

立法會
Legislative Council

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**Paper for the House Committee meeting
on 7 January 2000**

**Report of the Subcommittee to consider the formation of new Panel(s)
in relation to the provision of municipal services**

Purpose

This paper reports on the deliberations of the Subcommittee to consider the formation of new Panel(s) in relation to the provision of municipal services.

Background

2. At the House Committee meeting on 17 December 1999, Members agreed to form a subcommittee to consider whether new Panel(s) should be set up and/or whether the existing work of the Panels should be adjusted, in anticipation of the establishment of the new administrative structure for the provision of municipal services on 1 January 2000. Chaired by Dr Hon TANG Siu-tong, the Subcommittee has held two meetings to discuss the options proposed by Members.

3. The membership list of the Subcommittee is in **Appendix I**.

The new administrative structure

4. From 1 January 2000, a new administrative structure has been put in place for the provision of municipal services. The new Environment and Food Bureau (EFB) is tasked with the policy responsibilities for food, food safety, environmental hygiene, environmental protection and conservation. It oversees the new Food and Environmental Hygiene Department, the Agriculture and Fisheries Department (now renamed as Agriculture, Fisheries and Conservation Department) which was formerly under the Economic Services Bureau, and the Environmental Protection Department which was previously under the Planning, Environment and Lands Bureau (now renamed as Planning and Lands Bureau). The new EFB assumes overall responsibility for leading and coordinating Government's efforts in food safety and

environmental hygiene matters. An organization chart of the new EFB is in **Appendix II**.

5. The Home Affairs Bureau (HAB) has taken over the responsibility for developing a comprehensive strategy for steering, promoting and funding the leisure and cultural activities. It also oversees the new Leisure and Cultural Services Department which has assumed the operational responsibilities for the provision of leisure and cultural services previously undertaken by the two former Provisional Municipal Councils.

Deliberations of the Subcommittee

6. At the House Committee meeting on 17 December 1999, Members suggested various options on how Panels should be restructured to monitor issues relating to the provision of municipal services from 1 January 2000, following the establishment of the new administrative structure. The Subcommittee has discussed these options and the deliberations are set out below.

Leisure, Culture and Sport

7. Members have noted that the existing Panel on Home Affairs (HA) is currently overseeing "the development of arts and culture, public entertainment, recreation and sport" 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". The HA Panel has held a total of 36 meetings to discuss these issues since the beginning of the current term.

8. Most Subcommittee members, including the Chairman of the HA Panel, are of the view that a new Panel to monitor the provision of leisure and cultural services should not be formed given that the current term of Legislative Council (LegCo) will expire in six months. They consider it more appropriate for the existing HA Panel to take up the additional responsibilities. The Chairman of the HA Panel has pointed out that few members turned up for the discussion of issues relating to culture, leisure and sport at the HA Panel meetings in the current term. Some Members also envisage that since it is Government's intention to strengthen the role of District Councils in the promotion of recreational and cultural activities at the district level, the workload arising from monitoring such issues by the HA Panel may not be significant.

9. Although a few other Subcommittee members have indicated that they prefer setting up a separate Panel to deal with issues relating to leisure, culture and sport, they do not object to the option of expanding the ambit of the HA Panel to cover these issues.

Environment and Food

10. Members have diverse views as to whether a new Panel should be set up to monitor issues relating to food safety and environmental hygiene. Members have noted that the Panel on Environmental Affairs (EA) is currently responsible for monitoring environmental and conservation matters, the new corresponding policy bureau of which is now EFB instead of the Planning and Lands Bureau. Some Members consider that changes should not be made to the existing structure of the Panels as the current LegCo term will only last six more months. These Members suggest that the additional responsibilities for food safety and environmental hygiene can be taken up either by the EA Panel or Panel on Health Services (HS). These Members opine that the experience of these Panels in monitoring such issues can provide useful reference for Members of the next LegCo term to determine whether a new Panel should be formed in relation to food safety and environmental hygiene.

11. The Chairman of the EA Panel has also been consulted. She has no fundamental objections to the EA Panel taking up the monitoring of food safety and environmental hygiene issues.

12. Some Members, including the Chairman of the HS Panel, consider that while issues on food safety are related to health services, it seems inappropriate for HS Panel to deal with issues such as hawkers and markets, restaurant licensing and liquor licensing, etc. These Members also have worries about over-burdening either the HS or EA Panel (which have held 34 and 45 meetings respectively since July 1998), if either one of the two Panels has to take on issues relating to food safety and environmental hygiene.

