

立法會
Legislative Council

LC Paper No. CB(2)2075/14-15
(These minutes have been seen
by the Administration)

Ref : CB2/PL/HA

Panel on Home Affairs

Minutes of meeting
held on Friday, 17 July 2015, at 2:30 pm
in Conference Room 3 of the Legislative Council Complex

- Members present** : Hon Starry LEE Wai-king, JP (Chairman)
Hon YIU Si-wing, BBS (Deputy Chairman)
Hon Cyd HO Sau-lan, JP
Dr Hon LAM Tai-fai, SBS, JP
Hon IP Kwok-him, GBS, JP
Hon Claudia MO
Hon Steven HO Chun-yin, BBS
Hon Frankie YICK Chi-ming, JP
Hon MA Fung-kwok, SBS, JP
Hon CHAN Chi-chuen
Dr Hon Kenneth CHAN Ka-lok
Hon LEUNG Che-cheung, BBS, MH, JP
Hon TANG Ka-piu, JP
Dr Hon CHIANG Lai-wan, JP
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen, BBS
- Members attending** : Hon WONG Kwok-hing, BBS, MH
Hon Michael TIEN Puk-sun, BBS, JP
Hon KWOK Wai-keung
- Members absent** : Hon CHEUNG Kwok-che
Hon NG Leung-sing, SBS, JP
Hon WU Chi-wai, MH
Dr Hon Helena WONG Pik-wan
Hon IP Kin-yuen

Public Officers : Item III
attending

Mr TSANG Tak-sing, GBS, JP
Secretary for Home Affairs

Mr Laurie LO Chi-hong, JP
Permanent Secretary for Home Affairs (Acting)

Mr Vincent FUNG Hao-yin
Principal Assistant Secretary for Home Affairs
(Civic Affairs) 1

Item IV

Mr TSANG Tak-sing, GBS, JP
Secretary for Home Affairs

Miss Charmaine WONG Hoi-wan, JP
Deputy Director of Home Affairs (1) (Acting)

Miss Angela LUK Yee-wah, JP
District Officer (Wan Chai)
Home Affairs Department

Mrs Alice YU NG Ka-chun
Project Director 3
Architectural Services Department

Mr LI Ho-kin
Senior Project Co-ordination Manager 1
Architectural Services Department

Mr Simon LIU Wai-shing
Chief Leisure Manager (Hong Kong East)
Leisure and Cultural Services Department

Mr SUEN Kai-cheong, SBS, MH, JP
Chairman of Wan Chai District Council

Clerk in : Ms Alice LEUNG
attendance Chief Council Secretary (2) 2

Staff in attendance : Miss Josephine SO
Senior Council Secretary (2) 6

Ms Camy YOONG
Clerical Assistant (2) 2

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I. Confirmation of minutes

(LC Paper No. CB(2)1883/14-15)

The minutes of the meeting held on 24 March 2015 were confirmed.

II. Information papers issued since the last meeting

(LC Paper Nos. CB(2)1745/14-15(01) and CB(2)1882/14-15(01))

2. Members noted that the following papers had been issued since the last meeting -

- (a) Referral from Legislative Council ("LegCo") Members' meeting with Tai Po District Council ("DC") members on 22 January 2015 on issues relating to the regulation of home-stay lodgings in the rural areas; and
- (b) Referral from LegCo Members' meeting with Eastern DC members on 28 May 2015 on issues relating to the difficulties encountered by old buildings' owners in complying with requirements of the Fire Safety (Buildings) Ordinance (Cap. 572).

III. Youth development policy and the Youth Development Fund

(LC Paper Nos. CB(2)1890/14-15(01) and (02))

3. As the item involved a funding proposal, the Chairman reminded Members that in accordance with Rule 83A of the Rules of Procedure ("RoP"), they should disclose the nature of any direct or indirect pecuniary interests before they spoke.

4. At the invitation of the Chairman, Secretary for Home Affairs ("SHA") updated the Panel on the work of the Home Affairs Bureau ("HAB") on youth development and briefed Members on the proposed arrangements of the \$300 million Youth Development Fund ("YDF"), as detailed in the Administration's paper.

