

立法會
Legislative Council

LC Paper No. CB(2)1913/05-06
(These minutes have been
seen by the Administration)

Ref : CB2/PL/HA

Panel on Home Affairs

Minutes of meeting
held on Friday, 7 April 2006 at 9:15 am
in the Chamber of the Legislative Council Building

Members present : Hon Tommy CHEUNG Yu-yan, JP (Chairman)
Hon TAM Heung-man (Deputy Chairman)
Hon Albert HO Chun-yan
Hon Margaret NG
Hon James TO Kun-sun
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk, JP
Hon Andrew CHENG Kar-foo
Hon LI Kwok-ying, MH
Dr Hon Fernando CHEUNG Chiu-hung
Hon CHEUNG Hok-ming, SBS, JP
Hon WONG Ting-kwong, BBS
Hon Patrick LAU Sau-shing, SBS, JP

Members absent : Dr Hon Philip WONG Yu-hong, GBS
Hon LAU Wong-fat, GBM, GBS, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Daniel LAM Wai-keung, BBS, JP

Public Officers attending : Items III to IV

Mr Patrick C P HO
Secretary for Home Affairs

Ms Esther LEUNG
Deputy Secretary for Home Affairs (3)

Ms Winnie SO
Principal Assistant Secretary for Home Affairs
(Culture)¹

Mr Vincent FUNG
Principal Assistant Secretary for Home Affairs (West
Kowloon Cultural District)

Mr FONG Ngai
Assistant Secretary for Home Affairs (Culture)¹

Ms Agnes TANG
Acting Deputy Director of Leisure and Cultural Services
(Culture)

Mr Gerard TSANG
Assistant Director of Leisure and Cultural Services
(Heritage & Museums)

Mr LEE Yuk-man
Assistant Director of Leisure and Cultural Services
(Libraries & Development)

Mr MA Fung-kwok
Chairman, Hong Kong Arts Development Council

Mr Jonathan YU
Chief Executive, Hong Kong Arts Development Council

Ms Josephine WAI
Director, Arts Support, Hong Kong Arts Development
Council

Prof Kevin Thompson
Director, The Hong Kong Academy for Performing Arts

Dr Herbert Huey
Associate Director (Administration) and Registrar, The
Hong Kong Academy for Performing Arts

Mr Philip SODEN
Associate Director (Operations), The Hong Kong
Academy for Performing Arts

Item V

Mr Daniel SIN
Acting Principal Assistant Secretary for Home Affairs
(Recreation and Sport)

Mr Paul CHEUNG
Assistant Director (Leisure Services)1
Leisure and Cultural Services Department

Mr Eddy YAU
Assistant Director (Leisure Services)3
Leisure and Cultural Services Department

Mrs Karen YUEN
Chief Executive Officer (Planning)1
Leisure and Cultural Services Department

Mr Peter KAN
Chief Executive Officer (Planning)2
Leisure and Cultural Services Department

Mr CHAN Wai-yan
Chief Project Manager 302
Architectural Services Department

Mr FAN Wing-kwong
Senior Project Manager 327
Architectural Services Department

Item VI

Ms Anissa WONG
Director of Leisure and Cultural Services

Ms Kitty CHOI
Deputy Director of Leisure and Cultural Services
(Administration)

Ms Esther LEUNG
Deputy Secretary for Home Affairs (3)

Clerk in attendance : Miss Flora TAI
Chief Council Secretary (2)2

Staff in attendance : Ms Joanne MAK
Senior Council Secretary (2)2

Miss Sherman WOO
Legislative Assistant (2)2

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I. Confirmation of minutes

[LC Paper No. CB(2)1610/05-06]

The minutes of the meeting held on 10 March 2006 were confirmed.

