

Panel on Home Affairs

**List of outstanding items for discussion
(as at 6 December 2006)**

**Proposed timing
for discussion**

1. Grant of land at a nominal land premium to private groups or organizations for sports and recreational uses

An oral question was raised at the Council meeting on 13 November 2002 about the grant of government land at a nominal land premium to private groups or organisations for use as clubs or clubhouses. The Administration has been asked to review the criteria for the grant of land for sports and recreational uses.

To be confirmed

2. Enforcement of maintenance order

a. Setting up an intermediary body for the collection of maintenance payments

To be confirmed

Item proposed by Hon CHOY So-yuk. This issue was last discussed by the Panel on 8 February 2002. The Bills Committee on Interest on Arrears of Maintenance Bill 2001 has requested this Panel to discuss the setting up of such an intermediary body.

b. Streamlining the relevant court procedures

To be confirmed

The Bills Committee on Interest on Arrears of Maintenance Bill 2001 has requested the Panel on Administration of Justice and Legal Services (AJLS Panel) to follow up with the Administration on ways to streamline court procedures in relation to enforcement of maintenance order and address the problem of evasion of service of summons by maintenance payers who have defaulted on their maintenance payments. Some members of the Bills Committee have suggested that the summons should be considered to have been served so long as the summons has been served to the address provided by the payer.

**Proposed timing
for discussion**

AJLS Panel suggests that as the item falls under the policy area of the Home Affairs Bureau (HAB), it is more appropriate for it to be followed up by this Panel.

3. Future development of public libraries

The Panel received the Administration's briefing on the consultancy report on the future development of public libraries on 13 December 2002. Members requested the Administration to consult the Panel before finalising its recommendations and provide an interim report to the Panel when it was available. The Administration intends to consult the Panel on the Recommendation Report of the Committee on Libraries at the regular meeting in January 2007.

January 2007

4. Membership of the Full Council and Executive Committee of Heung Yee Kuk (HYK)

At the meeting of the Duty Roster Members (DRMs) with representatives of the Association of the New Territories (NT) Indigenous Residents on 16 December 2002, the latter expressed dissatisfaction with the Heung Yee Kuk (HYK) Ordinance (Cap. 1097) under which the NT Justices of the Peace (JPs) served as Ex Officio Councillors of the Full Council and Ex Officio Members of the Executive Committee of HYK. They considered that the NT JPs, and Special Councillors and Co-opted Councillors of HYK could not represent and protect the interests of the villagers and indigenous inhabitants of NT and requested that the HYK membership should be reviewed. Their views were referred to this Panel for consideration on 24 December 2002.

Second half of
2007
(Note)

The Administration has proposed to discuss this item along with item 7 on traditional rights and interests of indigenous villagers of NT.

Note: The Administration has advised that it does not propose to discuss this item and item 7 in the near future as more research work has to be carried out so that the discussions will be fruitful. There is, however, a plan to review rural elections after the current round of Village Representatives/Rural Committees/HYK elections to be

**Proposed timing
for discussion**

completed by mid 2007.

5. Promotion of youth development

At the policy briefing held on 15 January 2003, members noted that the Commission on Youth (COY) had submitted a draft report on unemployment problems of young people to the Chief Executive. The Panel requested to be briefed on how HAB would cooperate with COY in tackling youth problems. At the informal meeting between the Chairman and the Secretary for Home Affairs (SHA) on 13 November 2006, the Administration said that as this was employment-related, HAB would liaise with the Economic Development and Labour Bureau (EDLB) to provide an update.

To be confirmed

6. Policy on long-term sports development

The Panel discussed the new administrative structure for sports development on 14 and 29 July 2003 and the operation problems of National Sports Associations on 3 July 2006.

April 2007

At the meeting on 21 June 2005, Hon Andrew CHENG suggested that the Panel should discuss the policy on long-term sports development, including the development of the Hong Kong Sports Institute and elite sports training.