Youth development policy and initiatives

Working Holiday Scheme

5. Noting that the Government of the Hong Kong Special Administrative Region ("HKSAR") had entered into bilateral working holiday scheme ("WHS") arrangements with ten economies, providing young people with an opportunity to experience foreign culture and customs for broadening their horizons through living and working temporarily overseas while holidaymaking, the Deputy Chairman enquired whether the HKSAR Government would expand the scope of the scheme to cover the Mainland cities, especially those remote cities. He suggested that the HKSAR Government should seek co-operation with the China National Tourism Administration in this respect.

6. Principal Assistant Secretary for Home Affairs (Civic Affairs) 1 ("PASHA(CA)1") responded that WHS was launched by the Labour Department ("LD") with the objective of enhancing bilateral social and cultural ties between Hong Kong and other economies. On the possibility of establishing WHS arrangements with cities on the Mainland, LD had advised that as a number of schemes were already in place offering youth exchange or internship opportunities on the Mainland, it had no plan at the present stage to establish WHS arrangements with the Mainland authorities.

Youth exchange and internship programmes

7. While appreciating the merits of different youth exchange and internship schemes outlined in paragraph 3 of the Administration's paper in broadening the horizons of young people, Mr IP Kwok-him supported increasing the funding support for organizing more youth exchange and internship programmes of longer duration. He enquired whether past participants would be invited to share their experience with interested parties on completion of the programmes. PASHA(CA)1 replied in the affirmative, adding that programme organizers and past participants were invited to share their experience and observations with interested applicants at the briefing sessions on different schemes, so as to facilitate the latter's understanding of the content and objective of the schemes.

8. In response to Mr KWOK Wai-keung's enquiry, PASHA(CA)1 advised that feedback from participants in youth exchange programmes on the Mainland was generally favourable, affirming that the programmes could help enhance their knowledge and understanding of the latest situations/development of the country. As the exchange programmes had widened participants' social network in the Mainland, more and more participants were interested in pursuing a career in the Mainland.

Communication with young people

9. The Chairman and Mr MA Fung-kwok both considered it important for the Administration to strengthen the communication with young people at the district level to solicit their views on various policy initiatives or social issues. Although HAB and the Commission on Youth ("COY") had been organizing the youth summits biennially and a total of 19 Youth Exchange Sessions had been held in the past five years, they were of the view that existing initiatives to strengthen the networking and communication with young people were far from adequate. Mr MA suggested that as Area Committees ("ACs") under the Home Affairs Department ("HAD") were tasked to promote public participation in district affairs, consideration should be given to enlisting more young people as members of ACs. The Chairman was of the view that the Administration should provide more communication channels/platforms for young people to voice their views on various social issues. She and Mr MA considered that District Officers should take a more proactive role in reaching out to the youth and explaining to them the Government's policies on various fronts.

10. SHA responded that the Administration, while agreeing that communication with young people should be strengthened, had always listened to and received views from the young generation through different channels. At the district level, ACs acted as a forum for the discussion of local matters of interest and the provision of feedbacks on them, while the Government would conduct public consultation in formulating major policy initiatives. The youth summits jointly organized by HAB and COY aimed specifically to provide a platform for young people to express their opinions on social policies. As COY was tasked to advise the Government on matters relating to youth development, it had looked into relevant aspects at its recent meetings, including how to make better use of social media and websites on the Internet to communicate with young people so as to better understand the issues that they were facing in their growth and matters of their concern. SHA added that with the support of COY, the Administration would continue to collaborate with community organizations, youth organizations, universities and other stakeholders to promote various youth development activities.

11. The Chairman suggested that as a training tool, young people could be tasked to lead and co-ordinate government publicity activities for district projects in areas such as arts and culture, sports as well as environmental protection. SHA responded that the Administration had been working towards the direction of nurturing young people's creativity and providing them with diversified learning, training and development opportunities that matched their abilities, aspirations and education levels. Citing as an example the celebration party held recently to celebrate the 5th anniversary of

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the Youth Square, SHA informed the meeting that the celebratory programmes were led mainly by youth participants in the activities of the Youth Square.