II. Information paper(s) issued since the last meeting

2. Members noted that no information paper had been issued since the last meeting.

III. Items for discussion at the next meeting

[Appendices I & II to LC Paper No. CB(2)1609/05-06]

Next regular meeting on 12 May 2006

3. Members agreed to discuss the following items at the next regular meeting on Friday, 12 May 2006 at 10:45 am –

- (a) capital works projects: "Renovation of Libraries Phase II", "Local Open Space in Area 16 (Yau Oi South), Tuen Mun" and "District Open Space in Area 107 Tin Shui Wai";
- (b) Arts and Sport Development Fund and Arts Development Fund;
and
- (c) management and resumption of private streets.

(Post-meeting note: at the request of the Administration and with the concurrence of the Panel Chairman, discussion of the item referred to in paragraph 3(b) above was deferred to a future meeting.)

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Follow-up on the concluding observations issued by the United Nations Human Rights Committee on the Second Report of the Hong Kong Special Administrative Region under the International Covenant on Civil and Political Rights

4. At the suggestion of Ms Emily LAU, the Panel agreed to discuss the concluding observations issued by the United Nations Human Rights Committee on the Second Report of the Hong Kong Special Administrative Region (HKSAR) under the International Covenant on Civil and Political Rights (ICCPR) at the regular meeting scheduled for 9 June 2006 at 10:45 am.

Review of the built heritage conservation policy

5. Mr Patrick LAU expressed concern about the lack of progress made with the review of the built heritage conservation policy after the Administration had reported to the Panel on 9 November 2004 on the major findings of the first stage public consultation. Deputy Secretary for Home Affairs (3) (DSHA(3)) said that the Administration would not be ready to revert to the Panel on the subject on 12 May 2006. She undertook that the Administration would confirm in writing the earliest possible time for discussion of the subject.

Admin

IV. Briefing on Hong Kong's cultural policy

[LC Paper Nos. CB(2)1609/05-06(01) & (02)]

Presentation by the Administration

6. The Secretary for Home Affairs (SHA) gave a PowerPoint presentation on the development of Hong Kong's cultural policy. The presentation materials tabled at the meeting were subsequently issued vide LC Paper No. CB(2)1686/05-06(01) dated 10 April 2006.

Issues raised by members

Cultural exchange

7. Referring to paragraphs 29 and 30 of the Administration's paper, the Deputy Chairman said that while the Administration had mentioned that its cultural vision for Hong Kong included developing Hong Kong into an international cultural metropolis, it was doubtful whether the vision could be achieved as the Administration had only implemented the following measures in this regard –

- (a) enhancing cooperation with other countries in the field of culture and the arts through the signing of Memorandum of Understanding on Cultural Cooperation (MoU); and

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- (b) launching the Asia Cultural Cooperation Forum which only lasted for two and a half days in 2003.

The Deputy Chairman considered that substantial cultural exchange programmes with other countries were seriously lacking in Hong Kong and she queried how the abovementioned vision for Hong Kong could be achieved.

8. SHA responded that the Administration had signed MoUs with other countries and had also established the platform for cultural cooperation with Guangdong and Macau cultural authorities. Apart from assuming the role of a facilitator in promoting the development of culture and the arts, the Administration had been providing funding to support a lot of international cultural exchange programmes organised by community cultural and arts bodies.

9. DSHA(3) supplemented that the Leisure and Cultural Services Department (LCSD) presented regularly world renowned arts groups and artists in order to bring performances of a high artistic standard (e.g. the Berlin Philharmonic) to citizens. The Administration also provided funding support for the annual Hong Kong Arts Festival which offered a great variety of performing arts programmes to citizens and visitors. In addition, funding was allocated from the Arts Development Fund to support cultural programmes of local promising artists and arts organisations in overseas countries and the Mainland with a view to promoting outstanding local performances to overseas and Mainland audience.

Assistance to enhance the development of new arts groups and artists

10. The Deputy Chairman said that the cultural sector was of the view that over the past decade, the Hong Kong Arts Development Council (HKADC) had failed to actively support the development of medium and small arts groups in the fields of music and dancing, resulting in the lack of choice other than programmes presented by major arts groups and there was also not much incentive for creative expression in these fields. The Deputy Chairman asked whether the Administration would strengthen support for the development of medium and small arts groups and encourage the establishment of small arts groups which promoted avant garde artistic expressions in order to encourage diversity of arts development and attract more audience.