13. A Member has suggested splitting food safety and environmental hygiene between the HS Panel and EA Panel. The Member proposes that the HS Panel could take up public health education and food safety matters, while the EA Panel or a new Panel would deal with the remaining responsibilities for environmental hygiene under Division A of the EFB (Appendix II). Some other Members have however pointed out that the new EFB is set up to lead and coordinate Government's overall efforts in food safety and environmental hygiene. If food safety and environmental hygiene are to be split between two Panels, joint meetings would have to be held frequently as these issues are related. Moreover, this does not adhere to the present principle of delineating the responsibilities of LegCo Panels according to the policy areas of the corresponding Bureaux.

14. Members belonging to the Democratic Party and some other Members are not

in favour of expanding the ambit of the EA Panel to cover food safety and environmental hygiene matters. They consider it irresponsible for LegCo to defer the setting up of a new Panel to monitor these issues until the next LegCo term. These Members suggest that a new Panel on Food Safety and Environmental Hygiene should be set up as soon as possible following the dissolution of the two Provisional Municipal Councils, to enable LegCo to effectively monitor the new governmental structure in the provision of municipal services. They point out that past experience has shown that frequent legislative amendments are made to the Public Health and Municipal Services Ordinance (Cap. 132) and its by-laws, while policy issues relating to food safety, food business licensing and environmental hygiene will need close monitoring. These Members also consider that issues relating to hawkers and markets, wholesale marketing, liquor licensing and restaurant licensing do not fall readily within the scope of work of any existing Panel. They are therefore of the view that a new Panel should be formed so that food safety and environmental hygiene policy matters could be dealt with in a dedicated manner.

Setting up one new Panel on Municipal Services

15. The Chairman of the Subcommittee has suggested setting up a new Panel on Municipal Services. However, other Members do not agree that such a Panel can effectively deal with all issues relating to the provision of municipal services which straddle two policy bureaux. The Subcommittee therefore does not support the proposal.

Recommendations of the Subcommittee

16. On the monitoring of issues relating to the provision of art, culture and leisure services, the Subcommittee recommends that the work be taken up by the HA Panel and that its terms of reference be amended as proposed in **Appendix III**.

17. On the monitoring of food safety and environmental hygiene issues, the Subcommittee does not have a consensus view. The following alternatives are proposed for consideration by the House Committee -

- (a) a new Panel on Food Safety and Environmental Hygiene to be set up. The proposed terms of reference are in **Appendix IV**;
- (b) the terms of reference of the existing EA Panel to be expanded to cover food safety, environmental hygiene and agriculture and fisheries as proposed in **Appendix V**;
- (c) the terms of reference of the HS Panel to be expanded to cover food safety, environmental hygiene and agriculture and fisheries as proposed in **Appendix VI**; and

- (d) the HS Panel to take up public health education and food safety matters, and the EA Panel or a new Panel to deal with the remaining responsibilities for environmental hygiene. The proposed terms of reference of these Panels are in **Appendix VII**.

Advice sought

18. Members are invited to consider the Subcommittee's recommendations in paragraphs 16 and 17.

Legislative Council Secretariat

6 January 2000

**Subcommittee to consider the formation of new Panel(s)
in relation to the provision of municipal services**

Membership List

Dr Hon TANG Siu-tong, JP (Chairman)

