

**Legislative Council Bills Committee on
Legislative Council (Amendment) Bill 2003**

**Sports, Performing Arts, Culture and Publication
Functional Constituency**

Introduction

This note responds to Members' questions about the provision relating to the Sports, Performing Arts, Culture and Publication Functional Constituency (FC), raised at the meeting on 29 May 2003.

Delineation of the FC

2. The electorate of the Sports, Performing Arts, Culture and Publication FC is delineated in section 20V of the Legislative Council (LegCo) Ordinance, Cap. 542. The law provides that the following categories of performing arts and cultural organizations are eligible for registration as electors –

- a) bodies listed in a Gazette notice currently in force made under section 3(5) of the Hong Kong Arts Development Council (HKADC) Ordinance, Cap. 472, for the purpose of section 3(4)¹ of that Ordinance (*section 20V(1)(d)*);
- b) arts bodies which have received funding support from specified bodies² during the relevant period (*section 20V(1)(e)*);
- c) district arts and culture associations named in Part 2 of Schedule 1B to the LegCo Ordinance (*section 20V(1)(f)*) (**Annex**);

¹ *The section provides that the organizations listed in the Gazette may nominate persons to be members of the Hong Kong Arts Development Council.*

² *The Hong Kong Arts Development Council, the Urban Council, the Regional Council, the Provisional Urban Council, the Provisional Regional Council, the Leisure and Cultural Services Department or the Home Affairs Bureau.*

- d) members of six umbrella organizations³ (*section 20V(1)(i)*); and
- e) bodies named in Part 3 of Schedule 1B to the LegCo Ordinance (*section 20V(1)(l)*) (**Annex**).

3. At the last meeting, a Member expressed concern that arts organizations which had not received funding support from specified bodies might be excluded from the SPCP FC.

4. As shown in paragraph 2 above, there are in fact a number of channels through which an arts organisation can become eligible for registration as an elector in the FC. The “funding support” channel, i.e. paragraph 2(b), is only one of them.

Criteria for accepting applications for registration as electors

5. The provision in paragraph 2(e) above is to enable deserving organizations which do not fit into the criteria in paragraphs 2(a) to (d) above to be included in the Sports, Performing Arts, Culture and Publication FC. In considering whether a particular organization should be included in Part 3 of Schedule 1B, our main consideration is whether the organization concerned is a major organization representative of the sector. We will take into consideration factors including the organization’s objects, its date of establishment, its membership criteria, its membership size, and past activities held. For organizations which we consider appropriate for inclusion in the FC, amendments would be made to Schedule 1B. Our usual practice is to update the Schedule as part of a wider legislative amendment exercise to prepare for a LegCo general election. Thus, any amendments to the Schedule will have been carefully considered by LegCo. The current Schedule 1B was last amended in 1999.

6. We believe that the current electorate of the FC has already covered well organizations which are representative of the performing arts and cultural sector. Since the last LegCo elections in 2000, we have not received any requests from performing arts and cultural organizations

³ *HK, Kln & NT Motion Picture Industry Association Ltd., Hong Kong Film Awards Association Ltd., International Federation of the Phonographic Industry (Hong Kong Group) Limited, Movie Producers and Distributors Association of Hong Kong Ltd, Music Publishers Association of Hong Kong Ltd., Hong Kong Theatres Association Ltd.*

for inclusion in the Sports, Performing Arts, Culture and Publication FC.

Drafting of Section 20V(1)(e)

7. At the last meeting, a Member pointed out that there were two Provisional Regional Councils, one existed between 1985 and 1986, and the other from 1 July 1997 to 31 December 1999. It was suggested that the drafting of section 20V(1)(e) be reviewed to consider if it is necessary to clarify which Provisional Regional Council the section is referring to.