Youth Development Fund

Eligibility and requirements of young entrepreneurs

12. Dr CHIANG Lai-wan enquired about the rationale for setting an age range of 18 to 35 for applicants of YDF. Permanent Secretary for Home Affairs (Acting) ("PSHA(Atg)") explained that in general, the targets of youth activities were young people aged 15 to 29. However, considering that persons under the age of 18 could not take up contractual or other legal obligations on their own, and that potential youth entrepreneurs would need certain work and life experience before they could identify their career aspiration, seize market opportunities and find their entrepreneurial direction, the Administration therefore, after making reference to the age limit of other similar youth entrepreneurship schemes, suggested setting an age range of 18 to 35 for applicants of YDF.

13. Dr CHIANG Lai-wan asked whether consideration had been given to requiring young entrepreneurs to shoulder a certain proportion of the capital for starting up their own business, as this would help raise young entrepreneurs' sense of commitment towards their business.

14. Mr LEUNG Che-cheung was concerned that the funding arrangements of YDF, as presently designed, would exclude small and medium-sized non-governmental organizations ("NGOs") to apply for the matching grant as they might have difficulties in apportioning a substantial amount of resources for the matching of grants from YDF. Mr LEUNG, Mr CHAN Chi-chuen, Mr KWOK Wai-keung and the Deputy Chairman raised similar concern about the risk which young entrepreneurs would face in starting their business venture. They were worried that due to limited entrepreneurial and business experience, the entrepreneurship projects launched by some young people might not be commercially fruitful and eventually end up as a business failure.

15. PSHA(Atg) responded with the following points -

- (a) YDF would support NGOs to launch entrepreneurship projects by way of matching funds, so that NGOs could directly assist young people in starting their own business. After consulting the Working Group on Youth Development Fund ("the Working Group") under COY, the Administration recommended that, regardless of whether NGOs would assist young entrepreneurs

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with grant or loan, YDF would provide a grant with conditions, and the ratio of the matching fund would be capped at 1:2. For example, if an NGO intended to provide a capital of \$1 million to young entrepreneurs for their start-ups, YDF could offer a matching grant of \$2 million at most;

- (b) the figure quoted above was only for illustration. It did not necessarily mean the floor amount of capital for NGOs' matching of grants from YDF. While the ratio of the matching fund was capped at 1:2, the maximum amount of matching fund available to each NGO would be capped at \$3 million in order to uphold the principle of prudent and fair use of public funds;
- (c) the Working Group had deliberated on the pros and cons of requiring young entrepreneurs to contribute at least part of the start-up capital. The Working Group considered it not in the interest of young entrepreneurs, particularly those from less well off families who did not have financial resources to start their business;
- (d) it would be matters for NGOs to decide which applications to be subsidized, the amount of funding to be granted and the form of assistance (grant or loan) to be provided. If financial assistance was provided in the form of loan to eligible young entrepreneurs, the latter would have to repay the loan to the relevant NGOs. This would be a drive for young entrepreneurs to take on their projects in a serious and responsible manner; and
- (e) COY acknowledged that it often took several attempts for start-ups to succeed. Therefore, YDF would not limit its support to first-time business starters. In order to ensure that young entrepreneurs could make an informed decision on the development direction of their businesses, NGOs would be required to provide appropriate information by inviting mentors to share their experience with and offer guidance to participants through, for example, briefing sessions or workshops. Further to this, NGOs should also provide other forms of support such as matching young entrepreneurs with mentors with relevant experience for regular follow-ups, offering business information and professional guidance, and assisting young entrepreneurs in establishing business networks, etc. The essence of YDF was to leverage on the business and professional experience, inter-personal networks and support services possessed by NGOs, with a view to helping young people pursue their entrepreneurship path.

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16. Noting that funding support from NGOs could be in the form of grant or loan, the Chairman enquired about the funding arrangements for YDF. PSHA(Atg) responded that YDF involved a one-off non-recurrent government provision of \$300 million and the ratio of the matching funds would be capped at 1:2. While NGOs could decide on the form of financial assistance to be provided to entrepreneurs in respect of the portion of capital provided by them, the government provision must be remitted in the form of grant. In the case of grants, repayment was not required.