7. Traditional rights and interests of indigenous villagers of NT

At the Legislative Council (LegCo) Members' meetings with HYK Councillors on 10 June 2003 and 2 March 2004, issues relating to the enactment of legislation to implement Article 40 of the Basic Law and exemption from payment of Government rent were discussed. Members agreed that the issues involving policy consideration about the traditional rights and interests of indigenous villagers in NT should be referred to this Panel for follow-up. Members also suggested that HYK Councillors should be invited to attend the relevant meeting(s) of this Panel to give views when the issues were discussed.

To be confirmed
(*Note*)

The Administration has proposed to discuss this item

**Proposed timing
for discussion**

together with item 4 on membership of the Full Council and Executive Committee of HYK.

Note: The Administration has advised that it does not propose to discuss this item and item 4 in the near future as more research work has to be carried out so that the discussions will be fruitful.

8. Impact of authorised football betting and measures to address gambling-related problems

During the scrutiny of the Betting Duty (Amendment) Bill 2003, the Administration undertook to review the impact of authorised football betting against benchmarks, such as changes in the intensity of illegal gambling activities and prevalence of problem and pathological gamblers, and to report the findings to this Panel after authorised football betting had been implemented for two years. (*Note*)

To be confirmed

After its scrutiny of the Betting Duty (Amendment) Bill 2006, the Bills Committee agreed that issues concerning measures to address gambling-related problems and the scope of services financed by the Ping Wo Fund be referred to this Panel for discussion in 2007.

Note: In the course of examination of the Betting Duty (Amendment) Bill 2006, similar questions were raised by the Bills Committee, and the Administration's response was issued vide LC Paper No. CB(2)2155/05-06(01). The Administration has proposed to delete the first part (first paragraph) of this item.

9. Review of built heritage conservation policy

When the subject was last discussed on 9 November 2004, the Administration reported on the major findings of the first stage public consultation on the review conducted from February to May 2004. HAB is formulating proposals on implementation measures for further public consultation.

June 2007

10. Safeguarding Hong Kong's core values

Item proposed by Hon TAM Heung-man on 12 October

To be confirmed

2004. A group of professionals and academics initiated a declaration on safeguarding Hong Kong's core values around May/June 2004. In June 2004, the Chief Executive met with the group to hear their views.

11. Submission of reports by the Hong Kong Special Administrative Region Government to the United Nations under international human rights treaties

The second report of the Hong Kong Special Administrative Region (HKSAR) under the International Covenant on Economic, Social and Cultural Rights (ICESCR) was submitted to the United Nations (UN) in June 2003. The related hearing was held in Geneva between 27 and 29 April 2005. The concluding observations, issued on 13 May 2005, were discussed by the Panel on 21 June 2005.

The initial report of the HKSAR under the Convention on the Rights of the Child (CRC) was submitted to UN in June 2003. The Panel discussed the report on 11 June 2004 and 20 July 2005. The related hearing was held in Geneva on 19 and 20 September 2005. The concluding observations, issued on 30 September 2005, were discussed by the Panel on 8 November 2005 and 10 February 2006. The second report of HKSAR under CRC is due for submission by 31 March 2009 as part of China's combined third and fourth report.

The Panel discussed the preparation of the second report of HKSAR under the International Covenant on Civil and Political Rights (ICCPR) on 11 April 2003. The report was submitted to the UN Committee on 14 January 2005. The report was discussed by the Panel on 10 March 2006. It was heard by the UN Committee on 20 and 21 March 2006. The Panel discussed the concluding observations on the second report on 9 June 2006. The third periodic report is due in 2010.

February 2007

The HKSAR's second report under the International Convention in the Elimination of All Forms of Racial Discrimination (ICERD) will form part of China's 10th to 13th combined periodic report to be submitted to UN in 2007. The 10th and 11th reports of China were due to be submitted by 28 January 2003. The Panel discussed the preparation of the second report of HKSAR under ICERD on 13 December

**Proposed timing
for discussion**

2002. HAB will consult the Panel on the outline of HKSAR's second report under ICERD at the regular meeting in February 2007.