11. Miss CHOY So-yuk also considered that the Administration's funding support for young local artists was inadequate. She asked whether the Administration would consider providing assistance such as identifying suitable performing arts venues (such as those which would be available in the West Kowloon Cultural District) for their use and charging them on a cost-recovery basis only, and setting up a dedicated fund to assist the start-up of budding arts groups.

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12. SHA responded that the Hong Kong Arts Development Council (HKADC) was dedicated to creating a thriving environment for artistic pursuits and supported the diversified development of local artists and arts groups. He said that HKADC mainly supported medium and small arts groups whereas LCSD was the main source in providing funding to major arts groups. SHA informed members that HKADC had offered some 20 One-Year Grants to medium and small arts groups in 2005. Moreover, LCSD offered rent concession to some of them in hiring cultural and performance venues. LCSD was exploring opening up more public venues in every district for experimental use by budding local groups, and the future Jockey Club Creative Arts Centre in Shek Kip Mei would also provide additional space for use by artists and creative talents. SHA said that the planning for cultural and performing venues in the West Kowloon Cultural District would be subject to recommendations to be made by the newly set up Consultative Committee to advise on the core arts and cultural facilities for the Cultural District. He added that HKADC was considering how it might give more support to small arts groups or budding artists/arts groups.

13. Chairman of HKADC supplemented that HKADC was aware that its resource allocation had been heavily skewed towards the performing arts such as drama. He explained that the amount of funding being allocated was determined by the level of previous grants and it was not easy to change it. He added that HKADC would explore new sources of community resources for enhancing local arts development.

14. Miss CHOY So-yuk said that she did not see LCSD had made any concessionary arrangement for budding arts groups or young artists in venue hiring or had provided any public district venue for their experimental use. She added that the use of community halls was already quite fully subscribed. Acting Deputy Director of Leisure and Cultural Services (Culture) (DDLCS(C)(Atg)) said that various kinds of assistance were provided to small and budding arts groups as well as new artists. She explained that LCSD provided them with venues and basic facilities for performances and related activities, assistance and advice in publicity; as well as an appropriate subsidy to cover part of the programme expenditure. She said that LCSD was providing subsidies in the amount of about \$40 million to \$50 million for small and budding arts groups as well as new artists each year. She added that there was also a rental subsidy scheme for non-profit making arts organisations which could apply for a discount of 65% off for the use of major venues, or 50% off for minor venues.

Respect for the freedom of expression

15. Ms Emily LAU said that contrary to what the Administration stated about its cultural policy which comprised respect for the freedom of creation and expression, the United Nations Human Rights Committee had expressed

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concern about the problem of self-censorship in the media in Hong Kong. She pointed out that the Committee was also concerned about malicious criticisms against legislators and politicians due to differences in opinions, and the Committee had reiterated these concerns at its recent hearing held in March 2006 for the consideration of the Second Report of HKSAR under ICCPR. She queried how the Administration could really uphold the freedom of cultural and artistic creation and expression given the growing pressure exerted on various sectors including the media, the political sector, the cultural and the arts sectors, etc against their freedom of expression.

16. SHA said that Hong Kong was renowned in Asia for its high degree of freedom of cultural and artistic creation. He pointed out that the Government had provided funding support to arts groups including those which had frequently criticised Government policies or made a mockery of the Government and senior officials. He said that he did not see artists in Hong Kong had exercised self-censorship in their cultural and artistic creation. Ms Emily LAU, however, pointed out that the former Chief Executive had once openly criticised a television programme which was critical of him produced by the Radio Television Hong Kong (RTHK) as “bad taste”, and subsequently RTHK had come under severe criticism and was now subject to the Review of Public Service Broadcasting which would make recommendations on the future role of RTHK. Ms LAU also cited the incidents of several hosts of talk show programmes taking themselves off the air in 2004. She said that some people considered that the Government should provide a public television or radio channel for free expression of opinions. SHA reiterated that as far as artistic creation was concerned, he did not see why artists needed to exercise self-censorship.

