

立法會
Legislative Council

LC Paper No. CB(2)250/07-08
(These minutes have been
seen by the Administration)

Ref : CB2/PL/HA

Panel on Home Affairs

Minutes of meeting
held on Friday, 11 May 2007, at 10:45 am
in the Chamber of the Legislative Council Building

- Members present** : Hon CHOY So-yuk, JP (Chairman)
Hon James TIEN Pei-chun, GBS, JP
Hon CHEUNG Man-kwong
Hon Emily LAU Wai-hing, JP
Hon Andrew CHENG Kar-foo
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Albert CHAN Wai-yip
Hon LI Kwok-ying, MH, JP
Dr Hon Joseph LEE Kok-long, JP
Hon Daniel LAM Wai-keung, SBS, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon CHEUNG Hok-ming, SBS, JP
Hon WONG Ting-kwong, BBS
Hon Patrick LAU Sau-shing, SBS, JP
Hon TAM Heung-man
- Members attending** : Hon LEE Wing-tat
Hon LEUNG Kwok-hung
- Members absent** : Hon Albert HO Chun-yan (Deputy Chairman)
Hon James TO Kun-sun
Dr Hon Philip WONG Yu-hong, GBS
Hon LAU Wong-fat, GBM, GBS, JP
- Public Officers attending** : Item VI

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

Mr LEE Yuk-man
Assistant Director (Libraries & Development)

Mr Daniel SIN
Assistant Secretary for Home Affairs
(Recreation and Sport), Home Affairs Bureau

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

Mr LEE Yuk-shing
Chief Project Manager 301
Architectural Services Department

Item VII

Mrs Carrie LAM CHENG Yuet-ngor
Permanent Secretary for Home Affairs

Miss Janet WONG Chin-kiu
Principal Assistant Secretary
(Recreation & Sport), Home Affairs Bureau

Miss Olivia CHAN Yeuk-oi
Assistant Director (Leisure Services) 2
Leisure and Cultural Services Department

Dr CHUNG Pak-kwong
Chief Executive
Hong Kong Sports Institute Limited

Ms Margaret SIU Yuen-wa
Head, Coaching Support Services
Hong Kong Sports Institute Limited

Attendance by invitation : Item VII

Equal Opportunities Commission

Dr Ferrick CHU Chung-man
Head, Policy & Research

Mr LAW Kwong-keung
Member of Sha Tin District Council

Mr Richard TSOI Yiu-cheong
Member of Sha Tin District Council

Hong Kong Amateur Swimming Association

Mr Ronnie WONG
Honorary Secretary

Hong Kong Elite Athletes Association

Mr HUNG Chung-yam
Chairman

Hong Kong Table Tennis Association

Mr Tony YUE Kwok-leung
Chairman

Mr KWOK Ming-chi

Yuen Long District Council

Mr MAK Ip-sing
Chairman of Culture, Recreation & Sports Committee

Sports Federation & Olympic Committee of Hong
Kong, China

Mr PANG Chung
Honorary Secretary General

Hong Kong Tennis Association

Mr Kenneth TSUI
President

Mr Vincent LIANG
Council Member & Executive Committee Member

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

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

Miss Kiwi NG
Legislative Assistant (2)2 (Acting)

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I. Confirmation of minutes

[LC Paper No. CB(2)1725/06-07]

The minutes of the meeting on 9 March 2007 were confirmed.

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

[LC Paper Nos. CB(2)1591/06-07(01) and CB(2)1690/06-07(01)]

2. Members noted that the Administration had provided the following information papers for members' reference -

- (a) information paper on "Swimming Pool Complex in Area 2, Tung Chung, District Open Space at Po Kong Village Road, Wong Tai Sin, Ngau Chi Wan Recreation Ground in Wong Tai Sin and Recreational Facilities on Jordan Valley Former Landfill, Kwun Tong" [LC Paper No. CB(2)1591/06-07(01) issued on 16 April 2007]; and
- (b) information paper on "Revision of Fees and Charges for items under the (A) Building Management Ordinance (Cap.344), and (B) Hotel and Guesthouse Accommodation Ordinance (Cap.349)" [LC Paper No. CB(2)1690/06-07(01) issued on 25 April 2007].