Nature, mode and location of businesses

17. Dr Kenneth CHAN and Mr CHAN Chi-chuen noted from paragraph 19 of the Administration's paper that businesses which might embarrass the Government, such as tobacco, would not be supported. Seeking clarification on the nature of businesses that would be regarded as "embarrassing the Government", they asked whether the creation of parody and/or satire (specifically political in nature) involving local government officials or state leaders of the Central Government or the sale of innovative/creative products related to the "Umbrella Movement" would be classified as "embarrassing" businesses.

18. PSHA(Atg) responded that under YDF, NGOs would formulate their own assessment criteria and approval procedures for granting of fund to support innovative projects. As a guiding principle, business proposals having undesirable notions (such as gambling, violence, pornography or discrimination), propagating terrorism or involving unlawful activities would not be supported. The Administration believed that NGOs would adopt a holistic approach in assessing the feasibility and market potential of projects lodged by young entrepreneurs in accordance with the broad guiding principle mentioned above, and their assessment would not involve any form of political vetting.

19. Following up on the Administration's response, Dr Kenneth CHAN considered that the Administration should, in its funding proposal to be submitted to the Finance Committee ("FC"), specify clearly the proposed arrangements of YDF in respect of the scope and nature of businesses which would be classified as "embarrassing" and hence not supported under YDF. Sharing a similar view, Ms Claudia MO expressed concern that the restriction of "having undesirable notions" was too vague and could be subject to different interpretation.

20. Mr IP Kwok-him opined that entrepreneurship projects launched under YDF should maintain and help promote positive values/outlook. In his view, parody or satire humiliating or degrading government officials and/or state leaders should not be supported.

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21. In response to Mr MA Fung-kwok's enquiry as to whether YDF would support research projects undertaken by young people alone, PSHA(Atg) explained that YDF was intended to support innovative youth development activities which were not covered by existing schemes, including subsidy in the form of matching funds for NGOs to assist young people in starting their own business. When making an application to NGOs, young entrepreneurs were required to submit it together with a detailed business plan as well as budgetary and other forecast returns. Depending on the mode of operation of businesses that young entrepreneurs engaged in, NGOs would determine whether an application whose business involved "conducting research" should be supported.

22. In reply to a further question from Dr Kenneth CHAN, PSHA(Atg) advised that additional expenditure might be involved if NGOs were required to operate and follow up on the entrepreneurship programmes in the long run. While NGOs' administrative costs should be separated from the matching fund to be provided under YDF, the Government would separately allocate funding for NGOs to meet their administrative costs, according to the scale and needs of their entrepreneurship programmes.

23. Dr Kenneth CHAN, KWOK Wai-keung and Ms Claudia MO all pointed out that the high rental of office/shop space in Hong Kong had made it difficult for many young people to start and run their business in a sustainable manner, they enquired whether YDF would address this issue by identifying office or shop spaces for lease to young entrepreneurs at affordable rent.

24. PSHA(Atg) responded that the Administration noted that with the prevalence of various online business platforms, some entrepreneurs might not need a physical office. For this reason, although the businesses concerned were required to register in Hong Kong, YDF would not restrict the scope of operation nor make provision for hiring of office accommodation.

Eligibility criteria of NGOs

25. While expressing support for the implementation of YDF, Dr LAM Tai-fai and Ms Cyd HO enquired about the eligibility criteria for NGOs applying for matching grant and the monitoring mechanism to be put in place to ensure their prudent use of public funds. Ms HO hoped that NGOs, in considering business proposals from young entrepreneurs, would strive to encourage creativity and innovation.

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26. In response, PSHA(Atg) advised that -

