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7 June 2013

Clerk to Bills Committee
Legislative Council Secretariat
Legislative Council Complex,
1 Legislative Council Road,
Central
Hong Kong
(Attn: Ms Joanne Mak)

Dear Ms Mak,

**Bills Committee on
Hong Kong Arts Development Council (Amendment) Bill 2013**

Follow-up to the meeting on 24 May 2013

At the captioned meeting of the Bills Committee, the Administration was requested to provide a written reply on whether the captioned bill ("amendment bill") would affect any other legislation. The Administration's reply to Members' question is as follows.

We consider that the amendment bill will not necessitate consequential amendments to any other legislation currently in force including the Legislative Council Ordinance (Cap. 542) ("LCO").

Section 20V(1)(d) of the LCO provides that the Sports, Performing Arts, Culture and Publication (“SPCP”) functional constituency (“FC”) comprises, inter alia, bodies listed in a Gazette notice currently in force made under section 3(5) of the Hong Kong Arts Development Council Ordinance (Cap. 472) (“HKADCO”) as organizations for the purpose of section 3(4) of the HKADCO. So far, the Registration and Electoral Office has, in accordance with section 20V(1)(d) of the LCO, included only organizations, not individuals, listed in Gazette notices issued under section 3(5) of the HKADCO as electors for the SPCP FC.

The proposed amendments to the HKADCO do not necessitate consequential amendments to section 20V(1)(d) of the LCO. After the passage of the amendment bill, organizations, not individuals, listed in Gazette notices published in accordance with the amended section 3(5) of the HKADCO will be eligible for registration as electors of the SPCP FC under section 20V(1)(d) of the LCO.

Furthermore, some Members also asked about the eligibility criteria for individual arts workers to participate in the nomination of arts interests representatives for the Hong Kong Arts Development Council at the captioned meeting. The relevant information is provided at the **Annex** for Members’ information.

Yours faithfully,



(Ms Elaine Mak)
for Secretary for Home Affairs

c.c. DoJ (Attn: Ms Leonora IP)

**Eligibility Criteria for Individual Arts Workers to Participate in the
Nomination of Representatives of Arts Interests for
the Hong Kong Arts Development Council**

The arts worker should be aged 18 years or above and meet at least one of the following eligibility criteria:

- (i) be a current or former member, co-opted member, arts adviser or examiner of the HKADC, since its establishment on 15 April 1994; or
- (ii) be a current or former arts adviser of the Leisure and Cultural Services Department (LCSD) since 1 January 2000; or
- (iii) have been a winner or an announced finalist of the arts achievement awards of the HKADC since its establishment on 15 April 1994; or
- (iv) have been a winner or an announced finalist of recognized local arts competitions and awards (at Appendix); or
- (v) have been successful in obtaining grant, financial sponsorship or venue sponsorship from the HKADC, the LCSD, the Home Affairs Bureau, the West Kowloon Cultural District Authority, the Hong Kong Academy for Performing Arts or the Hong Kong Arts Centre for arts projects submitted in his/her name (including the participating arts workers listed in the applications for grant/sponsorship); or
- (vi) have obtained fees from the HKADC, the LCSD, the Home Affairs Bureau, the West Kowloon Cultural District Authority, the Hong Kong Academy for Performing Arts or the Hong Kong Arts Centre for direct engagement in arts creation, direction, performance, exhibition, production / technical support and arts administration of arts projects; or
- (vii) be or have been in collaboration with LCSD in holding arts exhibitions/competitions; or have participated in these exhibitions/competitions in his/her name since 1 January 2000; or

- (viii) be a full-time or part-time teacher/instructor/tutor of subjects relating to arts administration, arts criticism, arts education, Chinese opera (Xiqu), dance, drama, film art, literary arts, music or visual arts employed by local tertiary institutions^{Note 1} (and their schools of continuing studies), secondary schools or primary schools in Hong Kong as at 15 March 2013^{Note 2}. (Remarks: Applicants qualified under this item should apply to be registered under the arts interest of “Arts Education”.); or
- (ix) be a graduate of an arts programme on one of the specified arts interests^{Note 3} at bachelor’s degree or above levels run by local universities /tertiary institutions; or
- (x) be an individual artist tenant of the Jockey Club Creative Arts Centre, the Cattle Depot Artist Village or the Hong Kong Arts Centre as at 15 March 2013^{Note 2}; or
- (xi) be a member of the arts organisations successfully registered in Phase 1 of the Nomination Exercise and has joined the organisation for not less than one year; or