III. Items for discussion at the next meeting

[Appendices I and II to LC Paper No. CB(2)1773/06-07]

3. Members agreed to discuss the following items at the next regular meeting scheduled for Friday, 8 June 2007, at 10:45 am -

- (a) update on the 2008 Olympic and Paralympic Equestrian Events;
- (b) future development of public libraries; and

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(c) Recommendation Report of Committee on Museums.

Clerk

4. At the suggestion of the Chairman, members agreed to add the issue "Management of public records - issues relating to access to information" proposed by Miss TAM Heung-man to the List of Outstanding Items for Discussion. Members noted that if the policy areas of Panels were re-aligned based on the new schedule of responsibility of the Directors of Bureaux following the reorganization of policy bureaux of the Government Secretariat on 1 July 2007, this issue should be transferred to the Panel on Constitutional Affairs for follow-up.

IV. Way forward in monitoring the work of preserving building or sites with unique heritage value

[LC Paper Nos. CB(2)1773/06-07(01) & (02)]

5. The Chairman said that during discussion on the built heritage conservation policy review at the two meetings on 9 March and 20 April 2007, members in general agreed that, before the formulation of an integrated policy for built heritage conservation, urgent actions should be taken to save buildings or sites with unique heritage value which were on the verge of demolition, particularly those which had been included as redevelopment projects, such as the Nga Tsin Wai Village. She sought members' views on the two proposed options to follow up the issue as set out in the paper prepared by the Legislative Council (LegCo) Secretariat [LC Paper No. CB(2)1773/06-07(01)].

6. Ms Emily LAU said that, as many subcommittees relating to policy issues or Council business were already in operation, she was concerned that the House Committee (HC) might not agree to activate this subcommittee. She suggested that the Panel could consider including the subject as a standing item for discussion at every regular meeting, similar to the arrangements adopted by the Panel on Manpower to follow up on the progress of the Wage Protection Movement and the introduction of legislation for a minimum wage and related issues. Miss TAM Heung-man said that she had no strong views but was concerned about whether the Panel would have adequate time at each meeting to discuss heritage conservation, given that the Panel already had many outstanding items for discussion.

7. Mr James TIEN said that, as the Panel had already many outstanding items for discussion, he supported the setting up of a subcommittee on heritage conservation under this Panel. In response to the Dr Fernando CHEUNG's enquiry, the Clerk explained to members the activation mechanism for subcommittees relating to policy issues or Council business. Members noted that 11 policy-related subcommittees and 15 Bills Committees were currently in action. Dr CHEUNG proposed for a subcommittee to be formed under this Panel as there were still vacant bills committee slots.

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8. After consideration, members agreed that the Panel would set up a subcommittee on heritage conservation with the terms of reference and work plan as set out in paragraphs 5 - 7 of LC Paper No. CB(2)1773/06-07(01), and the subcommittee might meet with deputations if necessary. Members further agreed that the Panel would to seek HC's agreement on 18 May 2007 to activate the subcommittee.

Clerk

V. Proposals to undertake duty visits
[LC Paper No. CB(2)1856/06-07(01)]

Oversea duty visit

9. Referring to a letter issued by Professor Patrick LAU tabled at the meeting, the Chairman sought members' views on Professor LAU's proposal that the Panel should visit in the summer recess some European cities to learn from their experience of heritage conservation.

10. Professor Patrick LAU suggested that the Panel should visit London, Athen and a city in Germany to study their experience in the conservation of built heritage in the redevelopment process. Miss TAM Heung-man and Mr LEE Wing-tat expressed support for the suggestion. The Chairman, however, considered that, as the Panel on Planning, Lands and Works had visited Singapore, London and Berlin in 2002 in respect of similar subject, the proposed places to be visited should not include these cities. Members agreed. After discussion, members further agreed in principle that the Panel should consider undertaking the proposed overseas duty visit with the following scope of study -

- (a) to obtain first-hand information on the strategies and conservation measures designed specifically for preserving built heritage in the redevelopment process;
- (b) to study the experience in adapting historic buildings or sites to modern use as well as the integration of historic buildings or sites with new ones ; and
- (c) to exchange views with the relevant parties involved in the conservation work of built heritage.

Clerk

11. The Chairman requested the Clerk to draw up a proposal for members' consideration at the next meeting.

Visit to Macau

12. At the Chairman's suggestion, members agreed that the Panel should conduct a one-day duty visit to Macau to study the city's experience in built

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Clerk

heritage conservation. The Clerk was requested to liaise with the appropriate authority in Macau on the arrangements.

