

立法會 *Legislative Council*

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Paper for the House Committee Meeting on 17 December 1999

Monitoring of Issues Relating to the Provision of Municipal Services By Legislative Council Panels

Introduction

In anticipation of the establishment of the new administrative structure for the provision of municipal services on 1 January 2000, it was proposed at the House Committee meeting on 3 December 1999 that a subcommittee should be formed -

- a. to consider whether new Panel(s) should be set up and/or whether the existing work of Panels should be adjusted; and
 - b. to deal with transitional matters relating to the provision of municipal services.
2. The Chairman of the House Committee instructed at the meeting that a paper be prepared to facilitate discussion of the proposal on 17 December 1999.

New Administrative Structure

3. As members are aware, under the new administrative structure for the provision of municipal services proposed by the Administration, an Environment and Food Bureau, a Food and Environmental Hygiene Department and a Leisure and Cultural Services Department would be established.
4. The new Environment and Food Bureau, with responsibility for policies on food, food safety, environmental hygiene, environmental protection and conservation, would lead and coordinate Government's overall effort in these areas. It would oversee the new Food and Environmental Hygiene Department, the Agriculture and Fisheries Department which is currently under the Economic Services Bureau, and the Environmental Protection Department which is now under the Planning, Environment and Lands Bureau.

5. The new Food and Environmental Hygiene Department would assume responsibility for food safety and the provision of environmental hygiene services. It would take over operational responsibility for -

- a. Environmental hygiene services from the two Provisional Municipal Councils;
- b. Food safety from the Department of Health; and
- c. Food animal inspection and veterinary public health from the Agricultural and Fisheries Department.

6. The Home Affairs Bureau, in addition to its current responsibilities, would oversee the proposed Leisure and Cultural Services Department and also assume responsibility for developing a comprehensive strategy for steering, promoting and funding activities in leisure and cultural services. The new Leisure and Cultural Services Department would assume operational responsibility for leisure and cultural services currently undertaken by the two Provisional Municipal Councils. It would take over from the Home Affairs Bureau the Antiquities and Monuments Office, and the Books Registration Office from the Television and Entertainment Licensing Authority.

Proposed Corresponding Changes to Delineation of Work of Panels

Policy Areas of Existing Panels

7. The delineation of responsibilities of Legislative Council (LegCo) Panels is determined according to the policy areas of the corresponding Bureau Secretaries or other principal officers. The respective policy areas covered by the existing 17 Panels approved by the Council on 8 July 1998 are set out in Appendix I for members' easy reference.

Environment and Food

8. To match the policy areas of the new Environment and Food Bureau, members may wish to form a new Panel to oversee issues relating to food safety, environmental hygiene, food animal inspection and veterinary public health, while the existing Panel on Environmental Affairs (EA Panel) will continue to focus on environmental protection and conservation. The delineation of work between the new Panel and the EA Panel would broadly follow the delineation of work of the two Divisions of the Environment and Food Bureau as set out in Appendix II. The new Panel could be named "Panel on Food Safety and Environmental Hygiene" and the proposed terms of reference are in Appendix III.

9. The proposed new Panel would take over the policy areas of food animal inspection and veterinary public health from the Panel on Economic Services, and that of food safety from the Panel on Health Services. However, no change to the terms of reference of these two Panels are necessary.

10. An alternative to forming a separate Panel is to broaden the terms of reference of the existing EA Panel to cover policy issues relating to food safety, environmental hygiene, food animal inspection and veterinary public health. However, this option is not recommended as the ambit of the "expanded" EA Panel would be too broad, and its workload too heavy, for effective operation. For members' information, since the beginning of the current LegCo term, the Panel has held a total of 18 regular, eight special and six informal meetings as well as 15 joint meetings with other Panels. The issues studied are detailed in Appendix IV.

Leisure, Culture and Sport

11. The Home Affairs Bureau is the corresponding policy bureau of the Panel on Home Affairs (HA Panel). The Panel's existing ambit already covers "the development of arts and culture, public entertainment, sport and recreation", in addition to "district, community and rural matters as well as matters relating to civic education, human rights, data protection, press freedom, building management, youth and women". Members may wish to consider amending the terms of reference of the HA Panel to expressly cover issues relating to the provision of cultural and leisure services, as responsibilities for leisure and cultural services will be transferred from the two Provisional Municipal Councils to the Home Affairs Bureau. The proposed amendments are set out in Appendix V.

