for the General Meeting of which, the Federation issued on the same day to Members as supplementary to the General Meeting.

7 June 2018	The Federation received a letter from the NSA with another supplementary document for the General Meeting of the Federation on 8 June 2018. The relevant documents was tabled at the Meeting.
8 June 2018	According to Article 7(4)(d), at the General Meeting of the Federation, it was resolved that the membership of the NSA was suspended indefinitely with immediate effect, until further decision of the General Meeting based on the recommendation of the Board. After the General Meeting, the NSA was informed in writing about the decision of the General Meeting. In the said letter, the appeal procedure as stated in Article 59(4) of the Federation was quoted.
20 December 2018	The Federation appointed an Officer as designated liaison officer of the Federation to liaise with the NSA to work out the improvement plan.
28 January 2019	The NSA submitted a revised improvement plan (1 <sup>st</sup> version).
11 February 2019	Officers of the Federation met with the NSA.
3 April 2019	The NSA submitted a revised improvement plan (2 <sup>nd</sup> version).
10 June 2019	Officers of the Federation met with the NSA.
13 June 2019	The NSA submitted a revised improvement plan (3 <sup>rd</sup> version).
20 June 2019	Officers of the Federation met with the NSA.
4 July 2019	The NSA submitted a revised improvement plan (4 <sup>th</sup> version).
17 July 2019	The NSA submitted a final improvement plan to the Federation and applied for reinstatement of its membership.
25 July 2019	MAC considered the letter dated 17 July 2019 from the NSA. MAC accepted the improvement plan of the NSA and agreed to recommend a provisional reinstatement of membership to the NSA with effect from 1 October 2019 for one year.
24 September 2019	The Board of the Federation accepted the Improvement plan of the NSA and granted a provisional reinstatement of its membership with

	effect from 1 October 2019 for one year.
Effective from 1 October 2019	The NSA was granted a provisional reinstatement of membership for one year. Invited by the NSA, the Board of Officers nominated two Observers to monitor the operation of the General Committee of the NSA and act as a conduit between the General Committee of the NSA and the Federation for the communication of the Federation's concerns.

As for the latest progress, the Federation would keep in view of the NSA's management, while the two Observers would submit a report to the Board of Officers of the Federation by the end of September 2020 to give recommendation on full reinstatement of the NSA's membership.

- (iii) The suspension of membership in this case mainly affected the NSA's right to select athletes to participate in international multi-sports Games under the jurisdiction of the Federation and its right to participate in all meetings / events / programmes of the Federation. Thus, the Federation had formed an independent Provisional Selection Panel for the selection of athletes of the sport to the 18<sup>th</sup> Asian Games. The right of athlete to participate in 18<sup>th</sup> Asian Games was not affected at all.
- (iv) Upon receiving complaints against Member Associations of the Federation, the Federation would forward the complaint case to the relevant NSA to follow up after receiving the consent of the complainants. The progress of complaints against Member Associations of the Federation would be reported and discussed at the MAC Meetings in a timely manner.
- (v) In accordance with Article 59(4) of the Articles of Association of the Federation under "Penalty", *"A Member may appeal against a decision made by the general meeting, the Board of Officers or any committee under these Articles by written notice delivered to the Federation within 21 days from the date of the decision."* The procedure has also been stated in the press release of such membership suspension. (Appendix b\_v) (Chinese and English versions)

Hong Kong Amateur Swimming Association (HKASA)'s Explanation

HKASA invitation letter to all clubs for nomination to 18<sup>th</sup> Asian Games was issued via email and posted on website on 14 March 2018 (**Appendix a2) (English version only)**). Subsequent to the closing of the nomination on 16 April 2018, the Associations' Selection Sub Committee held the meeting on 17 April 2018 to shortlist the swimmers.

The Selection Sub-Committee agreed unanimously to shortlist the swimmers for individual events for 18<sup>th</sup> Asian Games according to the objective shortlist criteria, i.e.

i) Minimum achieve 90 pt score of 2018 Hong Kong Long Course Point Score

- The Hong Kong Long Course Point Score is time of World Record + Asia Record + Hong Kong Record / 3 = standard score of 100.
- Pt. score of 90 is regarded as competence at International Level Competitive.

ii) Best 2 swimmers in each events.