Local duty visit

Clerk

13. The Chairman also proposed that the Panel should conduct a half-day visit to local buildings/sites with unique heritage value which were under threat of being demolished, e.g. Nga Tsin Wai Village, Former Marine Police Headquarters in Tsim Sha Tsui, Former Police Married Quarters at Hollywood Road, Yau Ma Tei Theatre and Lui Seng Chun. Members agreed. The Clerk was requested to follow up the arrangements with the Administration.

VI. Tin Shui Wai Public Library cum Indoor Recreation Centre [LC Paper No. CB(2)1754/06-07(01)]

Briefing by the Administration

14. Assistant Secretary for Home Affairs (Recreation and Sport) (ASHA(RS)) briefed members on the salient points of the Administration's paper on the development of the proposed library and indoor recreation centre in Tin Shui Wai (the Project). Assistant Director (Leisure Services) 3 (AD(LS)3) and Assistant Director (Libraries & Development) (AD(L&D)) further briefed members on the proposed indoor recreation centre and the public library respectively.

Discussion

Proposed new public library

15. Miss TAM Heung-man asked whether the demographic characteristic of Tin Shui Wai, instead of simply its population size, had been taken into account in planning for the proposed public library. Miss TAM urged the Administration to ensure the provision of adequate students' study rooms in the proposed library, in view of the high proportion of young population in Tin Shui Wai. She also asked whether the Administration would review the Hong Kong Planning Standards and Guidelines (HKPSG) on a regular basis in its planning of the provision of public libraries. Mr LEE Wing-tat expressed similar concern. He considered that the existing libraries, e.g. the City Hall Public Library and Tsuen Wan Public Library, were fairly crowded especially during busy hours and there were not enough seats for the use of readers. Mr LEE suggested that the space provision for public libraries should be enhanced with a view to encouraging patronage.

16. AD(L&D) responded that Hong Kong had been using HKPSG as a reference which suggested that a district library should be provided for every 200 000 population, and the Leisure and Cultural Services Department's

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(LCSD's) guidelines of a major library for every 400 000 population. He said that these standards had been reviewed and, apart from that, space provision for new libraries had also been reviewed. He said that pursuant to a recommendation made after such a review, a new standard had been adopted for planning new libraries, including the proposed new library in Tin Shui Wai. The new library would have an approximate net floor area of some 6 100 square metres, which was much larger than existing major libraries which had a net floor area of about 3 310 square metres. The space provision for new district libraries would also be increased from 2 200 square metres to 2 900 square metres. AD(L&D) added that the proposed new library would include a young adult library and a students' study room.

17. In response to Mr LEE Wing-tat's enquiry, AD(L&D) said that an user education hall would be provided at the proposed new library to teach visitors how to utilize its facilities and library services, e.g. web-based service.

18. Mr CHEUNG Hok-ming enquired whether any interim measures would be taken to meet the needs of local residents in Tin Shui Wai for library services before the construction of the proposed library was completed in 2011. He expressed concern whether the existing Tin Shui Wai Public Library with a floor area of only some 1 570 square metres would be able to cope with the service demands in the next few years.

19. AD(L&D) said that Tin Shui Wai was presently served by a district library, a small library, and three mobile library stops. In addition, community libraries had been set up through collaboration with different local bodies and non-profit making organizations (e.g. elderly centres, youth centres, etc.) to enable residents to enjoy convenient library services. AD(L&D) added that LCSD would also endeavour to seek close collaboration with schools in Tin Shui Wai in the promotion of the prevailing block loan services to schools.

Proposed new indoor recreation centre

20. Noting that Tin Shui Wai New Town was short of three indoor sports centres in accordance with HKPSG, Mr CHEUNG Hok-ming asked whether the Administration had a plan to advance the implementation of the new sports centre in Area 101 at Tin Shui Wai north area and the Project under discussion. He also asked whether the new Tin Shui Sports Centre would be open for public use in around June 2007 as scheduled.

