

Panel on Home Affairs

**List of outstanding items for discussion
(as at 8 May 2008)**

**Proposed timing
for discussion**

1. Streamlining court procedures and setting up an intermediary body for the effective enforcement of maintenance order

The Bills Committee on Interest on Arrears of Maintenance Bill 2001 (the Bills Committee) has requested the relevant Panel to follow up on ways to streamline court procedures in relation to enforcement of maintenance order and to address the problem of evasion of service of summons by maintenance payers who have defaulted on their maintenance payments.

13 June 2008
(Note)
HAB

Note: The Administration has advised that to combat the problem of maintenance payers deliberately trying to evade service of judgment summons, the Home Affairs Bureau (HAB) is working on legislative amendments to relax the requirement for judgment summonses to be served personally. At the informal meeting between the Panel Chairman and the Secretary for Home Affairs (SHA) on 30 October 2007, the Panel Chairman requested that the issue of setting up an intermediary body for collection of maintenance payments be considered in the context of this legislative proposal.

2. 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

Not suggested for
discussion in the
near future
(Note)
HAB

**Proposed timing
for discussion**

membership should be reviewed. Their views were referred to this Panel for consideration on 24 December 2002.

The Administration has proposed to discuss this item along with item 4 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 4 in the near future as more research work has to be carried out so that the discussions will be fruitful.

3. Promotion of youth development

At the policy briefing 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.

To be confirmed
(Note)
HAB

Note : An information paper was submitted to the Panel on 6 May 2008.

4. 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.

See item 2 above
(Note)
HAB

The Administration has proposed to discuss this item together with item 2 on membership of the Full Council and Executive Committee of HYK.

**Proposed timing
for discussion**

Note: See item 2 above.

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

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.

Note: HAB has commissioned the Hong Kong Polytechnic University to review the effectiveness of the four pilot gambling counselling and treatment centres funded by Ping Wo Fund. The Fund would map out the way forward having regard to the operational experience gathered from the two new centres which were commissioned in early 2007, the findings of the review and advice from the Ping Wo Fund Advisory Committee. HAB will report to the Panel on this item in 2008.

Upon consideration of the consultancy report on the review of the four centres around mid 2008
(Note)
HAB

6. 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 concluding observations of the UN Committee on Economic, Social and Cultural rights, issued on 13 May 2005, were discussed by the Panel on 21 June 2005. China is expected to submit its second periodic report before 30 June 2010.

As and when those reports are submitted by China to UN and published
CMAB

The initial report of the HKSAR under the Convention on the Rights of the Child (CRC) was submitted to UN in June 2003. The concluding observations of the UN Committee on the Rights of the Child, 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 expected to be due for submission by 31 March 2009 as

**Proposed timing
for discussion**

part of China's combined third and fourth report.

The second report of HKSAR under the International Covenant on Civil and Political Rights (ICCPR) was submitted to the UN on 14 January 2005. The concluding observations of the Human Rights Committee, issued on 30 March 2006, were discussed by the Panel on 9 June 2006. The Administration further provided a copy of the HKSAR Report [LC Paper No. CB(2)369/07-08(01)] on its follow-up to the recommendations made in paragraphs 9, 13, 15 and 18 of the above concluding observations to the Panel on 15 November 2007. The Panel discussed the HKSAR Report on 11 January 2008. The third periodic report is expected to be due in 2010.

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 2008. The 13th periodic report was due for submission by 28 January 2007. The Panel discussed the outline of HKSAR's second report under ICERD on 12 January 2007. The HKSAR report will form part of China's report under ICERD to be submitted by China to UN.

The second report of HKSAR under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was submitted to UN in early 2004. The concluding comments of the Committee on the Elimination of Discrimination Against Women, issued on 31 August 2006, were discussed by the Panel on 9 February 2007. The third report of HKSAR will be due for submission by September 2010 as part of China's 7th and 8th combined report.

The Administration's 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.

7. Review of advisory and statutory bodies

**Proposed timing
for discussion**

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.

June 2008
HAB

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) 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.

8. 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.

Mid-2008
CMAB

At the meeting on 11 October 2007, Hon Emily LAU proposed and members agreed that the Research and Library Services Division (RLSD) should be requested to gather information on the implementation problems of the Ordinance that had arisen in the past few years. RLSD is following up on the request.

9. Amendments to the Sex Discrimination Ordinance (SDO) and the Disability Discrimination Ordinance (DDO)

**Proposed timing
for discussion**

proposed by the Equal Opportunities Commission (EOC)

This item was 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 (RDB) would also deal with racial harassment in a similar manner, the proposed amendment to SDO would be incorporated in the Bill.

To be confirmed
(Note)
CMAB & LWB

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 RDB and would further report progress to the Panel in due course.

Note: The Administration will, as a consequential amendment to RDB, extend the definition of sexual harassment in SDO to cover conduct which creates a sexually hostile or intimidating environment at an educational establishment. The Administration will consider the most appropriate way to take forward the other proposed amendments after the enactment of RDB.

10. Management of public records - issues relating to access to information

Hon TAM Heung-man has proposed to discuss this item including a proposal of introducing legislation on public records. The Panel agreed at its meeting on 11 May 2007 to discuss the item from the perspective of access to information.