The Panel discussed the preparation of the second report of HKSAR under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) on 8 November 2002. The report was submitted as part of China's combined 5th and 6th reports in early 2004. The Panel discussed the HKSAR's second report on 9 June 2006. After conducting its hearing on China's report (including the HKSAR's second report) at its 36th session in August 2006 in New York, the UN Committee published its concluding comments on 31 August 2006. China is required to submit its combined 7th and 8th reports in September 2010.

February 2007

The HKSAR's second report under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) was submitted to UN as part of China's 4th and 5th combined reports in June 2006. The Panel received views from deputations on the outline of topics to be covered in the HKSAR's second report on 11 June 2004. (*Note*)

The Administrations' second report on implementation of international human rights treaties in Hong Kong in 2004 was issued vide LC Paper No. CB(2)2403/04-05(01) dated 1 August 2005.

Note: At the suggestion of the Panel on Security, this Panel agreed at its meeting on 12 October 2006 that future discussion of the HKSAR's reports under CAT would be taken up by the Panel on Security.

12. Review of advisory and statutory bodies

The item was last discussed on 13 January 2006. The Panel discussed 14 interim reports and a progress report on the review during the 2003-2004 and 2004-2005 sessions, and the interim report No. 15 on 13 January 2006. The Administration will continue to submit interim reports on various topics concerning the review to the Panel.

To be confirmed

When the Bills Committee on Statute Law (Miscellaneous Provisions) Bill 2005 discussed a proposed amendment to the Legal Aid Services Council (LASC) Ordinance (Cap. 489)

**Proposed timing
for discussion**

on extending the deadline for LASC to submit its annual report, some members expressed concern that there should be consistency in the time limit within which statutory bodies should submit their annual reports. HAB has then agreed to include review of the time limit for submission of annual reports by statutory bodies in its current review of advisory and statutory bodies.

13. Central Police Station Compound Project (the Project)

The item was proposed by Hon CHOY So-yuk at the meeting on 13 October 2005. She expressed concern whether the Administration had already finalised the tender arrangements for the Project. Members noted that the subject fell under the purview of EDLB and the Panel on Economic Services had taken the lead in following up the Project. Members were of the view that this Panel and the Panel on Economic Services should discuss the item at a joint meeting.

June 2007

According to EDLB, the Bureau is examining the public views received during the public consultation exercise in considering the way forward and the timetable for the tender is not yet available at this stage.

14. Functions taken up by the Secretary for Home Affairs (SHA) upon the abolition of estate duty for probate administrative purpose

During the scrutiny of the Revenue (Abolition of Estate Duty) Bill 2005, the relevant Bills Committee discussed the functions to be taken up by SHA upon the abolition of estate duty for probate administrative purpose and whether fees should be charged for the functions to be taken up by SHA. HAB informed the Bills Committee that it did not propose to charge any fees on the functions to be performed by SHA. However, it would review the situation after the system had been in operation for one year and to consult this Panel in due course.

To be confirmed

The Administration advised on 5 October 2006 that the Home Affairs Department (HAD) would take over the delivery of support services for estate beneficiaries from the Inland Revenue Department (IRD) with effect from 1 April

**Proposed timing
for discussion**

2007. As HAD would review the question of charging after gaining some operating experience, the item would not be put to the Panel for discussion in the following few months.

At the informal meeting between the Chairman and SHA on 13 November 2006, the Administration agreed to provide an information paper in early 2007 after arrangements for HAD to take over the work from IRD have been finalised to facilitate the Panel's consideration as to whether discussion would be required.

15. Arts and Sport Development Fund and Arts Development Fund

This item is proposed by the Administration. The Administration plans to submit this financial proposal to the Finance Committee for discussion and endorsement as soon as practicable.