21. AD(LS)3 responded that construction of the new Tin Shui Sports Centre in Tin Shui Wai had recently been completed, and would be open for public use in June 2007. The new sports centre in Area 101 at Tin Shui Wai north area was under active planning and every effort would be made to expedite its implementation. Chief Executive Officer (Planning) 2 informed members that LCSD had already consulted the Culture, Recreation and Sports Committee of Yuen Long District Council on the proposed facilities of the new sports centre

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in Area 101 in January 2007, and the technical feasibility study of the project was being conducted by the ArchSD. The relevant works proposal would be submitted to LegCo in accordance with the established procedures to seek funding approval as soon as possible. AD(LS)3 explained that the implementation of the School Sports Programme and temporary use of school sports facilities for organizing LCSD sports/recreational programmes helped alleviate the shortfall of indoor sports centre in Tin Shui Wai.

Opening hours of the new facilities

22. Ms Emily LAU asked whether consideration would be given to extending the opening hours of the new library and indoor recreation centre (e.g. indoor heated swimming pool) to facilitate local residents' use of these facilities. AD(L&D) said that the present opening hours of public libraries were from 9 am to 8 pm. The library opening hours were kept under review, taking into consideration the needs of local residents and the available resources. He further said that the public libraries in the New Territories at present would be closed for one day each week for maintenance and cleanliness works. The Administration noted that there were views that the public libraries in the New Territories should also open on that rest day each week. Ms Emily LAU said that subject to adequate staffing manpower, consideration should be given to opening all public libraries seven days a week and extending opening hours in the night. AD(L&D) noted the suggestion. In response to Ms LAU's enquiry, AD(LS)3 said that the present opening hours of indoor recreation centres were from 7 am to 11 pm whereas the opening hours of swimming pools were from 6:30 am to 10 pm. He explained that requests of community groups and organizations for using facilities of indoor recreation centres beyond 11 pm would also be entertained.

Project cost, implementation plan and design of the Project

23. Mr Albert CHAN criticized the Administration for failing to provide detailed cost breakdown in the paper. ASHA(RS) explained that it was the established practice for the Administration to provide the breakdown of the estimated project cost in the information paper submitted to the Public Works Subcommittee (PWSC). At the request of the Chairman, Chief Project Manager 301 (CPM301) of the Architectural Services Department (ArchSD) undertook to provide the information later.

Admin

24. Mr Albert CHAN and Professor Patrick LAU questioned why it would take as long as three and a half years for the implementation of the Project. Ms Emily LAU also requested the Administration to expedite the implementation of all relevant projects as far as possible, given the serious shortfall of leisure and recreational facilities in Tin Shui Wai. CPM301 explained that due to the presence of underground marble cavities in the project site, extensive foundation works would be required and the overall construction programme lengthened. It would need to take 17 months for piling. However, the

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Administration would take note of members' concerns. Professor LAU suggested that ArchSD should explore alternative feasible techniques which could address the presence of underground marble cavities without lengthening the period of time for piling works even though this might incur higher cost.

25. Mr Albert CHAN expressed disappointment at the design of the Project. He suggested that the design should be improved by enhancing roof-top and vertical greening measures for the Project. He hoped that the proposed library cum indoor recreation centre would become a landmark of Tin Shui Wai. He also suggested that, in order to facilitate accessibility of the Project, carpark facilities charged on an hourly basis should be provided at the basement of the proposed public library cum indoor recreation centre.

Admin

26. CPM301 responded that planting of trees in the surrounding of the proposed public library cum indoor recreation centre and roof-top greening had been included within the scope of the Project. He said that design drawings of the Project would be submitted to Panel later to illustrate these greening measures which had been adopted in accordance with the relevant guidelines.

27. CPM301 further said that the provision of carpark facilities for the new public library and indoor recreation centre would have to follow relevant guidelines. He added that the project site was easily accessible to visitors from Yuen Long New Town, Tin Shui Wai New Town and the neighbouring areas as it was centrally located adjacent to West Rail Tin Shui Wai Station, Light Rail Tin Shui Wai Station, a secondary school and housing developments.

28. In response to Professor Patrick LAU's concern that the coverage of the project site seemed to be unduly large, CPM301 explained that the plot ratio of the new public library cum indoor recreation centre had already been reduced to 77% on the advice of the Town Planning Board so as to allow for more space for greening work.

29. Dr Fernando CHEUNG considered that the Administration should enhance the public participation in the consultation process and take into account the views and comments of local residents in the design of the Project, in order to ensure that the relevant facilities could meet their needs.