Cultivating cultural literacy at school and community

17. Ms Emily LAU asked about the Administration’s policy of raising young people’s cultural literacy by implementing arts education programmes at schools to promote arts appreciation and cultivate a wider audience base for the performing arts.

18. DDLCS(C)(Atg) said that LCSD had been implementing various programmes to cultivate cultural literacy at school and community levels. She said that under the School Arts Animateur Scheme, LCSD worked with professional performing arts groups experienced in arts education to promote appreciation of performing arts among students as a means to stimulate creativity. In addition, LCSD organised schools under the School Culture Day Scheme to take part in arts education activities performed at LCSD venues which mainly featured local artists and arts groups. Principal Assistant Secretary for Home Affairs (West Kowloon Cultural District) added that under Education Reform, schools were given more funding allocations and greater flexibility in their design of school curricula. The Administration had tried to encourage schools to collaborate with arts groups to promote arts appreciation

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in school curricula by providing much information on local arts groups and artists on the website of HKADC.

19. The Deputy Chairman pointed out that at present, many cultural and arts criticisms were written from commercial rather than artistic perspective. She said that this was not conducive to promoting appreciation of the arts as the audience lacked high standard guidance to help promote knowledge and appreciation of the performing arts. She asked whether the Administration would consider setting up a research unit to promote the performing arts or sponsoring the publication of arts magazines.

20. Chairman of HKADC said that HKADC also considered that arts criticism was important in promoting arts development, and it would explore the feasibility of publication of an arts magazine and setting up a free television channel to provide a platform for creative expressions and arts criticisms.

21. Mr LI Kwok-ying said that it was inadequate for the Administration to have only provided 13 performing arts venues in Hong Kong as it meant that there was not even one such venue in each district. He considered that the Administration should provide more district venues, in order to promote arts and culture in the community and provide performing opportunities for artists and arts groups. He said that taking Tai Po as an example, although the population there was over 100 000, there was only one civic centre but no performing arts venue. Moreover, district organisations had to share the use of the civic centre with a secondary school in the district and the school had priority in using the civic centre. He further said that the proposed Tai Po New Civic Centre which was an outstanding project of the former Regional Municipal Council had been long awaited. However, the project was still put under review and no implementation date had been set for it.

22. SHA responded that there were 25 major cultural and performing arts venues throughout the territory, 15 of which were managed by LCSD and the total seating capacity was about 63 000. He said that the utilisation rate of LCSD venues was very high, and the average rate of a considerable number of them was about 97% to 99%. He said that the West Kowloon Cultural District was, therefore, urgently needed. He further said that the Administration had tried to fully utilise existing resources including school halls as some of them, with appropriate upgrading, could also be used as district performing venues. He pointed out that the existing LCSD venues were classified into territory-wide venues which were capable of supporting performances of both local and overseas professional arts groups, and district venues which catered mainly for the needs of districts and could provide local arts groups with facilities for rehearsals. The Administration would strive to utilise existing district venues in a better way to provide performing facilities in each district.

23. As regards the Tai Po New Civic Centre, DSHA(3) said that the Administration was currently looking at the needs of various districts for

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leisure and cultural facilities, and would work out proposals including how to address the concerns of Tai Po residents.

24. Director of the Hong Kong Academy for Performing Arts said that the Academy was undertaking a variety of outreach activities to enrich the cultural life of Hong Kong people and enable its students to engage with new audiences. He briefed members on some of these activities and pointed out that the Academy's outreach programmes were not limited to activities within Hong Kong. He added that the Academy had signed a number of strategic alliances with key academies throughout the world and the students of the Academy were frequently invited to perform abroad in important international cultural events.