8. Section 20V(1)(e) provides that statutory or registered arts organizations which have received funding support from, among other specified bodies, the Provisional Regional Council during the relevant period should be eligible for registration as electors in the Sports, Performing Arts, Culture and Publication FC. The “relevant period” is defined under section 20V(2)(b) to mean the period from 1 April 1994 to the date on which the organization applies for registration as an elector. We think it is sufficiently clear that the Provisional Regional Council referred to in section 20V(1)(e), when read together with section 20V(2)(b), must be the one existed between 1 July 1997 and 31 December 1999

Constitutional Affairs Bureau
3 June 2003

(s. 20V)

SCHEDULE 1B

COMPOSITION OF THE SPORTS, PERFORMING ARTS, CULTURE AND PUBLICATION FUNCTIONAL CONSTITUENCY

PART 2

DISTRICT ARTS AND CULTURE ASSOCIATIONS

Item	Body
1.	Central and Western District Association for Culture and Arts.
2.	Eastern District Arts Council.
3.	Kowloon City District Arts and Culture Council.
4.	Kwai Chung and Tsing Yi District Culture and Arts Co-ordinating Association Limited.
5.	Kwaa Tong District Culture & Recreation Promotion Association Limited.
6.	North District Arts Advancement Association Limited.
7.	Saikung Cultural & Recreation Advancement Association.
8.	She Tia Arts Association Limited.
9.	Shamshuipo Arts Association.
10.	Southern District Arts and Culture Association Limited.
11.	Tai Po District Arts Advancement Association.
12.	Tuen Wan Culture & Recreation Co-ordinating Association Limited.
13.	Tuen Mun Arts Promotion Association.
14.	Wong Tai Sin District Arts Council.
15.	Yau Ma Tei and Tsim Sha Tsui Culture and Arts Association Limited.
16.	Yuen Long District Arts Committee.

Annex 1B

Authorised Loose-leaf Edition, Printed and Published by the Government Printer, Hong Kong Special Administrative Region

[第 20V 條]

附表 1B

體育、演藝、文化及出版界功能界別的組成

第 2 部

地區藝文文化協會

區別

項	團體
1.	中西區文化藝術協會。
2.	東區文藝協進會。
3.	九龍城區文娛促進會。
4.	葵青及青衣區文藝協進會有限公司。
5.	觀塘區文娛樂協進會有限公司。
6.	新界北區文藝協進會。
7.	西貢文娛康樂會。
8.	沙田文藝協會有限公司。
9.	深水埗文藝協會。
10.	南區文藝協進會有限公司。
11.	新界大埔區文娛協進會。
12.	荃灣文藝康樂協進會有限公司。
13.	屯門文藝協進會。
14.	黃大仙區文娛協會。
15.	油尖區文化藝術協會有限公司。
16.	元朗區文藝協進會。

第 18 期

政府印務局、香港特別行政區政府印務局局長印刷及發行

第 3 部
其他團體

項	團體
1.	香港影視明星體育協會有限公司。
2.	香港業餘填詞人協會。
3.	藝進同學會有限公司。
4.	亞洲電視有限公司。
5.	香港作曲家及作詞家協會。
6.	香港中文大學文物館朋友協會。
7.	香港藝術館之友。
8.	銀河衛星廣播有限公司。
9.	香港電影導演會有限公司。
10.	香港人類學會。
11.	香港考古學會。
12.	Hong Kong Cable Television Limited。
13.	香港兒童合唱團。
14.	香港中樂團。
15.	香港華文報業協會。
16.	香港電影戲劇總會有限公司。
17.	香港影視燈光協會有限公司。
18.	香港商業廣播有限公司。
19.	香港博物館館長協會。
20.	香港舞蹈團。
21.	香港新聞工作者聯會有限公司。
22.	香港藝術節有限公司。
23.	香港電影研究院。
24.	香港電影美術學會有限公司。
25.	香港哥爾夫球總會。
26.	香港歷史學會。
27.	香港知識產權會。
28.	香港記者協會。
29.	香港拯溺總會。
30.	香港傳媒從業員協會有限公司。
31.	香港醫學博物館學會。
32.	香港新聞行政人員協會有限公司。
33.	香港筆會。
34.	香港演藝人協會有限公司。
35.	香港管弦樂團。
36.	香港攝影記者協會。
37.	香港康樂管理協會。
38.	香港話劇團。
39.	香港電影編劇家協會有限公司。
40.	香港聾人體育總會。
41.	香港體育記者協會有限公司。
42.	香港動作特技演員公會有限公司。