To be confirmed
CMAB and
Administration
Wing (Chief
Secretary for
Administration's
Office)

**Proposed timing
for discussion**

11. Strengthening the software and humanware for culture and the arts

The Panel first discussed the subject on 14 December 2007 and received views from deputations on 15 February 2008. The Panel agreed to follow up on the Administration's response to these views with the Administration (including representatives from relevant policy bureaux) and deputations in May 2008.

9 May 2008
HAB

12. Operational problems of national sports associations (NSAs)

This item was last discussed at the meeting on 3 July 2006 and was proposed by Hon Albert CHAN at the meeting on 11 October 2007 for further discussion, with emphasis on problems with NSAs' selection process of athletes to represent Hong Kong for participation in international sports events. He suggested that when the Panel discussed this subject, representatives of those NSAs which had selected athletes to represent Hong Kong should be invited to join the discussion.

Not suggested for
discussion in the
near future
(Note)
HAB

Note: In July 2006, the Administration discussed with and explained to the Panel in detail the monitoring mechanism for National Sport Associations (NSAs) in the use of sports subvention provided by the Government and the NSAs' compliance with the terms of the subvention agreement. Upon request by the Panel, the Administration also compiled and provided Members with service statistics on the incumbents of NSA key office-bearers after that meeting.

According to the Administration, the selection of Hong Kong athletes to compete in international sporting events is a prerogative of the Sports Federation and Olympic Committee of Hong Kong, China (SF&OC) and its member NSAs which are the local governing bodies of individual sports. This is in line with the Olympic Charter, which states that one fundamental principle of Olympism is that "The organization, administration and management of sport must be controlled by independent sports organizations". The Administration fully respects the Olympic Charter and

**Proposed timing
for discussion**

would not interfere with the prerogative of the SF&OC and the NSAs in selection of athletes to compete in international sporting events. The Administration does not plan to discuss this issue in the Panel.

13. Proposal to provide an allowance for village representatives

This item was proposed by Hon Andrew CHENG at the meeting on 11 October 2007. He suggested that the Administration should explain its considerations of this proposal, as well as whether the same arrangements should be made for other holders of public offices and the criteria. At the informal meeting between the Panel Chairman and SHA on 30 October 2007, the Administration explained that it would not be ready to discuss this item in the next few months as it needed more time to consider this proposal.

4th quarter 2008
HAB

14. Progress of implementation of recommendations made in the Report of the Independent Panel of Inquiry on the Incidents Relating to the Equal Opportunities Commission (EOC) and the recommendations made in two other reports of the internal reviews conducted by EOC

This item was last discussed at the meeting on 13 January 2006 and was proposed by Hon TAM Heung-man at the meeting on 11 October 2007 for further discussion.

To be confirmed
(Note)
CMAB

Note: The only outstanding issues relate to the proposal for the appointment of a Deputy Chairman for the EOC and the proposal for separating the executive functions from the EOC Chairman. Both require careful consideration and, if accepted, amendments to the Sex Discrimination Ordinance. The Constitutional and Mainland Affairs Bureau will further examine the matter, taking into account the views expressed by members at the Panel meeting on 13 January 2006 and any other relevant Panel meetings.

15. Provision of cultural facilities in Hong Kong

**Proposed timing
for discussion**

At the informal meeting between the Panel Chairman and SHA on 30 October 2007, the Administration agreed that it would report to the Panel, within the current session, on its overall review of the provision of cultural facilities in Hong Kong.

To be confirmed
HAB

16. Future development of museum services

When the Panel discussed the item about the future development of private museums at its meeting on 11 January 2008, the Administration was requested to provide the Panel, before July 2008, with a discussion paper on (a) the establishment of a standard mechanism for supporting the operation of private museums and (b) its progress of work regarding the establishment of a statutory Museums Board and the consultation with museum staff on the proposed changes in mode of governance.

Before July 2008
HAB

17. Redevelopment of the Hong Kong Sports Institute

The Panel considered and supported the proposal on the Redevelopment of the Hong Kong Sports Institute at its meetings on 13 April 2007 and 11 May 2007. With support of the Public Works Sub-Committee (PWSC) on 6 June 2007, the Finance Committee (FC) approved funding on 22 June 2007 for the preparatory works of the Project.

9 May 2008
HAB

The Administration consulted the Panel on the funding application for the main works of the Project on 11 April 2008. The Panel agreed to further discuss the issue at the meeting on 9 May 2008.

18. Initiatives on heritage conservation and research study on built heritage conservation policy in selected places conducted by the Research and Library Services Division (RLSD)

**Proposed timing
for discussion**

The former Subcommittee on Antiquities and Monuments (Withdrawal of Declaration of Proposed Monument) (No. 128 Pok Fu Lam Road) Notice has requested the Panel to follow up on issues concerning the need for reorganizing the Antiquities Advisory Board to an independent statutory body to take over the functions of the Antiquities and Monuments Office and review of the Antiquities and Monuments Ordinance to strengthen heritage conservation work. Related issues raised by the Subcommittee for the Panel's consideration also include enhancing the transparency and independence of the heritage assessment mechanism, updating the relevant assessment criteria to bring them in line with the international trend, and the role of town planning in heritage conservation.

To be confirmed
DEVB

The Panel may wish to take the opportunity to discuss a research study on built heritage conservation policy in selected places conducted by RLSD.