As outlined in HKASA's letter ref. 2018040032/0037 dated 18 April 2018 (**Appendices a3 and a4) (English version only)**) and put forward the selected shortlisted swimmers for individual event to Swimming Committee for their final endorsement before informing all HKASA's clubs on 18<sup>th</sup> April 2020 of the shortlisted swimmers prior to sending over to SF&OC for their selection.

HKASA can also confirm no objection of any sort on the short-listing of swimmers was received.

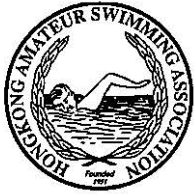
For your easy reference, listed below is the summary of the Association's shortlisted nomination for Men 50m, 100m and 200m Breastroke to SF & OC for their final selection:-

<b>Event</b>	<b>Shortlisted swimmer by HKASA</b>
Men 50m Breastroke	WONG [REDACTED]
	NG [REDACTED]
Men 100m Breastroke	KWOK [REDACTED]
	YANG [REDACTED]
Men 200m Breastroke	MOK [REDACTED]
	YANG [REDACTED]

Please noted that the concerned swimmer, KWOK [REDACTED] was shortlisted by HKASA as Mr. KWOK fulfilled the selection criteria of HKASA.

Enclosed please find the letters of invitation for nomination to 18<sup>th</sup> Asian Games from HKASA to All Clubs, post selection letters to Swimming Committee and All Clubs for proposed shortlisted team list for your reference.

**\*Note by Clerk, PAC: Appendices a3 and a4 not attached.**



## HONG KONG AMATEUR SWIMMING ASSOCIATION

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Tel: (852) 2572 8594 Fax: (852) 2591 0792 E-mail: hkasa@hkasa.org.hk Web-site: www.hkasa.org.hk

Ref. No.: 2018030013

14<sup>th</sup> March 2018

By E-mail

### **TO: All Full Members and Affiliated Members**

Dear Clubs,

### **Nomination for the 18<sup>th</sup> Asian Games, Jakarta- Palembang (Swimming)**

We are pleased to inform you that 2018 Asian Games (Swimming) will be held on 19<sup>th</sup> – 24<sup>th</sup> August 2018 in Jakarta-Palembang. We are pleased to invite all clubs to nominate swimmer along with a coach to participate in the captioned event. Attached please find the Nomination forms for your use. Nomination Criteria are as follows:-

#### **All nominees must comply with the followings:**

- Hong Kong SAR Passport Holder; and
- Comply with eligibility code as set out by the Olympic Council of Asia; and
- Achieve a minimum of 90 points (HK LC Point Score 2018); and
- Long course results achieved between the period from 15<sup>th</sup> April 2017 to 15<sup>th</sup> April 2018; and
- Registered swimmers (SW) 2018/19 of HKASA; and
- Registered with HKASA for 2 consecutive years prior to nomination; and
- Actively participating in HK Swimming competitions; and
- Fulfill and comply with HKASA eligibility rules

#### **Events: (Men & Women)**

- 50m, 100m, 200m, 400m, 800m & 1500m Freestyle
- 50m, 100m & 200m Breaststroke, Backstroke & Butterfly
- 200m & 400m Individual Medley
- 4 x 100m & 200m Freestyle Relay; 4 x 100m Medley Relay, 4 x 100m Mixed Medley Relay

Please find the **SF & OC's Selection** Criteria and the **competition schedule are attached** for your reference. All nominations must be endorsed by the coaches' and swimmer's respective club and returned to the HKASA office along with supporting results **on or before 16<sup>th</sup> April 2018 (Monday) at 1500hr.** Incomplete nominations will not be accepted under any circumstances. Please ensure that the forms are completed in full and submitted with supporting results.

The Association is only responsible for shortlisting swimmers for SF & OC's selection. Decision by SF & OC on team selection shall be final.

Should you have any enquiry, please feel free to contact [REDACTED]. Thank you for your kind attention.