December 2006

16. Review of the Personal Data (Privacy) Ordinance (Cap. 486)

The Panel on Information Technology and Broadcasting (ITB Panel) discussed the subject of "Information Security" with the Administration and the Privacy Commissioner for Personal Data at its meeting on 17 March 2006. Members of the ITB Panel shared the Privacy Commissioner's view that since the Personal Data (Privacy) Ordinance (the Ordinance) had been in force for a decade, a thorough review of the Ordinance should be conducted. It was agreed at the meeting that this Panel should be requested to follow up with the Administration and the Privacy Commissioner on the review of the Ordinance, preferably in two to three months' time.

To be confirmed

The Administration has informed the Secretariat that as the Privacy Commissioner is conducting a review on the Ordinance, and any proposal put forward by the Privacy Commissioner will need to be further examined by the Administration, the Administration is not in a position to propose a date for discussion of this item.

**Proposed timing
for discussion**

17. Amendments to the Sex Discrimination Ordinance (SDO) and the Disability Discrimination Ordinance (DDO) proposed by the Equal Opportunities Commission (EOC)

This item is proposed by Hon Margaret NG. The Administration informed the Secretariat on 11 May 2006 that one of the amendments proposed by EOC was to extend the definition of sexual harassment in SDO to cover conduct which created a sexually hostile or intimidating environment at an educational establishment. The Administration pointed out that since the Race Discrimination Bill would also deal with racial harassment in a similar manner, the Administration would incorporate this proposed amendment to SDO in the Bill.

Second half of
2007

As regards the other amendments proposed by EOC, the Administration pointed out that some of them were technical amendments and the others might have read-across implications to other anti-discrimination ordinances. The Administration would consider the most appropriate way to take forward these proposed amendments after the enactment of the Race Discrimination Bill and would further report progress to the Panel accordingly.

18. Protection of privacy

The Administration intends to consult the Panel on the Law Reform Commission's reports on privacy.

January 2007

19. Update on the 2008 Olympic and Paralympic Equestrian Events (Equestrian Events)

This item was last discussed on 20 July 2005. The Administration intends to update the Panel on the latest progress regarding the planning and organisation of the Equestrian Events.

To be confirmed

At the informal meeting between the Chairman and SHA on 13 November 2006, the Administration agreed to provide an information paper in due course to facilitate the Panel's consideration as to whether further discussion would be required.

**Proposed timing
for discussion**

20. Establishment of a Commission on Children

At the Panel meeting on 12 October 2006, Dr Fernando CHEUNG proposed that the Panel should further discuss this subject which was last discussed in the context of "Further discussion on the concluding observations adopted by the United Nations Committee on the first report of the Hong Kong Special Administrative Region under the Convention on the Rights of the Child" at the meeting on 10 February 2006.

To be confirmed

At the informal meeting between the Chairman and SHA on 13 November 2006, the Administration suggested that this subject should be discussed in the context of the proposed establishment of the Family Commission which was being followed up by the Panel on Welfare Services.

21. Upgrading works for venues of the 2009 East Asian Games

Upon the Panel's endorsement, the Administration intends to submit the project on East Asian Games to the Public Works Subcommittee for consideration in January 2007.

December 2006

22. Examination of the existing human rights protection mechanisms

At the meeting on 10 November 2006, members agreed with the suggestion of the Hong Kong Human Rights Monitor that the Panel should discuss this subject, including the proposal to establish a Human Rights Commission (HRC) in Hong Kong.

February 2007

At its meeting on 9 June 2006, the Panel agreed to request the Research and Library Services Division of the LegCo Secretariat to conduct research studies on the following -

- (a) the binding effect of the recommendations made by UN Human Rights Committee and other committees of UN; and
- (b) the principles and requirements (including the Paris

**Proposed timing
for discussion**

Principles) for the formation of a HRC in overseas jurisdictions and whether the existing human rights framework in HKSAR had complied with these principles and requirements.

23. Replacement of Library Automation System for Hong Kong public libraries

This item is proposed by the Administration for discussion.

January 2007

Council Business Division 2
Legislative Council Secretariat
6 December 2006