30. After discussion, members supported the Administration submitting the funding proposal to PWSC for consideration on 20 June 2007.

VII. Further discussion on policy on long-term sports development

Meeting with deputations/individuals

Equal Opportunities Commission (EOC)
[LC Paper No. CB(2)1800/06-07(01)]

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31. Dr Ferrick CHU presented the views of EOC as detailed in its submission. On whether the proposed "Elite Athletes Grants" providing financial support to disabled and non-disabled elite athletes would comply with the Disability Discrimination Ordinance (DDO), EOC noted there was a substantial difference in the level of assistance between non-disabled elite athletes and disabled elite athletes under the prevailing financial schemes and the proposed enhanced support scheme. Moreover, the Hong Kong Sports Institute (HKSI) Monthly Stipends was only provided to non-disabled elite athletes, not disabled elite athletes. EOC also noted that the subsistence grant provided to disabled elite athletes via the Hong Kong Paralympians Fund was subject to a ceiling of \$2,500 per month, which was much less than the monthly stipends provided to non-disabled elite athletes.

32. Dr Ferrick CHU pointed out that there had not been any case so far in Hong Kong which could illustrate how DDO would actually be applied by the courts to the suspected differential treatment between disabled and non-disabled athletes. However, there was a reference court case in the United States (US) quoted in paragraphs 15 and 16 of EOC's submission. In the United Kingdom (UK) and Canada, there was no such great disparity of financial support between disabled and non-disabled athletes. Dr CHU said that as the reasons for the substantial difference in the level of financial support were not available, it was unable for EOC to give view as to whether the differential treatment would constitute discrimination.

Mr LAW Kwong-keung, Member of Sha Tin District Council

33. Mr LAW Kwong-keung said that residents of Sha Tin district generally supported the redevelopment of HKSI. He hoped that the enhanced facilities of the redeveloped HKSI could help address the shortfall of sports facilities in Sha Tin district. He suggested that some of the built facilities at the HKSI site for the staging of the 2008 Equestrian Events could be retained after the events for public use and legacy purposes.

34. On sports development, Mr LAW considered that the Administration should work out a comprehensive retirement package for elite athletes. He suggested that athletes should be engaged in promoting sports in the community for the benefit of long-term sports development in Hong Kong. It was also necessary for the Administration to enhance the funding allocation system and address the imbalanced financial support provided to different National Sports Associations (NSAs) and districts.

Mr TSOI Yiu-cheong, Member of Sha Tin District Council

35. Mr TSOI Yiu-cheong welcomed the plan to redevelop HKSI in Fo Tan and its early implementation. He supported the preferred development option for the redevelopment project and suggested to improve the pedestrian links

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between HKSI and Fo Tan railway station in view of the high pedestrian flow in the area. Mr TSOI also suggested that given athletes' growing aspirations for enhanced training facilities, more sports facilities should be provided in the neighbourhood of HKSI and a sports information centre should be set up for the promotion of sports development in Hong Kong.

Hong Kong Amateur Swimming Association (HKASA)

36. Mr Ronnie WONG considered that it might not be enough to have only two floors of the hostel in the redeveloped HKSI for receiving visiting teams. He suggested that more hostel rooms should be provided. He also expressed support for the enhanced financial support to athletes under the proposal of the Administration, and the provision of a 50-metre swimming pool in the redeveloped HKSI. He hoped that HKSI in future would as far as possible allocate more sessions and lanes of its swimming pools to members of HKASA and give priority to HKASA. He also suggested that the rowing site outside HKSI should be used for swimming contests if the water quality was improved.

Hong Kong Elite Athletes Association (HKEAA)
[LC Paper No. CB(2)1817/06-07(01)]

37. Mr HUNG Chung-yam said that HKEAA welcomed the proposed enhancement of the direct financial support to elite athletes which was a great encouragement to athletes. He also said that HKEAA supported the proposed upgrading of facilities of HKSI and that HKEAA considered the preferred development option desirable as it would minimise disruption to athletes' training. He added that HKEAA appreciated the efforts made by the Administration and Sports Federation & Olympic Committee of Hong Kong, China (SF&OC) in working out a comprehensive athlete retirement scheme which would be very important to retired athletes and give recognition to their efforts and contributions.