Yours sincerely,

[REDACTED]

[REDACTED] to include as submission





## SPORTS FEDERATION & OLYMPIC COMMITTEE OF HONG KONG, CHINA

### Immediate Release

#### **Suspension of Membership of the Karatedo Federation of Hong Kong, China Limited**

At the General Meeting of the SPORTS FEDERATION & OLYMPIC COMMITTEE OF HONG KONG, CHINA (the Federation) held on 8 June 2018, a Special Resolution was passed to suspend the membership of the Karatedo Federation of Hong Kong, China Limited (KFKHCL) in accordance with Article 7(4)(d), with immediate effect indefinitely, until further decision of the General Meeting based on the recommendation of the Board.

The suspension in this case is considered a full suspension of membership rights. It means that KFKHCL shall no longer be titled as the National Sports Association (NSA) for the sport of Karatedo in Hong Kong as recognized by SF&OC. KFKHCL is not allowed to exercise its membership rights including but not limited to the following:

- i. Right to select athletes to participate in international multi-sports Games under the jurisdiction of the Federation; and
- ii. Right to participate in all meetings / events / programmes of the Federation.

#### **Provisional Selection Panel for Karatedo athletes to participate in the 18<sup>th</sup> Asian Games**

As the purpose of suspension is to protect the interests of the Karatedo athletes, this action shall not affect the athletes. An independent Provisional Selection Panel (Panel) for the selection of Karatedo athletes to the 18<sup>th</sup> Asian Games has been formally set up immediately after the General Meeting to ensure that athletes will have a fair chance to participate.

The Panel will soon announce details of the selection and collect all nominations and related documents to draw up a shortlist of athletes. The shortlist will be submitted to the Asian Games Selection Committee of the Federation for review. The results will be announced by the Asian Games Selection Committee of the Federation. It is expected that the selection process will be completed in three weeks' time for submitting a final list of Hong Kong Karatedo athletes to the Olympic Council of Asia and the 18<sup>th</sup> Asian Games Organizing Committee by the end of June.

For interested athletes, please visit our website at <http://www.hkolympic.org> for the latest information.

#### **Reinstatement of Membership and Appeal**

As far as the membership rights are concerned, KFKHCL is required to review and revise its statutes to address its governance issues and to demonstrate that appropriate measures have been taken to ensure that a proper system of selection in line with the fundamental principle of fair play has been adopted within a reasonable timeframe. KFKHCL may then write to the



## SPORTS FEDERATION & OLYMPIC COMMITTEE OF HONG KONG, CHINA

Federation to request for the exercise of membership rights again. The application shall be reviewed by the Board and, if considered satisfactory, put up for consideration by Members at a General Meeting.

In accordance with Article 59(4) of the Articles of Association of the Federation under "Penalty", "A Member may appeal against a decision made by the general meeting, the Board of Officers or any committee under these Articles by written notice delivered to the Federation within 21 days from the date of the decision." For avoidance of doubt, as the decision was concluded at the General Meeting on 8 June 2018, the period for lodging an appeal is to run from that date, with the deadline at 6:00 p.m. on Friday, 29 June 2018.

If an appeal is received, the Board shall nominate three persons (from the list of six Membership Affairs Appeal Panel members appointed by the General Meeting) to hear the appeal, having regard to their availability and conflict of interest.

The Federation shall continue to monitor KFHKCL's progress of improvement on its corporate governance and liaise with various stakeholders to provide the necessary support to all athletes during the membership suspension period of KFHKCL.

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### **Composition of the Provisional Selection Panel for Karatedo Athletes to participate in the 18<sup>th</sup> Asian Games**

The Panel has been set up by the Federation and comprises of four (4) independent members namely:

- (i) Mr. Johnny WOO, BBS, Chairman of Hong Kong Recreation Management Association; and former Chief Executive Officer of the 2009 East Asian Games (Hong Kong) Limited (Convenor of the Panel) ;
- (ii) Dr. Michael TSE, Director of Active Health Clinic, University of Hong Kong; and retired athlete;
- (iii) Mr. Patrick LI, Chairman of Hong Kong Sports Press Association and
- (iv) Mr. Tony CHOI, MH, Deputy Chief Executive of Hong Kong Sports Institute.

All four Panel members possess substantial experiences in various aspects of sports sector including coaching, development and identification of talented athletes for local and overseas competitions. The Panel aims to conduct the athlete selection in an unbiased manner.

Sports Federation & Olympic Committee of Hong Kong, China  
8 June 2018