12. Members may also wish to consider the option of forming a separate "Panel on Leisure, Culture and Sport". Members will recall that when the formation of Panels was discussed at the House Committee meeting on 6 July 1998, 18 Panels, including a Panel on Recreation, Culture and Sport (RCS Panel) and a HA Panel, were proposed. Some members objected to having a separate RCS Panel on the grounds that the turn-up rate of members of the former Panel on Recreation and Culture was lower than that of other Panels, and the items brought up for discussion were also fewer. The House Committee decided to merge the proposed RCS Panel with the HA Panel after a vote was taken.

13. For members' information, the HA Panel has held 20 regular, 11 special and one informal meetings as well as four joint meetings with other Panels since the beginning of the term, and issues relating to arts, culture, recreation and sport were discussed at nine of these meetings (Appendix VI refers). The work of the HA Panel would likely increase given the Home Affairs Bureau's new responsibilities for the provision of leisure and cultural services following the abolition of the two Provisional Municipal Councils. The proposed terms of reference of a "Panel on Leisure, Culture and Sport", and the consequential changes to the terms of reference to the HA Panel are set out in Appendices VII and VIII respectively for members' consideration.

Council's Approval

14. Members are invited to note that in accordance with Rule 77(1) and (2) of the Rules of Procedure, the Council's approval is required for the formation of new Panels or the alteration of the terms of reference of existing Panels.

Members' Advice

15. Members are invited to consider -

- a. Whether two new Panels should be formed as proposed in paragraphs 8 and 12, or whether a new Panel be formed as proposed in paragraph 8 and at the same time the terms of reference of the HA Panel be revised as proposed in paragraph 11; and
- b. Whether a subcommittee should be set up under the House Committee to deal with transitional matters relating to the provision of municipal services pending the Council's decision on the restructuring of Panels.

16. Alternatively, Members may wish to consider the setting up of a subcommittee under the House Committee to deal with both issues.

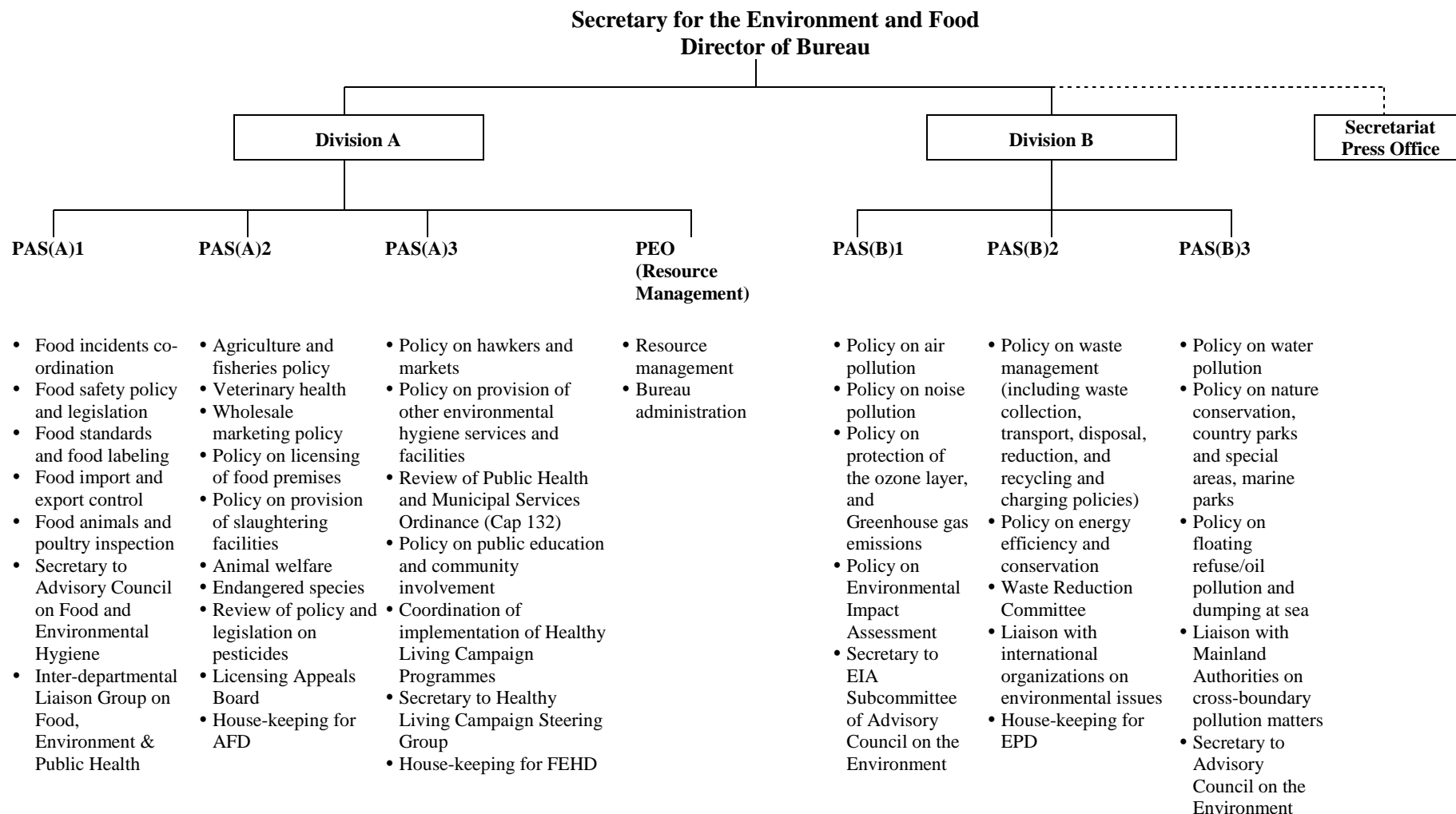
Legislative Council Secretariat
16 December 1999