Note 1 Government subvented tertiary institutions (that is, 7 universities, the Hong Kong Academy for Performing Arts and the Hong Kong Institute of Education) and institutions providing full-time accredited self-financing post-secondary programmes, including Caritas Bianchi College of Careers, Caritas Institute of Higher Education, Centennial College, Chu Hai College of Higher Education, Community College of City University, City University of Hong Kong - School of Continuing and Professional Education, Hang Seng Management College, HKU SPACE Po Leung Kuk Community College, Hong Kong Adventist College, Hong Kong Art School, Hong Kong Baptist University – College of International Education, Hong Kong Baptist University – School of Continuing Education, Hong Kong Buddhist College, Hong Kong College of Technology, Hong Kong Institute of Technology, Hong Kong Shue Yan University, Kaplan Business and Accountancy School, The Community College at Lingnan University, Lingnan Institute of Further Education, Pui Ching Academy, SCAD Foundation (Hong Kong) Limited/Savannah College of Art and Design, Inc, The Chinese University of Hong Kong - School of Continuing and Professional Studies, The Hong Kong Polytechnic University - Hong Kong Community College, The Hong Kong Polytechnic University - School of Professional Education and Executive Development, The Open University of Hong Kong, HKU SPACE Community College, Tung Wah College, Vocational Training Council, Yew Chung Community College, YMCA College of Careers.

Note 2 The date of commencement of the nomination exercise in 2013.

Note 3 That is, Arts Administration, Arts Criticism, Arts Education, Chinese Opera (Xiqu), Dance, Drama, Film Arts, Literary Arts, Music and Visual Arts.

(xii) be an employee of the arts organisation successfully registered in Phase 1 of the Nomination Exercise and has met the following eligibility criteria :

- has been directly involved in arts creation, direction or performance in the organisation for not less than one year prior to the start of this Nomination Exercise^{Note 2} ; or
- be a full-time employee in the arts organisation and has been responsible for coordination or promotion of arts events or stage management (not including employees involved in general administration, finance, human resources and other technical support duties) in the organisation for not less than one year prior to the start date of the nomination exercise^{Note 2}.

Appendix

Recognized Local Arts Competitions and Awards

Artforms	Arts competitions / Awards	Organizer
Visual Arts	1. Hong Kong Contemporary Art Awards	The Hong Kong Museum of Art
	2. HKDA Global Design Awards	Hong Kong Designers Association
	3. HKDC Awards	Hong Kong Design Centre
Literary Arts	1. Hong Kong Book Prize (Literary books)	RTHK, Hong Kong Public Libraries and Hong Kong Publishing Federation
	2. Youth Literary Awards	Youth Literary Awards Association
	3. City Literary Awards	City University of Hong Kong
	4. Young Writers' Debut Competition	Sun Hung Kai Properties and Joint Publishing (HK) Limited
	5. Hong Kong Biennial Awards for Chinese Literature	Hong Kong Public Libraries and Hong Kong Arts Development Council
	6. The Dream of the Red Chamber Awards	Hong Kong Baptist University
	7. The Asian Literary Prize	Man Group plc. and Hong Kong International Literary Festival
	8. Awards for Creative Writing in Chinese	Hong Kong Public Libraries
Drama	1. Hong Kong Drama Awards	Hong Kong Federation of Drama Societies
	2. The Hong Kong Theatre Libre	101arts.net
Dance	1. Hong Kong Dance Awards	Hong Kong Dance Alliance
	2. Bauhinia Cup Dance Championships	Hong Kong Dance Federation
Arts Criticism	1. ADC Critic's Prize	Hong Kong Arts Development Council
Film Arts	1. Hong Kong Independent Short Film and Video Awards	Hong Kong Arts Centre
	2. Fresh Wave International Short Film Festival	Hong Kong Arts Development Council
	3. Hong Kong International Film Festival Short Film Competition	Hong Kong International Film Festival

Artforms	Arts competitions / Awards	Organizer
	4. Hong Kong Film Awards	Hong Kong Film Awards Association Board Of Directors
	5. Asian Film Awards	Hong Kong International Film Festival Society
	6. Hong Kong Film Critics Society Awards	Hong Kong Film Critics Society