PART 3
OTHER BODIES

Item	Body
1.	All Stars Sports Association Ltd.
2.	The Amateur Lyric Writers' Association of Hong Kong.
3.	Artiste Training Alumni Association Limited.
4.	Asia Television Limited.
5.	Composers and Authors Society of Hong Kong Limited.
6.	Friends of the Art Museum, The Chinese University of Hong Kong Limited.
7.	The Friends of the Hong Kong Museum of Art.
8.	Galaxy Satellite Broadcasting Limited.
9.	HK Film Directors' Guild Ltd.
10.	Hong Kong Anthropological Society.
11.	Hong Kong Archaeological Society.
12.	Hong Kong Cable Television Limited.
13.	The Hong Kong Children's Choir.
14.	Hong Kong Chinese Orchestra.
15.	Hong Kong Chinese Press Association.
16.	Hong Kong Cinema and Theatrical Enterprise Association Ltd.
17.	Hong Kong Cinematography and Television Lighting Association Limited.
18.	Hong Kong Commercial Broadcasting Company Limited.
19.	Hong Kong Curators Association.
20.	Hong Kong Dance Company.
21.	Hong Kong Federation of Journalists Ltd.
22.	Hong Kong Festival Fringe Ltd.
23.	Hong Kong Film Academy.
24.	Hong Kong Film Arts Association Limited.
25.	Hong Kong Golf Association.
26.	Hong Kong History Society.
27.	Hong Kong Intellectual Property Society.
28.	Hong Kong Journalists Association.
29.	The Hong Kong Life Saving Society.
30.	The Hong Kong Mass Media Professionals Association Ltd.
31.	Hong Kong Museum of Medical Sciences Society.
32.	Hong Kong News Executives' Association Ltd.
33.	Hong Kong PEN (English) Centre.
34.	Hong Kong Performing Artists' Guild Ltd.
35.	Hong Kong Philharmonic Orchestra.
36.	Hong Kong Press Photographers Association.
37.	Hong Kong Recreation Management Association.
38.	Hong Kong Repertory Theatre.
39.	Hong Kong Screen Writers' Guild Ltd.
40.	Hong Kong Sports Association of the Deaf.
41.	Hong Kong Sports Press Association Ltd.
42.	Hong Kong Student Association Ltd.

CAP. 542 Legislative Council

82 第 542 章 立法會條例

項	團體
43.	香港太極總會。
44.	香港電視互動影院有限公司。
45.	香港聯藝機構有限公司。
46.	Hutchvision Hong Kong Limited。
47.	新城廣播有限公司。
48.	敬求精舍。
49.	香港電影製片協會。
50.	新界區體育協會。
51.	香港報業公會。
52.	香港流行音樂作家公會。
53.	皇家亞洲學會香港分會。
54.	香港風帆訓練協會。
55.	香港專業電影類影師學會有限公司。
56.	香港電影剪輯協會有限公司。
57.	華南電影工作者聯合會。
58.	華南研究會。
59.	香港游泳教師總會。
60.	電視廣播有限公司。
61.	錄影太奇。
62.	紀念二十兩釐。

(由 1999 年第 48 號第 43 條增補)

Item	Body
43.	Hong Kong Tai Chi Association.
44.	Hong Kong Telecom VOD Limited.
45.	Hong Kong United Arts Entertainment Co. Ltd.
46.	Hutchvision Hong Kong Limited.
47.	Metro Broadcast Corporation Limited.
48.	Min Chiu Society.
49.	Motion Picture Production Executives (Hong Kong) Association.
50.	New Territories Regional Sports Association.
51.	The Newspaper Society of Hong Kong.
52.	Pop-Music Authors Society of Hong Kong.
53.	Royal Asiatic Society Hong Kong Branch.
54.	Sail Training Association of Hong Kong Ltd.
55.	Society of Cinematographers (Hong Kong) Limited
56.	Society of Film Editors (HK) Ltd.
57.	South China Film Industry Workers Union.
58.	South China Research Circle.
59.	Swimming Teacher's Association Hong Kong.
60.	Television Broadcasts Limited.
61.	Videotage.
62.	Zuni Icosahedron.

(Added 48 of 1999 s. 43)