- (a) COY agreed to adopt a lenient approach in deciding which NGOs could work with YDF. Most members of COY were of the view that, apart from providing start-up grants, it was more important for YDF to offer professional training consultations and support to young entrepreneurs through organizations with entrepreneurial and business experiences (or organizations with such connections and inter-personal networks). Therefore, the target partners of YDF should not be limited to non-profit making charitable bodies (i.e. tax-exempt charities under section 88 of the Inland Revenue Ordinance (Cap. 112)) only. Business associations, professional bodies, charitable organizations set up by commercial firms and educational institutions (such as universities) might also submit applications for matching grants from YDF; and
- (b) the Government would closely monitor NGOs to ensure that they would be impartial and fair when they used the fund, vetted the projects and provided grants. NGOs would be required to pass the assessment and an interview conducted by an assessment panel to make sure that all arrangements were comprehensive and appropriate. Only then would YDF disburse the matching fund in phases to the approved applicants. To ensure the prudent use of public funds, the NGOs concerned must sign an agreement with the Government, requiring the submission of, for example, project reports, financial reports, etc., at a time specified by YDF. Representatives of HAB or COY might also attend the project activities as observers to monitor the progress of the projects. Should any irregularities be identified, the Government had the right to recover from the approved applicants any disbursement in full.

27. Ms Cyd HO considered it necessary for the Administration to specify clearly in the agreements to be signed with individual NGOs the requirement concerning the disclosure of interest by members of the assessment panel to ensure that there was no conflict of interest or bias in NGOs' consideration and approval of business proposals for YDF. PSHA(Atg) responded that the Administration would do so.

Conclusion

28. In concluding the discussion, the Chairman said that Members supported the Administration's proposal to implement YDF and raised no objection to its submission of a funding application to FC with respect to the proposed arrangements of YDF.

IV. Signature Project of Wan Chai District Council

(LC Paper Nos. CB(2)1890/14-15(03) and (04))

29. As the item also involved a funding proposal, the Chairman reminded Members to observe RoP 83A which governed the disclosure of pecuniary interest before they spoke on the matter.

30. At the invitation of the Chairman, SHA updated Members on the latest developments concerning the implementation of the Signature Project Scheme ("SPS"). Chairman of Wan Chai District Council ("Chairman/WCDC") then briefed Members on the proposed signature project of Wan Chai ("WC") District - "Construction of Moreton Terrace Activities Centre ("MTAC")", details of which were set out in the Administration's paper.

31. Expressing support for the SPS project proposed by WCDC, Mr WONG Kwok-hing enquired whether barrier-free access facilities would be provided at MTAC and whether the proposed multi-purpose hall thereof could be expanded to house more people than just 250 persons as presently planned. He was also concerned about the standard of performance of the audio equipment to be installed in the function room/multi-purpose hall.

32. Project Director 3, Architectural Services Department ("PD3/ASD") responded with the following points -

- (a) given the constraint of the site area identified for the project, expansion of MTAC was not feasible;
- (b) MTAC was planned and designed in accordance with the current statutory requirements including ventilation, fire services installation and provision of barrier-free access, etc. Barrier-free facilities, such as ramps leading to the performing stage, would be provided; and
- (c) MTAC would be equipped with standard stage systems and audio equipment for community halls, suitable for staging small-to-medium scale performances or hosting community events/activities.

33. Mr MA Fung-kwok said that it was his understanding that, being the only performance venue under the management of HAD in WC District, the Leighton Hill Community Hall ("LHCH") was heavily patronized with a high utilization rate throughout the year. He and Dr LAM Tai-fai strongly supported the proposed construction of MTAC, as it could help relieve the demand for performance venues in the community. Mr MA and the Deputy

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Chairman both considered that WCDC should make the best use of the area available to cater for the needs of the community. Mr MA further enquired whether it was due to cost consideration that the proposed MTAC could not be expanded. Should this be the case, the Administration should increase the allocation of resources to DCs to facilitate their implementation of larger-scale SPS projects.

34. In response, Chairman/WCDC advised that -

- (a) given its convenient location, LHCH was highly popular among district organizations and government bureaux/departments for holding local and territory-wide events and activities, such as public consultation exercises, seminars and talks, and leisure and cultural performances. As LHCH was heavily patronized throughout the year, there had been a strong demand from WCDC, district organizations and the local community for additional performance and activity venues in WC District;
- (b) capitalizing on the introduction of SPS, WCDC proposed to take forward the MTAC project, with a view to providing an additional performance and activity venue to serve the local community. The proposed facilities at MTAC would comprise, among others, a multi-purpose function room cum gallery that could house around 130 persons. Installed with movable partitions and a store room, it would be ideal for holding small-scale activities such as meetings and artwork display; and
- (c) constrained by the resources available and the size of the site, the MTAC project would be four storeys high. The proposed project scope was the optimal design of the site from the perspective of land use.