25. Mr Albert HO considered that the popular trend of seniors giving musical performances (e.g. singing and playing musical instruments) at LCSD parks should be encouraged in order to promote artistic pursuits in the community. He considered that instead of resorting to stringent law enforcement actions against these seniors, which had often resulted in confrontations, LCSD should seek to provide assistance as far as possible to reduce the noise levels of the amplifiers used by the performing groups to a level below the statutory limit. He was also concerned whether different law enforcement departments were consistent in their approach of taking law enforcement actions for tackling these cases of noise nuisances.

26. SHA responded that the Administration was obliged to let the public enjoy leisure activities and avoid at the same time any possible nuisances that might be caused by these activities to the environment nearby. He explained that people were free to perform in parks but they should refrain from using amplifiers and should abide by the terms of use including the requirement to keep sound levels to a certain level. DDLCS(C)(Atg) said that as far as LCSD was concerned, the park management would not stop people from playing music and singing in its parks provided that such activities did not annoy others.

Community involvement and resources deployment

27. Dr Fernando CHEUNG said that the Government had failed to appreciate the importance of conservation of cultural and built heritage, which was often given lower priority when coming into conflict with economic development activities. He considered that the situation would not improve if there was not a larger degree of community involvement in relevant work. He further said that at present, LCSD was allocated the bulk of Government resources for supporting cultural and arts development, which amounted to some \$2 billion each year, whereas the annual budget of HKADC, which had a high level of community involvement, was about only \$100 million. He expressed concern as to whether the present institutional framework, under which a government department had seized control of the bulk of resources and with not much community involvement, was conducive to the long-term

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development of culture and the arts. He also expressed doubt as to whether such arrangements were in line with the “people-oriented” approach as proposed by the Culture and Heritage Commission (CHC) in its Policy Recommendation Report published in April 2003.

28. SHA responded that the existing cultural policy followed the strategies and recommendations made by CHC and the Administration had accordingly set up the Committee on Performing Arts, the Committee on Museums and the Committee on Libraries to follow up the policy recommendations put forward by CHC and to review the use of resources. He added that the Administration would continue to engage in dialogue with stakeholders, arts groups and the public in promoting the development of culture and the arts.

29. Noting that LCSD seemed to sponsor more the performances of major arts groups, Mr Albert HO shared Dr CHEUNG’s concern about resource deployment. He asked whether the Administration had provided adequate support, such as in providing exhibition venues, organising open competitions and subsidising publications, for the development of young artists in the fields of, e.g. literary writing, painting and sculpture.

30. SHA responded that one of the underlying principles of the Administration’s policy of resource deployment on culture and the arts was to encourage diversified and balanced development. He said that the Administration had implemented a number of programmes for the development of young artists irrespective of whether they engaged in mainstream or minority arts forms. He said that the New Vision Arts Festival which offered free performances for secondary school students was an example of such programmes. Chairman of HKADC supplemented that HKADC fully acknowledged the need to encourage and promote literary writing and it welcomed the organisation of more open competitions on creative writing in Hong Kong. He further said that HKADC had recently provided funding support to the City University of Hong Kong in organising this kind of open competitions. HKADC also organised “Write-up Competitions for Students” regularly and sponsored publications through “devolved grant”.

31. Ms Margaret NG expressed concern about the controlling role of the Administration over the provision of cultural facilities and resource deployment. She considered that the Administration should only play the role of a facilitator. She, however, observed that it was not the case under the existing policy. She further said that many arts organisations had considered that their development had been hindered by the present funding mechanism. She hoped that the Panel could have the opportunity to further discuss the positioning of the Administration in its cultural policy.

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Art of architecture

32. Mr Patrick LAU asked about the measures taken by the Administration to promote the art of architecture. He suggested that the Administration should consider setting up a museum of architecture.