Hong Kong Table Tennis Association (HKTTA)
[LC Paper No. CB(2)1773/06-07(03)]

38. Mr Tony YUE said that HKTTA supported the redevelopment of HKSI which would bring about improvements to the sports facilities in HKSI. HKTTA also supported the proposed enhancement to the direct financial support to elite athletes and the drawing up of a comprehensive athlete retirement scheme for athletes.

Mr KWOK Ming-chi
[LC Paper No. CB(2)1773/06-07(04)]

39. Mr KWOK Ming-chi presented his views as detailed in his submission. He expressed objection to the redevelopment of HKSI and criticised the Administration for being unfair in its funding allocation, e.g. New Territories

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(NT) east and the urban area were receiving substantial funding resources for sports development whereas not much investment had been made to NT west. He quoted Tuen Mun as an example where he considered as having a serious shortfall of sports grounds and swimming pool facilities. He considered that the Administration had no plans to improve the situation and its policy of providing sports facilities was discriminatory towards residents in NT west.

Yuen Long District Council

40. Mr MAK Ip-sing expressed support for enhancing financial support to elite athletes. He suggested that retired elite athletes who wished to become coaches should be issued coach licences so that they could take up coaching upon retirement. He also expressed support for the HKSI redevelopment which he hoped could be carried out as early as possible. As a part-time judo coach, Mr MAK said that he had also consulted the views of Hong Kong Judo Association, which was concerned about whether a judo training venue would be provided at the redeveloped HKSI and whether the grants to athletes would be disbursed through HKSI direct to an athlete or through the relevant NSA in future.

Sports Federation & Olympic Committee of Hong Kong, China

41. Mr PANG Chung expressed support for the redevelopment of HKSI which would provide a home base for training Hong Kong athletes for major sports games. He informed members that in developing a comprehensive retirement scheme, SF&OC had received positive response from commercial corporations and the Hong Kong Jockey Club (HKJC) which had expressed interest to support the scheme.

42. Mr PANG Chung further said that he would like to comment on the EOC's view regarding the disparity of financial support between disabled and non-disabled elite athletes. Due to the shortage of time, the Chairman requested Mr PANG to provide his views in writing for members' reference.

[*Post-meeting note: a submission provided by SF&OC was issued vide LC Paper No. CB(2)1914/06-07*]

Hong Kong Tennis Association (HKTA)
[*LC Paper No. CB(2)1773/06-07(05)*]

43. Mr Kenneth TSUI said that HKTA welcomed the redevelopment of HKSI. However, HKTA was concerned about the reduction in the number of tennis courts from the present 15 to six in the redevelopment plan. HKTA was also concerned about which non-profit making sports organisation would manage the tennis courts in the training base to be set up in the Kowloon Tsai Park and what facilities would be provided in this new training base. Mr TSUI urged the Administration to announce the relevant details as soon as possible.

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He also queried the basis on which HKSI had made the decision of allocating much less training fund for tennis than for the other elite sports.

44. Members noted that Rehabilitation Alliance Hong Kong had also provided a submission [LC Paper No. CB(2)1808/06-07(01)] for members' reference.

Responses of the Administration and HKSI to concerns raised by deputations

45. Permanent Secretary for Home Affairs (PSHA) made the following response to the views and comments expressed by the deputations -

- (a) the schemes provided for disabled and non-disabled athletes were materially different. As such, the disparity of financial support between these schemes should not be regarded as a breach of DDO. For non-disabled athletes, financial support was aimed at assisting athletes to achieve excellence in sports and compete in major games. Non-disabled elite athletes had to undergo such intensive training that they often had to give up their studies or career in order to pursue sports excellence. The scheme provided for disabled athletes was aimed at encouraging their participation in sports training. Other sources of financial support (e.g. the Hong Kong Paralympians Fund), and other rehabilitation and social welfare services were also made available according to their needs. The level of grants to non-disabled or disabled athletes depended on various factors, e.g. difference among the sports games and training needs. That said, the Administration was willing to consider, subject to the availability of resources, narrowing the gap between the levels of financial support to disabled and non-disabled elite athletes. In response to the concern raised by EOC in 1998 on the difference in amount of financial subsidies provided to disabled and non-disabled elite athletes in the funding schemes launched by the then Sports Development Board (SDB), the then SDB had provided an explanation to EOC and no further comments had been received from EOC;
- (b) the Administration would explore the feasibility of including some landmarks in the development plan for Penford Park to memorialise the staging of the 2008 Equestrian Events there, and would follow up with HKJC as well as consult Sha Tin District Council in due course;
- (c) apart from working with SF&OC to develop a comprehensive retirement plan for elite athletes, the Administration had employed a retired elite athlete to work as a "sports ambassador" to help promote sports;