Legislative Council Panels

<u>Panel</u>	<u>Corresponding Bureau/Body</u>	<u>Policy Area</u>
Manpower	Education & Manpower Bureau	Labour and manpower planning matters
Public Service	Civil Service Bureau	Matters relating to the human resources management in the civil service and Government-funded public bodies
Administration of Justice and Legal Services	Judiciary Department of Justice	Matters relating to the administration of justice and legal services
Home Affairs	Home Affairs Bureau	District, community and rural matters, and matters relating to civic education, human rights, data protection, press freedom, building management, youth and women, arts and culture, public entertainment, sport and recreation
Transport	Transport Bureau	Transport matters
Housing	Housing Bureau	Private and public housing matters
Security	Security Bureau Independent Commission Against Corruption	Security, public order, public safety, corruption-related issues, and nationality and immigration matters

<u>Panel</u>	<u>Corresponding Bureau/Body</u>	<u>Policy Area</u>
Constitutional Affairs	Constitutional Affairs Bureau	Matters relating to implementation of the Joint Declaration and the Basic Law, relations between the Central People's Government and other Mainland authorities and the HKSAR Government, electoral matters and district organizations
Financial Affairs	Finance Bureau Financial Services Bureau	Financial and finance matters and macro economic issues
Education	Education & Manpower Bureau	Education matters
Trade and Industry	Trade and Industry Bureau	Trade and industry matters
Planning, Lands and Works	Planning, Environment & Lands Bureau Works Bureau	Lands, buildings and planning matters, works and water supply and Public Works Programme
Welfare Services	Health & Welfare Bureau	Welfare and rehabilitation services matters
Information Technology and Broadcasting	Information Technology and Broadcasting Bureau	Matters relating to information technology, telecommunications, broadcasting, control of obscene articles and film censorship
Economic Services	Economic Services Bureau	Economic matters relating to civil aviation, postal services, energy, electrical and gas safety, agriculture and fisheries, tourism, merchant shipping and marine-related matters
Health Services	Health & Welfare Bureau	Medical and health services matters
Environmental Affairs	Planning, Environment and Lands Bureau	Environmental and conservation matters

**Proposed Organization Chart of
The Environment and Food Bureau**



Legislative Council

Proposed Panel on Food Safety and Environmental Hygiene

Proposed Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to food safety, environmental hygiene, food animal inspection and veterinary public health.
2. To provide a forum for the exchange and dissemination of views on related policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in the relevant policy areas prior to their formal introduction to the Council or Finance Committee.
4. To examine and to report on any major issues of wide public concern in the relevant policy areas as referred by the Council or House Committee or as raised by the Panel itself.