33. SHA said that architecture being the art of spatial innovation was certainly a kind of the arts. He further said that the Administration would consider the suggestion. He added that there had also been exhibitions featuring architectural designs held in Hong Kong in the past. Chairman of HKADC supplemented that Hong Kong would for the first time take part in the coming Venice Architecture Biennale in September to November 2006 under the presentation of the Hong Kong Institute of Architects and HKADC. He said that the Biennale was an influential architectural exhibition in the world which would provide an excellent opportunity for Hong Kong to showcase its city development and engage in meaningful cultural exchange with overseas countries. He added that while HKADC was interested in promoting appreciation of architectural designs, how much it could do would, to a large extent, depend on the availability of resources. Mr Patrick LAU said that since SHA had acknowledged the importance of the art of architecture, the Administration should provide more resources in promoting development and appreciation of the art. Ms Margaret NG considered that the architecture of a city reflected its spirit. She urged the Administration to step up promoting appreciation of architecture and development of this art.

Jockey Club Creative Arts Centre in Shek Kip Mei

34. Mr WONG Ting-kwong asked about the progress made with the development of the creative arts centre in Shek Kip Mei, the response of local arts groups and artists and the centre's future operation.

35. DSHA(3) said that the project which aimed to develop the vacant Shek Kip Mei Factory Estate into a hub of arts and culture would be jointly implemented by Hong Kong Baptist University, HKADC and Hong Kong Arts Centre. She further said that the project aimed at nurturing creative talents, and promoting local cultural and creative industries, which should be conducive to the long-term arts development in Hong Kong. She said that the project was experimental in nature and HAB would try to identify other suitable premises for conversion into similar facilities should this project prove to be a success. She added that at the present stage, efforts were being made to resolve the technical issues pertaining to the project, and the centre was scheduled to commence operation in 2007 if things went smoothly.

36. Chief Executive of HKADC supplemented that consultation had been conducted with local artists and arts groups and they had shown enthusiastic responses to the project. He added that the conversion works were scheduled to commence a few months later.

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Way forward

Clerk 37. Dr Fernando CHEUNG, Ms Emily LAU and Ms Margaret NG suggested that the Panel should hold a special meeting to receive views from arts organisations and the public, and to further discuss with SHA on Hong Kong's cultural policy. Members agreed and the Clerk should liaise with the Administration on the suitable date for holding the special meeting.

V Capital works projects : "Sham Shui Po Park Stage II" and "District Open Space in Area 40A, Tseung Kwan O"
[LC Paper Nos. CB(2)1609/05-06(03) & (04)]

38. Acting Principal Assistant Secretary for Home Affairs (Recreation and Sport) (PASHA(R&S)(Atg)) briefed members on the salient points of the two papers setting out the Administration's proposals on the development of the Sham Shui Po Park Stage II and District Open Space in Area 40A, Tseung Kwan O.

Need for increasing public open space in Shma Shui Po and Tseung Kwan O districts

39. Ms Emily LAU, Chairman of the Subcommittee to Follow-up the Outstanding Leisure and Cultural Services Projects of the Former Municipal Councils, expressed support for the two proposed projects which were amongst the ex-Municipal Council projects and she noted that they had the full support of the District Councils concerned. She, however, pointed out that even with the proposed development of the two projects, there would still be shortages in public open space in the two districts concerned according to the Hong Kong Planning Standards and Guidelines. She urged the Administration to provide more open space in the two districts to meet district needs.

Provision of equipment and facilities at children's play area to cater for the needs of children with a disability

40. Ms Emily LAU requested the Administration to explain its policy on the provision of equipment and facilities at children's play area in parks to cater for the needs of children with a disability. She asked whether the children's play area in the proposed project for Tseung Kwan O would also include such equipment and facilities. PASHA(R&S)(Atg) responded that the children's play area in the Tseung Kwan O project was also accessible to children with a disability. Assistant Director (Leisure Services)3 (AD(LS)3) said that it was the Administration's policy that all new parks had to provide passages accessible to persons with a disability and include necessary equipment and facilities, e.g. ramps, in children's play area for children with a disability. He further said that proposed Sham Shui Po Park Stage II was not the first one to

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provide such equipment and facilities in children's play area. Many existing parks had already included the equipment and facilities in children's play area. In response to the Chairman's enquiry, AD(LS)3 said that the Administration was also trying to provide, as far as technically feasible, the same equipment and facilities in children's play area in those parks which had been built without provision of such equipment and facilities.