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- (d) implementation of measures to enhance the pedestrian flow to and from HKSI would depend on the result of the relevant feasibility assessment;
- (e) there were constraints for provision of too many hostel rooms in HKSI for commercial purposes, as the site concerned was zoned "Government, Institution, Community";
- (f) the Administration was working with the Hong Kong Cycling Association to identify a site for building an outdoor velodrome preferably in Sha Tin to fill the gap between the demolition of the outdoor velodrome of HKSI in 2008 and the completed construction of a new indoor velodrome by around 2012;
- (g) the redevelopment of HKSI would not defer the implementation of any other community sports projects. The Administration would continue to examine the needs of every district including Tuen Mun for such facilities, and implement projects to cater for local demands where appropriate and justified; and
- (h) the dedicated sports training base for tennis to be provided in the Kowloon Tsai Park would be managed by a non-profit making sports organisation on a self-financing basis through open tender.

46. At the Chairman's invitation, Chief Executive of HKSI (CE/HKSI) explained the criteria adopted by HKSI in deciding on the amount of funding allocated to each of the 13 elite sports in HKSI. He added that space would be provided in the redeveloped HKSI to support emerging, up-and-coming sports. As such, it might be possible that a venue for judo training could be provided within HKSI in future.

Discussion

Treatment of disabled and non-disabled athletes

47. Referring to EOC's submission, Dr Fernando CHEUNG pointed out that the judgment given in the relevant US court case had reflected the view held by the court against inequality of treatment in terms of benefits and support provided to Paralympians. As stated in the EOC's submission, it was only for technical reasons that the differential treatment in that court case had not been ruled illegal. He failed to see any concrete explanation made by the Administration to justify the substantial differences between the levels of financial support to non-disabled and disabled athletes and other differential treatment. For example, non-disabled medal winners were arranged to attend many more congratulatory functions than disabled medal winners, and there was not much promotion of the participation of the disabled in sports. He

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considered that the Administration should keep pace with the international trend emphasizing equality in the treatment of disabled and non-disabled athletes.

48. Mr CHEUNG Man-kwong said that, under the current proposal, the amount of direct financial support to non-disabled elite athletes would be four to six times more than that for disabled elite athletes. He further observed that, according to paragraph 10 of the Administration's paper, the amount payable to an Elite A athlete would be increased from the current \$17,500 (maximum) to \$32,500 (maximum) whereas the amount to an Elite A disabled athlete would only be increased from the current \$4,100 (average) to \$5,400 (average). He considered that the Administration should, for the sake of fairness, review the disparity of the bases of the financial support between the two groups and consider imposing a uniform rate of increase. PSHA clarified that the proposed percentage increase granted to disabled elite athletes was comparable to that applied to non-disabled athletes.

Admin

49. Mr CHEUNG also suggested that, for those individual disabled elite athletes who were full-time employees and had to sacrifice their income for their sports training, more financial subsidies should be provided to make up for their loss. PSHA agreed to consider Mr CHEUNG's suggestion.

50. Miss TAM Heung-man asked whether the Administration had sought legal advice as to whether the great disparity of financial support between disabled and non-disabled elite athletes had breached DDO. She urged the Administration to make reference to the policies of Canada and UK and narrow the gap by enhancing the financial support to disabled elite athletes. PSHA pointed out that the circumstances in the case of non-disabled athletes were materially different from those in the case of disabled athletes and there had always been two separate support schemes for these groups of athletes. She said that the Administration had not sought legal advice in this regard, and she did not know whether the lawyers in EOC had provided legal advice to EOC on the then SDB's explanation made in 1998.