35. In response to the Deputy Chairman's enquiry about the community garden cum roof garden, Chairman/WCDC advised that the Leisure and Cultural Services Department had launched and implemented in all districts by phases the Community Garden Programme. The programme was meant to encourage the public to participate in greening activities at community level, aiming at arousing public awareness in greening and environmental protection through participating in gardening activities. To meet the demand of the public, WCDC proposed to provide at MTAC a community garden cum roof garden, including planting plots under the Community Garden Programme, and a garden area for visitors' enjoyment.

36. The Chairman and Dr LAM Tai-fai both considered it a good idea to provide a community garden cum roof garden at MTAC for public use.

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The Chairman and the Deputy Chairman were concerned about the technical viability and problems of providing greening facilities on top of the building structures. The Chairman enquired whether roof greening projects were common in commercial or government buildings in Hong Kong, taking into account the various challenges associated with such facilities.

37. In response, Chairman/WCDC and PD3/ASD advised that -

- (a) incorporating greening elements (e.g. green roofs) in buildings had become a major trend of environmental protection features. Apart from beautifying the environment, green roofs could also help reduce the urban heat island effect and enhance the thermal insulation capability of buildings. Roof greening had been widely adopted in both public and private sector development projects (such as Hysan Place in Causeway Bay and government buildings completed in recent years);
- (b) it should be noted that all new government building projects undertaken by government departments must comply with the standards and requirements for greenery coverage as set out in the Technical Circular (Works) No. 3/2012 of the Development Bureau. For existing government buildings, their management departments were encouraged to consider roof greening works, where conditions permitted, when planning major renovation works;
- (c) with experience gained over the years, works departments had acquired the necessary knowledge and experience and were more readily able to overcome the common technical difficulties such as structure and loading capacity, drainage, waterproofing, space planning, access and safety; and
- (d) landscape architects with the necessary professional knowledge would carefully select plant species suitable for greening of the roof garden, taking into account the characteristics and constraints of the individual location and ensuring good sustainability and maintenance of the plants.

38. On the Deputy Chairman's enquiry about the issue of security and management of the future MTAC, District Officer (Wan Chai) advised that the daily management and operation of MTAC were the responsibilities of the WC District Office and where necessary, additional manpower would be flexibly deployed on weekends, holidays and specific days when events were held at MTAC. Adequate funding would be set aside to cover the recurrent consequences arising from the project.

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39. While expressing support for the MTAC project proposed by WCDC, the Chairman reiterated her view expressed at previous meetings that to make the best use of community wisdom in going for SPS, consideration should be given to increasing the resources to DCs to facilitate their implementation of larger-scale and sustainable SPS projects. She urged the Administration to seriously consider her suggestion when it reviewed the adequacy as well as effectiveness of the one-off allocation of \$100 million for each of the 18 DCs to initiate SPS projects and the way forward for SPS.

Summing up

40. In concluding the discussion, the Chairman said that Members supported the SPS project proposed by WCDC and raised no objection to the Administration's submission of the proposal to the Public Works Subcommittee and FC for endorsement and approval.

V. Any other business

Proposed extension of period of work of the Joint Subcommittee to Monitor the Implementation of the West Kowloon Cultural District Project
(LC Paper No. CB(2)1892/14-15)

41. Members endorsed the proposal for the Joint Subcommittee to Monitor the Implementation of the West Kowloon Cultural District Project ("the Joint Subcommittee") to continue its work in the 2015-2016 session. The Chairman said that that the Panel on Development ("the DEV Panel") would consider the Joint Subcommittee's proposal for extension of work at its upcoming meeting on 22 July 2015. Afterwards, a report would be made to the House Committee for seeking its approval of the proposal.

(Post-meeting note: the Joint Subcommittee's proposal for extension of work was endorsed by the DEV Panel at its meeting on 22 July 2015.)

42. In concluding the meeting, the Chairman said that this was the last Panel meeting in the 2014-2015 legislative session. She thanked members for their participation and support to the work of the Panel and the Secretariat staff for their assistance over the past year.

43. There being no other business, the meeting ended at 4:18 pm.