The "Sham Shui Po Park Stage II" project

41. The Deputy Chairman said that there were many elderly residents in the Sham Shui Po district. She asked whether the Administration would avoid as far as possible the presence of slopes in the park and provide more handrails to cater for the needs of the elderly.

42. Assistant Director (Leisure Services)1 (AD(LS)1) said that the proposed scope of facilities for both sites A and B of the project had included facilities such as fitness equipment/stations for the elderly. An area designed for Tai Chi and a foot massage path were also provided at site A. He added that the two sites were relatively flat-landed and the elderly should have no problem in accessing the future park.

43. Mr LI Kwok-ying asked whether the Administration would consider providing an outdoor stage at site A to facilitate park users giving musical performances there as he noted that this kind of leisure activity had become increasingly popular. AD(LS)1 said that as site A was very near to school and residential buildings, it might not be appropriate to provide the proposed facility as noise nuisances might be created to residents nearby during musical performances.

44. Noting that the proposed scope of facilities for site B included taking down of the existing cycling area and two volleyball courts for the provision of facilities such as Tai Chi Court, Mr LI Kwok-ying expressed concern whether there would be adequate recreational facilities for young people. He asked whether the Administration would consider providing a roller skating rink there or, alternatively, providing it at site A in place of the proposed lawn for gateball because gateball might not be very popular in the district.

45. AD(LS)1 said that the existing cycling area was actually very small which would not be suitable for providing the proposed facility. He explained that the Administration had taken into consideration the relatively large size of elderly population in the district and local opinions in proposing to provide more passive recreational facilities for site B, such as a landscaped garden, pavilion, etc. He pointed out that the proposed gateball court at site A would suit the needs of elderly people. He added that in order to cater for the needs of young people who had a greater need for active recreational facilities, the Administration had also proposed upgrading of the existing basketball court at site B.

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The “District Open Space in Area 40A, Tseung Kwan O” project

46. The Deputy Chairman asked why no mini-soccer pitch was provided for this project while three basketball courts were included in the project’s proposed scope. AD(LS)3 explained that the Administration considered that there were sufficient mini-soccer pitches in Tseung Kwan O district and there was one located next to this project site. In addition, it was planned to provide five soccer pitches at the landfill in Tseung Kwan O.

47. The Chairman said that the Liberal Party supported the two proposed projects. Mr Andrew CHENG said that the Democratic Party also supported them. Mr Patrick LAU and Mr LI Kwok-ying also expressed support but Mr LAU suggested that more planting of trees should be included for the projects. In concluding the discussion, the Chairman said that the Panel supported the two proposed projects.

VI Creation of an Assistant Director of Accounting Services post and downgrading of the Assistant Director (Administration) post from Senior Principal Executive Officer to Principal Executive Officer in the Leisure and Cultural Services Department

[LC Paper No. CB(2)1609/05-06(05)]

48. Director of Leisure and Cultural Services (DLCS) briefed members on the salient points of the Administration’s paper proposing –

- (a) to create an Assistant Director of Accounting Services (ADAS) post (D2) for undertaking the duties of the Assistant Director overseeing the Finance and Supplies Division; and
- (b) to downgrade the existing Assistant Director (Administration) (AD(A)) post from Senior Principal Executive Officer (SPEO) (D2) to Principal Executive Officer (PEO) (D1) for undertaking the duties of the Departmental Secretary (DS).

49. Ms Emily LAU indicated support for the Administration’s proposal. Referring to paragraph 8 of the Administration’s paper, Ms LAU asked whether there were any other bureau/department, with a financial structure of similar complexity and an annual recurrent budget of a similar scale, which also had an Assistant Director at D2 level to serve as the departmental finance manager. DLCS responded that departments of similar complexity and budget scale with an ADAS at D2 level included the Social Welfare Department (SWD), the Water Supplies Department, and the Police. Ms LAU, however, queried that since the number of staff of these departments varied a lot, it was difficult to make comparison and it was hard for members to see why the current proposal of creating such a senior directorate post was justified. The

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Deputy Chairman asked why the Administration did not propose creating only a Chief Treasury Accountant post for undertaking the same duties of financial management and control of the Assistant Director (Finance) (AD(F)) as set out in the Administration's paper.