Admin, EOC

51. Ms Emily LAU also said that the Administration should give equal treatment to disabled and non-disabled elite athletes. She sought the views of EOC on the Administration's explanation. Dr Ferrick CHU said that it was his understanding that the case giving rise to EOC's concern in 1998 was about an award scheme whereas the current proposal was related to a financial subsidy scheme for disabled and non-disabled elite athletes. PSHA, however, clarified that the case in 1998 was not about an award scheme but a financial subsidy scheme launched by the then SDB. Dr Fernando CHEUNG suggested that, as EOC had indicated that it had inadequate information for analysis, the Administration should provide further information to EOC which should submit its analysis on the basis of the further information for members' reference. The Administration and EOC agreed to follow up.

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[*Post-meeting note*: a further submission made by EOC was issued vide LC Paper No. CB(2)2416/06-07]

Redevelopment of HKSI

52. Miss TAM Heung-man sought the views of HKTA on the adequacy of tennis courts and training facilities for elite tennis training under the current redevelopment proposal. Mr Kenneth TSUI responded that HKTA hoped that the support facilities (e.g. office and fitness facilities) in HKSI being used by HKTA would continue to be provided for the Association's use in future. He further requested to put on record HKTA's view that it would not object to the reduction of nine tennis courts in the redeveloped HKSI, if the tennis courts of LCSD in the Kowloon Tsai Park would be earmarked as an exclusive elite tennis training base to make up for the shortfall. PSHA said that the tennis courts of LCSD in the Kowloon Tsai Park would be converted into a tennis training base and all necessary support facilities would also be provided there.

53. Dr Fernando CHEUNG pointed out that, apart from athletics and fencing, no additional sports training facilities would be included in the redeveloped HKSI to cater for the use by disabled elite athletes and as a result, the latter could only use offsite facilities scattered in different areas. Referring to the submission from Rehabilitation Alliance Hong Kong, Dr CHEUNG criticised the redevelopment plan for failing to improve the provision of ancillary facilities in HKSI for use by disabled persons. Ms Emily LAU requested the Administration to provide a detailed response to concerns raised by deputations and in their submissions concerning the redevelopment of HKSI, before the relevant proposal was considered by PWSC.

[*Post-meeting note*: the Administration has provided an information paper on "Response to Views/Submissions from Deputations on Sports Development at the Meeting of the Legislative Council Panel on Home Affairs held on 11 May 2007" which was issued vide LC Paper No. CB(2)1939/06-07(01).]

54. Ms Emily LAU said that to follow up the discussion at the previous Panel meeting on 13 April 2007, she and Dr Fernando CHEUNG had jointly issued a letter on 17 April 2007 to PSHA expressing concern about any conflict of interest regarding the role of Dr Eric LI in his capacities as Chairman of HKSI and a Voting Member of HKJC in the redevelopment project of HKSI [LC Paper No. CB(2)1793/06-07(01)]. She asked when the decision of allowing HKJC to retain the Equestrian stables upon completion of the Equestrian Events was made, which would result in reduced site boundary of the redeveloped HKSI by 44 000 square metres for a period of at least seven to 10 years. She also asked whether Dr Eric LI had participated in the decision-making process and if so, whether he had made his best efforts in protecting the interests of HKSI.

Action

55. PSHA said that, as she had pointed out in her reply letter dated 7 May 2007 [LC Paper No. CB(2)1793/06-07(01)], Dr Eric LI had not participated in the discussions between the Government and HKJC. She explained that the entire site of HKSI at Fo Tan was on Government land. As HKSI was not a grantee holding the site in question, the discussion over the use of the site was entirely a matter between the Government and the relevant party. In connection with the Equestrian Events, the site in question had now been leased to the Equestrian Company. Given the serious subsidence problems in the main stable compound of the Sha Tin Racecourse, HKJC had asked to be allowed to retain the Equestrian stables so that a major plan to replace all stable blocks in the Sha Tin Racecourse could proceed. PSHA reiterated that HKSI was not involved in this matter and, and as HKSI was satisfied that the redevelopment project could meet the expectations of its stakeholders, HKSI had no objection to the Government's decision. Ms Emily LAU, however, was not convinced with the Administration's reply. She pointed out that HKSI was a party involved, as it would be directly affected by the decision of taking the site away from HKSI.

56. After discussion, members supported the Administration submitting the funding proposal to PWSC for consideration at its meeting on 23 May 2007.

57. There being no other business, the meeting ended at 1:20 pm.

Council Business Division 2
Legislative Council Secretariat
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