Hon Cyd HO Sau-lan

Hon LEE Wing-tat

Hon Fred LI Wah-ming, JP

Hon CHAN Yuen -han

Dr Hon LEONG Che-hung, JP

Hon Gary CHENG Kai-nam, JP

Hon WONG Yung-kan

Hon Howard YOUNG, JP

Hon Mrs Miriam LAU Kin-yee, JP

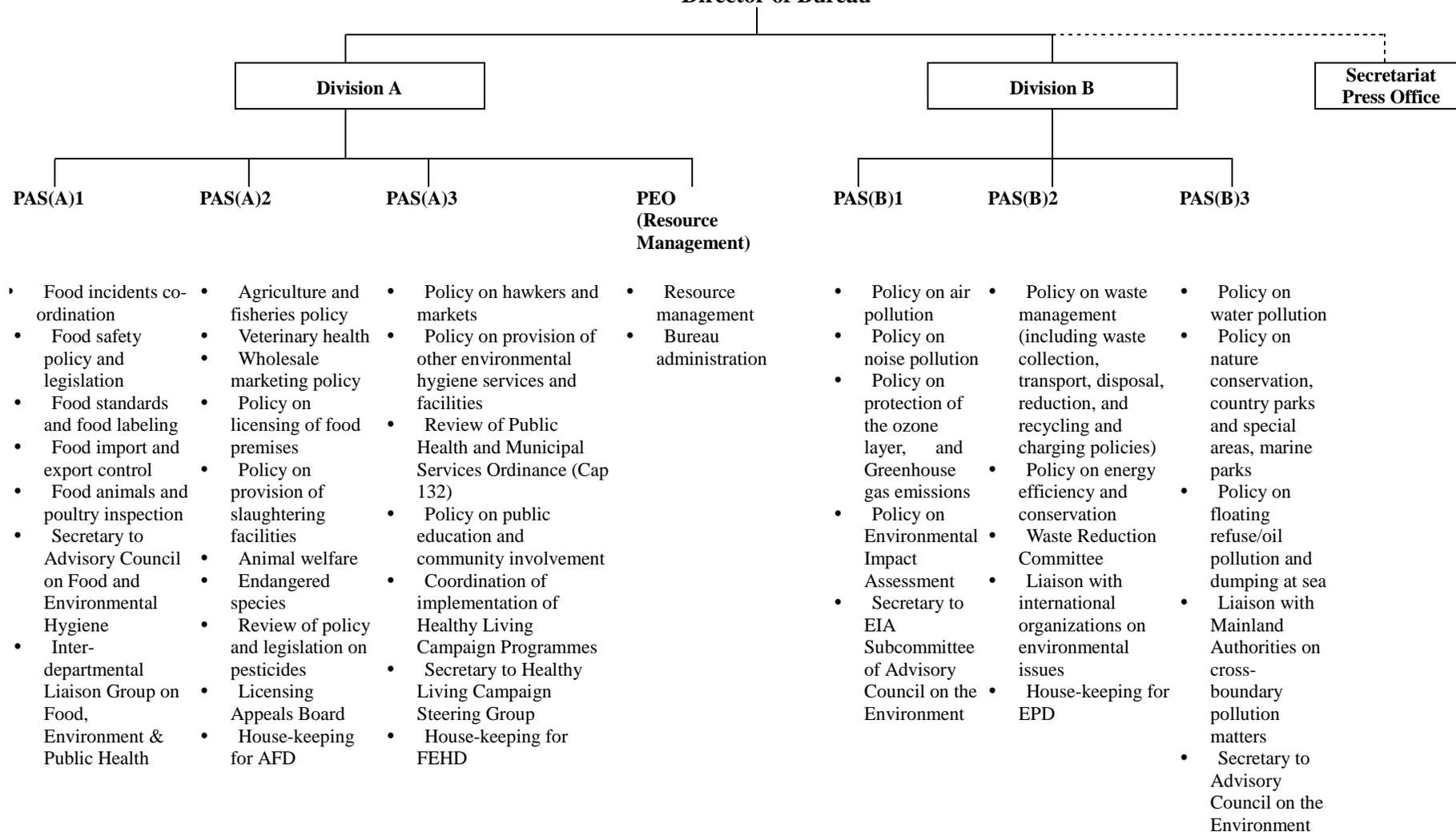
Hon CHOY So-yuk

Total : 11 Members

Date: 4 January 2000

Proposed Organization Chart of The Environment and Food Bureau

**Secretary for the Environment and Food
Director of Bureau**



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.

Appendix IV

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.

Appendix V

Legislative Council

**Panel on Environmental Affairs
(to be renamed as Panel on Environment and Food)**

Proposed Amendments to Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to environmental and conservation matters, environmental hygiene, food safety, and agriculture and fisheries.
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.

Appendix VI

Legislative Council

Panel on Health Services

Proposed Amendments to Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to medical and health services matters, environmental hygiene, food safety, and agriculture and fisheries.
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.

Appendix VII (a)

Legislative Council

Panel on Health Services

Proposed Amendments to Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to medical and health services matters, public health education and food safety.
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.

Appendix VII (b) (i)

Legislative Council

Panel on Environmental Affairs

Proposed Amendments to Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to environmental and conservation matters, environmental hygiene, and agriculture and fisheries.
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.

Appendix VII (b) (ii)

Legislative Council

Proposed Panel on Environmental Hygiene

Proposed Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to 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.