50. DLCS said that although the staff establishment of SWD was of a smaller size than that of LCSD, SWD had to handle complex financial management since the department provided subvention to a lot of social welfare services units. DLCS further said that the multi-faceted operation of LCSD not only included sports and cultural promotion, but also major event organisation, subvention management and monitoring as well as outsourcing. The department had a substantial annual operating expenditure envelope of about \$4.8 billion and a revenue collection of over \$730 million for 2005-06. Besides, the department processed and managed over 859 contracts as at the end of 2005. DLCS said that AD(F) supervised the whole range of financial and supplies functions as set out in paragraph 9 of the Administration and, in particular, was also responsible for value-for-money studies and management of internal audit. She said that the department considered that an experienced professional at ADAS level was required to serve as the departmental finance manager to ensure that its operating expenditure budget was well spent.

51. DLCS further said that the Administration had considered the alternative of downgrading the AD(F) post to a Chief Treasury Accountant post. She explained that as the duties and responsibilities of the AD(F) as departmental finance manager had grown very significantly both in complexity and importance, it was more appropriate to have an AD(F) to undertake the financial responsibility to support a large department like LCSD.

52. Ms Emily LAU said that if the current proposal was approved, LCSD should strengthen monitoring of the terms of remuneration in its outsourcing contracts to ensure compliance with the minimum wage level as stipulated for government contracts. DLCS said that the AD(F) post would also be responsible for contract management including supervising contract terms and conditions to ensure that they met the stipulated requirements.

53. Ms Emily LAU asked whether it was possible to downgrade the existing AD(A) post from SPEO (D2) to non-directorate level. The Deputy Chairman asked whether it was practicable for the existing directorate officers of LCSD to share out the duties of DS.

54. DLCS said that the Administration considered that a directorate officer at the PEO rank was appropriate to deal with the responsibilities of DS. She explained that DS would supervise and oversee the operation of a new Administration Division, which would include the General Administration Section, Personnel Services Section, Personnel Resources Section, Translation and Interpretation Section and the Training Section. DLCS informed members that LCSD had a complex staff mix comprising about 9 600 full-time

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employees. In addition, the department employed a few thousands part-time staff during peak periods of every year. DLCS pointed out that as the departmental human resource manager, DS would be responsible for the full range of human resource management functions, including recruitment, employment terms and benefits, training and development, promotion, establishment control, manpower and succession planning, discipline, conditions of service, etc. and would also need to oversee staff relations matters. DLCS further said that the Administration had considered the feasibility of taking up the above duties by internal deployment of staff. The Administration, however, considered that for a large department like LCSD, it was impracticable for the existing directorate officers to share out the duties of DS without adversely affecting the discharge of their own schedules of duties which were already quite heavy.

55. In response to the Chairman, DLCS said that the D1 post was included in the 13 new permanent directorate posts forecasted to be created in the 2005-06 legislative session as set out in an information paper presented to the Establishment Subcommittee. She further said that while the original plan was to create a D3 post to head the new Administrative Division of LCSD, it was now only proposed to pitch the DS post at the rank of D1. In response to the Chairman, DLCS said that approval would have to be sought from the Legislative Council should LCSD intend to upgrade the post to D3 again in the future.

56. The Chairman said that the Liberal Party supported the Administration's proposal. Responding to the Chairman, Mr WONG Ting-kwong said that the Democratic Alliance for the Betterment and Progress of Hong Kong also supported the proposal. Mr Patrick LAU also expressed support. Mr Albert HO said that the Democratic Party needed to further consider the proposal.

57. There being no other business, the meeting ended at 11:20 am.

Council Business Division 2
Legislative Council Secretariat
11 May 2006