**Issues Studied by the Panel on Environmental Affairs
(from 1998/99 to present)**

Air

- Actions to improve Hong Kong air quality
- Control of diesel vehicle emissions
- Control of indoor air pollution
- Liquefied Petroleum Gas Taxi Scheme
- Proposed amendment to the Air Pollution Control (Vehicles Design Standards)(Emission) Regulations
- Study of air quality in Pearl River Delta Region

Conservation

- Conservation strategy for Lantau
- Monitoring of new uncontaminated mud disposal sites at Tsing Yi, Lantau and Tung Lung Chau

Energy

- Extension of Innovative Energy Efficient Equipment Pilot Programme for Government buildings
- The proposal of Hong Kong Electric Co. Ltd to build a new power generating facility at Lamma Island

Food safety and Environmental Hygiene Services

Noise

- Aircraft noise
- Proposed amendments to Noise Control Ordinance

Sustainability

- The study on the Sustainable Development for the 21st century
- Sustainable transport policy

Waste management

- Clinical Waste Control Scheme
- Managing construction and demolition material disposal
- Proposed amendments to the Waste Disposal Ordinance
- Proposed amendments to the Dumping at Sea Ordinance
- Waste Reduction Framework Plan

Water

- Proposed amendments to the Sewage Services Ordinance and the Sewage Services (Trade Effluent Surcharge) Regulation
- Quality of Dongjiang water
- Trade Effluent Surcharge Scheme
- Toxic pollutants control strategy study
- Strategic Sewage Disposal Scheme
- Sewerage schemes for Ting Kau, Sham Tseng and outlying islands

Others

- Progress of Year 2000 compliance
- The work programme for developing environmental policy

Legislative Council

Panel on Home Affairs

Proposed Amendments to Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to district, community and rural matters, human rights, civic education, data protection, press freedom, building management, youth and women matters, the provision of leisure and culture services, development of arts and culture, public entertainment, sport and recreation.
2. To provide a forum for the exchange and dissemination of views on related policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in the relevant policy areas prior to their formal introduction to the Council or Finance Committee.
4. To examine and to report on any major issues of wide public concern in the relevant policy areas as referred by the Council or House Committee or as raised by the Panel itself.

**Issues Studied by the Panel on Home Affairs
(from 1998/99 to present)**

Arts and culture, recreation and sport

- Long term cultural policy
- Sports development policy
- Antiquities and Monument Ordinance
- New structure for culture and sports, and provision of resources for sports facilities and training
- Ocean Park Redevelopment Project
- Consultancy study on Culture, the Arts, Recreation and Sport Services
- 2006 Asian Games
- Proposed cultural complex in West Kowloon and major sport venue in Southeast Kowloon

Building management

Community centres

- Community centres
- Centre for Youth Development

Discrimination issues

- Review of anti-discrimination legislation
- Racial discrimination
- Review of the Sex Discrimination Ordinance and Disability Discrimination Ordinance
- Equal Opportunities Commission's report on Secondary School Places Allocation System
- Equal Opportunities Commission's report on Kowloon Bay Health Centre

District and rural management

- Village Representative elections
- Rural elections
- Allowance for District Council members

Gambling Ordinance

Human rights reports

- Convention on the Elimination of All Forms of Discrimination Against Women
- International Covenant on Civil and Political Rights

Maintenance payments

Media ethics

Personal data privacy

Privacy

- Law Reform Commission's two reports

Public entertainment

- Family Entertainment Centres

Others

- Progress of Year 2000 compliance
- Hotel Accommodation (Miscellaneous Provision) Bill
- Creation of one new rank (D8) in the Chief Executive's Office
- Home Affairs Department's declaration service
- Follow-up on the recommendations of the three inquiry reports on the opening of the new airport
- Review of the Justices of the Peace System 1999
- "One School One Social Worker"

Legislative Council

Proposed Panel on Leisure, Culture and Sport

Proposed Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to the provision of leisure and cultural services, and the development of arts and culture, public entertainment, sport and recreation.
2. To provide a forum for the exchange and dissemination of views on related policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in the relevant policy areas prior to their formal introduction to the Council or Finance Committee.
4. To examine and to report on any major issues of wide public concern in the relevant policy areas as referred by the Council or House Committee or as raised by the Panel itself.

Legislative Council

Panel on Home Affairs

**Consequential Amendments to Terms of Reference
if a New Panel on Leisure, Culture and Sport is to be Formed**

1. To monitor and examine Government policies and issues of public concern relating to district, community and rural matters, human rights, civic education, data protection, press freedom, building management, youth and women matters, ~~development of arts and culture, public entertainment, sport and recreation.~~
2. To provide a forum for the exchange and dissemination of views on related policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in the relevant policy areas prior to their formal introduction to the Council or Finance Committee.
4. To examine and to report on any major issues of wide public concern in the relevant policy areas as referred by the Council or House Committee or as raised by the Panel itself.